
 STATUTORY INSTRUMENTS

1980 No. 899

SEEDS

The Fodder Plant Seeds Regulations 1980

<i>Made - - - -</i>	27th June 1980
<i>Laid before Parliament</i>	9th July 1980
<i>Coming into Operation Paragraph 7(b) and (c) of Part I of Schedule 2</i>	1st January 1981
<i>Remainder</i>	1st August 1980

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred 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) and now vested in them(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 1980 and shall come into operation on 1st August 1980, except for Paragraph 7(b) and (c) of Part I of Schedule 2 which shall come into operation on 1st January 1981.

Revocation of previous regulations

2. The Fodder Plant Seeds Regulations 1976(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;

“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 which—

(a) are higher than the minimum standards prescribed for certified seeds, and

(b) are specified in Part II of Schedule 2,

(a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68) section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4.

(b) By the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(c) S.I. 1976/1283.

being standards which the seeds satisfy and which they have on official examination been found to satisfy;

“maintainer” means a person who is indicated in a National List or in the Common Catalogue as responsible for maintaining the plant variety with the morphological, physiological or other characteristics to which regard was had when the plant variety was entered in the List or the Common Catalogue;

“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 or parts of plants for human or animal consumption,

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

“the Minister” means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Scotland or Wales, the Secretary of State, and “the Ministers” means the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales 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 1979(a);

“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 a package of seeds containing a net weight of not more than 15 kilograms of pre-basic seeds, basic seeds or a mixture of seeds for agricultural use, excluding the weight of any granulated pesticides, pelleting substances or other solid additives;

“small EEC A package” means a package of seeds containing a net weight of not more than 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 a net weight of not more than 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—

(a) S.I. 1979/133, as amended by S.I. 1980/898.

“breeder’s 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 carrying out in the United Kingdom the duties of a maintainer as set out in regulation 18 of the Seeds (National Lists of Varieties) Regulations 1979,
- (b) which are intended for the production of pre-basic seeds or basic seeds, and
- (c) which have, on official examination, been found to satisfy, as appropriate to the kind of seeds, the requirements for basic seeds set out in paragraphs 1 – 2 of Part II of Schedule 2;

“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, 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;

“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 the requirements set out in Parts I and II of the said Schedule;

“commercial seeds” means seeds of the following kinds—

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

- (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.

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 30 of the Seeds (National Lists of Varieties) Regulations 1979 and unless they are—

- (a) breeder's seeds, 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), (4), (7) and (9), or

(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,

but each constituent to which these regulations refer shall consist of seeds marketed in accordance with paragraph (1) of this regulation.

(3) The Minister may, by a general licence which may impose conditions and shall have effect during the period specified in it unless the Minister earlier revokes it—

(a) authorise any person to market as breeder's seeds, 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 1979 are of a variety not entered in a National List or in the Common Catalogue,

but in all other respects, unless expressly otherwise stated in the licence, 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 other 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 (5), 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(5) 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, in the event of the official germination

test showing the seeds' failure to comply with the minimum germination standard required by paragraph 4 of Part II of Schedule 2 for seeds of that kind, shall provide him with the result of the completed test as soon as practicable and in any event not later than seven days after being informed of it.

(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 30(1) and (2) of the Seeds (National Lists of Varieties) Regulations 1979 or any equivalent provision in any other regulations made under the Act, commercial seeds may be marketed otherwise than under a varietal name, including commercial seeds which are not of a variety which is entered in a National List or the Common Catalogue.

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 rules set out in 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: save 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 resale, 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 paragraph 6 of Schedule 3 and the sample shall be divided accordingly.

(4) If a sample of seeds taken for the purposes of an official examination is found to have been taken from an insufficiently homogeneous seed lot, or otherwise not to have been taken in accordance with the rules set out in Schedule 3, no or no further official examination shall be made of that sample, and any findings or results obtained in the course of any such examination thereof already made shall be deemed null and void.

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 in England or in 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 small package, a small EEC A package or a small EEC B package) of breeder's seeds, pre-basic seeds, basic seeds, certified seeds, commercial seeds or a mixture of 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 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 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 breeder's seeds, 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 I F of Schedule 5.

(3) A package (other than a small package, a small EEC A package or a small EEC B package) of breeder's seeds, 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 breeder's seeds, pre-basic seeds, basic seeds or certified seeds, the variety: save that if such particulars are printed indelibly on the outside of the package or if the official label is an adhesive or a tear-resistant label the official notice referred to in this paragraph shall not be required.

- (4) (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 II of Schedule 5: save 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 I F 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 II of Schedule 5: save 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.

(5) If a person shall market seeds in accordance with regulation 5(5) a supplier's label affixed to the outside of the package shall contain a statement of the germination of the seeds, together with the name and address of the seller and the reference number of the lot.

(6) 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.

(7) 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) or (4) 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) or (4) is not required or where the information prescribed by this paragraph is given on an adhesive or tear-resistant label, either on the outside of the package or in a statement enclosed in the package.

(8) A person may sell any seeds otherwise than in a package which is labelled, inscribed or otherwise dealt with in accordance with this regulation, 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 III of Schedule 5.

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

(10) Subject to the provisions of the Act and of these regulations no person shall, in the course of the marketing or the preparation for marketing of any seeds by himself or by any other person, 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 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, if appropriate, 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 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 category of the seeds, 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 identity and, as appropriate, 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 the content of seeds of other plant species and there are hereby prescribed in respect of 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 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 10 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 rules set out in

Schedule 3, and shall divide the sample so taken into two parts, each being of at least the appropriate minimum weight specified in paragraph 6 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 16th June 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

18th June 1980.

George Younger,
Secretary of State for Scotland.

27th June 1980.

Nicholas Edwards,
Secretary of State for Wales.

Regulation 4(1)

SCHEDULE I

KINDS OF SEEDS TO WHICH THE REGULATIONS APPLY

(A) *Gramineae* (Grasses)

Fine Grasses

<i>Agrostis canina</i> L.	Velvet bent
<i>Agrostis gigantea</i> Roth	Red top
<i>Agrostis stolonifera</i> L.	Creeping bent
<i>Agrostis tenuis</i> Sibth.	Brown top
<i>Festuca ovina</i> L.	Sheep's fescue
<i>Festuca rubra</i> L.	Red fescue
<i>Poa annua</i> L.	Annual meadowgrass
<i>Poa nemoralis</i> L.	Wood meadowgrass
<i>Poa pratensis</i> L.	Smooth-stalked meadowgrass
<i>Poa trivialis</i> L.	Rough-stalked meadowgrass

Fodder Grasses

<i>Arrhenatherum elatius</i> (L.) Beauv. ex J. et K. Presl.	Tall oatgrass
<i>Dactylis glomerata</i> L.	Cocksfoot
<i>Festuca arundinacea</i> Schreb.	Tall fescue
<i>Festuca pratensis</i> Huds.	Meadow fescue
<i>Lolium multiflorum</i> Lam.	Italian ryegrass (including Westerwolds)
<i>Lolium perenne</i> L.	Perennial ryegrass
<i>Lolium x hybridum</i> Hausskn.	Hybrid ryegrass
<i>Phleum bertolonii</i> DC.	Timothy
<i>Phleum pratense</i> L.	Timothy

(B) *Leguminosae* (Legumes)

Small Seeded Legumes

<i>Lotus corniculatus</i> L.	Birdsfoot trefoil
<i>Medicago lupulina</i> L.	Trefoil
<i>Medicago sativa</i> L.	Lucerne
<i>Medicago x varia</i> Martyn	Lucerne
<i>Onobrychis viciifolia</i> Scop.	Sainfoin
<i>Trifolium hybridum</i> L.	Alsike clover
<i>Trifolium pratense</i> L.	Red clover
<i>Trifolium repens</i> L.	White clover

Large Seeded Legumes

<i>Lupinus albus</i> L.	White lupin
<i>Lupinus angustifolius</i> L.	Blue lupin
<i>Lupinus luteus</i> L.	Yellow lupin
<i>Pisum sativum</i> L. (partim)	Field pea
<i>Vicia faba</i> L. (partim)	Field bean
<i>Vicia pannonica</i> Crantz	Hungarian vetch
<i>Vicia sativa</i> L.	Common vetch
<i>Vicia villosa</i> Roth	Hairy vetch

(C) *Cruciferae* (Crucifers)

<i>Brassica napus</i> L.	
var. <i>napobrassica</i> (L.) Peterm.	Swede
<i>Brassica oleracea</i> L.	
convar. <i>acephala</i> (DC.)	Fodder kale
<i>Raphanus sativus</i> L. ssp. <i>oleifera</i> (DC.) Metzg.	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 and purity*

1. So far as the Minister can ascertain them, by the use of methods which shall include inspection of the crop and may include examination of a plot sown with a sample from the seed lot sown in the field and the consideration of any other relevant information available to him, the varietal characteristics shall be those recognised as those of the variety for the purposes of the National List or the Common Catalogue, and the standards specified in paragraph 7 below shall be met.

Crop inspections

2. There shall be at least one official inspection of the crop, made at a time when the cultural condition of the field and the stage of development and the condition of the crop are such as to permit a check of varietal identity and purity.

Previous cropping

3. 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.

Limitation of the number of harvest years

4. A crop to produce pre-basic seeds, basic seeds or certified seeds of Italian ryegrass, and varieties of other kinds which are conducive to the establishment from shed seed of a high proportion of plants which themselves produce seeds, shall not be used to produce a crop in the second harvest year unless:—

- (a) pre-basic seeds were produced in the first harvest year in which case basic seeds may be produced; or
- (b) basic seeds were produced in the first harvest year and the seeds sown to produce the crop were pre-basic seeds in which case certified seeds may be produced.

Isolation distances

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

6. 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 seeds	400 metres
certified seeds	200 metres

Crop Area

(b) Field beans. Crops to produce—

	up to 2 hectares	over 2 hectares
Basic seeds and certified seeds 1st and 2nd generations	200m	100m
Certified seeds 3rd generation	100m	50m

(c) 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.

Standards for varietal purity and species purity

7. The average level of the following impurities shall not exceed—

	in crops to produce	
	basic seeds	certified seeds
(a) recognisable off-types of the same species in grasses and herbage legumes (including Italian or awned ryegrass in perennial ryegrass and perennial or awnless ryegrass in Italian ryegrass)	1 plant in 50 sq m	1 plant in 10 sq m
(b) recognisable off-types of the same species in field peas and field beans (as from 1 January 1981)	0.3%	1%
(c) recognisable off-types of the same species in vetches, lupins and crucifers (as from 1 January 1981)	0.3%	1%

(d) 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
(e) ryegrass in cocksfoot, meadow fescue, red fescue or tall fescue	1 plant in 50 sq m	1 plant in 10 sq m
(f) suckling cover (<i>Trifolium dubium</i> Sibth.) in white clover.		

PART II

CONDITIONS RELATING TO THE SEEDS

1. Basic seeds and certified seeds shall possess the identity and varietal purity specified in Part I.

2. 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 effectively fumigated if stem eelworm (*Ditylenchus dipsaci*) is reported at the field inspection of the crop.

3. For pre-basic and basic seeds of field beans, a minimum of 1,000 seeds and, for certified seeds (first generation), a minimum of 500 seeds shall be examined for *Ascochyta fabae* and the level of infection shall not exceed 1 seed in 1,000 for pre-basic and basic seeds and 1 seed in 500 for certified seeds (first generation).

4. The seeds shall comply with the following standards:—

Kind	Minimum germination (% by number of pure seeds or pure pellets) ^a	Maximum hard seed content(% by number of pure seeds or pure pellets)	Minimum analytical purity (% by weight)		Maximum total content of seeds of other plant species (% by weight)		
			Basic and Certified seeds (minimum standard)	Certified seeds (Higher Voluntary Standard)	Basic seeds	Certified seeds (minimum standard)	Certified seeds (Higher Voluntary Standard)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Perennial ryegrass...	80		96	98	0.3	1.5	1.5
Italian ryegrass.....	75		96	98	0.3	1.5	1.5
Hybrid ryegrass.....	75		96	98	0.3	1.5	1.5
Cocksfoot.....	80		90	90	0.3	1.5	1.5
Timothy.....	80		96	98	0.3	1.5	1.5
Meadow fescue.....	80		95	98	0.3	1.5	1.5
Red fescue.....	75		90	95	0.3	1.5	1.5
Tall fescue.....	80		95	98	0.3	1.5	1.5
Red clover.....	80b	20	97	98	0.3	1.5	1.5
White clover.....	80b	40	97	98	0.3	1.5	1.5
Sainfoin.....	75bc	20c	95c	98	0.3	2.5c	1.5
Lucerne.....	80b	40	97	98	0.3	1.5	1.5

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

b Up to the maximum content indicated in column (3) hard seeds present shall be considered as seeds capable of germination.

c Including commercial seeds.

Kind	Minimum germination (% by number of pure seeds or pure pellets) ^a	Maximum hard seed content (% by number of pure seeds or pure pellets)	Minimum analytical purity (% by weight)	Maximum total content of seeds of other plant species (% by weight)		
				Basic seeds	Certified seeds	Commercial seeds
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Red top.....	80		90	0.3	2.0	3.0
Other <i>Agrostis</i> spp.....	75		90	0.3	2.0	3.0
Tall oatgrass.....	80		90	0.3	3.0	4.0
Sheep's fescue.....	75		85	0.3	2.0	3.0
Smooth-stalked meadowgrass.....	75		85	0.3	2.0	e
Other meadowgrasses.....	75		85	0.3	2.0	3.0
Birdsfoot trefoil.....	75b	40	95	0.3	1.8	2.8
Blue lupin.....	75b	20	98d	0.3	0.5	1.5
Other lupins.....	80b	20	98d	0.3	0.5	1.5
Trefoil.....	80b	20	97	0.3	1.5	2.5
Alsike clover.....	80b	20	97	0.3	1.5	2.5
Vetches.....	85b	20	98d	0.3	1.0	2.0
Swede and Kale.....	80		98	0.3	1.0	e
Fodder radish.....	80		97	0.3	1.0	e
Field pea.....	80		98	0.3	0.5	e
Field bean.....	85b	5	98	0.3	0.5	1.5

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

b Up to the maximum content indicated in column 3, hard seeds present shall be considered as seeds capable of germination.

d For commercial seeds 97%.

e No commercial seeds.

5. The seeds shall also comply with the following standards where appropriate. Where number standards are indicated a sample of the size indicated in column 2 should be examined.

Kind	Weight of sample for determination of foreign seeds by number (grams)	Maximum permitted content of seed impurities (by number or as a percentage by weight)																	
		<i>Avena fatua</i> , <i>A. ludoviciana</i> and <i>A. sterilis</i> (Wild oat) or <i>Cuscuta</i> spp. (Dodder)			<i>Rumex</i> spp. (Docks and Sorrels) excluding <i>R. acetosella</i> (Sheep's sorrel) and <i>R. maritimus</i> (Golden dock)			<i>Aloupecurus myosuroides</i> (Blackgrass)			<i>Agropyron repens</i> (Couch)			<i>Medicago</i> spp. (Sweet clovers)			Maximum content of any one other plant species		
		Basic Seeds	Certified Seeds	Other Requirements	Basic Seeds	Certified Seeds	Other Requirements	Basic Seeds	Certified Seeds	Other Requirements	Basic Seeds	Certified Seeds	Other Requirements	Basic Seeds	Certified Seeds	Other Requirements	Basic Seeds	Certified Seeds	Other Requirements
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	
Perennial ryegrass	60	0	0a	5	20	10	5	0.3	10	5	0.5	10	—	—	20b	1.0	0.5cg	d	
Italian ryegrass	60	0	0a	5	20	10	5	0.3	10	5	0.5	10	—	—	20b	1.0	0.5cg	h	
Hybrid ryegrass	60	0	0a	5	20	10	5	0.3	10	5	0.5	10	—	—	20b	1.0	0.5cg	h	
Cocksfoot	30	0	0a	5	10	10	5	0.3	10	5	0.3	10	—	—	20b	1.0	0.5	h	
Timothy	10	0	0a	2	5	4	1	0.3	10	1	0.3	10	—	—	20	1.0	0.2e	h	
Meadow fescue	50	0	0a	5	20	10	5	0.3	10	5	0.5	10	—	—	20b	1.0	0.5fg	h	
Red fescue	30	0	0a	5	10	10	5	0.3	10	5	0.5	10	—	—	20b	1.0	0.5fg	h	
Tall fescue	50	0	0a	5	20	10	5	0.3	10	5	0.5	10	—	—	20b	1.0	0.5fg	h	
Red clover	50	0	0a	5	20	10	5	—	10	5	—	10	0j	0.3	20	1.0	0.5	h	
White clover	20	0	0	5	10	10	—	—	10	—	—	10	0j	0.3	20	1.0	0.5	h	
Sainfoin	400/600	0	0k	5	20k	10	—	—	10	—	—	10	0	0.3k	20	1.0k	0.5	h	
Lucerne	50	0	0	5	20	10	—	—	10	—	—	10	0	0.3	20	1.0	0.5	h	

a For certified seeds, minimum standard, 1 seed of dodder in a sample of the size specified in column 2 shall not be regarded as an impurity if a second sample of the same weight is free from dodder.
 b The presence of a maximum of 80 seeds of *Poa* spp. in a sample of the size specified in column 2 shall not be regarded as an impurity.
 c There shall be no more than 0.4% by weight of annual meadowgrass.
 d In basic seeds awned ryegrass seeds shall not exceed 5 seeds in a sample of the size specified in column 2 of seeds of a variety known not to produce seeds with awns.
 e There shall be no more than 0.3% by weight of *Agrostis* spp.
 f There shall be no more than 0.3% by weight of ryegrasses.
 g There shall be no more than 0.3% by weight of rough-stalked meadowgrass.
 h For certified seeds, Higher Voluntary Standard, of red fescue, there shall be no more than a total of 4 seeds of ryegrass, cocksfoot and meadow fescue in a sample of the size specified in column 2.
 i Seed of *Medicago* spp. in a sample of the size specified in column 2 shall not be regarded as an impurity if a second sample of twice that size is free of *Medicago* spp.
 k Including commercial seeds.

Kind	Weight of sample from determination of foreign seeds by number (grams)	Maximum permitted content of seed impurities (by number or as a percentage by weight)															
		Avena fatua, A. ludoviciana, and A. sterilis or Cuscuta spp.		Rumex spp. excluding R. acetosella and R. maritimus		Alopecurus myosuroides		Agropyron repens		Melilotus spp.		Maximum content of any one other plant species					
		Basic Seeds	Commercial and Certified Seeds	Basic Seeds	Commercial and Certified Seeds	Basic Seeds	Commercial and Certified Seeds	Basic Seeds	Commercial and Certified Seeds	Basic Seeds	Commercial and Certified Seeds	Basic Seeds	Certified Seeds	Commercial Seeds	Other Requirements		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)		
Red top	5	0	0l	1	2	1	0.3	1	0.3	—	—	—	20	1.0	2.0		
Other Agrostis spp.	5	0	0l	1	2	1	0.3	1	0.3	—	—	—	20	1.0	2.0		
Tall oatgrass	80	0	0lm	5	20	5	0.3	5	0.5	—	—	—	20b	1.0n	2.0n		
Sheep's fescue	30	0	0l	5	10	5	0.3	5	0.5	—	—	—	20b	1.0	2.0		
Annual meadowgrass	10	0	0l	1	5	1	0.3	1	0.3	—	—	—	20p	1.0q	2.0r		
Rough-stalked meadowgrass	5	0	0l	1	2	1	0.3	1	0.3	—	—	—	20p	1.0q	2.0s		
Smooth-stalked meadowgrass	5	0	0l	1	2t	1	0.3t	1	0.3t	—	—	—	20p	1.0q	2.0s		
Wood meadowgrass	5	0	0l	1	2	1	0.3	1	0.3	—	—	—	20p	1.0q	2.0s		
Birdsfoot trefoil	30	0	0	5	10	—	—	—	—	0j	0.3	0.3	20	1.0u	2.0		
Blue lupin	1,000	0	0	5	20	—	—	—	—	0	0.3	0.3	20	0.3v	1.3v	w	
Other lupins	1,000	0	0	5	20	—	—	—	—	0	0.3	0.3	20	0.3v	1.3v	w	
Trefoil	50	0	0	5	20	—	—	—	—	0j	0.3	0.3	20	1.0	2.0		
Alsike clover	20	0	0	5	10	—	—	—	—	0j	0.3	0.3	20	1.0	2.0		
Swede and kale	1,000	0	0	5	20	—	—	—	—	0	0.3	0.3	20	0.5v	1.5vx		
Vetches	100	0	0l	5	20	—	—	—	—	—	—	—	20	0.5	1	y	
Fodder radish	300	0	0	5	20	—	—	—	—	—	—	—	20	0.5	1	y	
Field pea	1,000	0	0	5	20	—	—	—	—	—	—	—	20	0.3	1		
Field bean	1,000	0	0	5	20	—	—	—	—	—	—	—	20	0.3	1.3		

b The presence of a maximum of 80 seeds of *Poa* spp. in a sample of the size specified in column 2 shall not be regarded as an impurity.
 c The presence of a maximum of 1.0% by weight of seeds of red clover shall not be regarded as an impurity.
 d The presence of a maximum of 0.5% by weight in total of seeds of white, blue and yellow lupins, Hungarian, common and hairy vetch, field pea and field bean shall not be regarded as an impurity.
 e 1 seed of *Melilotus* spp. in a sample of the size specified in column 2 shall not be regarded as an impurity if a second sample of twice the size is free of *Melilotus* spp.
 f 1 seed of dodder in a sample of the size specified in column 2 shall not be regarded as an impurity if a second sample of the same weight is free from dodder.
 g A maximum of 2 seeds of wild oat in a sample of the size specified in column 2 shall not be regarded as an impurity if a second sample of the same weight is free from wild oat.
 h The presence of the seeds of any single *Poa* spp. may exceed the percentage by weight specified.
 i In basic seeds of meadowgrasses there shall be no more than 1 seed of *Poa* spp. other than the species being examined in a sample of 500 seeds.
 j In certified seeds of meadowgrasses a maximum of 0.8% by weight of seeds of other meadowgrasses shall not be regarded as an impurity.
 k 10% by weight of other *Poa* spp. shall not be regarded as an impurity.
 l 3% by weight of other *Poa* spp. shall not be regarded as an impurity.
 m No commercial seeds.
 n The presence of a maximum of 1.0% by weight of seeds of red clover shall not be regarded as an impurity.
 o The presence of a maximum of 0.5% by weight in total of seeds of white, blue and yellow lupins, Hungarian, common and hairy vetch, field pea and field bean shall not be regarded as an impurity.
 p In basic seeds of lupins the percentage by number of bitter lupins in sweet varieties shall not exceed 1.0. In certified seeds of lupins the percentage by number of bitter lupin seeds in sweet varieties shall not exceed 3.0 and the percentage by number of seeds of another colour shall not exceed 2.0 in bitter lupins and 1.0 in other lupins. In commercial seeds of lupins the percentage by number of bitter lupin seeds in sweet varieties shall not exceed 5.0 and the percentage by number of seeds of another colour shall not exceed 4.0 in bitter lupins and 2.0 in other lupins.
 q The presence of a maximum of 6% by weight in total of seeds of Hungarian, common and hairy vetch shall not be regarded as an impurity.
 r In certified and commercial seeds there shall be no more than a maximum of 0.3% by weight of *Raphanus raphanistrum* (wild radish) or *Sinapis arvensis* (charlock).

PART III

ASCOCHYTA FABAE STANDARDS

<i>Category</i>	<i>Maximum percentage of infected seeds</i>
Certified seeds (second generation)	1.0

Regulations 6(1), (3) and (4) and 12(5)

SCHEDULE 3

RULES FOR THE TAKING OF SAMPLES

1. Before sampling a seed lot shall be well mixed so as to be as homogeneous 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 shall 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 (eg 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 the stick sampler has 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 50kg	Not exceeding 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 50kg	Not exceeding 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 or, in the case of seed of field beans, by employing the hand halving method, that is to say by dividing it into two equal parts, rejecting one of such parts and, after remixing the other part, dividing it into two equal parts and rejecting one of them, and so on in this manner until the amount required is attained.

6. The maximum weight of a lot and the minimum weight of a sample shall be as indicated below:—

(a) For the following kinds of seeds —

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

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

(ii) the minimum weight of a sample shall be 1,000 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	2,000 grams

(b) For all other kinds of seeds the maximum weight of a lot to be sampled shall be 10 tonnes and the minimum weight of a sample shall be as stated:

<i>Kinds of seeds</i>	<i>Minimum sample weight (grams)</i>	<i>Kinds of seeds</i>	<i>Minimum sample weight (grams)</i>
Velvet bent	50	Birdsfoot trefoil	200
Red top	50	Trefoil	300
Creeping bent	50	Lucerne	300
Brown top	50	Sainfoin — fruit	600
		seed	400
Tall outgrass	200	Alsike clover	200
Cocksfoot	200	Red clover	300
Fescues	200	White clover	200
Ryegrasses	200	Swede	200
Timothy	100	Fodder kale	200
Meadowgrasses	50	Fodder radish	300

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/WELSH OFFICE AGRICULTURE DEPARTMENT

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

THE FODDER PLANT SEEDS REGULATIONS 1980

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 1980.

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 1980

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 and Address)

Official Station Sample No.
 Control Sample No.
 Date Received at Station
 Date of Sampling
 Quantity Sampled.....
 Quantity Represented

Description

Kind		Variety	
Category and level		Reference No.	

Result of Test

% Pure seeds	% Inert matter	% Other seeds

Inert matter
Other seeds

% <i>Agropyron repens</i>	% <i>Alopecurus myosuroides</i>	% <i>Melilotus</i> spp.
% <i>Raphanus raphanistrum</i>	% <i>Sinapis arvensis</i>	

Number of seeds			
	Other plant species		
	<i>Agropyron repens</i>		
	<i>Alopecurus myosuroides</i>		
	<i>Avena fatua</i> , <i>A. ludoviciana</i> , <i>A. sterilis</i>		
	<i>Cuscuta</i> spp.		
	<i>Melilotus</i> spp.		
	<i>Rumex</i> spp. other than <i>R. acetosella</i> and <i>R. maritimus</i>		

No. of seeds infected with *Ascochyta fabae*
in seeds examined

Germination %

Hard seed %

Fresh seed %

Varietal purity

Declared variety %

Other varieties %

Remarks

Date

CHIEF OFFICER

Regulations 5(3) and 9(2), (4) and (8)

SCHEDULE 5

PART I

A. OFFICIAL LABEL FOR A PACKAGE OF BREEDER'S SEEDS

- (a) Prescribed contents
1. Certifying Authority
 2. Reference number
 3. Month and year when officially sealed
 4. Kind
 5. Variety
 6. "Breeder's seeds"
 7. Declared net or gross weight or declared number of seeds
- (b) Minimum size of the label — 110mm x 67mm
- (c) The label shall be coloured violet

B. 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. Month and year when officially sealed
 4. Kind
 5. Variety
 6. "Pre-basic seeds"
 7. Number of generations preceeding seed of the categories "certified seed" or "certified 1st generation seed"
- (b) Minimum size of the label — 110mm x 67mm
- (c) The label shall be coloured white with a diagonal violet line

C. 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. Month and year when officially sealed
 5. Kind
 6. Variety
 7. Category
 8. Country of production
 9. Declared net or gross weight or declared number of seeds
 10. 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 seed and the total weight
 11. For certified seeds of the second generation and subsequent generations from basic seeds: number of generations from basic seed
 12. 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 — 110mm x 67mm
- (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

D. 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. Month and year when officially sealed
 6. Kind (for lupins, it shall be stated whether they are bitter or sweet)
 7. Country of production (or region of production within a country)
 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 the approximate ratio between the weight of seed and the total weight
- (b) Minimum size of the label — 110mm x 67mm
- (c) The label shall be coloured brown

E. 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. Month and year when officially sealed
 5. Proprietary name of the mixture or kinds of the constituents
 6. Declared net or gross weight or declared number of seeds
 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 seed and the total weight
- (b) Minimum size of the label — 110mm x 67mm
- (c) The label shall be coloured green

F. 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 mixtures

PART II

SMALL PACKAGES

A. SUPPLIER'S LABEL FOR A SMALL PACKAGE OF PRE-BASIC OR BASIC 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 15 grams net weight
 8. "Passed for marketing in the United Kingdom only"
- (b) The label shall be coloured white with a diagonal violet line for pre-basic seeds and white for basic 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
 6. "Passed for marketing in the United Kingdom only"
- (b) The label shall be coloured green

C. SUPPLIER'S LABEL FOR A SMALL EEC 'A' PACKAGE OF A MIXTURE OF SEEDS NOT INTENDED FOR AGRICULTURAL PURPOSES

- (a) Prescribed contents
1. "Small EEC 'A' package"
 2. Name and address of supplier responsible for affixing the label or his identification mark
 3. Member State or its identification mark ie "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 15 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

D. SUPPLIER'S LABEL FOR A SMALL EEC 'B' PACKAGE OF CERTIFIED OR COMMERCIAL SEEDS OTHER THAN A MIXTURE

- (a) Prescribed contents
1. "Small EEC 'B' package"
 2. Name and address of supplier responsible for affixing the label or his identification mark
 3. Officially assigned serial number
 4. Member state or its identification mark ie "packed in UK"
 5. Reference number of the lot
 6. Kind (for lupins, it shall be stated whether they are bitter or sweet)

7. Variety (if appropriate)
 8. Category
 9. Net or gross weight or number of seeds except in the case of packages not exceeding 15 grams net weight
 10. 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 of the first generation from basic seeds, red for certified seeds of subsequent generations from basic seeds and brown for commercial seeds.

E. SUPPLIER'S LABEL FOR A SMALL EEC 'B' PACKAGE OF A MIXTURE OF SEEDS NOT INTENDED FOR AGRICULTURAL PURPOSES

- (a) Prescribed contents
1. "Small EEC 'B' package"
 2. Name and address of supplier responsible for affixing the label or his identification mark
 3. Officially assigned serial number
 4. Member State or its identification mark ie "packed in UK"
 5. Reference number of the lot
 6. "Seed mixture for"
(intended use)
 7. Net or gross weight or declared number of seeds except in the case of packages not exceeding 15 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
 9. Proportion by weight of the various constituents shown by kinds and where appropriate by variety
 10. "With ryegrass" or "without ryegrass"
- (b) The label shall be coloured green

PART III

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(8)

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		
Trefoil		
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 supersede the Fodder Plant Seeds Regulations 1976 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, uncleaned seeds marketed with a view to processing or other treatment and seeds marketed under prescribed multiplication contracts.

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 buyer. There is provision for the taking of samples for the verification of standards and for the enforcement of the Regulations. Tampering with the prescribed labels is made an offence.

The Regulations make changes to the superseded Regulations' labelling and seed standards, and to the Latin names of certain kinds of seeds, in accordance with amending Directives of the EEC (for details see below). The Regulations also make changes to definitions, to references to other Statutory Instruments, to provisions relating to general licences and the sampling of seeds, to the procedure for the movement of seed prior to the completion of the official examination. Provision is made for a new category of seeds (breeder's seeds) instead of uncertified pre-basic seeds and also for the use of tear-resistant labels.

Schedules 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 testing of samples and lists 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) on the marketing of fodder plant seeds as amended since the making of the superseded Regulations by Directives of the Council 78/55/EEC (O.J. No. L16, 20.1.78, p.23), 78/692/EEC (O.J. No. L236, 26.8.78, p.13) and 79/692/EEC (O.J. No. L205, 13.8.79, p.1) and Directives of the Commission of the European Economic Community 78/386/EEC (O.J. No. L113, 25.4.78, p.1) and 79/641/EEC (O.J. No. L183, 19.7.79, p.13). The amendments required by the Directives are reflected in Regulation 9(3), Schedule 1, Part II of Schedule 2 and Part I of Schedule 5.

