SCHEDULE 1

INTERPRETATION

PART II

Meaning of basic seed and similar expressions

UK officially certified basic seed of a listed variety

9.—(1) In these Regulations "UK officially certified basic seed of a listed variety" means seed to which paragraph (2), (3) or (4) applies.

(2) This paragraph applies to —

(a) seed of a listed variety officially certified as basic seed by or on behalf of the Secretary of State, the Scottish Ministers or the Department of Agriculture and Rural Development, and

(b) seed of a previously listed variety officially certified as basic seed by or on behalf of the Secretary of State, the Scottish Ministers or the Department of Agriculture and Rural Development and for which a marketing extension is in force.

(3) This paragraph applies to —

(a) basic seed of a listed variety —

(i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;

(ii) that satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and

(iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;

(b) basic seed of a previously listed variety that complies with the requirements of paragraph (a)(i) to (iii) and for which a marketing extension is in force;

(c) basic seed of a listed variety —

(i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and

(ii) that complies with the requirements of paragraph (a)(ii) and (iii);

(d) basic seed of a previously listed variety —

(i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;

(ii) that complies with the requirements of paragraph (a)(ii) and (iii); and

(iii) for which a marketing extension is in force; and

(e) basic seed —

(i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;

(ii) that complies with the requirements of paragraph (a)(ii) and (iii); and

(iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,

other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers or the Department of Agriculture and Rural Development that has not been finally determined.

(4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the National Assembly for Wales under regulation 13 to re-grade it as basic seed.