



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2003 Rhif 56 (Cy.6)**

**2003 No. 56 (W.6)**

**HADAU, CYMRU**

**SEEDS, WALES**

**Rheoliadau Hadau (Diwygiadau  
Amrywiol) (Cymru)  
2003**

**The Seeds (Miscellaneous  
Amendments) Regulations  
(Wales) 2003**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn yn diwygio ymhellach (mewn perthynas â Chymru) y Rheoliadau Hadau Grawn 1993 fel y'u diwygiwyd ("y Rheoliadau hadau grawn") a'r Rheoliadau Hadau Planhigion Porthiant 1993 fel y'u diwygiwyd ("y Rheoliadau hadau planhigion porthiant").

These Regulations further amend (in relation to Wales) (the Cereal Seeds Regulations 1993 as amended ("the cereal seeds Regulations") and the Fodder Plant Seeds Regulations 1993 as amended ("the fodder plant seeds Regulations").

Mae'r Rheoliadau hyn yn esemptio mathau penodol o hadau a swmp-farchnateir o'r gofynion labelu a phecynnu yn y Rheoliadau hadau grawn a'r Rheoliadau hadau planhigion porthiant (rheoliadau 2(2) i (4) a 3(2) i (4)). Mae'r esemptiadau hyn yn rhan-ddirymiaidau o Gyfarwyddeb y Cyngor 66/402/EEC (OJ Rhif L125, 11.7.66, t.2309) (fel y'i diwygiwyd) a Chyfarwyddeb y Cyngor 66/401/EEC (OJ Rhif L125, 11.7.66, t.2298) (fel y'i diwygiwyd) yn eu tro. Caniateir y rhan-ddirymiaidau hyn gan Gyfarwyddeb y Cyngor 2001/64/EC.

The Regulations exempt certain types of seed marketed in bulk from the labelling and packaging requirements in the cereal seeds Regulations and the fodder plant seeds Regulations (regulations 2(2) to (4) and 3(2) to (4)). These exemptions are derogations respectively from Council Directive 66/402/EEC (OJ No. L125, 11.7.66, p.2309) (as amended) and Council Directive 66/401/EEC (OJ No. L125, 11.7.66, p.2298) (as amended). The derogations are permitted by Council Directive 2001/64/EC.

Mae'r Rheoliadau yn pennu amodau ar gyfer yr esemptiad, gan weithredu Cyfarwyddeb y Cyngor 2001/64/EC a Phenderfyniad y Comisiwn 94/650/EC (OJ Rhif L252, 28.9.1994, t.15), fel y'i diwygiwyd yn berthnasol gan Benderfyniad y Comisiwn 1998/174/EC (OJ Rhif L63, 4.3.98, t.31) a Phenderfyniad y Comisiwn 2000/441/EC (OJ Rhif L176, 15.7.00, t.50) (rheoliadau 2(2), (5) a (6) a 3(2), (5) a (6)).

The Regulations specify the conditions for the exemption, in implementation of Council Directive 2001/64/EC and Commission Decision 94/650/EC (OJ No. L252, 28.9.1994, p.15), as relevantly amended by Commission Decision 1998/174/EC (OJ No. L63, 4.3.98, p.31) and Commission Decision 2000/441/EC (OJ No. L176, 15.7.00, p.50) (regulations 2(2), (5) and (6) and 3(2), (5) and (6)).

**2003 Rhif 56 (Cy.6)****2003 No. 56 (W.6)****HADAU, CYMRU****SEEDS, WALES****Rheoliadau Hadau (Diwygiadau Amrywiol) (Cymru) 2003****The Seeds (Miscellaneous Amendments) Regulations (Wales) 2003***Wedi'u gwneud* 15 Ionawr 2003*Made* 15 January 2003*Yn dod i rym* 16 Ionawr 2003*Coming into force* 16 January 2003

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 16(1), (1A), (2) a (3) a 36 o Ddeddf Amrywiaethau Planhigion a Hadau(a) a phob pŵer arall sy'n ei alluogi yn y cyswllt hwnnw, ac wedi ymgynghori yn unol ag adran 16(1) o'r Ddeddf honno gyda chynrychiolwyr y buddiannau hynny y mae'n ymddangos iddo fod ganddynt ddiddordeb, drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred on it by sections 16(1), (1A), (2) and (3) and 36 of the Plant Varieties and Seeds Act 1964(a) and of every other power enabling it in that behalf, and after consultation in accordance with section 16(1) of that Act with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

**Enw, cychwyn a chymhwyso**

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Hadau (Diwygiadau Amrywiol) (Cymru) 2003 a deuant i rym ar 16 Ionawr 2003.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru.

**Title, commencement and application.**

1.-(1) These Regulations are called the Seeds (Miscellaneous Amendments) (Wales) Regulations 2003 and come into force on 16 January 2003.

(2) These Regulations apply in relation to Wales.

**Diwygio Rheoliadau Hadau Grawn 1993**

2.-(1) Diwygir Rheoliadau Hadau Grawn 1993(b) yn unol â darpariaethau'r rheoliad hwn.

(2) Yn rheoliad 3(3) (Dehongli) ar ôl y diffiniad o "Certified Seed of the Second Generation" mewnosodir y diffiniad canlynol-

""Excepted Seed Marketed in Bulk" means Certified Seed (other than seeds of maize), Certified Seed of the First Generation or Certified Seed of the Second Generation-

(a) which is marketed in bulk direct to the final consumer in a container that is closed after filling; and

**Amendment of the Cereal Seeds Regulations 1993**

2.-(1) The Cereal Seeds Regulations 1993(b) are amended in accordance with the provisions of this regulation.

(2) In regulation 3(3) (Interpretation) after the definition of "Certified Seed of the Second Generation" there is inserted the following definition-

""Excepted Seed Marketed in Bulk" means Certified Seed (other than seeds of maize), Certified Seed of the First Generation or Certified Seed of the Second Generation-

(a) which is marketed in bulk direct to the final consumer in a container that is closed after filling; and

(a) 1964 p.14; diwygiwyd adran 6 gan Ddeddf y Cymunedau Ewropeaidd 1972 (p.68), adran 4(1) ac Atodlen 4 paragraff 5; gweler adran 38(1) ar gyfer y diffiniad o "the Ministers". Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol mewn perthynas â Chymru i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) O.S. 1993 Rhif 2005 fel y'i diwygiwyd gan O.Sau. 1995/1482, 1997/616, 1999/1860, 2001/3510 a 2001/3664 (Cy.296).

(a) 1964 c.14; section 6 was amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4 paragraph 5; see section 38(1) for the definition of "the Ministers". The functions of the Secretary of State in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) S.I. 1993 No. 2005 as amended by S.Is. 1995/1482, 1997/616, 1999/1860, 2001/3510 and 2001/3664 (W.296).

(b) in respect of which a random sample has been taken in accordance with paragraph 8A of Schedule 5, by a person authorised in that behalf."

(3) Yn rheoliad 8 (Selio pecynnau)-

(a) ym mharagraff (1) yn lle'r gair "No" rhoddir "Subject to paragraph (1A) below, no"; a

(b) ar ôl paragraff (1) mewnosodir-

"(1A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk."

(4) Yn rheoliad 9 (Labelu pecynnau)-

(a) ym mharagraff (1) yn lle'r geiriau "paragraph (12)" rhoddir "paragraphs (12) and (12A)"; a

(b) ar ôl paragraff (12) mewnosodir-

"(12A) Paragraph (1) above shall not apply to Excepted Seed Marketed in Bulk."

(5) Ar ôl rheoliad 9A mewnosodir-

**"Provision of information to the final consumer about Excepted Seed Marketed in Bulk**

**9B.** On delivery of Excepted Seed Marketed in Bulk to the final consumer, the supplier shall also deliver to the final consumer a note containing the information given on the official label on the container from which seed was taken.

**Notification of Excepted Seed Marketed in Bulk**

**9C.** A supplier of seed shall prior to 10th January 2004 and prior to 10th January in each year thereafter notify the National Assembly, in such manner as it may from time to time specify, of the quantities of Excepted Seed Marketed in Bulk by that supplier in the period from 1st January to 31st December in the immediately preceding year."

(6) Ar ôl paragraff 8 o Atodlen 5 mewnosodir-

**"8A.** Random sampling of seed lots of seed which is intended to be Excepted Seed Marketed in Bulk shall be carried out in accordance with the requirements of this Schedule during the filling of the container used by the final consumer into which the seed is placed."

**Diwygio Rheoliadau Hadau Planhigion Porthiant 1993**

3.-(1) Diwygir Rheoliadau Hadau Planhigion Porthiant 1993(a) yn unol â darpariaethau'r rheoliad hwn.

(2) Yn rheoliad 3(3) (Dehongli) ar ôl y diffiniad o "Commercial Seed" mewnosodir y diffiniad canlynol-

(a) O.S. 1993 Rhif 2009, fel y'i diwygiwyd gan O.Sau 1993/2529, 1996/453, 1997/616, 1999/1864, 2001/3510 a 2001/3665 (Cy.297).

(b) in respect of which a random sample has been taken in accordance with paragraph 8A of Schedule 5, by a person authorised in that behalf."

(3) In regulation 8 (Sealing of packages)-

(a) in paragraph (1) for the word "No" there is substituted "Subject to paragraph (1A) below, no"; and

(b) after paragraph (1) there is inserted-

"(1A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk."

(4) In regulation 9 (Labelling of packages)-

(a) in paragraph (1) for the words "paragraph (12)" there is substituted "paragraphs (12) and (12A)"; and

(b) after paragraph (12) there is inserted-

"(12A) Paragraph (1) above shall not apply to Excepted Seed Marketed in Bulk."

(5) After regulation 9A there is inserted-

**"Provision of information to the final consumer about Excepted Seed Marketed in Bulk**

**9B.** On delivery of Excepted Seed Marketed in Bulk to the final consumer, the supplier shall also deliver to the final consumer a note containing the information given on the official label on the container from which seed was taken.

**Notification of Excepted Seed Marketed in Bulk**

**9C.** A supplier of seed shall prior to 10th January 2004 and prior to 10th January in each year thereafter notify the National Assembly, in such manner as it may from time to time specify, of the quantities of Excepted Seed Marketed in Bulk by that supplier in the period from 1st January to 31st December in the immediately preceding year."

(6) After paragraph 8 of Schedule 5 there is inserted-

**"8A.** Random sampling of seed lots of seed which is intended to be Excepted Seed Marketed in Bulk shall be carried out in accordance with the requirements of this Schedule during the filling of the container used by the final consumer into which the seed is placed."

**Amendment of the Fodder Plant Seeds Regulations 1993**

3.-(1) The Fodder Plant Seeds Regulations 1993(a) are amended in accordance with the provisions of this regulation.

(2) In regulation 3(3) (Interpretation) after the definition of "Commercial Seed" there is inserted the following definition-

(a) S.I. 1993 No. 2009 as amended by S.Is 1993/2529, 1996/453, 1997/616, 1999/1864, 2001/3510 and 2001/3665 (W.297).

""Excepted Seed Marketed in Bulk" means Certified Seed of the First Generation or Certified Seed of the Second Generation-

- (a) which is marketed in bulk direct to the final consumer in a container that is closed after filling; and
- (b) in respect of which a random sample has been taken in accordance with paragraph 8A of Schedule 5 by a person authorised in that behalf."

(3) Yn rheoliad 8 (Selio pecynnau)-

(a) ym mharagraff (1) yn lle'r geiriau "No" rhoddir "Subject to paragraph (1A) below, no"; a

(b) ar ôl paragraff (1) mewnosodir-

"(1A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk."

(4) Yn rheoliad 9 (Labelu pecynnau)-

(a) ym mharagraff (1) yn lle'r geiriau "paragraph (7)" rhoddir "paragraphs (12) and (12A)"; a

(b) ar ôl paragraff (12) mewnosodir-

"(12A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk."

(5) Ar ôl rheoliad 9A mewnosodir-

**"Provision of information to the final consumer about Excepted Seed Marketed in Bulk**

**9B.** On delivery of Excepted Seed Marketed in Bulk to the final consumer, the supplier shall also deliver to the final consumer a note containing the information given on the official label on the container from which seed was taken.

**Notification of Excepted Seed Marketed in Bulk**

**9C.** A supplier of seed shall prior to 10th January 2004 and prior to 10th January in each year thereafter notify the National Assembly, in such manner as it may from time to time specify, of the quantities of Excepted Seed Marketed in Bulk by that supplier in the period from 1st January to 31st December in the immediately preceding year."

(6) Ar ôl paragraff 8 o Atodlen 5 mewnosodir-

**"8A.** Random sampling of seed lots of seed which is intended to be Excepted Seed Marketed in Bulk shall be carried out in accordance with the requirements of this Schedule during the filling of the container used by the final consumer into which the seed is placed."

""Excepted Seed Marketed in Bulk" means Certified Seed of the First Generation or Certified Seed of the Second Generation-

- (a) which is marketed in bulk direct to the final consumer in a container that is closed after filling; and
- (b) in respect of which a random sample has been taken in accordance with paragraph 8A of Schedule 5 by a person authorised in that behalf."

(3) In regulation 8 (Sealing of packages)-

(a) in paragraph (1) for the word "No" there is substituted "Subject to paragraph (1A) below, no"; and

(b) after paragraph (1) there is inserted-

"(1A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk."

(4) In regulation 9 (Labelling of packages)-

(a) in paragraph (1) for the words "paragraph (7)" there is substituted "paragraphs (12) and (12A)"; and

(b) after paragraph (12) there is inserted-

"(12A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk."

(5) After regulation 9A there is inserted-

**"Provision of information to the final consumer about Excepted Seed Marketed in Bulk**

**9B.** On delivery of Excepted Seed Marketed in Bulk to the final consumer, the supplier shall also deliver to the final consumer a note containing the information given on the official label on the container from which seed was taken.

**Notification of Excepted Seed Marketed in Bulk**

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(6) After paragraph 8 of Schedule 5 there is inserted-

**"8A.** Random sampling of seed lots of seed which is intended to be Excepted Seed Marketed in Bulk shall be carried out in accordance with the requirements of this Schedule during the filling of the container used by the final consumer into which the seed is placed."

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a)

15 Ionawr 2003

15th January 2003

*D.Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly





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OFFERYNNAU STATUDOL

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**2003 Rhif 56 (Cy.6)**

**HADAU, CYMRU**

Rheoliadau Hadau (Diwygiadau  
Amrywiol) (Cymru)  
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**2003 No. 56 (W.6)**

**SEEDS, WALES**

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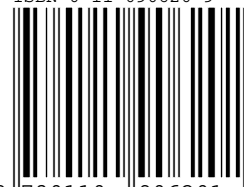
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