
STATUTORY INSTRUMENTS

1993 No. 2008

SEEDS

The Vegetable Seeds Regulations 1993

<i>Made</i>	- - - -	<i>2nd August 1993</i>
<i>Laid before Parliament</i>		<i>11th August 1993</i>
<i>Coming into Operation</i>		<i>1st September 1993</i>

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) and 36 of the Plant Varieties and Seeds Act 1964⁽¹⁾ and now vested in them⁽²⁾ and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:—

Title, extent and commencement

1. These Regulations may be cited as the Vegetable Seeds Regulations 1993 shall apply to Great Britain and shall come into operation on 1st September 1993.

Revocation

2. The Vegetable Seeds Regulations 1985⁽³⁾, the Vegetable Seeds (Amendment) Regulations 1987⁽⁴⁾ and the Vegetable Seeds (Amendment) Regulations 1989⁽⁵⁾ are hereby revoked.

Interpretation

3.—(1) 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 vegetables published in the Official Journal of the European Communities;

(1) 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. See section 38(1) for a definition of “the Ministers”.

(2) In the case of the Secretary of State for Wales by virtue of S.I.1978/272.

(3) S.I. 1985/979.

(4) S.I. 1987/1093.

(5) S.I. 1989/1315.

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

“maintenance” in regulation 9(10) means a method of maintaining Standard Seed of a plant variety entered in a National List of the Common Catalogue, such method being designated by a name applied by the person responsible for it;

“marketing” includes 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;

“Member State” means a Member State of the Communities;

“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 the list of varieties of vegetables for the time being published in accordance with the Seeds (National Lists of Varieties) Regulations 1982(6);

“official certificate” means a certificate issued by the Minister in accordance with Schedule 2 subject to the payment of any fees payable under seeds regulations and containing in respect of the seed to which it relates the particulars specified in Schedule 3 and “officially certified” shall be construed accordingly;

“official examination” means—

- (a) an examination carried out by or on behalf of the Minister, subject to an application for such examination having been made to the Minister in such form and manner at such time as the Minister may, at his discretion, require and to the payment of any fees payable under the seeds regulations;
- (b) an examination carried out by or on behalf of the Department of Agriculture for Northern Ireland, or
- (c) in relation to seeds produced elsewhere than in the United Kingdom, an examination approved by the Minister;

“official label” means a label issued or authorised by the Minister, subject to the payment of any fees payable under seeds regulations, and “official inner label” shall be construed accordingly;

“seed lot” means an identifiable consignment of seeds of a weight not exceeding that specified in Part II of Schedule 5, bearing a unique reference number, in which the seeds shall have been so mixed or blended that, as far as is practicable, the seed lot shows no evidence of heterogeneity;

“seeds regulations” means regulations made under section 16 of the Act and for the time being in force;

“small package” means a package of Certified Seed or Standard Seed containing a net weight of not more than 5 kilograms of seeds as regards runner beans, French bean, pea or broad bean, 500 grams of seeds as regards onion, asparagus, spinach beet or leaf beet or chard, red beet or

beetroot, turnip, gourd, marrow, carrot, spinach or radish and 100 grams of seeds as regards other kinds of vegetables.

(2) 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.

(3) In these Regulations—

“Uncertified Pre-basic Seed” means seeds of a generation earlier than that of Basic Seed—

- (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 Uncertified Pre-basic Seed, Pre-basic Seed or Basic Seed;

“Pre-basic Seed” means seeds of a generation earlier than that of Basic seed—

- (a) which have been produced by or under the responsibility of the maintainer,
- (b) which are intended for the production of Pre-basic Seed, Basic Seed or, with the written authority of the maintainer and the Minister, Certified Seed, and
- (c) which satisfy the requirements for Basic Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

“Basic Seed” means seeds—

- (a) which have been produced by or under the responsibility of the maintainer from Uncertified Pre-basic Seed or Pre-basic Seed,
- (b) which are intended for the production of Certified Seed, and
- (c) which satisfy the requirements for Basic Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

“Certified Seed” means seeds—

- (a) which have been produced directly from Basic Seed or, with the written authority of the maintainer and the Minister, from Pre-basic Seed,
- (b) which are intended to be used mainly for the production of plants or parts of plants for human or animal consumption, and
- (c) which satisfy the requirements for Certified Seed set out in Schedule 4 and in respect of which an official certificate has been issued in accordance with Schedule 2;

“Standard Seed” means seeds which are intended to be used mainly for the production of plants or parts of plants for human or animal consumption and which satisfy the requirements for Standard Seed set out in Part II of Schedule 4.

(4) For the purpose of these Regulations, seed marketed in accordance with regulation 5(1)(b) or (c) below shall be deemed to fall within the meaning of the appropriate category of seeds set out in paragraph (3) above.

Seeds to which the regulations apply

4.—(1) Subject to paragraphs (2) and (3) below, these Regulations apply to vegetable seeds of the kinds set out in Schedule 1 being seeds intended to be used only for the production of agricultural or horticultural crops.

(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 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, where the identity of the seeds is stated by the person by whom they are marketed.

(3) Where a person (“the first person”) makes an arrangement under which some other person (“the second person”) uses seeds which are under the control of the first person for the purpose of—

- (a) increasing the first person’s stock of seeds for the sowing, or
- (b) carrying out tests or trials thereon,

and under that arrangement the whole of the material produced from the seeds (whether directly or indirectly) and any unused seeds become or remain the property of the first person, these Regulations shall not apply to the marketing of the seeds by the first person to the second person as part of that arrangement or to the marketing by the second person to the first person of seeds produced (whether 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, for the time being, be marketed in accordance with regulation 31 of the Seeds (National Lists of Varieties) Regulations 1982, unless they are marketed in seed lots or in parts of seed lots and unless they are—

- (a) Uncertified Pre-basic Seed, Pre-basic Seed, Basic Seed, Certified Seed or Standard Seed, or
- (b) seeds which have been produced and packaged in a Member State other than the United Kingdom, which have been labelled appropriately in accordance with the requirements of regulation 9(1), (2), (5), (6), (7), (9), (10) and (12) and which—
 - (i) in the case of Standard Seed or a small package of seeds, have been sealed in accordance with regulation 8(3), or
 - (ii) in the case of all other seeds, have been officially sealed in a Member State other than the United Kingdom, or
- (c) seeds which have been produced elsewhere than in a Member State and which are—
 - (i) Standard Seed which has been sealed in accordance with regulation 8(3) and labelled in accordance with regulation 9(6) and (7), or
 - (ii) Seeds marketed in accordance with, and subject to, the conditions imposed by a general licence granted by the Ministers under the authority of this paragraph, which licence shall have effect during the period specified in it unless the Ministers earlier revoke it.

(2) Except as provided in paragraph (3) below, no person shall market any seeds comprising a mixture of kinds of seeds or varieties of seeds of the same kind.

(3) Mixtures of different varieties of Standard Seed of lettuce or of different varieties of Standard Seed of radish may be marketed, subject to compliance with the additional requirement as to labelling in Part III of Schedule 6, in packages containing not more than 50 grams of seed and paragraph (1) above shall not prevent the marketing of kinds or varieties of vegetable seeds included in mixtures of seeds permitted by the Fodder Plant Seeds Regulations 1993(7), but each constituent of such mixtures, to which these Regulations apply, shall consist of seeds meeting the requirements of paragraph (1) above.

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

- (a) authorise any person to market as Pre-basic Seed, Basic Seed, Certified Seed or Standard Seed, seeds which fail in some respect to satisfy the requirements for such seeds set out in Schedule 4 or Schedule 5,
 - (b) modify the labelling requirements set out in Schedule 6,
 - (c) authorise any person to market seeds which, notwithstanding the requirements of the Seeds (National Lists of Varieties) Regulations 1982 are of a variety not entered in a National List or in the Common Catalogue,
 - (d) authorise any person to market seeds in respect of which an official certificate has not been issued in accordance with paragraph 1 of Schedule 3 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.
- (5) Any person may market 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) above.
- (6) Notwithstanding the requirement in Part II of Schedule 4 that Basic Seed shall attain the minimum standards of germination specified in the said Schedule any person may, subject to the requirements of regulation 9(4), market as Pre-basic Seed or Basic Seed, seeds which in other respects satisfy the requirements for Basic Seed set out in the said Schedule and in respect of which an official certificate has been issued in accordance with Schedule 2 but which attain a lower percentage of germination than that specified in Schedule 4 in relation to seeds of that kind.
- (7) In a case where the official examination in respect of the germination of any seed lot has not been completed, but a preliminary test of germination has shown that the seeds attain the appropriate minimum standard of germination specified in Part II of Schedule 4 and the seeds in other respects satisfy the appropriate requirements of the said Schedule, the seed or any part of the seed lot may, subject to the requirements of paragraph (9) below and regulations 8 and 9, be marketed. In the event of any such marketing the seller of the seeds shall, upon or before delivery, provide the purchaser with a written statement that the seeds are marketed before the completion of the official germination test together with the result of the preliminary test of germination. In the event of the official germination test showing the failure of the seeds to comply with the minimum germination standard required by paragraph 2 of Part II of Schedule 4 for seeds of that kind, the seller shall provide the purchaser with the result of the completed test, in writing, as soon as practicable and in any event not later than seven days after being informed of it.
- (8) The provisions of paragraph (7) above shall not apply to the marketing of any seed lot or part of any seed lot in respect of which a previous official examination has shown that the seed fails to meet the standards set out for such seed in Part II of Schedule 4.
- (9) A person who sells any seeds in accordance with paragraph (7) above shall make and, during a period of twelve months following the delivery of the seeds, keep available for inspection by an officer of the Minister a record of the date of such delivery, of the reference number of the seed lot delivered, of the name and address of the purchaser, of the date on which the preliminary test of germination was carried out and of the result of that test and, if appropriate, of the date on which the purchaser was informed of the result of the completed official germination test.
- (10) Paragraphs (6) and (7) of this regulation shall not apply to seeds which have been imported from a country other than a Member State unless they have been produced directly from Pre-Basic Seed, or Basic Seed produced in a Member State.
- (11) Notwithstanding the requirements of regulation 32(1) and (2) of the Seeds (National Lists of Varieties) Regulations 1982, and paragraph (1) above, any person may market Standard Seed of asparagus, chicory, sprouting broccoli or calabrese which is not of a variety which is entered in a National List or the Common Catalogue or which is marketed otherwise than under a varietal name.

(12) Where seeds are sampled for the official examination referred to in paragraph 2(c) of Schedule 2 in an untreated state and are subsequently subjected to chemical treatment the seller shall, upon or before delivering the seeds to the purchaser, provide him with a statement in writing that the seeds have been subsequently subjected to chemical treatment and specifying the chemical nature of such treatment.

(13) Seeds which have been produced and packaged in a Member State other than the United Kingdom, notwithstanding that they have not been officially certified as Certified Seed in that Member State, may be imported but shall not be marketed in the United Kingdom until they have been officially certified in the United Kingdom.

(14) Seeds which have been produced from Basic Seed, Certified Seed or Generations prior to Basic Seed which have been officially certified in the United Kingdom and which have undergone field inspections and satisfied the conditions for the appropriate category laid down in Part I of Schedule 4 may be marketed to Member States other than the United Kingdom notwithstanding that they have not been officially certified as Certified Seed. Such seed shall be packed and labelled with official labels and be accompanied by an official document complying with the conditions laid down in Schedule 6 Part IC and in accordance with the provisions laid down in regulations 8 and 9.

Official certificates

6.—(1) An application for the issue of an official certificate in respect of a seed lot of Pre-basic Seed, Basic Seed or Certified Seed—

- (a) shall be made in writing to the Minister in such form and manner, and shall be accompanied by such documents, as the Minister may require, and
- (b) shall be made not later than the thirty-first day of December of the year following the year of harvest of the crop from which the seed is obtained or within such other time as the Minister may allow.

(2) Where an application for the issue of an official certificate is made to the Minister in accordance with paragraph (1) above the Minister shall deal with the application in accordance with the provisions of Schedule 2.

(3) An official certificate which has been issued by the Minister may be withdrawn by him in respect of either the whole of a seed lot or any part of a seed lot and any seeds from which an official certificate has been so withdrawn shall be deemed not to have been officially certified if—

- (a) the results of an official examination of the seeds in respect of which the official certificate has been issued are declared null and void in accordance with paragraph (2) of regulation 7, or
- (b) information has been received by him which, if known to him before the official certificate was issued, would have resulted in the application for its issue being refused on the grounds that the seeds did not meet the requirements of seed regulations.

(4) Where, in accordance with paragraph (3) above, seeds are deemed not to have been officially certified the seller of the seeds shall, as soon as practicable and in any case not later than 7 days after being informed of it, notify the purchaser, in writing, that the seeds have not been officially certified.

Sampling

7.—(1) A sample of seeds taken for the purposes of an official examination shall be taken, subject to the payment of any fees payable under seeds regulations, by a person authorised by the Minister in that behalf and in accordance with the requirements contained in Schedule 5.

(2) If a sample of seeds taken for the purposes of an official examination is found not to have been taken in accordance with the requirements of seeds regulations no, or no further, official examination

shall be made of that sample, and any findings or results obtained in the course of any official examination of the sample of seeds already made shall be deemed null and void.

Sealing of packages

8.—(1) No person shall market in accordance with regulation 5(1)(a) or (2) a package (other than a package of Uncertified Pre-basic Seed, a package of Standard Seed or a small package of seeds) of Pre-basic Seed, Basic Seed or Certified Seed unless it has been, not later than at the time of sampling, sealed by or under the supervision of a person authorised by the Minister in that behalf 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) above or imported in accordance with regulations 5(1)(b)(ii) or (c)(ii) shall have been opened it may only be re-sealed or further re-sealed by or under the supervision of a person authorised by the Minister in that behalf.

(3) No person shall market a package of Uncertified Pre-basic Seed, a package of Standard Seed or a small package of seeds 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.

Labelling of packages

9.—(1) Subject to paragraph (10) below, no person shall market any seeds in accordance with regulation 5(1)(a) or (2) except in a package which, not later than at time of sealing, is labelled, inscribed or otherwise dealt with in accordance with this regulation.

(2) Subject to the exception in paragraph (3) below, a package of Pre-basic Seed or of Basic Seed or a package, other than a small package, of Certified Seed, shall have affixed on the outside an official label, as appropriate to the seeds, which shall be of at least the minimum size and of the colour specified in Part I of Schedule 6, and shall contain particulars of the matters also specified in the said Part I, such label being either an adhesive label of a label secured to the package by a sealing device approved by the Minister, the label being affixed (in either case) by or under the supervision of a person authorised by the Minister in that behalf.

(3) The official label referred to in paragraph (2) above shall not be required when all of the particulars to be included therein are included in the official inner label placed in the package in accordance with paragraph (5) of this regulation and the package is sufficiently transparent to enable such particulars to be readily legible through it.

(4) If in accordance with regulation 5(6) a person shall market Pre-basic Seed or Basic Seed of a lower percentage of germination than that specified in Schedule 4 the fact shall be stated on the official label and a suppliers 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.

(5) A package of Pre-basic Seed or of Basic Seed or a package, other than a small package, of Certified Seed shall contain an official inner label which shall be of the same colour as, and in addition to, the official label affixed to the outside of the package in accordance with paragraph (2) above. The official inner label shall contain particulars of the reference number of the lot, and of the kind and the variety of the seeds; except 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 inner label referred to in this paragraph shall not be required.

(6) A package of Uncertified Pre-basic Seed or a package, other than a small package, of Standard Seed shall have affixed on the outside a label, as appropriate to the seeds, which shall be of at least the minimum size and of the colour specified in Part II of Schedule 6 and which shall contain particulars of the matters also specified in the said Part II; except that if all such particulars are printed indelibly

on the outside of the package the said label shall not be required and if some of such particulars are so printed they may be omitted from the said label.

(7) A small package of Certified Seed or a small package of Standard Seed shall have affixed on the outside a label, as appropriate to the seeds, which shall be of the colour specified in Part III of Schedule 6 and which shall contain particulars of the matters also specified in the said Part III; except that if all such particulars are printed indelibly on the outside of the package the said label shall not be required and if some of such particulars are so printed they may be omitted from the said label.

(8) If a package of Pre-basic Seed, Basic Seed or Certified Seed shall have been re-sealed in accordance with regulation 8(2) above this fact shall be stated on the official label together with the month and year of re-sealing and the name of the authority responsible for the re-sealing either on the official label referred to in paragraph (2) above or on the official inner label in the circumstances referred to in paragraph (3) above.

(9) If any seeds have been subjected to any chemical treatment this fact and the nature of the treatment or the proprietary name of the chemical used in the treatment shall be stated either—

- (a) on a separate supplier's label, or
- (b) on the label referred to in paragraph (2), (6) or (7) above or, where such a label is not required, with the particulars otherwise given in accordance with those paragraphs,

and also, except where the label referred to in paragraph (2), (6) or (7) above 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.

(10) In respect of Standard Seed, the particulars and information given in accordance with this regulation may be accompanied by a reference by name to a particular maintenance except that such a reference may be made only in respect of a variety whose existence was either—

- (a) on 1st July 1970 a matter of common knowledge in any Member State of the Communities as then constituted, or
- (b) on 1st July 1973 a matter of common knowledge in any Member State which has acceded to the Communities since 1st July 1970, and the name of the maintenance shall in every such case appear after the name of the variety of the seeds from which it shall be separated by a dash and shall be given no greater prominence than the name of the variety.

(11) A person may sell any seeds otherwise than in a package which is labelled, inscribed or otherwise dealt with in accordance with this regulation where—

- (a) the seeds are sold by way of retail sale in quantity not exceeding the appropriate maximum weight indicated in Schedule 7, and
- (b) the seeds are taken, in the presence of the purchaser, from a container on which there is clearly and visibly marked or near which there is clearly and visibly displayed a statement containing particulars of the matters specified in Part IV of Schedule 6.

(12) The particulars and information given in accordance with this regulation shall be given in one of the official languages of the Communities.

(13) 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 affixed to, contained in or marked on any package of seeds or to be so affixed, contained or marked.

Record of transactions

10.—(1) A person who in the course of marketing any Standard Seed affixes or causes to be affixed, in accordance with regulation 9(6), a label on the outside of a package of Standard Seed or prints or stamps or causes to be printed or stamped on the outside of such a package the particulars

referred to in the said regulation 9(6) shall maintain and keep available for inspection by an officer of the Minister a record of the dates on which and of the packages on which such labels were affixed or particulars printed or stamped and shall, if so required by the Minister, furnish him with a copy of such record.

(2) A person referred to in paragraph (1) above shall keep and retain for a period of at least three years a record of the seed lots of Standard Seed marketed by him, and shall take and retain for a period of at least two years a sample of each such seed lot of at least the appropriate minimum weight specified in Part II of Schedule 5 and, if so required by the Minister, or by an officer of the Minister, shall produce such record or deliver any such sample to him.

Civil liabilities of sellers of seeds

11.—(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 germination of the seeds, the percentage analytical purity of the seeds, the content of seeds of other plant species and the varietal identity and the varietal purity of the seeds or, in the case of a mixture of seeds permitted by regulation 5(2), 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) above, in so far as they relate to the percentage germination, the percentage 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 8.

(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) above, in so far as they relate to the percentage germination, the percentage analytical purity or the content of seeds of other plant species.

(4) A purchaser who intends to obtain a test of seeds for the purpose of section 17(3) of the Act shall, not more than 10 days after delivery to him of the seeds, 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 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 of 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) above 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 to the purchaser, the purchaser or his representative may, and if the seller or his representative is present shall, take a sample of the seeds. Such sample shall be taken and divided by the purchaser or his representative into two parts in accordance with the requirements contained in Part I of Schedule 5, each part being of at least the appropriate minimum weight specified in Part II of Schedule 5, 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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

In witness whereof the Official Seal of the Minister of Agriculture, Fishers and Food is hereunto affixed on 30th July 1993.

L.S.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

2nd August 1993

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

29th July 1993

John Redwood
Secretary of State for Wales

SCHEDULE 1

Regulation 4(1)

KINDS OF SEEDS TO WHICH THE REGULATIONS APPLY

<i>Latin Name</i>	<i>Common Name</i>
<i>Allium cepa</i> L.	Onion
<i>Allium porrum</i> L.	Leek
<i>Apium graveolens</i> L.	Celery, Celeriac
<i>Asparagus officinalis</i> L.	Asparagus
<i>Beta vulgaris</i> L. var. <i>vulgaris</i>	Spinach beet, leaf beet or chard
<i>Beta vulgaris</i> L. var. <i>conditiva</i> Alef.	Red beet or Beetroot
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>gongylodes</i> L.	Kohl rabi
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>sabellica</i>	Curly kale or Borecole
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>botrytis</i>	Cauliflower
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>cymosa</i> Duch.	Sprouting broccoli, Calabrese
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>alba</i> DC.	Cabbage
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>rubra</i> DC.	Red cabbage
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>sabauda</i> L.	Savoy cabbage
<i>Brassica oleracea</i> L. convar. <i>oleracea</i> var. <i>gemmifera</i> DC.	Brussels sprouts
<i>Brassica Pekinensis</i> (Lour.) Rupr.	Chinese cabbage
<i>Brassica rapa</i> L. var. <i>rapa</i>	Turnip
<i>Cichorium endivia</i> L.	Endive
<i>Cichorium intybus</i> L. (partim.)	Chicory
<i>Cucumis melo</i> L.	Melon
<i>Cucumis sativus</i> L.	Cucumber, Gherkin
<i>Cucurbita maxima</i> Duchesne	Gourd
<i>Cucurbita pepo</i> L.	Marrow
<i>Daucus carota</i> L.	Carrot
<i>Lactuca sativa</i> L.	Lettuce
<i>Lycopersicon lycopersicum</i> (L.) Karsten	Tomato
<i>Petroselinum crispum</i> (Miller) Nyman ex. A.W. Hill	Parsley

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Latin Name</i>	<i>Common Name</i>
<i>Phaseolus coccineus</i> L.	Runner bean
<i>Phaseolus vulgaris</i> L.	French bean
<i>Pisum sativum</i> L. (partim.)	Pea (excluding field pea)
<i>Raphanus sativus</i> L.	Radish
<i>Spinacia oleracea</i> L.	Spinach
<i>Vicia faba</i> L. (partim)	Broad bean

SCHEDULE 2

Regulations 3(1) and (3), 5(4), (6) and (12)
and 6(2)

OFFICIAL CERTIFICATES

1. On receipt of an application in accordance with regulation 6(1) for the issue of an official certificate in respect of a seed lot of Pre-basic Seed, Basic Seed or Certified Seed, the Minister shall, subject to paragraphs 2 and 3 below and to the payment of any fees payable under seeds regulations, issue in respect of such a seed lot an official certificate containing the particulars specified in Schedule 3.

2. The Minister shall refuse to issue an official certificate in respect of a seed lot unless—
- (a) an application has been made to the Minister, in such form and manner and at such time as he may require, for registration by him of—
 - (i) the seed lot or seed lots to be used for the production of the crop or crops from which the seed lot is to be obtained, and
 - (ii) the crop or crops from which the seed lot is to be obtained;
 - (b) an official examination of the crop or crops from which the seed lot was obtained shall have shown that the crop or crops meet the standards appropriate to the category set out in Part I of Schedule 4; and
 - (c) an official examination of a sample of the seed lot shall have shown that the seeds meet the standard appropriate to the category set out in Part II of Schedule 4;

except that—

 - (i) sub-paragraph (c) above, in so far as it relates to standards of germination set out in Part II of Schedule 4, shall not apply in relation to an application for the issue of an official certificate in respect of seeds which are marketed in accordance with and subject to the requirements of regulation 5(6), and
 - (ii) the Minister shall issue an official certificate in respect of a seed lot marketed in accordance with, and subject to any conditions imposed by, a general licence granted by the Minister under regulation 5(4).

3. The Minister may refuse to issue an official certificate in respect of a seed lot if it appears to him that—

- (a) a sample of the seed lot taken for the purpose of an official examination in order to ascertain whether the seed lot meets the appropriate standards set out in Part II of Schedule 4 has not been taken in accordance with the requirements contained in Schedule 5;
- (b) an official examination of a plot sown with a sample of the seed lot sown in the field shows that the crop does not meet the appropriate standards set out in Part I of Schedule 4;

- (c) there has been any breach of seeds regulations in relation to the seed lot in respect of which application for an official certificate has been made.

SCHEDULE 3

Regulation 3(1)

PARTICULARS TO BE SPECIFIED IN AN OFFICIAL CERTIFICATE

- (i) Name and address of certifying authority
- (ii) Applicant's name, address and registered number
- (iii) Seed lot reference number
- (iv) Kind/variety/category
- (v) Net weight of seed lot and number of containers
- (vi) Seed treatment (if applicable).

SCHEDULE 4

Regulations 3(1) and (3), 5(4), (6), (7) and (8) and 9(2)

REQUIREMENTS FOR BASIC SEED, CERTIFIED SEED AND STANDARD SEED

PART I

BASIC SEED AND CERTIFIED SEED

CONDITIONS RELATING TO CROPS FROM WHICH SEEDS ARE OBTAINED

1. So far as the Minister can ascertain them, by the use of methods which shall include official examination of the crop and which may, at such stages in the production of a variety as the Minister may require, 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, the requirements for the crop set out below shall be met.

Varietal identity and varietal purity

2. The characteristics for the determination of varietal identity and varietal purity shall be those recognised as those of the variety for the purposes of the National List or the Common Catalogue.

Crop inspections

3. The crop shall be officially examined in such manner and at such times (when the cultural condition of the field and the stage of development and condition of the crop are such as to permit suitable checks of varietal identity, varietal purity and species purity to be made) as the Minister may reasonably require.

Crop health

4. The crop shall be of a satisfactory state of health insofar as seed-borne diseases and organisms affecting the seeds are concerned.

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Previous cropping

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

Isolation distances

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

7. Throughout the period of flowering of the crop there shall be the following minimum distances from sources of undesirable pollen capable of fertilising the seed crop—

(a) Beta species

from any pollen sources of the genus Beta not included in subparagraphs (ii) or (iii)	1000m
(ii) from pollen sources of varieties of the same sub-species belonging to a different group of varieties—	
Crops to produce Basic Seed	1000m
Crops to produce Certified Seed	600m
(iii) from pollen sources of varieties of the same sub-species belonging to the same group of varieties—	
Crops to produce Basic Seed	1000m
Crops to produce Certified Seed	600m

(b) Brassica species—

Crops to produce Basic Seed	1000m
Crops to produce Certified Seed	600m

(c) other cross-fertilised vegetable species—

Crops to produce Basic Seed	500m
Crops to produce Certified Seed	300m

With the approval of the Minister, these distances may be modified if there is adequate protection against undesirable pollen.

For the purposes of this paragraph the groups of varieties of the Beta species shall be those set out in the following table classified in groups according to their characteristics. Where the crop is of a genetically monogerm variety, multigerm varieties shall be deemed to belong to a different group—

(1) Beta vulgaris L. var. vulgaris, Spinach beet, chard

1 Group	2 Characteristics
1	White petiole and pale green leaf blade, without anthocyanin coloration.

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1 <i>Group</i>	2 <i>Characteristics</i>
2	White petiole and medium or dark green leaf blade, without anthocyanin coloration.
3	Green petiole and medium or dark green leaf blade, without anthocyanin coloration.
4	Pink petiole and medium or dark green leaf blade.
5	Red petiole and leaf blade with anthocyanin coloration.

(2) *Beta vulgaris* L. Var. *conditiva* Alef., red beet or beetroot

1 <i>Group</i>	2 <i>Characteristics</i>
1	Transverse narrow elliptic or transverse elliptic shape of root longitudinal section and root flesh red or purple.
2	Circular or broad elliptic shape of root longitudinal section and root flesh white.
3	Circular or broad elliptic shape of root longitudinal section and root flesh yellow.
4	Circular or broad elliptic shape of root longitudinal section and root flesh red or purple.
5	Narrow oblong shape of root longitudinal section and root flesh red or purple.
6	Narrow obtriangular shape of root longitudinal section and root flesh red or purple.

Varietal purity standards

- (a) (a) For crops of Brassicas, French bean, broad bean, and pea the minimum varietal purity standards shall be:—

<i>Kind</i>	<i>Varietal purity percentage by number in crops to produce</i>	
<i>Basic Seed</i>	<i>Certified Seed</i>	
Brassicas (other than turnip)	99.8	99.5
Turnip	99.7	98.0
French bean	99.8	99.0
Broad Bean	99.7	99.0
Peas	99.995	99.995

- (b) Within the standards laid down in (a) above the maximum percentage of flower colour off-types shall not exceed the percentages here specified:—

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<i>Kind</i>	<i>Basic Seed</i>	<i>Certified Seed</i>
French bean	0.1	0.5
Broad bean	NIL	0.01
Peas	NIL	NIL

PART II

BASIC SEED, CERTIFIED SEED AND STANDARD SEED CONDITIONS RELATING TO THE SEEDS

1. The seeds shall possess adequate varietal identity and varietal purity.
2. The seeds shall meet the following minimum standards:—

<i>Kind</i>	<i>Minimum analytical purity (% by weight)</i>	<i>Maximum content of seeds of other plant species (% by weight)</i>	<i>Minimum germination (% of pure seeds or pellets)</i>
Asparagus	96	0.5	70
Beet (except var. Cheltenham)	97	0.5	70 (Clusters)
Beet (var. Cheltenham)	97	0.5	50 (Clusters)
Broad bean	98	0.1	80
Brussels sprouts	97	1	75
Cabbage	97	1	75
Calabrese	97	1	75
Carrot	95	1	65
Cauliflower	97	1	70
Celeriac	97	1	70
Celery	97	1	70
Chicory	95	1.5	65
Chinese cabbage	97	1	75
Cucumber	98	0.1	80
Curly Kale or borecole	97	1	75
Endive	95	1	65
French bean	98	0.1	75
Gherkin	98	0.1	80
Gourd	98	0.1	80

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<i>Kind</i>	<i>Minimum analytical purity (% by weight)</i>	<i>Maximum content of seeds of other plant species (% by weight)</i>	<i>Minimum germination (% of pure seeds or pellets)</i>
Kohl rabi	97	1	75
Leek	97	0.5	65
Lettuce	95	0.5	75
Marrow	98	0.1	75
Melon	98	0.1	75
Onion	97	0.5	70
Parsley	97	1	65
Pea	98	0.1	80
Radish	97	1	70
Red Cabbage	97	1	75
Runner bean	98	0.1	80
Savoy cabbage	97	1	75
Spinach	97	1	75
Sprouting broccoli	97	1	75
Tomato	97	0.5	75
Turnip	97	1	80

(b) Additional requirements

- (i) Seeds of runner beans, French bean, pea or broad bean must not be contaminated by the following live pea and bean seed beetles:

*Acanthoscelides obtectus*Say.

*Bruchus affinis*Fro.

*Bruchus atomarius*L.

*Bruchus pisorum*L.

*Bruchus rufimanus*Boh.

- (ii) Seeds must not be contaminated with live mites (*Acarina*).

3. The seeds shall be of a satisfactory state of health in so far as seed-borne diseases and organisms affecting the seeds are concerned. The following standards or measures shall apply:—

<i>Kind</i>	<i>Disease</i>	<i>Category</i>	<i>No. of seeds to be examined</i>	<i>Standard</i>
Brassicac	<i>Phoma lingam</i> (Canker)	Basic Seed	1,000	*Nil infection

* Where infected seeds are found an effective treatment approved by the Minister must be applied before the seeds can be officially certified.

† Where not more than 20 infected seeds are found in Basic Seed, or more than 20 infected seeds are found in Certified Seed an effective treatment approved by the Minister must be applied before the seeds can be officially certified.

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<i>Kind</i>	<i>Disease</i>	<i>Category</i>	<i>No. of seeds to be examined</i>	<i>Standard</i>
Red beet or beetroot	<i>Phoma betae</i> (Blackleg)	Basic Seed	200	*Nil Infection
Celery	<i>Septoria apiicola</i> (Leaf blight),	Basic Seed Certified Seed	400	*Nil infection
Peas	<i>Phoma apiicola</i> (Root rot)			
	<i>Ascochyta pisi</i>	Basic Seed	200	*Nil infection
	<i>Mycosphaerella pinodes</i> , <i>Ascochyta pinodella</i> , (Leaf and pod spot)	Certified Seed	200	†Not more than 20 seeds
Lettuce	Lettuce mosaic virus	Basic Seed Certified Seed	5,000	Nil Infection
French beans	(i) <i>Colletotrichum lindemuthianum</i> (Anthracnose)	Basic Seed	600	Nil infection
	(ii) <i>Pseudomonas phaseolicola</i> (Halo blight)	Basic Seed	5,000	Nil infection
Broad beans	<i>Ascochyta fabae</i> (Leaf and pod spot)	Basic Seed	600	Nil infection

* Where infected seeds are found an effective treatment approved by the Minister must be applied before the seeds can be officially certified.

† Where not more than 20 infected seeds are found in Basic Seed, or more than 20 infected seeds are found in Certified Seed an effective treatment approved by the Minister must be applied before the seeds can be officially certified.

SCHEDULE 5

Regulations 3(1), 7(1) and (2) and 11(5)

PART I

SAMPLING OF SEED LOTS

1. A sample shall be obtained from the seed lot by taking primary samples at random from different positions in the lot and combining them to form a composite sample. The composite sample may be submitted for testing intact but if the composite sample is too large it may be reduced in weight by using an approved seed sample divider, to give the submitted sample.

Primary sample size

2. At each position of sampling of a seed lot, primary samples of approximately equal size shall be taken.

Condition of the Seed Lot

3. The seed lot to be sampled shall have been subject to appropriate mixing and blending techniques so that it is as uniform as practicable. There shall be no documentary or other evidence of heterogeneity. If a seed lot is presented for sampling in more than one container, the containers shall be of the same size and type and contain approximately the same weight of seed.

Sampling from Sacks

4. When the seed lot is in sacks or similar sized containers each containing more than 15 kg of seed and not more than 100 kg of seed, the minimum 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	Sample each container and always take at least five primary samples
6-30	Sample five containers or at least one in every three containers, whichever is the greater
31-400	Sample 10 containers or at least one in every five containers, whichever is the greater
401 or more	Sample 80 containers or at least one in every seven containers, whichever is the greater

5. The containers to be sampled shall be selected at random and primary samples drawn from the top, middle and the bottom of containers, but not necessarily from more than one position in any container. The position from which the seed is taken shall be varied from container to container.

Sampling from small containers

6. For sampling seed lots in containers holding 15 kg of seed or less, a 100 kg weight of seed shall be taken as the basic unit and the small containers shall be combined to form sampling units not exceeding this weight (eg six packages of 15 kg, 20 packages of 5 kg). For sampling purposes each unit shall be regarded as one container and the sampling procedures prescribed in paragraphs 4 and 5 above shall be used.

7. When seed is in moisture-proof containers the opened or pierced containers shall be adequately closed or the residues from sampling transferred to new containers. When seeds are in very small packets (100 g or less) each packet may be considered as a primary sample and sufficient shall be taken at random to obtain a submitted sample of the minimum size prescribed in Part II of this Schedule.

Sampling from large containers or seed in bulk

8. For the sampling of containers holding more than 100 kg of seed, and for the sampling of seed in bulk, primary samples shall be taken from different horizontal and vertical positions selected at random and the following shall be regarded as the minimum requirement:—

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<i>Lot weight</i>	<i>Number of primary samples to be taken</i>
up to 500 kg	at least five primary samples
501-3000 kg	one primary sample for each 300 kg but not less than five
3001-20,000 kg	one primary sample for each 500 kg but not less than 10

Sampling from a seed stream

9. Samples may be drawn from a seed stream during processing using an automatic sampling device, which shall uniformly sample the entire cross-section of the seed stream when a sample is taken. Portions of seed shall be taken at regular intervals throughout the processing of the lot using the same sampling intensity as for seed in bulk (see paragraph 8 above).

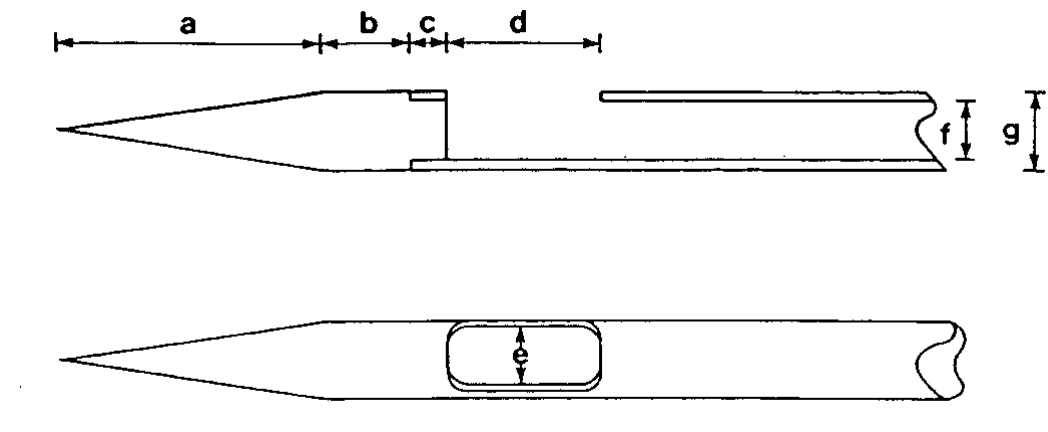
Sampling Instruments

10. Sampling instruments shall be capable of sampling all parts of the seed lot. Where it is not practicable to use one of the instruments or methods described in this Schedule other instruments or methods may be used at the discretion of the Minister.

11. The instrument used for drawing primary samples shall be one of those described below as appropriate to the location of the seeds, or any other suitable instrument for the time being approved by the Minister.

Dynamic Spear Sampler

(a) This instrument may be used, in accordance with the methods described in paragraph 12(a) below, for sampling seeds in sacks or small containers. It shall be a hollow, cylindrical, solid-pointed metal spear or trier which shall be long enough to reach beyond the middle of the sack from the side and shall have an aperture so positioned that portions of seed of equal volume are removed from each part of the sack through which it travels.



Dimensions (mm)							
<i>Point</i>	<i>Shoulder</i>	<i>Boss</i>	<i>Aperture Length</i>	<i>Aperture Width</i>	<i>Bore</i>	<i>Outside Diameter</i>	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	

For sampling:

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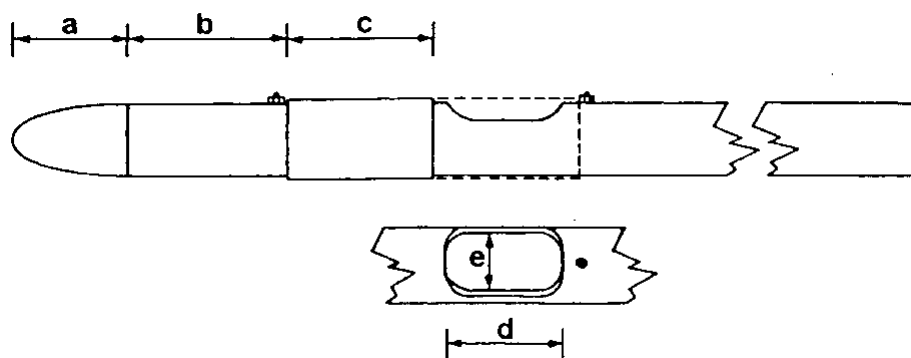
	<i>Point</i>	<i>Shoulder</i>	<i>Boss</i>	<i>Aperture Length</i>	<i>Aperture Width</i>	<i>Bore</i>	<i>Outside Diameter</i>
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
All kinds other than asparagus, beans, beet, cucumber, gherkin, melon, spinach	42	7	8	20	8	10	12
All kinds other than beans, peas, marrow	85	12	10	33	11	13	15
All kinds of other Beans	82	12	13	40	15	17	19
Peas and beans	78	15	15	40	18	20	22

Stick Samplers

(b) These instruments shall have an aperture or apertures which shall be of sufficient size to allow the unrestricted entry of seeds or other particles and which shall be capable of being opened and closed during the sampling procedure as appropriate to the method of use described in paragraph 12(b).

(i) **Single chamber type**

This instrument may be used for sampling seeds in open sacks, in large containers or in bulk.



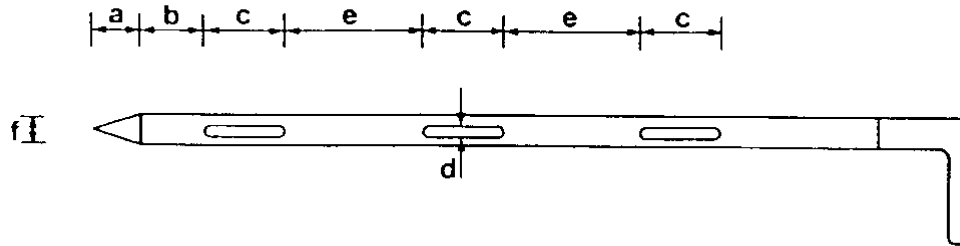
Dimensions (mm)

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	<i>Point</i>	<i>Shoulder</i>	<i>Sliding Sleeve</i>	<i>Aperture Length</i>	<i>Aperture Width</i>	<i>Bore</i>
	(a)	(b)	(c)	(d)	(e)	(f)
For sampling:						
Seeds in sacks	55	25	75	50	22	25
Seeds in large containers or in bulk	100	390	63	50	22	30

(ii) Multi-chamber type

This instrument may be used to sample seeds in sacks or, subject to the requirements of paragraph 10 above, any other containers. The apertures shall open into chambers that shall be separated from one another by transverse partitions. The contents of each chamber shall be regarded as a primary sample.



Dimensions (mm)

	Point	Shoulder	Aperture Length	Aperture Width	Aperture Separation	Bore
	(a)	(b)	(c)	(d)	(e)	(f)
For sampling:						
All kinds	60	50	100	15	110	25

Cargo Sampler

(c) This instrument shall only be used, in accordance with the method described in paragraph 12(c) below, for sampling seed in large containers or bulk and shall only be used in the vertical position.

Seed Stream Samplers

(d) Seed stream samplers shall uniformly sample the cross section of the seed stream without any loss of the seeds that enter the sampler, in accordance with the method described in paragraph 12(d) below. Timing devices shall be attached so that the frequency and duration of sampling can be adjusted to meet the requirements of paragraph 9.

Methods of Use

12. All instruments shall be clean before use. The methods of using these instruments shall be as follows:—

Dynamic Spear Sampler

(a) These samplers may be used in two ways as appropriate to their length.

Method 1(For instruments in which the aperture reaches only to the centre of the sack or small container.)

The instrument shall be inserted into the sack in an upward direction at an angle of approximately 30° to the horizontal with its aperture downwards until the aperture reaches the centre of the sack or container. The instrument shall be lightly tapped to remove any seed taken in and then rotated to bring the aperture uppermost. It shall be withdrawn immediately with a vibratory or oscillatory motion and at a decreasing speed so that the quantity of seed obtained from successive locations increases progressively from the centre to the side of the sack. Seed passing through the instrument shall be collected in a clean container.

Method 2(For instruments in which the aperture reaches to the far side of a sack or small container.)

A longer instrument shall be inserted in the manner described in Method 1 above until its aperture reaches almost to the far side of the sack or container. It shall be tapped and rotated in the manner described above and then withdrawn at a uniform speed. Seed passing through the instrument shall be collected in a clean container.

Stick Sampler

(b) (i) **Single chamber type**

- (a) The sleeve shall move freely.
- (b) The instrument shall be inserted vertically downwards till the aperture reaches the appropriate primary sampling position ensuring that the sleeve covers the aperture as it enters the seed.
- (c) The instrument shall be withdrawn sufficiently to uncover the aperture.
- (d) The instrument shall be left in position until the primary sample has been collected.
- (e) The instrument shall be withdrawn and the contents emptied into a clean container.

(ii) **Multi-chamber type**

- (a) The apertures shall be closed before insertion.
- (b) The instrument shall be inserted diagonally into sacks or vertically into large containers so that all apertures are fully covered.
- (c) The apertures shall be opened.
- (d) The instrument shall be agitated so that seed enters.
- (e) The apertures shall be closed gently to ensure that trapped seed is not broken or damaged.
- (f) The instrument shall be withdrawn and if the chambers are full the contents shall be emptied onto a clean surface or into a clean container.
- (g) If all the chambers are not full, the contents shall be discarded and procedures a-f shall be repeated.

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Cargo Sampler

- (c) (a) The lid shall open and close easily.
- (b) The instrument shall be inserted with the lid closed to the appropriate primary sampling position which shall be at least 300mm below the surface of the seed.
- (c) The handle shall be raised sufficiently to open the lid.
- (d) The instrument shall be left in position until the primary sample has been collected.
- (e) The instrument shall be withdrawn and the contents shall be emptied into a clean container.

Seed Stream Samplers

- (d) Such instruments shall be required to take the number of primary samples necessary for the weight of lot being sampled, the primary samples being taken from the lot at regular intervals and the resultant composite sample being of a weight not less than that prescribed in Part II below and not greater than can conveniently be reduced by means of one of the methods of sample reduction described in paragraph 14 below. They shall be installed in such a way that the composite sample shall be readily identifiable with the seed lot from which it was taken.

Obtaining submitted sample—composite sample division instruments

13. Provided the composite sample is of at least the minimum weight prescribed in Part II below for a submitted sample for a particular kind of seed, it may be used as the submitted sample. Where the composite sample exceeds the weight prescribed for the submitted sample, any of the following instruments may be used to obtain the submitted sample. Other instruments and methods may be used at the discretion of the Minister.

Riffle Divider

- (a) The riffle divider shall consist of a rectangular hopper leading to a series of evenly spaced chutes, arranged so that seed is distributed equally on two sides. There shall be a minimum of 18 chutes, each discharging in the opposite direction to its immediate neighbour.
Three (or more) metal collecting vessels (pans) of sufficient depth to prevent seed bouncing out shall be used.

Centrifugal Divider

- (b) The centrifugal divider shall consist of a hopper from which seed flows on to a shallow cup which is then rotated by an electric motor. The seed shall be distributed by centrifugal force onto a stationary baffle which divides it into two equal parts which are then discharged through separate spouts.
Four metal collecting vessels (pans) of sufficient depth to prevent seed bouncing out shall be used.

Methods of Use

14. The methods of using these instruments shall be as follows:

Riffle Divider

- (a) (a) The divider shall be placed on a firm level surface.
- (b) The divider and pans shall be clean.

Sample Mixing

- (c) An empty pan shall be placed on each side of the divider to receive the discharge from the chutes.
- (d) The entire composite sample shall be poured evenly into the other pan(s).
- (e) The seed shall then be poured from the pan(s) evenly along the entire length of the hopper.
- (f) The two pans into which the seed has passed shall then be replaced with empty pans.
- (g) Procedures e. and f. shall then be repeated twice to mix the sample thoroughly.

Sample Reduction

- (h) Before reduction, the composite sample shall have been thoroughly mixed using procedures c.-g. The contents of one of the two receiving pans shall then be set aside. If the seed in the second pan is of at least the minimum weight prescribed in Part II below for a submitted sample of a particular kind of seed, it may be used as the submitted sample. If the weight of seed in the second pan is greater than the appropriate minimum weight prescribed in Part II below for a submitted sample, it may be reduced using the following procedures i.-k.
- (i) An empty pan shall be placed on each side of the divider to receive the discharge from the chutes.
- (j) The contents of the second pan shall be poured evenly along the entire length of the hopper.
- (k) The contents of one of the two pans into which the seed has passed shall then be set aside. If the weight of seed in the other pan is still greater than the appropriate minimum weight prescribed in Part II below for the submitted sample, it may be submitted intact or it may be reduced further using procedures i.-k.
- (l) If the weight of seed in either of the two pans at either h. or k. is less than the appropriate minimum weight prescribed in Part II below for a submitted sample, the following procedures m.-q. shall be used.
- (m) An empty pan shall be placed on each side of the divider to receive the discharge from the chutes.
- (n) The contents of one of the pans shall be set aside. The contents of the other pan shall be poured evenly along the entire length of the hopper.
- (o) One receiving pan and its contents shall then be removed and replaced with an empty pan. The other pan, with its contents, shall be left in place.
- (p) The contents of the pan removed at o. shall be poured evenly along the entire length of the hopper so that two subsamples of different weight shall be produced.
- (q) Procedures o. and p. above, when repeated, constitute the process of continuous halving, and shall be repeated using whichever subsample is appropriate until sufficient seed is obtained in one pan, which when added to the seed set aside at n. produces a submitted sample of at least the appropriate minimum weight prescribed in Part II below.

Obtaining more than one submitted sample

- (r) Two submitted samples shall be obtained from a composite sample by first obtaining a sample of at least twice the appropriate minimum weight prescribed in Part II below for a submitted sample, using procedures c.-g., and h.-q. as appropriate, and then dividing it into two parts by passing it once through the divider.
- (s) When three submitted samples are required from one composite sample, one sample of at least the appropriate minimum weight prescribed in Part II below for a submitted sample, shall be extracted using procedures c.-g., and h.-q. as appropriate. All portions of seed which have

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been set aside shall then be recombined and the residue of the composite sample so obtained shall be subject to the procedure at r. above.

Centrifugal Divider

- (b) (a) The divider shall be levelled prior to use.
- (b) The divider and pans shall be clean.

Sample Mixing

- (c) An empty pan shall be placed under each spout of the divider.
- (d) The entire composite sample shall be poured into the centre of the hopper.
- (e) The motor shall be operated so that the seed passes into the pans.
- (f) The motor shall be switched off.
- (g) The two pans containing seed shall be removed and replaced by empty ones.
- (h) The contents of both pans removed at g. shall be poured together into the centre of the hopper, the seed being allowed to blend as it flows in. Procedures e., f. and g. shall be repeated.
- (i) Procedure h. shall be repeated to mix the sample thoroughly.

Sample Reduction

- (j) Before reduction, the composite sample shall have been thoroughly mixed using procedures c.–i. The contents of one of the two receiving pans shall then be set aside. If the seed in the second pan is of at least the minimum weight prescribed in Part II below for a submitted sample of a particular kind of seed, it may be used as the submitted sample. If the weight of the seed in the second pan is greater than the appropriate minimum weight prescribed in Part II below for a submitted sample, it may be reduced using the following procedures (k.–m.).
- (k) Empty pans shall be placed under the spouts.
- (l) The contents of the second pan shall be poured into the hopper and procedures e. and f. shall be repeated.
- (m) The contents of one of the two pans into which the seed has passed shall then be set aside. If the weight of seed in the other pan is still greater than the appropriate minimum weight prescribed in Part II below for a submitted sample, it may be submitted intact or it may be reduced further using procedures k.–m.
- (n) If the weight of seed in either of the two pans at either j. or m. is less than the appropriate minimum weight prescribed in Part II below for a submitted sample, the following procedures (o.–s.) shall be used.
- (o) Empty pans shall be placed under the spouts.
- (p) The contents of one of the pans shall be set aside. The contents of the other pan shall be poured into the centre of the hopper and procedures e. and f. shall be repeated.
- (q) One receiving pan and its contents shall then be removed and replaced with an empty pan. The other pan, with its contents, shall be left in place.
- (r) The contents of the pan removed at q. shall be poured into the centre of the hopper and procedures e. and f. shall be repeated so that two subsamples of different weight shall be produced.
- (s) Procedures q. and r. above, when repeated, constitute the process of continuous halving, and shall be repeated using whichever subsample is appropriate until sufficient seed is obtained in one pan, which when added to the seed set aside at p., produces a submitted sample of at least the appropriate minimum weight prescribed in Part II below.

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Obtaining more than one submitted sample

- (t) Two submitted samples shall be obtained from a composite sample by first obtaining a sample of at least twice the appropriate minimum weight prescribed in Part II below for a submitted sample, using procedures c.–i., and j.–s. as appropriate, and then dividing it into two parts by passing it once through the divider.
- (u) When three submitted samples are required from one composite sample, one sample, of at least the appropriate minimum weight prescribed in Part II below for a submitted sample, shall be extracted using procedures c.–i., and j.–s. as appropriate. All portions of seed which have been set aside shall then be recombined and the residue of the composite sample so obtained shall be subject to procedure t. above.

PART II

MAXIMUM WEIGHT OF A SEED LOT AND MINIMUM WEIGHT OF A SUBMITTED SAMPLE

The maximum weight of a seed lot shall be as indicated below (or a weight which does not exceed that indicated below by more than 5%) and the minimum weight of a submitted sample shall be as indicated below:—

<i>Kind</i>	<i>Maximum lot weight (tonnes)</i>	<i>Minimum submitted sample weight (g)</i>	<i>Kind</i>	<i>Maximum lot weight (tonnes)</i>	<i>Minimum submitted sample weight (g)</i>
Asparagus	10	100	Leek	10	25
Beet (all kinds)	20	100	*Lettuce	10	30
*Brassica (all kinds)	10	50	Marrow	20	150
†Broad bean	20	1,000	Melon	20	100
Carrot	10	25	Onion	10	25
Celeriac	10	25	Parsley	10	25
Celery	10	25	†Pea	20	500
Chicory	10	25	Radish	10	50
Cucumber	20	25	Runner beans	20	1,000

except that:

In the case of F1 hybrid varieties of the above kinds and their inbred parent lines, the minimum weight of the submitted sample may be reduced to a quarter of the weight specified for the variety subject to the sample consisting of at least 400 seeds.

* For the category Standard Seed of these kinds the minimum submitted sample weight shall be 25g.

† For the categories Pre-basic Seed, Basic Seed and Certified Seed of these kinds, the minimum submitted sample weight shall be:

Pea	2000g
French bean	3000g
Broad bean	4000g

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<i>Kind</i>	<i>Maximum lot weight (tonnes)</i>	<i>Minimum submitted sample weight (g)</i>	<i>Kind</i>	<i>Maximum lot weight (tonnes)</i>	<i>Minimum submitted sample weight (g)</i>
Endive	10	25	Spinach	10	75
†French bean	20	700	Tomato	10	25
Gherkin	20	25			
Gourd	20	250			

except that:

In the case of F1 hybrid varieties of the above kinds and their inbred parent lines, the minimum weight of the submitted sample may be reduced to a quarter of the weight specified for the variety subject to the sample consisting of at least 400 seeds.

* For the category Standard Seed of these kinds the minimum submitted sample weight shall be 25g.

† For the categories Pre-basic Seed, Basic Seed and Certified Seed of these kinds, the minimum submitted sample weight shall be:

Pea	2000g
French bean	3000g
Broad bean	4000g

SCHEDULE 6

Regulations 5(4) and (14) and 9(2), (6), (7), (11) and (12)

FOR THE PURPOSES OF THESE REGULATIONS THE PARTICULARS PRESCRIBED IN THIS SCHEDULE AS TO THE KIND AND VARIETY OF SEED SHALL BE INDICATED ON THE LABEL IN ROMAN CHARACTERS. THE KIND OF SEED SHALL BE DESIGNATED BY ITS LATIN NAME, OR ITS COMMON NAME, OR BOTH, AS PRESCRIBED IN SCHEDULE 1

PART I

Official Label for a Package of Pre-basic Seed

A

(a) Prescribed contents

- (1) Certification Authority and Member State or their mark
- (2) Reference number of the lot
- (3) Month and year when officially sealed
- (4) Kind
- (5) Variety
- (6) “Pre-basic Seed”
- (7) Country of production
- (8) Number of generations preceding seeds of the category “Certified Seed”

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- (9) Declared net or gross weight or declared number of seeds
- (10) Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and also the approximate ratio between the weight of the seed and the total weight
- (b) Minimum size of the label—110 mm × 67 mm
- (c) The label shall be white with a diagonal violet line.

Official Label for a Package of Basic Seed or for a Package (Other than a Small Package) of Certified Seed

B

- (a) Prescribed contents
 - (1) “EEC rules and standards”
 - (2) Certification Authority and Member State or their mark
 - (3) Month and year when officially sealed
 - (4) Reference number of the lot
 - (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, pelleting substances 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
 - (11) In the case of varieties which are hybrids or inbred lines—
 - (a) for the Basic Seed where the hybrid or inbred line to which the seed belongs has been officially accepted on a National List or the Common Catalogue—
the name of this component, under which it has been officially accepted, with or without reference to the final variety, accompanied, in the case of hybrids or inbred lines which are intended solely as components for final varieties, by the word “component”;
 - (b) for Basic Seed in other cases—
the name of the component to which the Basic Seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its function (male or female), and accompanied by the word “component”;
 - (c) for Certified Seed—
the name of the variety to which the seed belongs, accompanied by the word “hybrid”.
- (b) Minimum size of the label—110 mm × 67 mm
- (c) The label shall be white for Basic Seed and Blue for Certified Seed.

Official Label for a Package of Seed not Finally Certified

C

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) Prescribed contents of the label
 - (1) Certifying authority
 - (2) Kind
 - (3) Variety
 - (4) Category
 - (5) Crop Identity Number
 - (6) Declared net or gross weight (Tonnes)
 - (7) The words “seed not finally certified”

The label shall be coloured grey.

- (b) Information required for the document
 - (1) Certifying authority
 - (2) Kind
 - (3) Variety
 - (4) Category
 - (5) Seed Lot Reference Number (UK) or Reference Number (other than UK) of the seed used to sow the field and name of the country or countries which certified that seed
 - (6) Crop Identity Number
 - (7) Area cultivated for the production of the lot covered by document (Hectares)
 - (8) Quantity of seed harvested and number of packages
 - (9) Number of generations after basic seed, in the case of certified seed
 - (10) Attestation that the conditions to be satisfied by the crop from which the seed comes have been fulfilled
 - (11) Where appropriate, results of a preliminary seed analysis.

PART II

Supplier’s Label for a Package of Standard Seed, other than a Small Package

A

- (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) Month and year when sealed
 - (4) Kind
 - (5) Variety
 - (6) “Standard Seed”
 - (7) Lot reference number given by the supplier responsible for affixing the labels
 - (8) Declared net or gross weight or declared number of seeds

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- (9) Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and also the approximate ratio between the weight of the seed and the total weight.
- (b) Minimum size of the label—110 mm × 67 mm
- (c) The label shall be dark yellow.

Supplier's label for a Package of Uncertified Pre-basic Seed

B

- (a) Prescribed contents
 - (1) Name and address of the supplier responsible for fixing the labels or his identification mark
 - (2) Reference number of the lot
 - (3) "Kind"
 - (4) Variety
 - (5) "Uncertified Pre-basic Seed"
 - (6) Declared net or gross weight or declared number of seeds.
- (b) The label shall be coloured buff.

PART III

SMALL PACKAGES

Supplier's Label for a Small Package of Certified Seed

A

- (a) Prescribed contents
 - (1) "EEC rules and standards"
 - (2) Name and address of the supplier responsible for affixing the labels or his identification mark
 - (3) Year of sealing
 - (4) Kind
 - (5) Variety
 - (6) "Certified Seed"
 - (7) Reference number enabling the certified lot to be identified
 - (8) Declared net or gross weight or declared number of seeds, except in the case of packages not exceeding 500 grams
 - (9) Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and also the approximate ratio between the weight of the seed and the total weight.
- (b) The label shall be blue.

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Supplier’s Label for a Small Package of Standard Seed

B

- (a) Prescribed contents
 - (1) “EEC rules and standards”
 - (2) Kind
 - (3) Variety
 - (4) Name and address of packeter or his identifying reference number
 - (5) Declared net or gross weight or declared number of seeds, except in the case of packages not exceeding 500 grams
 - (6) “Standard Seed”
 - (7) Year of sealing (packeting)
 - (8) Where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used the nature of the additive and also the approximate ratio between the weight of the seed and the total weight.
- (b) Where the seeds comprise a mixture of seeds of different varieties of lettuce or of different varieties of radish the label shall also state the names of the constituent varieties.
- (c) The label shall be dark yellow.

PART IV

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

- 1. “Complies with legal standards”
- 2. Kind
- 3. Variety.

SCHEDULE 7

Regulation 9(11)

MAXIMUM WEIGHTS FOR RETAIL SALES OF UNPACKETED SEEDS

Asparagus	1 kg
Beet (all kinds)	
Brassica (all kinds)	
Carrot	
Celeriac	
Celery	
Chicory	
Cucumber	
Endive	
Gherkin	
Leek	
Lettuce	
Marrow	
Melon	

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Onion	
Parsley	
Radish	
Spinach	
Tomato	
Turnip	
Broad bean	3 kg
French bean	
Pea	
Runner bean	

SCHEDULE 8

Regulation 11(2)

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
60–68	10
50–59	11

PURITY

<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

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<i>Minimum percentage of analytical purity</i>	<i>Limit of variation</i>
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

CONTENT OF SEEDS OF OTHER PLANT SPECIES

<i>Maximum content of seeds of other plant species</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	0.8

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations re-enact, with amendments, the Vegetable Seeds Regulations 1985.

The Regulations, which come into force on 1st September 1993, continue to restrict the marketing in Great Britain of vegetable seeds to specified categories meeting prescribed standards (regulations 3(3), 5(1) and Schedule 4), to require such seeds to be sold in sealed packages labelled or marked with prescribed particulars (regulations 8 and 9 and Schedule 6) and to make tampering with labels prescribed by regulations an offence (regulation 9(13)). The Regulations also continue to make provision for the taking of samples for the verification of standards (regulation 7 and Schedule 5) and provide that certain particulars stated or implied on a package of seeds are deemed to constitute a statutory warranty by the seller for the protection of the purchaser for the purpose of section 17 of the Plant Varieties and Seeds Act 1964 (regulation 10(1)).

The consolidation incorporates a provision required under Council Directive [88/380/EEC](#) (OJ No. L187, 16.7.88, p.31), and previously dealt with by a General Licence under Regulation 5(3)(d) of the 1985 Regulations. This relates to the marketing to other Member States of seed in respect of which an official certificate has not been issued (regulation 5(14) and Schedule 6 Part IC).

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The Regulations implement Council Directive [70/458/EEC](#) (OJ No. L225, 12.10.70, p.7) on the marketing of vegetable seed as amended.