

1976 No. 1283**SEEDS****The Fodder Plant Seeds Regulations 1976**

Made - - - - - *6th August 1976*

Laid before Parliament *18th August 1976*

Coming into Operation *19th August 1976*

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers vested in them by sections 16(1), (1A), (2), (3), (4), (5) and (8), 17(1), (2), (3) and (4), 24(5), 26(2) and (3) and 36 of the Plant Varieties and Seeds Act 1964(a) as amended by section 4(1) of and paragraph 5(1), (2) and (3) of Schedule 4 to the European Communities Act 1972(b) and of all other powers enabling them in that behalf, after consultation with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:—

Application, citation and commencement

1. These regulations, which apply to Great Britain, may be cited as the Fodder Plant Seeds Regulations 1976 and shall come into operation on 19th August 1976.

Revocation of previous regulations

2. The Fodder Plant Seeds Regulations 1974(c) are hereby revoked.

Interpretation

3.—(1) A reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

(2) In these Regulations, unless the context otherwise requires—

“The Act” means the Plant Varieties and Seeds Act 1964 as amended by section 4(1) of and Schedule 4 to the European Communities Act 1972;

“Common Catalogue” means the Common Catalogue of varieties of kinds of agricultural plants published in the Official Journal of the European Communities;

“Higher Voluntary Standard” means the standards so described in Schedule 2 in relation to the seeds, being standards which the seeds satisfy and which they have on an official examination been found to satisfy;

(a) 1964 c. 14.

(b) 1972 c. 68.

(c) S.I. 1974/897 (1974 II, p. 3414).

“maintainer” means a person who is indicated in a National List or in the Common Catalogue as responsible for the maintenance of the particular fodder plant variety;

“marketing” includes, as the context shall permit, the offer for sale, exposure for sale, sale and possession, with a view to sale of seeds and any transaction in the course of business—

(a) under which the property in seeds is transferred from one person to another, or

(b) under which the seeds are made over by one person to another in pursuance of a contract under which the seeds will be used for producing further seeds or for producing plants,

and “market” and “marketed” shall be construed accordingly;

“Member State” means a member state of the European Communities;

“the Minister” means, in relation to England and Wales, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland, the Secretary of State, and “the Ministers” means the said two Ministers acting jointly;

“National List” means a list of varieties of kinds of fodder plants published in accordance with the Seeds (National Lists of Varieties) Regulations 1973(a) or any regulations made under the Act by which the same may be superseded;

“official examination” means an examination carried out by or on behalf of the Minister, subject to the payment of any fee imposed by regulations made under the Act, an examination carried out by or on behalf of the Department of Agriculture for Northern Ireland or, in relation to seeds harvested elsewhere than in the United Kingdom, an examination approved by the Minister;

“official label” and “official notice” mean respectively a label and a notice prepared by or on behalf of the Minister;

“small package” means, until the 30th June 1977, a package of seeds containing no more than a net weight of 15 kilograms of seeds and, from the 1st July 1977, a package of seeds containing no more than a net weight of 15 kilograms of pre-basic seeds, basic seeds or a mixture of seeds for agricultural use;

“small EEC A package” means a package of seeds containing no more than a net weight of 2 kilograms of a mixture of seeds not intended for agricultural use, excluding the weight of any granulated pesticides, pelleting substances or other solid additives;

“small EEC B package” means a package of seeds containing no more than a net weight of 10 kilograms of certified seeds or commercial seeds or, where the package is not a small EEC A package, a mixture of seeds not intended for agricultural use, excluding in each case the weight of any granulated pesticides, pelleting substances or other solid additives;

(3) In these Regulations, in relation to the categories of seeds referred to herein—

“pre-basic seeds” means seeds of a generation earlier than that of basic seeds—

- (a) which have been produced by or under the responsibility of the maintainer,
- (b) which are intended for the production of pre-basic seeds, uncertified pre-basic seeds, basic seeds or certified seeds, and
- (c) which satisfy the requirements for basic seeds set out in Schedule 2 and which have on an official examination been found to satisfy these requirements;

“uncertified pre-basic seeds” means seeds of a generation earlier than that of basic seeds—

- (a) which have been produced in the United Kingdom by or under the responsibility of the maintainer, and
- (b) which are intended for the production of pre-basic seeds, uncertified pre-basic seeds or basic seeds;

“basic seeds” means seeds—

- (a) which have been produced—
 - (i) by or under the responsibility of the maintainer, or
 - (ii) under the supervision of the Minister from seeds recognised by him to be of a local variety and grown within a particular clearly defined area,
- (b) which are intended for the production of certified seeds and
- (c) which satisfy the requirements for basic seeds set out in Schedule 2 and which have on an official examination been found to satisfy those requirements;

“certified seeds” means seeds which are either—

- (a) seeds which have been produced directly from basic seeds or, with the approval of the maintainer, from pre-basic seeds for the production of plants, or
- (b) seeds of field peas or field beans or, in accordance with and subject to the conditions imposed by a general licence granted by the Minister, seeds of other kinds, which have been produced directly from certified seeds and which are intended for the production of certified seeds or for the production of plants

being in either case seeds which satisfy the requirements for certified seeds set out in Schedule 2 and which have on an official examination been found to satisfy those requirements;

“commercial seeds” means seeds of the following kinds—

<i>Grasses</i>	<i>Legumes</i>
Velvet bent	<i>Herbage</i>
Red top	Bird's foot trefoil
Creeping bent	White lupin
Brown top	Blue lupin
Tall oatgrass	Yellow lupin
Sheep's fescue	Black medick, Trefoil
Annual meadowgrass	Sainfoin
Wood meadowgrass	Alsike clover
Rough-stalked meadowgrass	Hungarian vetch
	Common vetch
	Hairy vetch
	<i>Pulses</i>
	Field bean

(a) which are identifiable as to their kinds and

(b) which satisfy the requirements for commercial seeds set out in Schedule 2 and which have on an official examination been found to satisfy those requirements.

(4) The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament, and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

Seeds to which the Regulations apply

4.—(1) Subject to paragraphs (2) and (3) of this regulation these Regulations apply to fodder plant seeds of the kinds set out in Schedule 1.

(2) These Regulations shall not apply to—

- (a) seeds which are marketed for delivery elsewhere than in a Member State,
- (b) seeds used or to be used for research or experiment,
- (c) seeds used or to be used in the course of a process of selection, and
- (d) seeds which are marketed with a view to processing, treatment or cleaning, provided that the identity of the seeds is stated by the person by whom they are marketed.

(3) Where a person makes arrangements under which some other person uses seeds under the control of the first mentioned person for the purpose of increasing the first-mentioned person's stock of seeds for sowing or of carrying out tests or trials and under which the whole of the material produced, directly or indirectly, from the seeds, and any unused seeds, become or remain the property of the first-mentioned person these Regulations shall not apply to the marketing of the seeds by the first-mentioned person to the other person as part of the arrangements or to the marketing by that other person to the first-mentioned person of seeds produced, directly or indirectly, from those seeds.

Marketing of seeds

5.—(1) Subject to the provisions of this regulation no person shall market any seeds unless they are seeds of plant varieties which may be marketed in accordance with Regulation 31 of The Seeds (National Lists of Varieties) Regulations 1973 or any other Regulations whereby the same may be superseded and unless they are—

- (a) pre-basic seeds, uncertified pre-basic seeds, basic seeds, certified seeds or commercial seeds,
- (b) seeds which have been produced, packaged and officially sealed in a Member State other than the United Kingdom and labelled appropriately in accordance with the requirements of regulation 9(1), (2), (3), (5), (8) and (10),
- (c) seeds which have been produced elsewhere than in a Member State and which are marketed in accordance with and subject to the conditions imposed by a general licence granted by the Ministers under the authority of this paragraph.

(2) Paragraph (1) of this regulation shall not prevent the marketing of—

- (a) a mixture of kinds or varieties of seeds to which these Regulations refer, or
- (b) a mixture of kinds or varieties of seeds to which these Regulations refer and any other seeds meeting the requirements of the Seeds Regulations pertaining to those seeds,

provided that each constituent to which these Regulations refer consists of seeds marketed in accordance with paragraph (1) of this regulation.

(3) The Minister may, by a general licence taking effect during a period specified in the licence and subject to any conditions imposed by the licence—

- (a) authorise any person to market as pre-basic seeds, basic seeds, certified seeds or commercial seeds, seeds which fail in some respect to satisfy the requirements for such seeds set out in Schedule 2,
- (b) modify the labelling requirements set out in Schedule 5, or
- (c) authorise any person to market seeds which, notwithstanding the requirements of the Seeds (National Lists of Varieties) Regulations 1973 or any regulations whereby the same may be superseded, are of a variety not entered in a National List or in the Common Catalogue,

provided that in all other respects, unless expressly otherwise provided, the provisions of these Regulations shall apply in relation to the marketing of the seeds.

(4) Any person may market in relation to a sale or a proposed sale to a person engaged in the business of trading in seeds otherwise than by way of retail sale seeds which have been imported from a country other than a Member State notwithstanding that such marketing would otherwise be prohibited by virtue of paragraph (1)(c) of this regulation.

(5) Notwithstanding the requirement in Part II of Schedule 2 that basic seeds shall attain the minimum standards of germination specified in the said Schedule any person may, subject to the requirements of regulation 9(2)(b) and

(6), market as pre-basic seeds or basic seeds, seeds which in other respects satisfy the requirements for basic seeds set out in the said Schedule but which attain a lower percentage of germination than that specified in the said Schedule in relation to seeds of that kind.

(6) In a case where the official examination in respect of the germination of a proposed consignment of seeds has not been completed, but a preliminary test of germination has shown that the seeds attain the appropriate minimum standard of germination specified in Schedule 2 and the seeds in other respects satisfy the appropriate requirements of the said Schedule, the seeds may, subject to the requirements of regulations 9(6) and 10 be sold. In the event of any such sale the seller of the seeds shall, upon or before delivering them to the purchaser, provide him with a statement that the seeds are marketed before the completion of the official germination test together with the result of the preliminary test of germination, and shall provide him with the result of the completed official germination test as soon as practicable, and in any case not later than seven days after being informed of the result.

(7) Paragraphs (5) and (6) of this regulation shall not apply to seeds which have been imported from a country other than a Member State unless they were produced directly from pre-basic seeds or basic seeds certified in a Member State.

(8) Notwithstanding the requirements of regulation 31(1) and (2) of the Seeds (National Lists of Varieties) Regulations 1973 or the equivalent provision in any regulations made under the Act whereby the same may be superseded, commercial seeds may be marketed which are not of a variety which is entered in a National List or the Common Catalogue or which are marketed otherwise than under a varietal name.

Sampling

6.—(1) A sample of seeds taken for the purposes of an official examination or, subject to paragraph (3) of this regulation, for the enforcement of these Regulations shall be taken in accordance with the procedure set out in Part I of Schedule 3.

(2) A sample of seeds taken for the enforcement of these Regulations shall be divided into three parts of which one part shall be delivered or sent to the owner of the seeds or his representative, one part shall be delivered or sent to the Chief Officer of an Official Seed Testing Station and the remaining part shall be retained and be available for production to a court in accordance with section 26(7) of the Act:

Provided that, where it appears to the person taking the sample that the seeds from which the sample has been taken were purchased for use and not for re-sale, the first part of the sample shall be delivered or sent to the last seller of the seeds or to his representative in place of the owner of the seeds or his representative.

(3) The weight of a sample taken for the enforcement of these Regulations shall be such as to ensure that each of the parts into which it is divided is of not less than the appropriate minimum weight indicated in Part II of Schedule 3 and the sample shall be divided accordingly.

Certificates of taking and testing of a sample

7.—(1) A certificate in the form set out in Part I of Schedule 4 of the taking of a sample of seeds, adapted as appropriate for use either in England and Wales or in Scotland, is hereby prescribed in accordance with section 26(3) of the Act.

(2) A certificate in the form set out in Part II of Schedule 4 of the result of a test of a sample of seeds taken for the enforcement of these Regulations, adapted as appropriate for use either in England and Wales or in Scotland, is hereby prescribed in accordance with section 24(5) of the Act.

Sealing of packages

8.—(1) No person shall market in accordance with regulation 5(1)(a) a package (other than a package of uncertified pre-basic seeds, a small package, a small EEC A package or a small EEC B package) of pre-basic seeds, basic seeds, certified seeds or commercial seeds unless it has been, not later than at the time of sampling, sealed by a person authorised by the Minister in that behalf with a sealing device (which may be an adhesive label) in such a manner that when the package is opened the sealing device will be broken and cannot be re-used.

(2) If a package of seeds which has been sealed in accordance with paragraph (1) of this regulation or imported in accordance with regulation 5(1)(b) or 5(1)(c) shall have been opened it may not be re-sealed or further re-sealed except by a person authorised by the Minister in that behalf.

(3) No person shall market a package of uncertified pre-basic seeds, a small package, a small EEC A package or a small EEC B package in accordance with regulation 5(1)(a) unless it has been sealed with a sealing device approved by the Minister in such a manner that when the package is opened the sealing device will be broken and cannot be re-used.

(4) If a small EEC A package or a small EEC B package which has been sealed in accordance with paragraph (3) of this regulation or imported in accordance with regulation 5(1)(b) shall have been opened it may not be re-sealed or further re-sealed except by or under the supervision of a person authorised by the Minister in that behalf.

Labelling of packages

9.—(1) Subject to paragraph (9) of this regulation no person shall market any seeds in accordance with regulation 5(1)(a) except in a package which is labelled, inscribed or otherwise dealt with in accordance with this regulation.

(2) (a) A package (other than a small package, a small EEC A package or a small EEC B package) of pre-basic seeds, basic seeds, certified seeds, commercial seeds or a mixture of seeds shall have affixed on the outside an official label containing, as appropriate to the seeds particulars of the matters specified, and being of the size and colour also specified, in Part I of Schedule 5, which shall be either an adhesive label or a label secured to the package by an alternative sealing device and shall be affixed in either case by a person authorised by the Minister in that behalf.

(b) If in accordance with regulation 5(5) a person shall market basic seeds of a lower percentage of germination than that specified in Schedule 2 the fact shall be stated on the official label.

- (c) A person who markets a package, other than a small package, a small EEC A package or a small EEC B package, containing a mixture of seeds shall, with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds, give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the further matters relating to the seeds to which these Regulations apply, specified in Part IE of Schedule 5.
- (3) A package (other than a small package, a small EEC A package or a small EEC B package) of pre-basic seeds, basic seeds, certified seeds, commercial seeds or a mixture of seeds shall contain an official notice which shall be of the same colour as the official label and shall contain particulars of the reference number of the lot and the kind or, in the case of a mixture the proprietary name of the mixture or kinds of the constituents, and also, in the case of pre-basic seeds, basic seeds or certified seeds, the variety: provided that if such particulars are printed indelibly on the outside of the package or if the official label is an adhesive label the official notice referred to in this paragraph shall not be required.
- (4) A package of uncertified pre-basic seeds shall have affixed on the outside a label containing, as appropriate to the seeds, particulars of the matters specified and being of the colour also specified in Part II of Schedule 5: provided that if such particulars are indelibly printed on the outside of the package the said label shall not be required.
- (5) (a) A small package of seeds shall have affixed on the outside a label containing, as appropriate to the seeds, particulars of the matters specified and being of the colour also specified in Part III of Schedule 5: provided that if such particulars are printed indelibly on the outside of the package the said label shall not be required.
- (b) A person who markets a small package containing a mixture of seeds for use for agricultural purposes shall, with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds, give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the matters relating to the seeds to which these Regulations apply specified in Part IE of Schedule 5.
- (c) A small EEC A package and a small EEC B package, shall have affixed to the outside either a label, a printed notice or a stamp containing, as appropriate to the seeds, particulars of the matters specified in Part III of Schedule 5: provided that if the packaging material is transparent a label containing the said particulars may be placed inside the package in such a manner as to be clearly legible from the outside.
- (6) If a person shall market seeds in accordance with regulation 5(5) or (6) a supplier's label affixed to the outside of the package shall, where the seeds are marketed in accordance with regulation 5(5), contain a statement of the

germination of the seeds and, where the seeds are marketed in accordance with regulation 5(6), contain a statement of the germination of the seeds as ascertained on the preliminary test of germination, together in either case with the name and address of the seller and the reference number of the lot.

(7) If a package of seeds shall have been re-sealed in accordance with regulation 8(2) that fact shall be stated, together with the date of the re-sealing and the name of the authority responsible for it, on the official label.

(8) If any seeds have been subjected to any chemical treatment the fact that they have been so subjected and the nature of the treatment or the proprietary name of the chemical employed shall be stated either—

- (a) on the label referred to in paragraphs (2), (4) or (5) of this regulation or, where such a label is not required, with the particulars otherwise given in accordance with those paragraphs, or
- (b) on a separate supplier's label,

and also, except where the label referred to in the said paragraphs (2), (4) or (5) is not required, or where the information prescribed by this paragraph is given on an adhesive label, either on the outside of the package or in a statement enclosed in the package.

(9) A person may sell any seeds otherwise than in a package provided that they are sold by way of retail sale, in a quantity not exceeding the appropriate maximum weight indicated in Schedule 7 and are taken in the presence of the purchaser from a container on or in the proximity of which there is clearly and visibly marked or displayed a statement containing the particulars of the matters specified in Part IV of Schedule 5.

(10) The particulars and information given in accordance with this regulation shall be given in one of the official languages of the European Economic Community.

(11) Subject to the provisions of the Act and of these Regulations no person shall, in the course of the marketing or the preparation for the marketing of any seeds, wilfully reproduce, remove, alter, deface, conceal or misuse in any way any label or notice affixed to, contained in, or marked on any package of seeds or to be so affixed, contained or marked.

Records of transactions

10. A person who sells any pre-basic seeds, basic seeds or certified seeds in accordance with regulation 5(6) shall make and, during a period of twelve months following the delivery of the seeds, keep available for inspection by an officer duly authorised by the Minister a record of the date of such delivery, the reference number of the lot of seeds delivered, the name and address of the purchaser and the date on which he was provided with the result of the completed official germination test.

Higher Voluntary Standard

11. Where in the course of the marketing of any seeds it is stated or indicated in any label or notice affixed to, contained in or marked on any package of seeds or in any document accompanying the seeds that the seeds attain the Higher Voluntary Standard the person marketing the seeds shall be deemed to state, for the purposes of the enforcement of these Regulations and in relation to the particulars given to the purchaser, that the seeds attain the higher voluntary standards applicable to the seeds.

Civil liabilities of sellers of seeds

12.—(1) The particulars given to a purchaser by the seller of pre-basic seeds, basic seeds, certified seeds or commercial seeds to which these Regulations apply, whether given in pursuance of these Regulations expressly or by implication arising from the description under which the seeds are sold, shall constitute a statutory warranty for the purpose of section 17 of the Act in so far as they relate to the percentage of germination of the seeds, the percentage of analytical purity of the seeds, the content of seeds of other plant species and the varietal purity of the seeds or, in the case of a mixture of seeds, of each of its constituents to which these Regulations apply.

(2) Section 17(2) of the Act shall apply to any particulars given to a purchaser by the seller of seeds, being particulars given or implied as in paragraph (1) of this regulation, in so far as they relate to the percentage of germination, the percentage of analytical purity or to the content of seeds of other plant species and there are hereby prescribed in such matters the limits of variation set out in Schedule 6.

(3) Section 17(3) of the Act shall apply to any particulars given to a purchaser by the seller of seeds, being particulars given or implied as in paragraph (1) of this regulation, in so far as they relate to the percentages of germination, of analytical purity or to the content of seeds of other plant species.

(4) A purchaser who intends to obtain a test of seeds for the purposes of section 17(3) of the Act shall, not more than ten days after delivery to him of the seeds or of the particulars prescribed in regulation 9(2)(c) or (4)(b) (whichever is the later) give to the seller written notice of his intention and thereupon the seller may indicate a day (not being more than 21 days after delivery of the seeds or of the said particulars, whichever is the later, to the purchaser) and a reasonable time on that day at which a sample of the seeds may be taken in the presence of himself or his representative and the purchaser shall afford to the seller reasonable facilities for that purpose.

(5) On the day and at the time appointed by the seller in accordance with paragraph (4) of this regulation or, if the seller shall have failed to appoint such a day and time, on a day not more than 28 days after delivery of the seeds or of the said particulars (whichever is the later) to the purchaser, the purchaser may, and if the seller or his representative is present shall, take a sample of the seeds, such sample being taken in accordance with the procedure set out in Part I of Schedule 3 and shall divide the sample so taken into two parts, each being of at least the appropriate minimum weight specified in Part II of Schedule 3, of which one part shall be sent to the Chief Officer of an Official Seed Testing Station for the purpose of being tested and the other part delivered or tendered to the seller or his representative or, if he or his representative was not present when the sample was taken, sent to him by post.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th August 1976.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

5th August 1976.

Bruce Millan,
Secretary of State for Scotland.

Regulation 4(1)

SCHEDULE 1

KINDS OF SEEDS TO WHICH THE REGULATIONS APPLY

(A) Gramineae

Agrostis canina L. ssp. *canina*
Agrostis gigantea Roth.
Agrostis stolonifera L.
Agrostis tenuis Sibth.
Arrhenatherum elatius (L.) Beauv. ex
 J. S. et K. B. Presl.
Dactylis glomerata L.
Festuca arundinacea Schreb.
Festuca ovina L.
Festuca pratensis Huds.
Festuca rubra L.
Lolium multiflorum Lam.

Lolium perenne L.
Lolium X *hybridum* Hausskn.
Phleum bertolonii DC.
Phleum pratense L.
Poa annua L.
Poa nemoralis L.
Poa pratensis L.
Poa trivialis L.

(B) Leguminosae

Lotus corniculatus L.
Lupinus albus L.
Lupinus angustifolius L.
Lupinus luteus L.
Medicago lupulina L.
Medicago sativa L.
Medicago X *varia* Martyn
Onobrychis sativa Lam.
Pisum arvense L.
Trifolium hybridum L.
Trifolium pratense L.
Trifolium repens L.
Vicia faba L. ssp. *faba* var. *equina*
 Pers.
Vicia faba L. var. *minor* (Peterm.)
 Bull
Vicia pannonica Crantz
Vicia sativa L.
Vicia villosa Roth.

(C) Cruciferae

Brassica napus L. var. *napobrassica*
 (L.) Reichenb.
Brassica oleracea L. convar. *acephala*
 (DC) Alef.
Raphanus sativus L. ssp. *oleifera*
 (DC) Metzg.

(A) Grasses

Velvet bent
 Red top
 Creeping bent
 Brown top
 Tall oatgrass

 Cocksfoot
 Tall fescue
 Sheep's fescue
 Meadow fescue
 Red fescue
 Italian ryegrass (including Wester-
 wolds)
 Perennial ryegrass
 Hybrid ryegrass
 Timothy
 Timothy
 Annual meadowgrass
 Wood meadowgrass
 Smooth-stalked meadowgrass
 Rough-stalked meadowgrass

(B) Legumes

Birdsfoot trefoil
 White lupin
 Blue lupin
 Yellow lupin
 Black medick, Trefoil
 Lucerne
 Lucerne
 Sainfoin
 Field pea
 Alsike clover
 Red clover
 White clover
 Field bean

 Field bean

 Hungarian vetch
 Common vetch
 Hairy vetch

(C) Crucifers

Swede
 Fodder kale
 Fodder radish

Regulations 3(2) and (3), 5(3), (5) and (6) and 9(2)

SCHEDULE 2

REQUIREMENTS FOR BASIC SEEDS, CERTIFIED SEEDS AND COMMERCIAL SEEDS

PART I

CONDITIONS RELATING TO THE CROP FROM WHICH THE SEEDS OTHER THAN COMMERCIAL SEEDS ARE OBTAINED

Varietal characteristics

1. So far as it can be ascertained at crop inspection, supplemented where appropriate by examination of a plot sown by the Minister with a sample from the seed lot sown in the field, the plants shall conform to the characteristics of the variety established when the variety was included in a National List or the Common Catalogue.

Crop inspections

2. There shall be at least one official inspection of the crop. In the case of hybrid and synthetic varieties, insofar as required by the Minister, seed producers shall submit for examination seed at all stages of production of a variety.

Crop condition

3. The cultural condition of the field, the stage of development and the condition of the crop shall be such as to permit a sufficient check of identity, varietal purity and state of health.

Previous cropping

4. The crop may be grown only on land which has not previously been cropped in a manner which might adversely affect the nature or quality of the seeds to be produced and which complies with the Minister's requirements in that respect.

Age of crops

5. Crops of basic seeds and certified seeds of Italian ryegrass and other kinds with growth characteristics conducive to the establishment of a second generation of seed in any one year shall not be accepted in the second harvest year except that in the case of basic seed such kinds may be entered for the production of certified seed.

Isolation distances

6. There shall be a physical barrier or at least 2 metres of fallow between the crop and any other crops likely to cause problems of contamination in the field.

7. Throughout the period of flowering of the crop there shall be the following minimum distances from sources of pollen likely to cross-fertilise with the crop:—

(a) Crucifers. Crops to produce—

basic seed	400 metres
certified seed	200 metres

(b) Field peas. Crops to produce—

Basic seeds	50 metres
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	Multiplication fields	
	up to 2 hectares	over 2 hectares
(c) Field beans. Crops to produce—		
Basic seeds and certified seeds		
1st and 2nd generations	200m	100m
Certified seeds 3rd generation	100m	50m
(d) Other cross-fertilised species.		
Crops to produce—		
Basic seeds	200m	100m
Certified seeds	100m	50m

With the approval of the Minister these standards need not be observed if there is adequate protection against undesirable pollination.

Varietal purity

8. The maximum average tolerance of the following impurities shall be—

	in crops to produce	
	basic seeds	certified seeds
(a) recognisable off-types of the same species in grasses and herbage legumes	1 plant in 50 sq m	1 plant in 10 sq m
(b) plants (other than those classified as off-types) grown from shed seeds in grasses and herbage legumes	1% of seed heads in crop	No standard

Species purity

9. The maximum average tolerance of the following impurities shall be—

	in crops to produce	
	basic seeds	certified seeds
(a) Ryegrass in Cocksfoot, Meadow fescue, Red fescue, Tall fescue	1 plant in 50 sq m	1 plant in 10 sq m
(b) Suckling clover in White clover		

PART II

CONDITIONS RELATING TO THE SEEDS

A. BASIC SEEDS AND CERTIFIED SEEDS:

The seeds shall possess the identity and varietal purity specified in Part I.

B. BASIC SEEDS, CERTIFIED SEEDS AND COMMERCIAL SEEDS:

1. The seeds shall be of a satisfactory state of health insofar as seed-borne diseases and organisms affecting the seeds are concerned. For lucerne and red clover, basic seeds and seeds entered for the higher voluntary standard shall be fumigated by a method approved by the Minister if stem eelworm (*Ditylenchus dipsaci*) is reported at the field inspection of the crop.

2. At the discretion of the Minister, for basic and certified seeds of field beans, a sample shall be examined for *Ascochyta fabae*. Should such an examination be required by the Minister the level of infection shall not exceed:—

Basic seeds	Nil in 1,000 seeds
Certified seeds 1st generation	Nil in 600 seeds
Certified seeds 2nd generation	Nil in 400 seeds
Certified seeds 3rd generation or subsequent generations	No standard

3. The seeds shall comply with the following standards:

Kind	Minimum germination (% of pure seeds or pure pellets)	Maximum hard seed content (% of pure seeds or pure pellets)	Minimum analytical purity (% by weight)		Maximum* weed seed content (% by weight)	
			Basic and Certified seeds	Basic and Certified (minimum standard) seeds	Certified seeds (higher voluntary standard)	Certified seeds (minimum standard)
Perennial ryegrass	80		96	98	1.0	0.5
Italian ryegrass	75		96	98	1.0	0.5
Hybrid ryegrass	75		96	98	1.0	0.5
Cocksfoot	80		90	90	1.0	0.5
Timothy	80		95	98	0.5	0.5
Meadow fescue	80		95	98	1.0	0.5
Red fescue	75		90	95	1.0	0.5
Tall fescue	80		95	98	1.0	0.5
Red clover	80	20	97	98	0.5	0.5
White clover	80	40	97	98	0.8	0.5
Ladino white clover	80	40	97	98	0.5	0.5
Sainfoin	75†	20†	95†	98	1.5†	0.5
Lucerne	80	40	97	98	0.5	0.5

*For basic seeds, maximum weed seed content for all species is 0.1%.

†Including commercial seeds.

Kind	Minimum germination (% of pure seeds or pure pellets)	Maximum hard seed content (% of pure seeds or pure pellets)	Minimum analytical purity (% by weight)	Maximum* weed seed content (% by weight)
Red top ...	80		90	1.0
Other <i>Agrostis</i> ...	75		90	1.0
Tall oatgrass ...	80		90	1.0
Sheep's fescue ...	75		85	1.0
Meadow grasses† ...	75		85	1.0
Birdsfoot trefoil ...	75	40	95	0.8
Lupins ...	80	20	97	0.2
Black medick, Trefoil ...	80	20	97	0.8
Alsike clover ...	80	20	97	0.5
Vetches ...	85	20	97	0.5
Swede and Kale ...	80		98	0.5
Fodder radish ...	80		95	0.5
Field pea ...	80		97	0.1
Field bean ...	85	20	97	0.1

*For basic seeds, maximum weed seed content for all species is 0.1 %.

†No commercial seed category for smooth-stalked meadow grass.

4. The seeds shall also comply with the following standards as appropriate to the seeds:

(a) **HARD SEEDS:**

Up to the maximum content indicated, hard seeds present shall be considered as seeds capable of germination.

(b) **UNGERMINATED SEEDS:**

All fresh and healthy seeds which do not germinate after pre-treatment shall be considered as seeds which have germinated.

(c) **WILD OAT AND DODDER:**

The seeds shall be free from wild oat (*Avena fatua*, *A. ludoviciana* or *A. sterilis*) and dodder (*Cuscuta* spp.) except that one seed of wild oat or dodder in a 100g sample shall not be considered an impurity if a second sample of 200g is free from wild oat and dodder.

(d) **BLACKGRASS:**

(i) *Basic, certified (minimum standard) and commercial seeds*

There shall not be more than 5 seeds of blackgrass (*Alopecurus myosuroides*) in a sample of 25g of basic seeds or more than 0.3% by weight of blackgrass seeds in certified or commercial seeds.

(ii) *Certified (higher voluntary standard) seeds*

A sample of the size specified in paragraph (j) shall contain not more than 1 seed of blackgrass.

(e) **DOCKS:**

(i) *Basic, certified (minimum standard) and commercial seeds*

There shall not be more than 2 seeds of docks (*Rumex obtusifolius* and *R. crispus*) in a sample of 5g of seeds.

(ii) *Certified (higher voluntary standard) seeds*

For ryegrass, meadow fescue, tall fescue, red clover, lucerne and sainfoin there shall not be more than one seed of dock in a sample of the size specified in paragraph (j); for cocksfoot, timothy, red fescue and white clover there shall not be more than 2 seeds of docks in a sample of 5g.

(f) **COUCH GRASS:**

(i) *Basic, certified (minimum standard) and commercial seeds*

No requirements.

(ii) *Certified (higher voluntary standard) seeds*

There shall not be more than one seed of couch grass (*Agropyron repens*) in a sample of the size specified in paragraph (j).

(g) **OTHER CROP SPECIES:**

(i) *Basic, certified (minimum standard) and commercial seeds*

The percentage by weight of seeds of other crops shall not exceed 0.1 for basic seeds. For certified seeds it shall not exceed 1.0 except for *Poa* species in which 1.0% of seeds of other *Poa* species shall not be considered an impurity. For commercial seeds the percentage by weight of other crop seeds shall not exceed 3. For *Poa annua* L. 10%, and for other *Poa* species 3%, of other species of *Poa* shall not be considered an impurity.

For commercial seeds only of the *Vicia* species, a total of 6% by weight of seeds of *Vicia pannonica*, *V. villosa* and related cultivated species shall not be considered as an impurity.

(ii) *Certified (higher voluntary standard) seeds*

The percentage by weight of seeds of other crops shall not exceed 1.0. In addition, in a sample of the size specified in paragraph (j) the number of seeds of any single species shall not exceed 60, except for timothy for which the number shall not exceed 25; for tall fescue and meadow fescue there shall not be more than 10 seeds of any ryegrass in the specified sample.

For red fescue a sample of 30g shall contain not more than a total of 4 seeds of ryegrass, cocksfoot and meadow fescue.

(h) **AWNED RYEGRASS:**

All categories

Awned ryegrass seeds shall not exceed, for basic seeds, 5 seeds in 60 grams and, for certified seeds, 1% by weight in seeds of a variety of ryegrass known not to produce seeds with awns.

(j) **SAMPLE SIZE:**

The minimum size for the samples referred to in paragraphs (d), (e), (f) and (g) shall be as follows:—

Perennial ryegrass	6g
Italian ryegrass	6g
Hybrid ryegrass	6g
Cocksfoot	3g
Timothy	1g
Meadow fescue	5g
Tall fescue	5g
Red fescue	3g
White clover	2g
Red clover	5g
Lucerne	5g
Sainfoin—seed	40g
—fruit	60g

(k) **SPECIAL PROVISIONS FOR *Lupinus* SPECIES:**

For basic seeds there shall be no more than 1% by number of bitter seeds in sweet varieties. For certified seeds there shall be no more than 3% by number in first generation certified seeds and 5% in subsequent generation certified seeds. In basic seeds and in all generations of certified seeds the percentage by number of seeds of another colour shall not exceed 2 in bitter lupins and 1 in other lupins.

For commercial seeds the percentage by number of seeds of a different colour shall not exceed 4 in bitter lupins and 2 in other lupins. The percentage by number of bitter seeds in sweet lupins shall not exceed 5.

Regulations 6(1) and (3) and 12(5)

SCHEDULE 3

PART I

PROCEDURE FOR THE TAKING OF SAMPLES

1. Prior to sampling a seed lot shall be well mixed so as to be uniform among its parts as is practicable.

2. When the seed lot is in sacks or other similar sized containers the number of containers to be sampled shall be in accordance with the following table:—

<i>Number of containers in the lot</i>	<i>Minimum number of containers to be sampled</i>
1-5 (inclusive)	Each container, portions being taken from at least five positions
6-14 „	Not less than 5 containers
15-30 „	At least 1 container in 3
31-49 „	Not less than 10 containers
50 or more	At least 1 container in 5

When there are more than five containers in the lot the containers to be sampled must be selected at random.

3. For sampling seed lots in containers weighing less than 50kg a 100kg weight of seed is taken as the basic unit. Containers shall be combined to form sampling units weighing a maximum of 100kg (e.g. 5 containers each of 20kg form one unit). For sampling purposes each unit shall be regarded as one container and the sampling intensity prescribed above shall be used.

4. The samples shall be taken in the following manner:

(a) *Seeds in full sacks or other containers*

The sacks or other containers shall be sampled at random and samples taken from the top, middle or bottom, but not necessarily from more than one position, of each selected sack or container. The position from which the seed is taken shall be varied from container to container and seed shall be taken from different horizontal positions.

Wherever practicable, seed in sacks shall be sampled with a metal spear, trier or probe with a solid point which shall be of sufficient length to reach beyond the middle of the sack when inserted from the side and shall have an oval aperture so placed that the instrument removes portions of seed of equal volume from each part of the sack through which it travels. The instrument shall be inserted into the sack in an upward direction at an angle of approximately 30° to the horizontal, with the aperture downwards until the aperture reaches the centre of the sack. It shall then be rotated so as to bring the aperture uppermost and withdrawn at once at a decreasing speed so that the quantity of seeds obtained from successive locations increases progressively from the centre to the side of the sack.

Alternatively, a longer instrument may be inserted until the aperture reaches the further side of the sack, rotated in the manner described above and then withdrawn at a uniform speed.

A stick sampler may be used in place of the instrument mentioned above. It may be used horizontally or vertically. If there is more than one aperture it must have transverse partitions so that each aperture opens into a separate compartment. It shall be inserted diagonally into the sack in the closed position, then opened, gently agitated to allow it to fill completely, closed again, withdrawn and emptied.

Seeds in containers other than sacks shall wherever practicable be sampled with an instrument as aforesaid, which shall be used as already described.

Where it is not practicable to sample seeds in sacks or other containers in the manner already described, portions may be taken by hand, care being taken to keep the fingers tightly closed about the seeds so that none may escape as the hand is

withdrawn. If necessary, in order to reach the lower levels, part of the contents shall be emptied into another sack or other container.

(b) *Seeds in a partly filled container*

The seeds shall be thoroughly mixed by hand and small portions then taken from at least five different positions.

(c) *Seeds in bulk*

Portions of seed shall be taken with a stick sampler from at least the number of positions indicated in the table below:—

<i>Size of bulk</i>		<i>Number of positions to be sampled</i>
Not exceeding 50kg		Not less than 3
Exceeding	Not exceeding	
50kg	1,500kg	Not less than 5
1,500kg	3,000kg	At least 1 for each 300kg
3,000kg	5,000kg	Not less than 10
5,000kg	20,000kg	At least 1 for each 500kg

Sampling positions must be selected at random in both vertical and horizontal planes. If the sampler has more than one aperture it shall have transverse partitions so that each aperture opens into a separate compartment.

(d) *Seeds in a cleaning, mixing or dressing machine*

Portions of seed shall be drawn during the cleaning, mixing or dressing process so that the entire cross section of the seed stream is uniformly sampled at regular intervals throughout the whole of the process. The frequency shall be at least as indicated in the table below:—

<i>Size of lot</i>		<i>Number of times to be sampled</i>
Not exceeding 50kg		Not less than 3
Exceeding	Not exceeding	
50kg	1,500kg	Not less than 5
1,500kg	3,000kg	At least 1 for each 300kg
3,000kg	5,000kg	Not less than 10
5,000kg	20,000kg	At least 1 for each 500kg

5. When the individual portions taken from the lot exceed the amount required they shall be put together in a clean receptacle and well mixed. The composite sample so obtained shall be reduced by using an efficient seed divider.

PART II

MAXIMUM WEIGHT OF A LOT AND MINIMUM WEIGHT OF A SAMPLE

1. For the following kinds of seeds—

White lupin	Hungarian vetch	Field pea
Blue lupin	Common vetch	Field bean
Yellow lupin	Hairy vetch	

(a) the maximum weight of a lot to be sampled shall be 20 tonnes;

(b) the minimum weight of a sample shall be 500 grams except that for field peas and field beans the minimum weight shall be, for

pre-basic and basic seeds	3,000 grams
certified seeds	1,500 grams
commercial seeds	1,000 grams

2. For all other kinds of seeds—

(a) the maximum weight of a lot to be sampled shall be 10 tonnes;

(b) the minimum weight of a sample shall be 300 grams.

Regulation 7(1) and (2)

SCHEDULE 4

PART I

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD/DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

PLANT VARIETIES AND SEEDS ACT 1964—SECTION 26(3)

THE FODDER PLANT SEEDS REGULATIONS 1976

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS TAKEN UNDER SECTION 25(5) OF THE ACT

On the premises of

Name

Address

.....

.....

Kind

Variety

Category

Certificate or reference number

Date of sampling

Ministry's/Department's reference number

I certify that in taking the sample referred to above I used the method of sampling prescribed in Schedule 3 to the Fodder Plant Seeds Regulations 1976.

Signed

Authorised by the Minister of Agriculture, Fisheries and Food/Secretary of State

Date

PART II

CERTIFICATE OF THE RESULT OF A TEST OF SEEDS

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD/DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

PLANT VARIETIES AND SEEDS ACT 1964

THE FODDER PLANT SEEDS REGULATIONS 1976

FINAL REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/ SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

On the premises of (Name & Address) Official Station Sample No.
 Control Sample No.
 Date Received at Station
 Date of Sampling
 Quantity Sampled
 Quantity Represented

Description

Kind	<input type="text"/>	Variety	<input type="text"/>
Category & Level	<input type="text"/>	Reference No.	<input type="text"/>

Result of Test

% Pure seeds	% Inert matter	% Other crop seeds	% Weed seeds	% <i>Alopecurus myosuroides</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Inert matter
 Other crop seeds
 Weed seeds
 Number of seeds

<i>Rumex crispus</i> and <i>R. obtusifolius</i>	5g	<input type="text"/>	
<i>Alopecurus myosuroides</i>	25g	<input type="text"/>	Further 200g
<i>Avena fatua</i> , <i>A. ludoviciana</i> , <i>A. sterilis</i>		<input type="text"/>	<input type="text"/>
<i>Cuscuta</i> spp.		<input type="text"/>	<input type="text"/>

Germination %

Hard seed % *Ascochyta fabae* % in seeds examined

Fresh seed %

REMARKS

Date.....

Chief Officer

Regulations 5(3) and 9(2), (3), (4), (5) and (9)

SCHEDULE 5

PART I

A. OFFICIAL LABEL FOR A PACKAGE OF BASIC SEEDS OR CERTIFIED SEEDS

(a) Prescribed contents

1. "EEC rules and standards"
2. Certifying Authority and Member State or their mark
3. Reference number of the lot
4. Kind
5. Variety
6. Category
7. Country of production
8. Declared net or gross weight or declared number of seeds
9. Where weight is indicated and granulated pesticides or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of seed and the total weight
10. For certified seeds of the second generation and subsequent generations from basic seeds: number of generations from basic seed
11. For seeds of grass varieties, in respect of which no official examination of their value for cultivation and use has been carried out: "Not intended for fodder production"

(b) Minimum size of the label—110 mm × 67 mm

- (c) The label shall be coloured white for basic seeds, blue for certified seeds of the first generation from basic seeds and red for certified seeds of subsequent generations from basic seeds.

B. OFFICIAL LABEL FOR A PACKAGE OF COMMERCIAL SEEDS

(a) Prescribed contents

1. "EEC rules and standards"
2. "Commercial seed (not certified as to variety)"
3. Service responsible for sealing and Member State or their mark
4. Reference number of lot
5. Kind (for lupins, it shall be stated whether they are bitter or sweet)
6. Country of production (or region of production within a country)
7. Declared net or gross weight or declared number of seeds
8. Where weight is indicated and granulated pesticides or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of seed and the total weight

(b) Minimum size of the label—110 mm × 67 mm

- (c) The label shall be coloured brown.

C. OFFICIAL LABEL FOR A PACKAGE OF PRE-BASIC SEEDS**(a) Prescribed contents**

1. Certifying Authority and Member State or their mark
2. Reference number of lot
3. Kind
4. Variety
5. "Pre-basic seeds"
6. Number of generations preceding seed of the categories "certified seed" or "certified 1st generation seed"

(b) Minimum size of the label—110 mm × 67 mm

(c) The label shall be coloured white with a diagonal violet line.

D. OFFICIAL LABEL FOR A PACKAGE OF A MIXTURE OF SEEDS**(a) Prescribed contents**

1. "Seed mixture for"
(intended use)
2. Service responsible for sealing and Member State or their mark
3. Reference number of the lot
4. Proprietary name of the mixture or kinds of the constituents
5. Declared net or gross weight or declared number of seeds
6. Where weight is indicated and granulated pesticides or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of seed and the total weight

(b) Minimum size of the label—110 mm × 67 mm

(c) The label shall be coloured green.

E. FURTHER PARTICULARS TO BE GIVEN IN RESPECT OF A MIXTURE OF SEEDS—OTHER THAN A MIXTURE IN A SMALL PACKAGE OF SEEDS NOT INTENDED FOR USE FOR AGRICULTURAL PURPOSES

For each constituent

1. Kind
2. Category
3. Variety (except for commercial seeds)
4. Proportion by weight of the mixture.

PART II**A. SUPPLIER'S LABEL FOR A PACKAGE OF UNCERTIFIED PRE-BASIC SEEDS****(a) Prescribed contents**

1. Name and address of the supplier responsible for affixing the label or his identification mark
2. Reference number of the lot
3. Kind
4. Variety
5. "Uncertified pre-basic seeds"
6. Declared net or gross weight or declared number of seeds

(b) The label shall be coloured buff.

PART III

SMALL PACKAGES

A. SUPPLIER'S LABEL FOR A SMALL PACKAGE OF SEEDS OTHER THAN A MIXTURE OF SEEDS**(a) Prescribed contents**

1. "EEC rules and standards"
2. Name and address of the supplier responsible for affixing the label or his identification mark
3. Reference number of the lot
4. Kind
5. Variety (if appropriate)
6. Category
7. Declared net or gross weight or declared number of seeds except in the case of packages not exceeding 14 grams net weight

(b) The label shall be coloured white for basic seeds, blue for certified seeds and brown for commercial seeds.

B. SUPPLIER'S LABEL FOR A SMALL PACKAGE OF A MIXTURE OF SEEDS FOR USE FOR AGRICULTURAL PURPOSES**(a) Prescribed contents**

1. "Seed mixture for agricultural use"
2. Name and address of person responsible for sealing package or his identification mark
3. Reference number of the lot
4. Proprietary name of the mixture or kinds of the constituents
5. Declared net weight

(b) The label shall be coloured green.

C. SUPPLIER'S LABEL FOR A SMALL PACKAGE OF A MIXTURE OF SEEDS FOR USE FOR PURPOSES OTHER THAN AGRICULTURE**(a) Prescribed contents**

1. "Seed mixture for"
(intended use)
2. Name and address of person responsible for sealing package or his identification mark
3. Reference number of the lot
4. "With ryegrass" or "without ryegrass"
5. Declared net weight

(b) The label shall be coloured green.

D. PARTICULARS TO BE GIVEN WITH A SMALL EEC PACKAGE OF CERTIFIED OR COMMERCIAL SEEDS OTHER THAN A MIXTURE OF SEEDS**(a) Prescribed contents**

1. "Small EEC 'B' package"
2. Name and address of supplier responsible for affixing the label or his identification mark

3. Member State or its identification mark i.e. "packed in UK"
 4. Reference number of the lot
 5. Kind (for lupins, it shall be stated whether they are bitter or sweet)
 6. Category and, for certified seeds, variety
 7. Net or gross weight or number of seeds except in the case of packages not exceeding 14 grams net weight
 8. Where weight is indicated and granulated pesticides or other solid additives are used the nature of the additive and the approximate ratio between the weight of seeds and the total weight
- (b) The label shall be coloured blue for certified seeds and brown for commercial seeds.

E. PARTICULARS TO BE GIVEN WITH A SMALL EEC PACKAGE OF A MIXTURE OF SEEDS FOR USE FOR PURPOSES OTHER THAN AGRICULTURE

- (a) Prescribed contents
1. "Small EEC 'A' package" or "Small EEC 'B' package"
 2. Name and address of supplier responsible for affixing the label or his identification mark
 3. Member State or its identification mark i.e. "packed in UK"
 4. Reference number of the lot
 5. "Seed mixture for"
(intended use)
 6. Net or gross weight or declared number of seeds except in the case of packages not exceeding 14 grams net weight
 7. Where weight is indicated and granulated pesticides or other solid additives are used the nature of the additive and the approximate ratio between the weight of seeds and the total weight
 8. Proportion by weight of the various constituents shown by kinds and where appropriate by variety
 9. "With ryegrass" or "without ryegrass"
- (b) The label shall be coloured green.

PART IV

A. PARTICULARS TO BE MARKED OR DISPLAYED ON THE SALE OF UNPACKETED SEEDS OTHER THAN MIXTURES OF SEEDS

1. "Complies with legal standards"
2. Kind
3. Variety.

B. PARTICULARS TO BE MARKED OR DISPLAYED ON THE SALE OF UNPACKETED MIXTURES OF SEEDS

1. Proprietary name of the mixture or kinds and proportion by weight of the constituents
2. "Seed mixture for"
(intended use)
3. "With ryegrass" or "without ryegrass".

Regulation 12(2)

SCHEDULE 6

LIMITS OF VARIATION

GERMINATION

<i>Minimum percentage of germination</i>	<i>Limit of variation</i>
per cent	per cent
99-100	2
97-98	3
94-96	4
91-93	5
87-90	6
82-86	7
76-81	8
69-75	9
65-68	10

ANALYTICAL PURITY—(a) grasses

<i>Minimum percentage of analytical purity</i>	<i>Limit of variation</i>
per cent	per cent
99.9-100	0.2
99.7-99.8	0.4
99.5-99.6	0.5
99.3-99.4	0.6
99.0-99.2	0.7
98.8-98.9	0.8
98.3-98.7	0.9
98.0-98.2	1.0
97.5-97.9	1.1
97.0-97.4	1.2
96.5-96.9	1.3
96.0-96.4	1.4
95.0-95.9	1.5
94.0-94.9	1.6
93.0-93.9	1.7
92.0-92.9	1.9
91.0-91.9	2.0
90.0-90.9	2.1
88.0-89.9	2.2
86.0-87.9	2.4
84.0-85.9	2.5
82.0-83.9	2.6
80.0-81.9	2.8

ANALYTICAL PURITY—(b) legumes and crucifers

<i>Minimum percentage of analytical purity</i>	<i>Limit of variation</i>
per cent	per cent
99.9—100	0.2
99.8	0.3
99.6—99.7	0.4
99.3—99.5	0.5
99.0—99.2	0.6
98.5—98.9	0.7
98.3—98.4	0.8
97.5—98.2	0.9
97.0—97.4	1.0
96.5—96.9	1.1
95.5—96.4	1.2
95.0—95.4	1.3
94.0—94.9	1.4
93.0—93.9	1.5
92.0—92.9	1.6
91.0—91.9	1.7
90.0—90.9	1.8

CONTENT OF SEEDS OF OTHER SPECIES IN GRASSES

<i>Maximum seeds</i>	<i>Limit of variation</i>
per cent	per cent
0.0	0.2
0.1	0.3
0.2	0.4
0.3—0.4	0.5
0.5—0.6	0.6
0.7—0.9	0.7
1.0—1.2	0.8
1.3—1.7	0.9
1.8—1.9	1.0
2.0—2.4	1.1
2.5—2.9	1.2
3.0—3.4	1.3
3.5—3.9	1.4
4.0—4.9	1.5
5.0	1.6

CONTENT OF SEEDS OF OTHER SPECIES OR VARIETIES IN LEGUMES AND CRUCIFERS

<i>Maximum seeds</i>	<i>Limit of variation</i>
per cent	per cent
0.0	0.1
0.1-0.2	0.3
0.3-0.4	0.4
0.5-0.6	0.5
0.7-0.9	0.6
1.0-1.4	0.7
1.5-1.7	0.8
1.8-2.4	0.9
2.5-2.9	1.0
3.0-3.4	1.1
3.5-4.4	1.2
4.5-4.9	1.3
5.0-5.9	1.4
6.0-6.9	1.5
7.0-7.9	1.6
8.0-8.9	1.7
9.0-9.9	1.8
10.0	1.9

NUMBER OF SEEDS OF OTHER SPECIES

<i>Maximum number of seeds</i>	<i>Limit of variation</i>
Number	Number
0	1
1	3
2	4
3-4	5
5-6	6
7-8	7
9-11	8
12-14	9
15-17	10
18-21	11
22-25	12
26-29	13
30-34	14
35-40	15
41-45	16
46-51	17
52-57	18
58-64	19
65-71	20
72-79	21
80-87	22
88-95	23
95-100	24

Regulation 9(9)

SCHEDULE 7

MAXIMUM WEIGHT FOR RETAIL SALES OF UNPACKETED SEEDS

Velvet bent	}	2 kg
Red top		
Creeping bent		
Brown top		
Tall oatgrass		
Cocksfoot		
Tall fescue		
Sheep's fescue		
Meadow fescue		
Red fescue		
Italian ryegrass		
(including Westerwolds)		
Perennial ryegrass		
Hybrid ryegrass		
Timothy		
Annual meadowgrass		
Wood meadowgrass		
Smooth-stalked meadowgrass		
Rough-stalked meadowgrass		
Birdsfoot trefoil		
White lupin		
Blue lupin		
Yellow lupin		
Black medick		
Lucerne		
Sainfoin		
Alsike clover		
Red clover		
White clover		
Hungarian vetch		
Common vetch		
Hairy vetch		
Swede		
Fodder kale		
Fodder radish		
Field pea	}	3 kg
Field bean		
Mixtures		7 kg

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations are made under the Plant Varieties and Seeds Act 1964 as amended by the European Communities Act 1972. They re-enact, with modifications, the Fodder Plant Seeds Regulations 1974 which are revoked.

They regulate the marketing in Great Britain of seeds of fodder plants but exclude seeds used for research, experiment or selection processes, and uncleaned seeds marketed with a view to processing or other treatment.

Seeds may be marketed only if they are of specified categories as defined in the Regulations and sold in sealed packages labelled with prescribed particulars. The particulars stated or implied on a package of seeds are deemed to constitute a warranty by the seller for the protection of the purchaser under provisions of the Regulations. There is provision for the taking of samples for verification of standards attained and for the enforcement of the obligations imposed by the Regulations. Tampering with labels prescribed by the Regulations will constitute an offence.

These Regulations modify the procedure for the movement of seed prior to the completion of the official examination subject to certain provisions for the protection of the purchaser. New provision is made for the introduction of small EEC packages of seeds which will permit additional unrestricted intra-community trade. The transitional marketing arrangements prior to 1st July 1976 for which provisions existed in the Fodder Plant Seeds Regulations 1974 have been omitted. There are a number of minor and drafting amendments.

Schedules to the Regulations include details of the standards to be attained by the different categories of seeds and the crops from which they are derived. There are also procedures for the taking of samples and of the particulars to appear on labels on packages of seeds.

The Regulations give effect to Directive 66/401/EEC of the Council of the European Economic Community (O.J. No. 125, 11.7.66—O.J./S.E. 27.3.72) as amended by Directive 75/438/EEC (O.J. No. L356, 27.12.73, p. 79) and Directive 75/444/EEC (O.J. No. L196, 26.7.75, p. 6), on the marketing of seeds of fodder plants.

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