

SCHEDULE 4

Regulations 2(1), 8(8)(a) and (b), (9) to (12), (13)(b), (15)(c) and (18)(a), 10(3)(a) and (b), (4)(a), (b) and (c), 11(6),(7), (8) (a), (9) to (13) and (15)(a) and (b), 13(3) (a) and (b), (4), (5)(d), (e) and (f), 14(1)(b) and (c), 16(2)(a) and (3), 17(2) paragraphs 2(3)(a), 5(3)(a), 9(3)(a), 13(3)(a), 15(3)(a), 19(3)(a), 23(3)(a), 27(3)(a), 31(3)(a), 35(3) (a), 39(3)(a), 43(3)(a), 47(3)(a) and (b), 49(3), 52(4)(a) and (b), (5)(a) and (b) and (7)(a) and (b) of Schedule 1 and paragraph 11(1) and (2) of Schedule 3

CONDITIONS TO BE SATISFIED BY THE SEED

PART I

Conditions to be examined mainly by field inspections

1. The seed shall have sufficient varietal identity and varietal purity.
2. In the case of seed of the species and type specified in column 1 of the table below, the minimum varietal purity shall conform to the standards specified in the corresponding entry in column 2 of the table—

<i>Species and category</i>	<i>Minimum varietal purity standard (percentage by number)</i>
Column (1)	Column (2)
(a) (a) Fodder kale, apomictic uniclinal varieties of smooth-stalked meadowgrass and swede —	
(i) basic seed	99.7
(ii) CS seed	98.0
(b) (b) Field beans and field peas —	
(i) basic seed	99.7
4 (ii) C1 seed	99.0
(iii) C2 seed	98.0

3. For the purposes of paragraph 2, the minimum varietal purity of seed shall be examined mainly in field inspections carried out in accordance with the conditions laid down in Schedule 3.

PART II

Conditions to be examined by seed testing

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

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<i>Species</i>	<i>Minimum analytical purity (% by weight) EC minimum standard</i>	<i>Minimum analytical purity (% by weight) HVS standard</i>
	All categories	CS only
1. Fine grasses —		
(a) (a) annual meadowgrass	85	Not applicable
(b) (b) brown top	90	Not applicable
(c) (c) creeping bent grass	90	Not applicable
(d) (d) festulolium	96	98
(e) (e) red fescue	90	95
(f) (f) red top	90	Not applicable
(g) (g) rough-stalked meadowgrass	85	Not applicable
(h) (h) sheep's fescue	85	Not applicable
(i) (i) smooth-stalked meadowgrass	85	90
(j) (j) velvet bent	90	Not applicable
(k) (k) wood meadowgrass	85	Not applicable
2. Fodder grasses —		
(a) (a) Alaska brome-grass	97	Not applicable
(b) (b) cocksfoot	90	90
(c) (c) hybrid ryegrass	96	98
(d) (d) Italian ryegrass	96	98
(e) (e) meadow fescue	95	98
(f) (f) perennial ryegrass	96	98
(g) (g) rescue grass	97	Not applicable
(h) (h) small Timothy	96	98
(i) (i) tall fescue	95	98
(j) (j) tall oatgrass	90	Not applicable
(k) (k) Timothy	96	98
3. Small seeded legumes —		
(a) (a) Alsike clover	97	Not applicable

<i>Species</i>	<i>Minimum analytical purity (% by weight) EC minimum standard</i>	<i>Minimum analytical purity (% by weight) HVS standard</i>
	All categories	CS only
(b) (b) birdsfoot trefoil	95	Not applicable
(c) (c) lucerne	97	98
(d) (d) red clover	97	98
(e) (e) sainfoin	95	98
(f) (f) trefoil, black medick	97	Not applicable
(g) (g) white clover	97	98
4. Large seeded legumes —		
(a) (a) blue lupin	98	Not applicable
(b) (b) common vetch	98	Not applicable
(c) (c) field bean	98	Not applicable
(d) (d) field pea	98	Not applicable
(e) (e) hairy vetch	98	Not applicable
(f) (f) Hungarian vetch	98	Not applicable
(g) (g) white lupin	98	Not applicable
(h) (h) yellow lupin	98	Not applicable
5. Crucifers —		
(a) (a) fodder kale	98	Not applicable
(b) (b) fodder radish	97	Not applicable
(c) (c) swede	98	Not applicable

5.—(1) Subject to paragraphs (2) to (14), the seed shall conform to the following standards or other conditions as regards the maximum content of seeds of other plant species —

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Species	Basic seed		CS, C1 and C2 seed EC minimum standard level		CS seed HVS level	
	Total (percentage by weight)	A single species (content by number in a sample of the weight specified in column 4 of table in Schedule 7)	Total (percentage by weight)	A single single (percentage by weight)	Total (percentage by weight)	A single species (percentage by weight)
1. Fine grasses						
(a) Fine grasses other than —	20		2.0	1.0	Not applicable	Not applicable
(i) Festulolium						
(ii) Red fescue						
(iii) Smooth-stalk meadowgrass						
(b) Festulolium	20		1.5	1.0	1.5	Not applicable
(c) Red fescue	20		1.5	1.0	1.5	0.5
(d) Smooth-stalk meadowgrass	20		2.0	1.0	1.5	0.5
2. Fodder grasses						
(a) Fodder grasses other than —						
(i) Alaska brome-grass	0.3	20	1.5	1.0	1.5	0.5
(ii) Rescue grass						
(iii) Tall oatgrass						

Species	Basic seed		CS, C1 and C2 seed EC minimum standard level		CS seed HVS level	
	Total (percentage by weight)	A single species (content by number in a sample of the weight specified in column 4 of table in Schedule 7)	Total (percentage by weight)	A single single (percentage by weight)	Total (percentage by weight)	A single species (percentage by weight)
(b) Askaniya brome-grass and rescue grass	20	20	1.5	1.0	Not applicable	Not applicable
(c) Tall oatgrass	20	20	3.0	1.0	Not applicable	Not applicable
3. Small seeded legumes						
(A) Sike clover and trefoil black medick	20	20	1.5	1.0	Not applicable	Not applicable
(B) Foot trefoil	20	20	1.8	1.0	Not applicable	Not applicable
(C) Red clover and white clover	20	20	1.5	1.0	1.5	0.5
(d) Sainfoin	20	20	2.5	1.0	1.5	0.5
4. Large seeded legumes						
(A) Large seeded legumes other	20	20	0.5	0.3	Not applicable	Not applicable

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Species	Basic seed		CS, C1 and C2 seed EC minimum standard level		CS seed HVS level	
	Total (percentage by weight)	A single species (content by number in a sample of the weight specified in column 4 of table in Schedule 7)	Total (percentage by weight)	A single single (percentage by weight)	Total (percentage by weight)	A single species (percentage by weight)
	than vetches					
(b)	(b) 3Vetches	20	1.0	0.5	Not applicable	Not applicable
5.	Crucifer	20	1.0	0.5	Not applicable	Not applicable

(2) Notwithstanding the condition that a sample of basic seed of the weight specified in column 4 of the table in Schedule 7 shall not exceed 20 seeds of a single species, in the case of —

- (a) cocksfoot;
- (b) festulolium;
- (c) hybrid ryegrass;
- (d) Italian ryegrass;
- (e) meadow fescue;
- (f) perennial ryegrass,
- (g) red fescue;
- (h) sheep's fescue;
- (i) tall fescue; and
- (j) tall oatgrass,

a maximum total of 80 seeds of *Poa* spp. in a sample shall not be regarded as an impurity.

(3) In the case of a sample of HVS level CS seed of red fescue, there shall be no more than a total of 4 seeds of ryegrass, cocksfoot and meadow fescue in a sample of the weight specified in column 4 of the table in Schedule 7.

(4) In the case of basic seed of annual meadowgrass, rough-stalked meadowgrass, smooth-stalked meadowgrass and wood meadowgrass the maximum total content of seeds of *Poa* spp. other than the species to be examined shall not exceed one in a sample of 500 seeds.

(5) In the case of a sample of CS seed of annual meadowgrass, rough-stalked meadowgrass, smooth-stalked meadowgrass and wood meadowgrass, a maximum total of 0.8% by weight of seeds of other *Poa* spp. in the sample shall not be regarded as an impurity.

(6) In the case of a sample of HVS level CS seed of smooth-stalked meadowgrass, a maximum of 0.4% by weight of seed of other meadowgrasses shall not be regarded as an impurity.

(7) In the case of a sample of HVS level CS seed of meadow fescue and tall fescue, there shall be no more than —

- (a) 0.3% by weight of rough stalked meadowgrass, or
- (b) 0.3% by weight of ryegrass,

in the sample.

(8) In the case of a sample of CS seed of tall oatgrass, the condition that the weight of seed of a single plant species in the sample shall not exceed 1.0% shall not apply to seeds of *Poa* spp.

(9) In the case of a sample of HVS level CS seed of hybrid ryegrass, Italian ryegrass and perennial ryegrass, there shall be no more than —

- (a) 0.4% by weight of annual meadowgrass, or
- (b) 0.3% by weight of rough stalked meadowgrass,

in the sample.

(10) In the case of a sample of CS seed of birdsfoot trefoil, a maximum total of 1% by weight of seeds of red clover in the sample shall not be regarded as an impurity.

(11) In the case of a sample of C1 seed of a lupin, a maximum total of 0.5% by weight of seeds of field bean, field pea, or vetch seed or another species of lupin in the sample shall not be regarded as an impurity.

(12) In the case of a sample of C1 seed of a vetch, a maximum total of 0.5% by weight of seeds of field bean, field pea or lupin seed or another species of vetch seed in the sample shall not be regarded as an impurity.

(13) In the case of a sample of HVS level CS seed of small Timothy and Timothy, there shall be no more than 0.3% by weight of *Agrostis* spp. in the sample.

(14) In the case of a sample of HVS level CS seed of red fescue, there shall be no more than 0.3% by weight of rough-stalked meadowgrass.

6. The seed shall conform to the following standards as regards the content of seeds of *Rumex* spp. (commonly known as docks and sorrels) other than *Rumex acetosella* (commonly known as sheep's sorrel) and *Rumex maritimus* (commonly known as golden dock) —

<i>Species</i>	<i>Maximum permitted by number in a sample of the weight prescribed in column 4 of the table in Schedule 7</i>		
	Basic seed	CS, C1 and C2 seed	C2 seed
		EC minimum level	HVS level
1. Fine grasses			
(a) (a) Fine 1 grasses other than —		2	Not applicable
(i) annual meadowgrass			
(ii) festulolium			
(iii) red fescue			
(iv) sheep's fescue			
(v) smooth-stalked meadowgrass			

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Species	Maximum permitted by number in a sample of the weight prescribed in column 4 of the table in Schedule 7		
	Basic seed	CS, C1 and C2 seed	C2 seed
		EC minimum level	HVS level
(b) (b) annual 1 meadowgrass		5	Not applicable
(c) (c) red 2 fescue		5	5
(d) (d) sheep's 2 fescue and festulolium		5	Not applicable
(e) (e) smooth- 1 stalked meadowgrass		2	2
2. Fodder grasses			
(a) (a) fodder 2 grasses other than —		5	5
(i) Alaska brome- grass			
(ii) rescue grass			
(iii) small Timothy			
(iv) tall oatgrass			
(v) Timothy			
(b) (b) Alaska 5 brome-grass		10	Not applicable
(c) (c) rescue 5 grass		10	Not applicable
(d) (d) small 2 Timothy		5	4
(e) (e) tall 2 oatgrass		5	Not applicable
(f) (f) Timothy 2		5	4
3. Small seeded legumes —			
(a) (a) Alsike 3 clover		10	Not applicable
(b) (b) birdsfoot 3 trefoil		10	Not applicable
(c) (c) lucerne 3		10	10

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Species	Maximum permitted by number in a sample of the weight prescribed in column 4 of the table in Schedule 7		
	Basic seed	CS, C1 and C2 seed	C2 seed
		EC minimum level	HVS level
(d) (d) red 5 clover		10	10
(e) (e) sainfoin2		5	5
(f) (f) trefoil, 5 black medick		10	Not applicable
(g) (g) white 5 clover		10	10
4. Large seeded 2 legumes		5	Not applicable
5. Crucifers —			
(a) (a) fodder 3 kale		10	Not applicable
(b) (b) fodder 2 radish and swede		5	Not applicable

7. The seed shall conform to the following standards as regards the content of seeds of *Alopecurus myosuroides* (commonly known as blackgrass and called “blackgrass” in the table set out in this paragraph) and *Agropyron repens* (commonly known as couch and called “couch” in the following table) —

Species	Basic seed		CS seed EC minimum standard level		CS seed HVS level	
	Couch	Blackgrass	Couch	Blackgrass	Couch	Blackgrass
1. Fine grasses —						
(a) Fine (a) grasses other than —	1		0.3	0.3	Not applicable	Not applicable
(i) festulolium						
(ii) red fescue						
(iii) sheep's fescue						

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Species	Basic seed		CS seed EC minimum standard level		CS seed HVS level	
	Maximum content by number in a sample of the weight specified in column 4 of the table in Schedule 7		Maximum percentage by weight		Maximum content by number in a sample of the weight specified in column 4 of the table in Schedule 7	
	<i>Couch</i>	<i>Blackgrass</i>	<i>Couch</i>	<i>Blackgrass</i>	<i>Couch</i>	<i>Blackgrass</i>
(iv) smooth-stalk meadowgrass						
(b) (b) festulolium5			0.5	0.3	10	Not applicable
(c) red (c) fescue	5		0.5	0.3	10	10
(d) sheep's (d) fescue	5		0.5	0.3	Not applicable	Not applicable
(e) smooth-stalk meadowgrass	1		0.3	0.3	3	3
2. Fodder grasses						
Fodder (a) grasses other than —	5		0.5	0.3	10	10
(i) Alaska brome-grass						
(ii) cocksfoot						
(iii) rescue grass						
(iv) small Timothy						
(v) tall oatgrass						
(vi) Timothy						
(b) Alaska (b) brome-grass, rescue grass and tall oatgrass	5		0.5	0.3	Not applicable	Not applicable

<i>Species</i>	<i>Basic seed</i>		<i>CS seed EC minimum standard level</i>		<i>CS seed HVS level</i>	
	Maximum content by number in a sample of the weight specified in column 4 of the table in Schedule 7		Maximum percentage by weight		Maximum content by number in a sample of the weight specified in column 4 of the table in Schedule 7	
	<i>Couch</i>	<i>Blackgrass</i>	<i>Couch</i>	<i>Blackgrass</i>	<i>Couch</i>	<i>Blackgrass</i>
(c) (c) cocksfoot	5		0.3	0.3	10	10
(d) small (d) Timothy and Timothy	1		0.3	0.3	10	10
3. Small seeded legumes as follows —	Not applicable	Not applicable	Not applicable	Not applicable	10	10
(a) (a) lucerne						
(b) red (b) clover						
(c) (c) sainfoin						
(d) white (d) clover						

8.—(1) Subject to paragraph (2), for basic seed of small and large seed legumes, a sample of the weight specified in column 4 of the table in Schedule 7 shall be free of seeds of *Melilotus* spp. (commonly known as sweet clover and hereinafter in this paragraph called “sweet clover”).

(2) In the case of —

- (a) Alsike clover;
- (b) birdsfoot trefoil;
- (c) lucerne;
- (d) red clover;
- (e) trefoil, black medick; and
- (f) white clover,

one seed of sweet clover in a sample of the weight specified in column 4 of the table in Schedule 7 shall not be regarded as an impurity where a second sample of twice that weight is free from any sweet clover seed.

(3) For CS, C1 and C2 seed of small and large seeded legumes, any sweet clover seed in a sample shall not exceed 0.3% by weight.

9.—(1) Subject to paragraph (2), a sample of seed of the weight specified in column 4 of the table in Schedule 7 shall be free of seeds of *Avena fatua*, *Avena ludoviciana* and *Avena sterilis* (commonly known as wild oats and hereinafter in this paragraph called “wild oats”).

(2) In the case of basic and CS seed of —

- (a) Alaska brome grass;

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- (b) rescue grass; and
- (c) tall oatgrass;

a maximum of 2 wild oats seeds in a sample of the weight specified in column 4 of the table in Schedule 7 shall not be regarded as an impurity where a second sample of the same weight is free from any wild oats seed.

10.—(1) Subject to paragraphs (2) and (3), a sample of seed of the weight specified in column 4 of the table in Schedule 7 shall be free of seed of *Cuscuta* spp. (commonly known as dodder and hereinafter called “dodder” in this paragraph).

(2) In the case of minimum level CS seed of fine grasses, fodder grasses, fodder kale and swede, the presence of one seed of dodder in a sample shall not be regarded as an impurity where a second sample of the same weight is free from any dodder seed.

(3) Subject to paragraph (4), in the case of basic and CS seed of —

- (a) Alsike clover;
- (b) birdsfoot trefoil;
- (c) black medick trefoil;
- (d) lucerne;
- (e) red clover;
- (f) white clover,

a sample of seed of the weight specified in column 4 of the table in Schedule 7 shall be free of dodder seed.

(4) In the case of minimum level CS seed and C1 seed of the species specified in paragraph (3), the presence of one seed of dodder in a sample shall not be regarded as an impurity where a second sample of the same weight is free from any dodder seed.

11. The percentage by number of bitter lupins in a sample of seed of a sweet lupin variety shall not exceed —

- (a) 1% in the case of basic seed, and
- (b) 2.5% in the case of C1 seed.

12.—(1) In the case of C1 seed, the percentage by number of seeds of another colour in a sample of seed of a bitter lupin variety shall not exceed 2%.

(2) In the case C1 seed of lupins, other than bitter lupins, the percentage by number of seeds of another colour in a sample shall not exceed 1%.

13. In the case of crucifers, the percentage by weight of seed of *Raphanus raphanistrum* (commonly known as wild radish) or *Sinapis arvensis* (commonly known as charlock) in a sample of seed shall not exceed 0.3%.

14.—(1) Subject to paragraph (2), it shall be determined, by way of a germination test, whether or not the seed will satisfy the applicable germination standard set out in column 2 of the following table (“the germination table”) —

<i>Column 1</i> <i>Species (all categories)</i>	<i>Column 2</i> <i>Minimum germination (% of pure seed)</i>	<i>Column 3</i> <i>Maximum hard seed content (% pure seed)</i>
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1. Fine grasses —

<i>Column 1</i> <i>Species (all categories)</i>	<i>Column 2</i> <i>Minimum germination (% of pure seed)</i>	<i>Column 3</i> <i>Maximum hard seed content (% pure seed)</i>
(a) (a) annual meadowgrass	75	Not applicable
(b) (b) brown top	75	Not applicable
(c) (c) creeping bent grass	75	Not applicable
(d) (d) festulolium	75	Not applicable
(e) (e) red fescue	75	Not applicable
(f) (f) red top	80	Not applicable
(g) (g) rough-stalked meadowgrass	75	Not applicable
(h) (h) sheep's fescue	75	Not applicable
(i) (i) smooth-stalked meadowgrass	75	Not applicable
(j) (j) velvet bent	75	Not applicable
(k) (k) wood meadowgrass	75	Not applicable
2. Fodder grasses —		
(a) (a) Alaska brome-grass	75	Not applicable
(b) (b) cocksfoot	80	Not applicable
(c) (c) hybrid ryegrass	75	Not applicable
(d) (d) Italian ryegrass	75	Not applicable
(e) (e) meadow fescue	80	Not applicable
(f) (f) perennial ryegrass	80	Not applicable
(g) (g) rescue grass	75	Not applicable
(h) (h) small Timothy	80	Not applicable
(i) (i) tall fescue	80	Not applicable
(j) (j) tall oatgrass	75	Not applicable
(k) (k) Timothy	80	Not applicable
3. Small seeded legumes —		
(a) (a) Alsike clover	80	20
(b) (b) birdsfoot trefoil	75	40

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<i>Column 1</i> <i>Species (all categories)</i>	<i>Column 2</i> <i>Minimum germination (% of pure seed)</i>	<i>Column 3</i> <i>Maximum hard seed content (% pure seed)</i>
(c) (c) lucerne	80	40
(d) (d) red clover	80	20
(e) (e) sainfoin	75	20
(f) (f) trefoil, black medick	80	20
(g) (g) white clover	80	40
4. Large seeded legumes —		
(a) (a) blue lupin	75	20
(b) (b) common vetch	85	20
(c) (c) field bean	80	5
(d) (d) field pea	80	Not applicable
(e) (e) hairy vetch	85	20
(f) (f) Hungarian vetch	85	20
(g) (g) white lupin	80	20
(h) (h) yellow lupin	80	20
5. Crucifers —		
(a) (a) fodder kale	75	Not applicable
(b) (b) fodder radish	80	Not applicable
(c) (c) swede	80	Not applicable

(2) For the purpose of determining whether seed satisfies the applicable germination standard set out in column 2 of the germination table —

- (a) any fresh and healthy seed which does not germinate after pre-treatment shall be regarded as seed which has germinated, and
- (b) any hard seed present not exceeding the amount shown in column 3 of the table shall be regarded as seed which is capable of germination.

PART III

Other conditions

15. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level that can be achieved.

PART IV

General provisions

16. For the purpose of determining whether seed meets the conditions laid down in this Schedule pre-basic seed shall be treated in the same way as basic seed.

17.—(1) For the purpose of determining whether commercial seed meets the conditions laid down in this Schedule the provisions of this Schedule, other than paragraphs 1 to 3, shall apply, insofar as they may be relevant, to commercial seed of annual meadowgrass and Hungarian vetch in the same way as they apply to CS seed of those respective species and commercial seed of sainfoin in the same way as they apply to minimum level CS seed of that species except that —

- (a) the minimum analytical purity of Hungarian vetch shall be 97%, and
- (b) subject to paragraphs (2) and (3), the seed shall conform to the following standards as regards the maximum content of seeds of other plant species —

	Total content of seed of other plant species (percentage by weight)	A single species (percentage by weight)
Annual meadowgrass	3.0	2.0
Hungarian vetch	2.0	1.5
Sainfoin	3.5	2.0

(2) In the case of Hungarian vetch, a maximum total of 6% by weight of other species of vetch seed shall not be regarded as an impurity.

(3) In the case of annual meadowgrass, a maximum total of 10% by weight of other species of meadowgrass shall not be regarded as an impurity.