

SCHEDULE 4

CONDITIONS TO BE SATISFIED BY THE SEED

PART II

Conditions to be examined by Seed Testing

11. The seed shall conform to the following standards or other conditions as regards analytical purity—

<i>Species and category</i>	<i>Level (where applicable)</i>	<i>Minimum analytical purity (% by weight)</i>
<i>1</i>	<i>2</i>	<i>3</i>
Basic seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	99
	Minimum	99
CS seed of hybrids of barley, durum wheat, oats, spelt wheat and wheat	—	98
C1 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	99
	Minimum	98
C2 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	99
	Minimum	98
Basic and CS seed of rye	—	98
Basic, CS, C1 and C2 seed of triticale and CS seed of hybrids of self-pollinating triticale	—	98
Basic and CS seed of maize	—	98

12.—(1) The seed shall conform to the following standards or other conditions as regards the content of seeds of other plant species—

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Species and category	Level (where applicable)	Maximum content by number of seeds of other plants species in a sample of the weight specified in column 6 of the table in Schedule 7					
		All other plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All plant species other than cereals	Wild oats or darnel	Wild radish or corn cockle (except in HVS level seed)	Wild radish, corn cockle, sterile brome or couch in HVS level seed
1	2	3	4	5	6	7	8
Basic seed of components of hybrid varieties of barley, durum wheat, oats, spelt wheat and wheat	—	4	1 ^(a)	3	0 ^(b)	1	Not applicable
Basic seed of barley, durum wheat, oats, spelt wheat and wheat other than components of hybrid varieties	HVS	1	0	1	0	Not applicable	0 ^(c)
	Minimum	4	1 ^(a)	3	0 ^(b)	1	Not applicable
CS seed of hybrids of barley, durum wheat, oats, spelt	—	10	7	7	0 ^(b)	3	Not applicable

(a) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.

(b) The presence of one seed of wild oats or darnel in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seed of either of these species.

(c) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle.

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Species and category	Level (where applicable)	Maximum content by number of seeds of other plants species in a sample of the weight specified in column 6 of the table in Schedule 7					
		All other plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All plant species other than cereals	Wild oats or darnel	Wild radish or corn cockle (except in HVS level seed)	Wild radish, corn cockle, sterile brome or couch in HVS level seed
1	2	3	4	5	6	7	8
wheat and wheat							
C1 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	2	1	1	0	Not applicable	1
	Minimum	10	7	7	0 ^(b)	3	Not applicable
C2 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	4	3	2	0	Not applicable	1
	Minimum	10	7	7	0 ^(b)	3	Not applicable
Basic seed of rye	—	4	1 ^(a)	3	0 ^(b)	1	Not applicable
CS seed of rye	—	10	7	7	0 ^(b)	3	Not applicable
Basic seed of triticale	—	4	1 ^(a)	3	0 ^(b)	1	Not applicable
CS seed of hybrids	—	10	7	7	0 ^(b)	3	Not applicable

(a) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.

(b) The presence of one seed of wild oats or darnel in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seed of either of these species.

(c) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle.

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Species and category	Level (where applicable)	Maximum content by number of seeds of other plants species in a sample of the weight specified in column 6 of the table in Schedule 7					
		All other plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All plant species other than cereals	Wild oats or darnel	Wild radish or corn cockle (except in HVS level seed)	Wild radish, corn cockle, sterile brome or couch in HVS level seed
1	2	3	4	5	6	7	8
and self-pollinating triticale and C1 and C2 seed of triticale							
Basic and CS seed of maize	—	0	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

- (a) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.
- (b) The presence of one seed of wild oats or darnel in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seed of either of these species.
- (c) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle.

(2) In the table set out in paragraph (1)—

- “corn cockle” means plants of the species *Agrostemma githago*;
- “couch” means plants of the species *Agropyron repens*;
- “darnel” means plants of the species *Lolium temulentum*;
- “sterile brome” means plants of the species *Bromus sterilis*; and
- “wild radish” means plants of the species *Raphanus raphanistrum*.

13.—(1) Subject to sub-paragraph (2), it shall be determined, by way of a germination test, whether the seed attains the percentage of germination specified in column 2 of the following table for the appropriate category of seed—

Species	Minumum germination (% of pure seed, expressed as an integer)
1	2
(a) (a) Basic, CS, C1 and C2 seed of—	85
(i) barley	
(ii) durum wheat	

Species	Minumum germination (% of pure seed, expressed as an integer)
1	2
(iii) oats (other than CS, C1 and C2 seed of oats officially classified as being of a naked oat type)	
(iv) spelt wheat	
(v) wheat	
(b) (b) CS, C1 and C2 seed of oats officially classified as being of a naked oat type	75
(c) (c) Basic and CS seed of maize	90
(d) (d) Basic and CS seed of rye	85
(e) (e) Basic, CS, C1 and C2 seed of triticale	80

(2) Sub-paragraph (1) shall not apply to seed that has been subjected to a tetrazolium test carried out at an official testing station or a licensed seed testing station to establish the viability of the seed unless the result of the test casts doubt on whether it will satisfy the applicable germination standard set out in column 2 of the table set out in sub-paragraph (1).

14. Sclerotia, or fragments of sclerotia, of ergot, shall not exceed the following in a sample of the weight specified in column 4 of Schedule 7, other than a sample of a hybrid of rye—

Category	Level (where applicable)	Sclerotia or fragments of sclerotia
(a) (a) Basic seed	(i) HVS level	0
	(ii) Minimum level	1
(b) (b) CS seed	Not applicable	3
(c) (c) C1 and C2 seed	(i) HVS level	1
	(ii) minimum level	3

15.—(1) In a sample of a hybrid of rye of a weight specified in column 4 of Schedule 7 sclerotia or fragments of sclerotia of ergot shall not exceed—

- (a) 1 in the case of basic seed, and
- (b) subject to sub-paragraph (2) below, 4 in the case of CS seed.

(2) Notwithstanding the provisions of sub-paragraph (1)(b), the presence of 5 sclerotia or fragments of sclerotia of ergot in a sample shall be deemed to be in conformity with the requirements of sub-paragraph (1) where a second sample of the same weight contains not more than 4 sclerotia or fragments of sclerotia.

16.—(1) Subject to paragraph (2), the maximum moisture content of the seed shall not exceed 17% by weight.

(2) A licensed seed testing station to which a regulation 11 application for the testing of an official sample of seed has been made (or the Secretary of State in a case where regulation 11(3)

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or (4) applies), may decide not to carry out a moisture test to determine whether the condition in paragraph (1) has been complied with if—

- (a) the official sample of the seed to be tested has already been subjected to a moisture test carried out by the licensed seed sampler who drew the official sample, and
- (b) the results of that test indicate that the maximum moisture content of the seed does not exceed 17% by weight.