
STATUTORY INSTRUMENTS

2019 No. 162

**The Marketing of Seeds and Plant Propagating
Material (Amendment etc.) (EU Exit) Regulations 2019**

PART 4

**Amendment of retained direct EU legislation
relating to withdrawal from the European Union**

Council Decision 2003/17/EC

6.—(1) Council [Decision 2003/17/EC](#) on equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries is amended as follows.

(2) Before Article 1 insert—

“Article 1

1. In this Decision, “the Seeds Marketing Regulations” means—

- (a) in relation to England, the Seed Marketing Regulations 2011;
- (b) in relation to Wales, the Seed Marketing (Wales) Regulations 2012;
- (c) in relation to Scotland—
 - (i) in relation to vegetable seed, the Vegetable Seeds Regulations 1993;
 - (ii) in relation to oil and fibre plant seed, the Oil and Fibre Plant Seed (Scotland) Regulations 2004;
 - (iii) in relation to cereal seed, the Cereal Seed (Scotland) Regulations 2005;
 - (iv) in relation to fodder plant seed, the Fodder Plant Seed (Scotland) Regulations 2005;
 - (v) in relation to beet seed, the Beet Seed (Scotland) (No 2) Regulations 2010;
- (d) in relation to Northern Ireland, the Seed Marketing Regulations (Northern Ireland) 2016.”.

(3) In Articles 1 and 2—

- (a) omit “third”;
- (b) for “Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#), [2002/55/EC](#) and [2002/57/EC](#)” substitute “the Seeds Marketing Regulations”.

(4) In Article 3—

- (a) in paragraph 1—
 - (i) for “Community”, in both places where it occurs, substitute “United Kingdom”;

- (ii) for “Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#), [2002/55/EC](#) and [2002/57/EC](#)” substitute “the Seeds Marketing Regulations”;
- (iii) omit the second paragraph.
- (b) in paragraph 2—
 - (i) for “Community” substitute “United Kingdom”;
 - (ii) for “EC” substitute “UK”;
 - (iii) in point (a)—
 - (aa) for “Member States” substitute “the United Kingdom”;
 - (bb) for “third countries” substitute “countries listed in Annex 1”;
 - (iv) in point (b)—
 - (aa) for “small EC” substitute “beet, fodder or vegetable seed, small”;
 - (bb) for “Directives [66/401/EEC](#), [2002/54/EC](#) or [2002/55/EC](#)” substitute “the Seeds Marketing Regulations”.
- (5) Omit Article 7.
- (6) In Annex 2—
 - (a) in paragraph A—
 - (i) in the heading, for “third countries” substitute “countries listed in Annex 1”;
 - (ii) in point 3, in the first indent, omit “Member State or third”;
 - (b) in paragraph B—
 - (i) in the heading, for “third countries” substitute “countries listed in Annex 1”;
 - (ii) in point 1, in the second subparagraph, for “Community rules” substitute “the Seeds Marketing Regulations”;
 - (iii) in point 2.1, for “laid down in” substitute “specified by the Seeds Marketing Regulations and ”;
 - (iv) in point 3.1, in the first indent—
 - (aa) for “Community rules” substitute “the Seeds Marketing Regulations”;
 - (bb) for “EC” substitute “UK”;
 - (v) in point 3.2, for “Community law” substitute “the law of the United Kingdom”;
 - (vi) in point 3.5, for the words from “at least” to the end substitute “English and may also be given in other languages”;
 - (vii) in point 5—
 - (aa) in the first subparagraph, for “Community”, in both places where it occurs, substitute “United Kingdom”;
 - (bb) for the second subparagraph substitute—
 - “In the case of basic seed of other varieties, the seed of the preceding generations shall have been produced—
 - under the responsibility of the persons responsible for the maintenance of the variety referred to in the United Kingdom National Lists pursuant to regulation 3 of the Seeds (National Lists of Varieties) Regulations 2001;

- in a country which has been granted equivalence of checks on practices for the maintenance of varieties, under Council [Decision 2005/834/EC](#); or
 - in an EEA State or Switzerland, provided the seed of the preceding generations was produced before the end of the period of two years beginning with exit day.”;
- (viii) in point 6—
- (aa) in the first indent, for “Community,” substitute “United Kingdom”;
 - (bb) in the second indent, omit “third” and, at the end, insert “or”;
 - (cc) after the second indent, insert—
 - “in an EEA State or Switzerland, provided the seed of the preceding generations was produced before the end of the period of two years beginning with exit day.”.