
WELSH STATUTORY INSTRUMENTS

2005 No. 3037

The Beet Seed (Wales) Regulations 2005

PART III

CONTROL OF BEET SEED

Packaging

21.—(1) No person shall market any officially certified pre-basic, basic or CS seed unless it is marketed in a sufficiently homogeneous seed lot or in part of such a seed lot.

(2) Subject to paragraph (3), no person shall market any breeder's seed or officially certified pre-basic, basic or CS seed unless it is in a properly sealed package.

(3) Paragraph (2) shall not apply in the case of the marketing of seed not exceeding 2.5 kilograms in weight to the final consumer.

(4) In this regulation, in the case of breeder's seed, "properly sealed package" means a sealed package of seed that has been sealed in such a manner that it cannot be opened without damaging the sealing system or without leaving evidence of tampering on the label or package.

(5) In this regulation, in the case of a package of officially certified pre-basic, basic or CS seed, other than a small EC package of basic or CS seed, that has been sealed only once "properly sealed package" means—

(a) in the case of a package of seed sealed in Wales, a sealed package of seed that has been sealed—

(i) no later than at the time of official sampling;

(ii) by a person to whom regulation 22(5) applies;

(iii) using a non-reusable sealing system or some other sealing system that includes the use of an official label or the affixing of an official seal; and

(iv) in such a manner that it cannot be opened without damaging the sealing system or without leaving evidence of tampering on the official label or package;

(b) in the case of a package of seed sealed in—

(i) in the United Kingdom, elsewhere than in Wales, or

(ii) in another member State,

a sealed package of seed that has been sealed in accordance with the provisions of Article 11(1) of the Beet Seed Directive;

(c) in the case of a package of seed sealed in an equivalent third country, a sealed package of seed that has been sealed in accordance with the provisions of paragraph 1 of Part B of Annex II to the Third Country Equivalence Decision.

(6) In this regulation, in the case of a small EC package of officially certified basic or CS seed that has been sealed only once "properly sealed package" means—

- (a) in the case of a package of seed sealed in Wales, a sealed package of seed that has been sealed in such a manner that it cannot be opened without damaging the sealing system or without leaving evidence of tampering on the label or package, and
- (b) in the case of a package of seed sealed in—
 - (i) the United Kingdom, elsewhere than in Wales, or
 - (ii) another member State,a sealed package of seed that has been sealed in accordance with the relevant provisions of Article 11(3) of the Beet Seed Directive;

(7) In this regulation, in the case of a package of officially certified pre-basic, basic or CS seed, other than a small EC package of basic or CS seed, that has been sealed more than once, “properly sealed package” means—

- (a) in the case of a package of seed that has been resealed in Wales, a sealed package of seed that, on each occasion it has been resealed, has been resealed—
 - (i) by a person to whom regulation 22(5) applies, and
 - (ii) in such a manner that it cannot be opened without damaging the sealing system or without leaving evidence of tampering on the official label or package;
- (b) in the case of a package of seed that has been resealed in—
 - (i) the United Kingdom, elsewhere than in Wales, or
 - (ii) another member State,a sealed package of seed that, on each occasion it has been resealed, has been sealed in accordance with the provisions of Article 11(2) of the Beet Seed Directive; and
- (c) in the case of seed that has been resealed in an equivalent third country, a sealed package of seed that, on each occasion it has been resealed, has been resealed in accordance with the provisions of paragraph 1 of Part B of Annex II to the Third Country Equivalence Decision.

(8) In this regulation, in the case of a small EC package of officially certified basic or CS seed that has been sealed more than once, “properly sealed package” means—

- (a) in the case of a package of seed that has been resealed in Wales, a sealed package of seed that, on each occasion it has been resealed, has been resealed—
 - (i) by a person to whom regulation 22(5) applies, and
 - (ii) in such a manner that it cannot be opened without damaging the sealing system or without leaving evidence of tampering on the official label or package, and
- (b) in the case of a package of seed that has been resealed in—
 - (i) the United Kingdom, elsewhere than in Wales, or
 - (ii) another member State,a sealed package of seed that, on each occasion it has been resealed, has been resealed in accordance with the provisions of Article 11(3) of the Beet Seed Directive.