
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Fodder Plant Seed (England) Regulations 2002 ([SI 2002/3172](#)) as amended by the Fodder Plant Seed (England) (Amendment) Regulations ([SI 2004/2387](#)) (the “2002 Regulations”) and come into force on 26th October 2005.

The amendments to the 2002 Regulations—

- (a) update definitions to take account of Council Directive [2004/117/EC](#) (O.J. No. L14, 18.1.2005, p. 18) on examinations carried out under official supervision and equivalence of seed produced in third countries (*Regulations 2(2)(a), 2(2)(b) and 2(2)(c)*);
- (b) enable uncertified British native-origin seed mixtures to be marketed for natural environment preservation purposes on the basis of an authorisation granted by the Secretary of State, subject to conditions set by the Secretary of State (*Regulations 2(2)(f), 2(2)(g) and 2(3)*);
- (c) update references to reflect amendments to the Decision of the OECD Council revising the OECD Schemes for Varietal Certification or the Control of Seed Moving in International Trade (C(2000)146/Final) (*Regulations 2(2)(d) and 2(2)(e)*);
- (d) correct errors (*Regulations 2(4)(a) and 2(4)(b)*).

A Transposition Note and a Regulatory Impact Assessment have been prepared for these Regulations and copies have been placed in the library of each House of Parliament. Copies of these documents can be obtained from the Plant Variety Rights Office and Seeds Division of the Department for Environment, Food and Rural Affairs, White House Lane, Huntingdon Road, Cambridge, CB3 0LF.