



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2012 Rhif 245 (Cy.39)

2012 No. 245 (W.39)

HADAU, CYMRU

SEEDS, WALES

Rheoliadau Marchnata Hadau
(Cymru) 2012

The Seed Marketing (Wales)
Regulations 2012

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, sy'n gymwys o ran Cymru, yn gweithredu—

These Regulations which apply in relation to Wales, implement—

1. Cyfarwyddeb y Cyngor 66/401/EEC ar farchnata hadau planhigion porthiant;

1. Council Directive 66/401/EEC on the marketing of fodder plant seed;

2. Cyfarwyddeb y Cyngor 66/402/EEC ar farchnata hadau yd;

2. Council Directive 66/402/EEC on the marketing of cereal seed;

3. Cyfarwyddeb y Cyngor 2002/54/EC ar farchnata hadau betys;

3. Council Directive 2002/54/EC on the marketing of beet seed;

4. Cyfarwyddeb y Cyngor 2002/55/EC ar farchnata hadau llysiau;

4. Council Directive 2002/55/EC on the marketing of vegetable seed;

5. Cyfarwyddeb y Cyngor 2002/57/EC ar farchnata hadau planhigion olew a ffibr;

5. Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants;

6. Cyfarwyddeb y Comisiwn 2009/74/EC sy'n diwygio Cyfarwyddebau'r Cyngor 66/401/EEC, 66/402/EEC, 2002/55/EC a 2002/57/EC parthed enwau botanegol planhigion, enwau gwyddonol organebau eraill ac Atodiadau penodol i Gyfarwyddebau 66/401/EEC, 66/402/EEC, a 2002/57/EC yng ngoleuni datblygiadau mewn gwybodaeth wyddonol a thechnegol;

6. Commission Directive 2009/74/EC amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge;

7. Cyfarwyddeb y Comisiwn 2010/60/EU sy'n darparu ar gyfer rhanddirymiaidau penodol ar gyfer marchnata cymysgeddau o hadau planhigion porthiant y bwriedir eu defnyddio i ddiogelu'r amgylchedd naturiol (OJ Rhif L 228, 31.8.2010, t.10);

7. Commission Directive 2010/60/EU providing for certain derogations for marketing of fodder plant seed mixtures intended for use in the preservation of the natural environment (OJ No L 228, 31.8.2010, p.10);

8. Penderfyniad y Comisiwn 2011/180/EU sy'n gweithredu Cyfarwyddeb y Cyngor 2002/55/EC parthed yr amodau y caniateir awdurdodi odanynt farchnata pecynnau bach o gymysgeddau o hadau safonol gwahanol amrywogaethau o lysiau o'r un

8. Commission Decision 2011/180/EU implementing Council Directive 2002/55/EC as regards conditions under which the placing on the market of small packages of mixtures of standard seed of different vegetable varieties belonging to the same

rhywogaeth (OJ Rhif L 78, 24.3.2011, t.55).

Mae'r Rheoliadau hyn yn gweithredu yn rhannol (fel y bo angen)—

9. Cyfarwyddeb y Comisiwn 2008/62/EC sy'n darparu ar gyfer rhanddirymiadau penodol at ddibenion derbyn amrywogaethau brodorol amaethyddol ac amrywogaethau amaethyddol sydd wedi ymaddasu'n naturiol i'r amodau lleol a rhanbarthol ac a fygythir gan erydu genetig, a marchnata hadau a thatws hadyd o'r amrywogaethau brodorol ac amrywogaethau hynny; a

10. Cyfarwyddeb y Comisiwn 2009/145/EC sy'n darparu ar gyfer rhanddirymiadau penodol at ddibenion derbyn amrywogaethau brodorol ac amrywogaethau o lysiau, yr arferid, yn draddodiadol, eu tyfu mewn ardaloedd a rhanbarthau penodol ac sydd dan fygythiad oherwydd erydu genetig, ac amrywogaethau o lysiau nad oes iddynt werth cynhenid o ran cynhyrchu cynydu masnachol, ond a ddatblygwyd i'w tyfu o dan amodau penodol, ac ar gyfer marchnata hadau o'r amrywogaethau brodorol ac amrywogaethau hynny.

Mae'r Rheoliadau hyn yn dirymu Rheoliadau presennol (a Rheoliadau diwygio perthynol) mewn perthynas â hadau yd, hadau planhigion porthiant, hadau planhigion olew a ffibr, hadau llysiau ac ynglŷn â chofrestru, trwyddedu a gorfodi hadau.

Rhannau rhagarweiniol o'r Rheoliadau hyn yw Rhannau 1 a 2, sy'n pennu'r gwahanol categorïau o hadau.

Nodir y mathau o hadau y mae'r Rheoliadau hyn yn gymwys iddynt yn Atodlen 1.

Mae Rhan 3 yn cynnwys gofynion ar gyfer marchnata hadau. Er mwyn eu marchnata, rhaid i'r hadau gydymffurfio â'r gofynion a bennir o ran ardystio, pecynnu, selio a labelu (rheoliad 8). Mae Atodlen 2 yn pennu'r gofynion ardystio ac mae Atodlen 3 yn pennu'r gofynion labelu ac yn gwneud darpariaeth ar gyfer gwerthu hadau rhydd. Mae Atodlen 4 yn pennu eithriadau i'r gofynion cyffredinol.

Mae Rhan 3 yn gosod gofynion o ran cadw cofnodion (rheoliad 19).

O dan Ran 4, mae'n ofynnol cael trwydded i ymgymryd â rhai gweithrediadau megis marchnata hadau (rheoliad 20). Caiff Gweinidogion Cymru drwyddedu arolygwyr cynydu, samplwyr hadau a gorsafoedd profi hadau, i weithredu o dan y Rheoliadau hyn (rheoliad 21).

Mae Rhan 5 yn pennu darpariaethau gweinyddol (gan gynnwys darpariaeth ar gyfer ffioedd) a darpariaethau trosiannol.

species may be authorised (OJ No L 78, 24.3.2011, p.55).

These Regulations implement in part (as necessary)—

9. Commission Directive 2008/62/EC providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties; and

10. Commission Directive 2009/145/EC providing for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties.

These Regulations revoke existing Regulations (and related amendment Regulations) relating to Cereal Seed, Fodder Plant Seed, Oil and Fibre Plant Seed, Vegetable Seed and the Registration, Licensing and Enforcement of Seed.

Parts 1 and 2 of these Regulations are introductory and set out the various categories of seed.

The types of seed to which these Regulations apply are set out in Schedule 1.

Part 3 contains requirements for marketing seed. In order to be marketed, the seed must comply with the requirements set out for certification, packaging, sealing and labelling (regulation 8). Schedule 2 sets out certification requirements and Schedule 3 sets out labelling requirements and provision for sale of loose seed. Schedule 4 sets out exceptions to the general requirements.

Part 3 also imposes record-keeping requirements (regulation 19).

Under Part 4, a licence is required to carry out certain operations such as marketing seed (regulation 20). The Welsh Ministers may license crop inspectors, seed samplers and seed testing stations to act under these Regulations (regulation 21).

Part 5 sets out administrative provisions (including provision for fees) and transitional provisions.

Yn unol ag adran 16(7) o Ddeddf Amrywogaethau a Hadau Planhigion 1964, mae torri'r Rheoliadau yn dramgwydd y gellir ei gosbi, ar gollfarn ddiannod, â dirwy na fydd yn fwy na lefel 5 ar y raddfa safonol.

Mae asesiad effaith rheoleiddiol o effaith yr offeryn hwn ar gostau busnes, y sector gwirfoddol a'r sector cyhoeddus, mewn perthynas â throsi Cyfarwyddeb y Comisiwn 2009/145/EC, ar gael o swyddfeydd Llywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ.

In accordance with section 16(7) of the Plant Varieties and Seeds Act 1964, breach of the Regulations is an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale.

A regulatory impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector, in relation to the transposition of Commission Directive 2009/145/EC, is available from the Welsh Government offices in Cathays Park, Cardiff, CF10 3NQ.

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SEEDS, WALES

**Rheoliadau Marchnata Hadau
(Cymru) 2012**

**The Seed Marketing (Wales)
Regulations 2012**

Gwnaed 1 Chwefror 2012

Made 1 February 2012

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 2 Chwefror 2012

*Laid before the National
Assembly for Wales* 2 February 2012

Yn dod i rym 27 Chwefror 2012

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Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddwyd gan adrannau 16(1), (1A), (2), (3), (4), (5) a (5A) a 36 o Ddeddf Amrywogaethau a Hadau Planhigion 1964(1), ar ôl ymgynghori yn unol ag adran 16(1) o'r Ddeddf honno â chynrychiolwyr y buddiannau hynny sy'n ymddangos yn berthnasol, a thrwy arfer y pwerau ym mharagraff 1A o Atodlen 2 i Ddeddf y Cymunedau Ewropeaidd 1972(2).

Mae'r Rheoliadau hyn yn gwneud darpariaeth at ddiben a grybwyllir yn adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972, ac mae'n ymddangos yn hwylus i

The Welsh Ministers make these Regulations in exercise of the powers in sections 16(1), (1A), (2), (3), (4), (5) and (5A) and 36 of the Plant Varieties and Seeds Act 1964(1), after consultation in accordance with section 16(1) of that Act with representatives of such interests as appear to be concerned, and in exercise of the powers in paragraph 1A of Schedule 2 to the European Communities Act 1972(2).

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Welsh

(1) 1964 p.14; diwygiwyd adran 16 gan adran 4(1) o Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68) a pharagraff 5(1), (2) a (3) o Atodlen 4 i'r Ddeddf honno, O.S. 1977/1112, ac adran 2 o Ddeddf Amaethyddiaeth 1986 (p. 49). *Gweler* adran 38(1) am ddiffiniad o "the Minister". O dan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272), erthygl 2(1) ac Atodlen 1, trosglwyddwyd swyddogaethau'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bywd o dan Ddeddf Amrywogaethau a Hadau Planhigion 1964, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i'r Ysgrifennydd Gwladol, ac o dan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), erthygl 2 ac Atodlen 1, trosglwyddwyd y swyddogaethau, a drosglwyddwyd i'r Ysgrifennydd Gwladol gan Orchymyn trosglwyddo 1978, i Gynulliad Cenedlaethol Cymru. Yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae'r swyddogaethau hynny bellach yn arferadwy gan Weinidogion Cymru.

(2) 1972 p. 68; mewnosodwyd paragraff 1A o Atodlen 2 gan adran 28 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51).

(1) 1964 c. 14; section 16 was amended by section 4(1) of, and paragraph 5(1), (2) and (3) of Schedule 4 to, the European Communities Act 1972 (c. 68), S.I. 1977/1112 and section 2 of the Agriculture Act 1986 (c. 49). *See* section 38(1) for a definition of "the Minister". Under the Transfer of Functions (Wales) (No.1) Order 1978 (S.I. 1978/272), article 2(1) and Schedule 1, the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties and Seeds Act 1964 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State and under the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1, the functions transferred to the Secretary of State by the 1978 transfer Order were transferred to the National Assembly for Wales. By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 those functions are exercisable by the Welsh Ministers.

(2) 1972 c. 68; paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).

Weinidogion Cymru ddehongli'r cyfeiriadau yn y Rheoliadau hyn at y Cyfarwyddbau a bennir yn rheoliad 3(2) fel cyfeiriadau at y Cyfarwyddbau hynny fel y'u diwygir o bryd i'w gilydd.

Ministers that it is expedient for the references in these Regulations to the Directives specified in regulation 3(2) to be construed as references to those Directives as amended from time to time.

RHAN 1

Cyflwyniad

Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Marchnata Hadau (Cymru) 2012.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru a deuant i rym ar 27 Chwefror 2012.

Ystyr "marchnata"

2.—(1) Yn y Rheoliadau hyn, ystyr "marchnata" ("*marketing*") yw gwerthu, dal gyda golwg ar werthu, cynnig ar werth neu unrhyw waredu, cyflenwi neu drosglwyddo i drydydd partïon, sydd, ym mhob achos, yn amcanu i elwa'n fasnachol ar hadau, boed yn gyfnewid am gydnabyddiaeth ai peidio.

(2) Ond nid yw marchnata'n cynnwys masnachu nad yw'n amcanu i elwa'n fasnachol, megis—

- (a) cyflenwi hadau i gyrff profi ac archwilio swyddogol; neu
- (b) cyflenwi hadau i berson sy'n darparu gwasanaethau prosesu ond nad yw'n caffael teitl i'r hadau.

Dehongli termau eraill

3.—(1) At ddibenion y Rheoliadau hyn—

- (a) "Rhestr Genedlaethol y Deyrnas Unedig" ("*United Kingdom National List*") yw'r rhestr o amrywogaethau planhigion a gyhoeddir gan yr Ysgrifennydd Gwladol yn unol â darpariaethau Rheoliadau Hadau (Rhestrau Cenedlaethol o Amrywogaethau) 2001(1);
- (b) y "Catalog Cyffredin" ("*Common Catalogue*") yw'r catalog y gwneir darpariaeth ar ei gyfer yng Nghyfarwyddeb y Cyngor 2002/53/EC ar y catalog cyffredin o amrywogaethau o rywogaethau planhigion amaethyddol(2) ac yng Nghyfarwyddeb y Cyngor 2002/55/EC ar farchnata hadau llysiau(3).

PART 1

Introduction

Title, application and commencement

1.—(1) The title of these Regulations is the Seed Marketing (Wales) Regulations 2012.

(2) These Regulations apply in relation to Wales and come into force on 27 February 2012.

Meaning of "marketing"

2.—(1) In these Regulations "marketing" ("*marchnata*") means the sale, holding with a view to sale, offer for sale or any disposal, supply or transfer aimed in each case at commercial exploitation of seed to third parties, whether or not for consideration.

(2) But marketing does not include trade that is not aimed at commercial exploitation, such as—

- (a) the supply of seed to official testing and inspection bodies; or
- (b) the supply of seed to a person who provides processing services but who does not acquire title to the seed.

Interpretation of other terms

3.—(1) For the purposes of these Regulations—

- (a) the "United Kingdom National List" ("*Rhestr Genedlaethol y Deyrnas Unedig*") is the list of plant varieties published by the Secretary of State in accordance with the provisions of the Seeds (National Lists of Varieties) Regulations 2001(1);
- (b) the "Common Catalogue" ("*Catalog Cyffredin*") is the catalogue provided for in Council Directive 2002/53/EC on the common catalogue of varieties of agricultural plant species(2) and in Council Directive 2002/55/EC on the marketing of vegetable seed(3).

(1) O.S. 2001/3510, fel y'i diwygiwyd gan O.S. 2004/2949, 2007/1871, 2008/2683, 2009/1273, 2010/1195 a 2011/464.

(2) OJ Rhif L 193, 20.7.2002, t. 1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 1829/2003 (OJ Rhif L 268, 18.10.2003, t. 1).

(3) OJ Rhif L 193, 20.7.2002, t. 33, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).

(1) S.I. 2001/3510, as amended by S.I. 2004/2949, 2007/1871, 2008/2683, 2009/1273, 2010/1195 and 2011/464.

(2) OJ No L 193, 20.7.2002, p. 1, as last amended by Regulation (EC) No 1829/2003 (OJ No L 268, 18.10.2003, p. 1).

(3) OJ No L 193, 20.7.2002, p. 33, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).

(2) Yn y Rheoliadau hyn mae pob cyfeiriad at—

- (a) Cyfarwyddeb y Cyngor 2002/54/EC ar farchnata hadau betys(1),
- (b) Cyfarwyddeb y Cyngor 66/402/EEC ar farchnata hadau yd(2),
- (c) Cyfarwyddeb y Cyngor 66/401/EEC ar farchnata hadau planhigion porthiant(3),
- (ch) Cyfarwyddeb y Cyngor 2002/57/EC ar farchnata hadau planhigion olew a ffibr(4),
- (d) Cyfarwyddeb y Cyngor 2002/55/EC ar farchnata hadau llysiau,
- (dd) Cyfarwyddeb y Comisiwn 2008/62/EC sy'n darparu ar gyfer rhanddirymiaidau penodol at ddibenion derbyn amrywogaethau brodorol amaethyddol ac amrywogaethau amaethyddol sydd wedi ymaddasu'n naturiol i'r amodau lleol a rhanbarthol ac a fygythir gan erydu genetig, ac at ddibenion marchnata hadau a thatws hadyd o'r amrywogaethau brodorol ac amrywogaethau hynny(5),
- (e) Cyfarwyddeb y Comisiwn 2009/145/EC sy'n darparu ar gyfer rhanddirymiaidau penodol at ddibenion derbyn amrywogaethau brodorol ac amrywogaethau o lysiau yr arferid, yn draddodiadol, eu tyfu mewn ardaloedd a rhanbarthau penodol ac sydd dan fygythiad oherwydd erydu genetig, ac amrywogaethau o lysiau nad oes iddynt werth cynhenid o ran cynhyrchu cnydau masnachol, ond a ddatblygwyd i'w tyfu o dan amodau penodol, ac ar gyfer marchnata hadau o'r amrywogaethau brodorol ac amrywogaethau hynny(6), ac
- (f) Cyfarwyddeb y Comisiwn 2010/60/EU sy'n darparu ar gyfer rhanddirymiaidau penodol ar gyfer marchnata cymysgeddau o hadau planhigion porthiant y bwriedir eu defnyddio i ddiogelu'r amgylchedd naturiol(7),

yn gyfeiriadau at y Cyfarwyddebau hynny fel y'u diwygir o bryd i'w gilydd.

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- (1) OJ Rhif L 193, 20.7.2002, t. 12, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 2004/117/EC (OJ Rhif L 14, 18.1.2005, t. 18).
 - (2) OJ Rhif L 125, 11.7.1966, t. 2309, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).
 - (3) OJ Rhif L 125, 11.7.1966, t. 2298, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).
 - (4) OJ Rhif L 193, 20.7.2002, t. 74, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).
 - (5) OJ Rhif L 162, 21.6.2008, t. 13.
 - (6) OJ Rhif L 312, 27.11.2009, t. 44.
 - (7) OJ Rhif L 228, 31.8.2010, t. 10.

(2) In these Regulations all references to—

- (a) Council Directive 2002/54/EC on the marketing of beet seed(1),
- (b) Council Directive 66/402/EEC on the marketing of cereal seed(2),
- (c) Council Directive 66/401/EEC on the marketing of fodder plant seed(3),
- (d) Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants(4),
- (e) Council Directive 2002/55/EC on the marketing of vegetable seed,
- (f) Commission Directive 2008/62/EC providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties(5),
- (g) Commission Directive 2009/145/EC providing for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties(6), and
- (h) Commission Directive 2010/60/EU providing for certain derogations for marketing of fodder plant seed mixtures intended for use in the preservation of the natural environment(7),

are references to those Directives as amended from time to time.

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- (1) OJ No L 193, 20.7.2002, p. 12, as last amended by Council Directive 2004/117/EC (OJ No L 14, 18.1.2005, p. 18).
 - (2) OJ No L 125, 11.7.1966, p. 2309, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).
 - (3) OJ No L 125, 11.7.1966, p. 2298, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).
 - (4) OJ No L 193, 20.7.2002, p. 74, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).
 - (5) OJ No L 162, 21.6.2008, p. 13.
 - (6) OJ No L 312, 27.11.2009, p. 44.
 - (7) OJ No L 228, 31.8.2010, p. 10.

RHAN 2

Categoriâu o hadau

Hadau y mae'r Rheoliadau hyn yn gymwys iddynt

4.—(1) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â hadau'r planhigion yn y golofn gyntaf o'r tabl yn Atodlen 1, y bwriedir eu defnyddio ar gyfer cynhyrchu amaethyddol neu arddwriaethol, ond nid ydynt yn gymwys mewn perthynas â hadau y bwriedir eu defnyddio ar gyfer planhigion addurnol.

(2) Nid yw'r Rheoliadau hyn yn gymwys mewn perthynas â hadau y bwriedir eu hallforio i'r tu allan i'r Undeb Ewropeaidd (ac eithrio rheoliad 26 sy'n ymwneud ag ardystio ar gyfer allforio).

Categoriâu o hadau

5. Rhennir hadau i'r categorïau canlynol a adwaenir yn gyffredin yn ôl y talfyriadau a roddir—

- (a) hadau bridwr ("BR");
- (b) hadau cyn-sylfaenol ("PB");
- (c) hadau sylfaenol ("BS");
- (ch) hadau ardystiedig ("CS");
- (d) hadau ardystiedig, cenhedlaeth gyntaf ("C1");
- (dd) hadau ardystiedig, ail genhedlaeth ("C2");
- (e) hadau ardystiedig, trydedd genhedlaeth ("C3");
- (f) hadau masnachol ("CM");
- (ff) hadau safonol (llysiau yn unig) ("ST");
- (g) hadau o safon wirfoddol uwch ("HVS").

Hadau bridwr

6. Hadau bridwr yw hadau a gynhyrchir gan fridiwr, neu o dan gyfrifoldeb bridwr ac y'u bwriedir ar gyfer cynhyrchu hadau cyn-sylfaenol neu hadau sylfaenol.

Cynheiliad ar gyfer hadau cyn-sylfaenol a sylfaenol

7. Ni cheir cynhyrchu hadau cyn-sylfaenol a hadau sylfaenol ac eithrio gyda chaniatâd ysgrifenedig y person a restrir fel cynheiliad yr hadau hynny yn Rhestr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin.

PART 2

Categories of seed

Seed to which these Regulations apply

4.—(1) These Regulations apply in relation to seed of the plants in the first column of the table in Schedule 1 intended to be used for agricultural or horticultural production, but do not apply in relation to seed intended to be used for ornamental plants.

(2) These Regulations do not apply in relation to seed intended for export outside the European Union (other than regulation 26 which relates to certification for export).

Categories of seed

5. Seed is divided into the following categories, commonly known by the abbreviations given—

- (a) breeder's seed ("BR");
- (b) pre-basic seed ("PB");
- (c) basic seed ("BS");
- (d) certified seed ("CS");
- (e) certified seed, first generation ("C1");
- (f) certified seed, second generation ("C2");
- (g) certified seed, third generation ("C3");
- (h) commercial seed ("CM");
- (i) standard seed (vegetables only) ("ST");
- (j) seed of a higher voluntary standard ("HVS").

Breeder's seed

6. Breeder's seed is seed produced by or under the responsibility of the breeder and intended for the production of pre-basic seed or basic seed.

Maintainers for pre-basic and basic seed

7. Pre-basic seed and basic seed may only be produced with the written authorisation of the person listed as the maintainer of that seed in the United Kingdom National List or the Common Catalogue.

RHAN 3

Marchnata hadau

Marchnata hadau

8. Ni cheir marchnata hadau y mae'r Rheoliadau hyn yn gymwys iddynt fel hadau os nad ydynt—

- (a) wedi eu hardystio o dan reoliadau 10 a 11 fel hadau o un o'r categorïau yn rheoliad 5;
- (b) wedi eu pecynnu a'u selio yn unol â rheoliad 16;
- (c) wedi eu labelu yn unol â rheoliad 17;
- (ch) yn cael eu marchnata gan berson a drwyddedwyd i wneud hynny yn unol â rheoliad 20.

Eithriadau

9.—(1) Nid yw'r gofyniad i ardystio yn gymwys mewn perthynas â hadau bridwr.

(2) Mae Atodlen 4 yn gwneud darpariaeth ar gyfer marchnata hadau nad ydynt yn cydymffurfio'n llawn â rheoliad 8.

Gofynion gor-redol ar gyfer ardystio

10. Er mwyn eu hardystio o dan y Rheoliadau hyn fel un o'r categorïau yn rheoliad 5, rhaid i'r hadau fod—

- (a) o amrywogaeth a gofnodwyd yn Rhestr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin;
- (b) wedi eu tyfu o hadau sy'n gymwys ar gyfer cynhyrchu'r categori hwnnw yn unol ag Atodlen 2;
- (c) yn dod o gnwd a archwiliwyd o dan y Rheoliadau hyn ac yr ardystiwyd ei fod yn cydymffurfio â gofynion Atodlen 2;
- (ch) wedi eu profi yn unol â'r Rheoliadau hyn.

Gofynion manwl ar gyfer ardystio

11.—(1) Er mwyn eu hardystio, rhaid cofnodi sampl o'r hadau y caiff y cnwd ei gynhyrchu ohonynt gyda Gweinidogion Cymru, mewn da bryd er mwyn rhoi digon o amser i Weiniogion Cymru dyfu plot rheoli.

(2) Caiff Gweinidogion Cymru dderbyn cofnodi sampl o'r hadau ar ôl yr amser hwnnw, ond mewn achos o'r fath, rhaid i'r cnwd a dyfir i gynhyrchu'r hadau gael ei archwilio gan arolygydd cnydau swyddogol yn unol â rheoliad 12.

(3) Rhaid i'r cnwd a ddefnyddir i gynhyrchu'r hadau gael ei archwilio gan arolygydd cnydau yn unol â'r darpariaethau sy'n ymwneud â'r cnwd hwnnw yn Atodlen 2, a rhaid i'r arolygydd cnydau ardystio—

- (a) bod y cnwd yn cyrraedd y safon ar gyfer y

PART 3

Marketing seed

Marketing seed

8. Seed to which these Regulations apply may only be marketed as seed if it is—

- (a) certified under regulations 10 and 11 as being one of the categories in regulation 5;
- (b) packaged and sealed in accordance with regulation 16;
- (c) labelled in accordance with regulation 17;
- (d) marketed by a person licensed to do so in accordance with regulation 20.

Exceptions

9.—(1) The requirement for certification does not apply in relation to breeder's seed.

(2) Schedule 4 makes provision for the marketing of seed not fully complying with regulation 8.

Overriding requirements for certification

10. To be certified under these Regulations as one of the categories in regulation 5 seed must—

- (a) be a variety entered in the United Kingdom National List or the Common Catalogue;
- (b) be grown from a seed eligible to produce that category in accordance with Schedule 2;
- (c) come from a crop inspected under these Regulations and certified as complying with the requirements of Schedule 2;
- (d) be tested in accordance with these Regulations.

Detailed requirements for certification

11.—(1) In order to be certified a sample of the seed from which the crop is going to be produced must be entered with the Welsh Ministers in sufficient time for the Welsh Ministers to grow a control plot.

(2) The Welsh Ministers may accept the entry of a sample of the seed after this time, but in this case the crop grown to produce the seed must be inspected by an official crop inspector in accordance with regulation 12.

(3) The crop used to produce the seed must be inspected by a crop inspector in accordance with the provisions relating to that crop in Schedule 2, and the crop inspector must certify that—

- (a) the crop meets the standard for that crop

cnwd hwnnw a bennir yn Atodlen 2, neu

- (b) bod y cnwd yn cyrraedd safon is, ond er hynny'n cyrraedd un o'r safonau yn Atodlen 2,

a chyflwyno adroddiad i'r perwyl hwnnw i Weinidogion Cymru.

(4) Caiff yr arolygydd cnydau ddynodi bod angen gwneud gwaith adferol neu gynnal archwiliad pellach cyn ardystio bod y cnwd yn cyrraedd y safon ofynnol.

(5) Unwaith y bydd y cnwd wedi ei gynaeafu a'i brosesu, rhaid i samplwr hadau trwyddedig gymryd sampl o'r hadau (gan ddefnyddio dulliau samplu rhyngwladol cyfredol, i'r graddau y maent yn bodoli) yn unol â'r darpariaethau sy'n ymwneud â'r cnwd hwnnw yn Atodlen 2 (er mwyn osgoi amheuaeth, bydd meintiau y lotiau hadau a phwysau'r samplau yn cael eu pennu ym mhob un o'r Cyfarwyddebau yn yr Atodlen honno, sy'n ymdrin â'r hadau).

(6) Rhaid profi'r hadau mewn gorsaf brofi hadau (sydd naill ai wedi ei thrwyddedu neu'n cael ei gweithredu gan Weinidogion Cymru), a rhaid i'r orsaf honno brofi'r hadau (gan ddefnyddio dulliau samplu a phrofi rhyngwladol cyfredol, i'r graddau y maent yn bodoli) er mwyn sicrhau y cydymffurfir â'r safonau ardystio yn Atodlen 2, a dyroddi adroddiad prawf hadau sy'n datgan y canlyniadau, a chyflwyno'r adroddiad hwnnw i Weinidogion Cymru.

Archwilio cnydau

12. Rhaid i archwiliad o gnwd ar gyfer ardystio gael ei gynnal gan arolygydd cnydau trwyddedig; ac eithrio archwiliad o—

- (a) cnwd a fwriedir ar gyfer cynhyrchu hadau cyn-sylfaenol neu hadau sylfaenol, neu
- (b) cnwd sy'n cynhyrchu hadau, pan gofnodir yr hadau o dan reoliad 11 yn rhy hwyr i ganiatáu i Weinidogion Cymru dyfu plot rheoli,

a rhaid i'r archwiliad, bryd hynny, gael ei gynnal gan arolygydd cnydau swyddogol a benodir gan Weinidogion Cymru at ddibenion archwiliadau o'r fath.

Safon hadau ar adeg eu marchnata

13. Ar yr adeg y cânt eu marchnata, rhaid i'r hadau gydymffurfio, o leiaf, â'r safonau yn Atodlen 2 sy'n ymwneud â'r math hwnnw o hadau.

Ailraddio cnwd neu hadau

14. Er mwyn osgoi amheuaeth, os ardystiwyd bod cnwd neu hadau yn perthyn i un categori, ond y cnwd neu'r hadau yn cydymffurfio â gofynion categori arall ar gyfer yr hadau hynny, ceir ailraddio'r cnwd neu'r hadau fel unrhyw gategori y mae, neu y maent, yn bodloni'r gofynion ar ei gyfer.

specified in Schedule 2, or

- (b) the crop meets a lower standard but still meets one of the standards in Schedule 2,

and lodge a report to that effect with the Welsh Ministers.

(4) The crop inspector may indicate that remedial action or further inspection is necessary before the crop is certified as meeting the required standard.

(5) Once the crop has been harvested and processed, a sample of the seed must be taken by a licensed seed sampler (using current international sampling methods in so far as they exist) in accordance with the provisions relating to that crop in Schedule 2 (for the avoidance of doubt the seed lot sizes and sample weights are specified in each of the Directives in that Schedule dealing with the seed).

(6) The seed must be tested in a seed testing station (either licensed or operated by the Welsh Ministers), which must test the seed (using current international sampling and testing methods in so far as they exist) to ensure that the certification standards in Schedule 2 are complied with and issue a seed test report stating the results and lodge the report with the Welsh Ministers.

Crop inspections

12. A crop inspection for certification must be carried out by a licensed crop inspector; except for the inspection of—

- (a) a crop intended for the production of pre-basic or basic seed, or
- (b) a crop producing seed when the entry of the seed under regulation 11 was too late to allow the Welsh Ministers to grow a control plot,

when the inspection must be carried out by an official crop inspector appointed by the Welsh Ministers for the purposes of such inspection.

Standard of seed at the time of marketing

13. At the time of marketing the seed must as a minimum comply with the standards in Schedule 2 relating to that type of seed.

Re-grading a crop or seed

14. For the avoidance of doubt, if a crop or seed has been certified as belonging to one category, but complies with the requirements of another category for that seed, it may be re-graded as any category for which it satisfies the requirements.

Plotiau rheoli a phrofion

15.—(1) Rhaid i Weinidogion Cymru gyflawni unrhyw brofion angenrheidiol ar yr hadau a gofnodir, ac yn benodol, rhaid iddynt dyfu'r hadau mewn plot rheoli.

(2) Os bydd y profion neu'r plot rheoli'n bodloni'r gofynion o ran hunaniaeth amrywogaethol a phurdeb amrywogaethol, ni chymerir unrhyw gamau pellach.

(3) Fel arall, rhaid i Weinidogion Cymru gael rhagor o wybodaeth o gnydau a dyfir o'r hadau hynny ac, os penderfynant nad yw'r cnwd yn foddhaol, rhaid i Weinidogion Cymru hysbysu'r ceisydd na cheir ardystio'r cnwd, neu fod rhaid ei israddio i gategori is.

Pecynnu a selio

16.—(1) Rhaid i'r holl hadau, ac eithrio hadau a werthir yn rhydd (ynglŷn â hynny gweler Rhan 5 o Atodlen 3), gael eu cyflenwi mewn pecynnau seliedig, gan berson a drwyddedwyd i wneud hynny o dan reoliad 20.

(2) Rhaid i'r hadau a becynnir fod mewn lotiau unffurf.

(3) Rhaid i becyn gael ei selio gan, neu o dan oruchwyliaeth, samplwr hadau trwyddedig.

(4) Rhaid i'r pecyn fod â system selio na ellir ei haildefnyddio, neu gael ei selio mewn modd y byddai ei agor—

- (a) yn difrodi'r system selio; neu
- (b) yn gadael tystiolaeth o ymyrryd, naill ai ar y label neu ar y pecyn.

(5) Os agorir pecyn gan rywun ac eithrio'r defnyddiwr terfynol, rhaid ail-labelu'r pecyn a'i ailselio gan, neu o dan oruchwyliaeth, samplwr hadau trwyddedig, a rhaid datgan, ar y label, y ffaith ei fod wedi ei ailselio, y dyddiad yr ailseiliwyd ef ddiwethaf a'r awdurdod sy'n gyfrifol amdano.

(6) Nid yw'r rheoliad hwn yn gymwys mewn perthynas â marchnata pecynnau bach o hadau fel y'u diffinnir yn Atodlen 3.

Labelu

17.—(1) Rhaid i'r holl hadau gael eu labelu yn unol ag Atodlen 3 gan berson a drwyddedwyd i wneud hynny o dan reoliad 20.

(2) Ni chaiff neb atgynhyrchu, tynnu ymaith, newid, difwyno, cuddio na chamdefnyddio mewn unrhyw ffordd unrhyw label a gynhyrchwyd at ddibenion y Rheoliadau hyn.

Cymysgeddau o hadau

18. Ni cheir marchnata cymysgedd o hadau onid yw'r cymysgedd yn un a ganiateir o dan y tabl canlynol.

Control plots and tests

15.—(1) The Welsh Ministers must carry out any necessary tests on the entered seed, and in particular must grow the seed in a control plot.

(2) If the tests or the control plot meets the requirements for varietal identity and varietal purity, no further action is taken.

(3) Otherwise the Welsh Ministers must obtain more information from crops grown from that seed and, if the Welsh Ministers decide that the crop is not satisfactory, notify the applicant that the crop may not be certified, or must be downgraded to a lower category.

Packaging and sealing

16.—(1) All seed, other than loose sales (for which see Part 5 of Schedule 3) must be supplied in a sealed package by a person licensed to do so under regulation 20.

(2) The packaged seed must be in homogeneous lots.

(3) A package must be sealed by or under the supervision of a licensed seed sampler.

(4) A package must either have a non-re-useable sealing system or be sealed in such a manner that opening the package—

- (a) damages the sealing system; or
- (b) leaves evidence of tampering on either the label or the package.

(5) If a package is opened other than by the final consumer it must be re-labelled and re-sealed by or under the supervision of a licensed seed sampler, and the fact of resealing, the most recent date of resealing and the authority responsible for it must be stated on the label.

(6) This regulation does not apply in relation to the marketing of small packages of seed as defined in Schedule 3.

Labelling

17.—(1) All seed must be labelled in accordance with Schedule 3 by a person licensed to do so under regulation 20.

(2) No person may reproduce, remove, alter, deface, conceal or misuse in any way any label produced for the purposes of these Regulations.

Mixtures of seed

18. A mixture of seed may only be marketed if the mixture is permitted under the following table.

Cymysgeddau a ganiateir

<i>Pennawd colofn</i>	<i>Betys</i>	<i>Ydau</i>	<i>Porthiant</i>	<i>Olew a ffibr</i>	<i>Llyisiau</i>	<i>Hadau y tu allan i gwmpas y Rheoliadau hyn</i>
Betys	Na cheir	Na cheir	Na cheir	Na cheir	Na cheir	Na cheir
Ydau	Na cheir	Ceir ⁽ⁱ⁾	Ceir	Na cheir	Na cheir	Na cheir
Porthiant	Na cheir	Ceir	Ceir	Ceir	Ceir	Ceir
Olew a ffibr	Na cheir	Na cheir	Ceir	Na cheir	Na cheir	Na cheir
Llyisiau	Na cheir	Na cheir	Ceir	Na cheir	Ceir ⁽ⁱⁱ⁾	Na cheir

⁽ⁱ⁾ Caniateir cymysgedd o amrywogaethau o un rhywogaeth o hadau yd os, yn unig, yw'n effeithiol yn erbyn lledaenu organeb niweidiol. Rhaid i'r hadau i gyd gydymffurfio â'r Rheoliadau hyn cyn eu cymysgu.

⁽ⁱⁱ⁾ Rhaid marchnata cymysgedd o hadau safonol o wahanol amrywogaethau o'r un rhywogaeth mewn pecyn sy'n cynnwys dim mwy na 5kg o hadau (yn achos codlyisiau), 500g o hadau (yn achos merllys, betys coch, moron, dail betys neu fetys ysbigoglys, gowrdiau, maros, nionod, radis, ysbigoglys neu faip) neu 100g o hadau (yn achos unrhyw rywogaeth arall).

Permitted mixtures

<i>Column header</i>	<i>Beet</i>	<i>Cereals</i>	<i>Fodder</i>	<i>Oil and fibre</i>	<i>Vegetable</i>	<i>Seed outside the scope of these Regulations</i>
Beet	No	No	No	No	No	No
Cereals	No	Yes ⁽ⁱ⁾	Yes	No	No	No
Fodder	No	Yes	Yes	Yes	Yes	Yes
Oil and fibre	No	No	Yes	No	No	No
Vegetable	No	No	Yes	No	Yes ⁽ⁱⁱ⁾	No

⁽ⁱ⁾ A mixture of varieties of one species of cereal seed is permitted only if it is effective against the propagation of a harmful organism. All the seed must comply with these Regulations before mixing.

⁽ⁱⁱ⁾ A mixture of standard seed of different varieties of the same species must be marketed in a package containing no more than 5kg of seed (for legumes), 500g of seed (for asparagus, beetroot, carrot, chard or spinach beet, gourd, marrow, onion, radish, spinach or turnip) or 100g of seed (for any other species).

Cofnodion

- 19.—(1) Rhaid i unrhyw berson sy'n—
- (a) marchnata hadau,
 - (b) yn pecynnu, selio, labelu, ailbecynnu, ailselio neu ail-labelu hadau i'w marchnata,
 - (c) yn paratoi cymysgeddau o hadau i'w marchnata, neu
 - (ch) yn glanhau, trin neu brosesu rywffodd arall hadau y bwriedir eu marchnata,

wneud cofnodion (naill ai mewn ysgrifenedig neu'n electronig) sy'n ddigonol i greu trywydd archwilio, fel gellir darganfod hunaniaeth a tharddiad unrhyw hadau sy'n cael eu marchnata, neu'r ymdrinnir â hwy rywffodd arall yn ystod y gweithrediad.

(2) Rhaid cadw'r cofnodion am 3 blynedd o leiaf, a'u dangos os gofynnir am eu gweld, i un o swyddogion Gweinidogion Cymru (yn achos cofnodion electronig, rhaid darparu allbrint).

RHAN 4

Trwyddedu

Gweithrediadau y mae trwydded gan Weinidogion Cymru yn ofynnol ar eu cyfer

20.—(1) Rhaid i unrhyw berson sy'n ymgymryd ag unrhyw un o'r gweithrediadau canlynol fod wedi ei drwyddedu i wneud hynny gan Weinidogion Cymru—

- (a) marchnata hadau;
- (b) pecynnu, selio neu labelu hadau;
- (c) ailbecynnu, ailselio neu ail-labelu hadau;
- (ch) paratoi cymysgeddau o hadau i'w marchnata;
- (d) glanhau, trin neu brosesu mewn unrhyw ffordd arall hadau y bwriedir eu marchnata.

(2) Ond nid yw'r gofyniad am drwydded yn gymwys mewn perthynas â marchnata—

- (a) pecynnau bach o hadau fel y'u diffinnir yn Atodlen 3;
- (b) hadau nad ydynt wedi eu pecynnu; neu
- (c) hadau, fel y'u tyfwyd, ar gyfer prosesu, ar yr amod y sicrhewir hunaniaeth yr hadau o dan baragraff 2 o Atodlen 4.

Trwyddedu arolygwyr cnydau, samplwyr hadau a gorsafoedd profi hadau

21.—(1) Caiff Gweinidogion Cymru drwyddedu arolygwyr cnydau, samplwyr hadau a gorsafoedd profi hadau i weithredu o dan y Rheoliadau hyn.

(2) Cyn trwyddedu arolygydd cnydau neu samplwr

Records

- 19.—(1) Any person who—
- (a) markets seed,
 - (b) packs, seals, labels, re-packs, re-seals or re-labels seed for marketing,
 - (c) prepares mixtures of seed for marketing, or
 - (d) cleans, treats or in any other way processes seed intended for marketing,

must make sufficient records (either written or electronic) to create an audit trail so that the identity and provenance of any seed marketed or otherwise dealt with in the course of the operation can be established.

(2) Records must be kept for at least 3 years and produced on demand to an officer of the Welsh Ministers (in the case of electronic records a printout must be provided).

PART 4

Licensing

Operations requiring a licence from the Welsh Ministers

20.—(1) Any person carrying out any of the following operations must be licensed to do so by the Welsh Ministers—

- (a) marketing seed;
- (b) packing, sealing or labelling seed;
- (c) re-packing, re-sealing or re-labelling seed;
- (d) preparing mixtures of seed for marketing;
- (e) cleaning, treating or in any other way processing seed intended for marketing.

(2) But the requirement for a licence does not apply in relation to the marketing of—

- (a) small packages of seed as defined in Schedule 3;
- (b) unpacked seed; or
- (c) seed, as grown, for processing, provided the identity of the seed is ensured under paragraph 2 of Schedule 4.

Licensing crop inspectors, seed samplers and seed testing stations

21.—(1) The Welsh Ministers may license crop inspectors, seed samplers and seed testing stations to act under these Regulations.

(2) Before licensing a crop inspector or seed sampler

hadau, rhaid i Weinidogion Cymru fod wedi eu bodloni bod y person yn gymwys i weithredu fel y cyfryw, ac wedi pasio arholiad a bennir gan Weinidogion Cymru.

(3) Cyn trwyddedu gorsaf brofi hadau, rhaid i Weinidogion Cymru fodloni eu hunain bod gan yr orsaf fangre ddigonol, personél cymwysedig a chyfarpar ar gyfer profi at ddibenion y Rheoliadau hyn.

(4) Caiff arolygydd cnydau, samplwr hadau neu orsaf brofi hadau a drwyddedwyd godi ffioedd rhesymol am ymgymryd â swyddogaethau o dan y Rheoliadau hyn ond ni chânt ennill unrhyw elw preifat mewn cysylltiad â chyflawni'r cyfryw swyddogaethau.

Darpariaethau cyffredinol ynglŷn â thrwyddedau

22.—(1) Rhaid i drwydded fod yn ysgrifenedig, a cheir ei gwneud yn ddarostyngedig i ba bynnag amodau a ystyrir yn briodol gan Weinidogion Cymru.

(2) Caiff Gweinidogion Cymru amrywio, atal dros dro neu ddirymu trwydded drwy hysbysiad ysgrifenedig ar unrhyw adeg.

RHAN 5

Gweinyddu a dirymiadau

Tynnu ardystiad yn ôl

23.—(1) Caiff Gweinidogion Cymru dynnu ardystiad yn ôl oddi ar unrhyw hadau os bodlonir hwy—

- (a) bod yr hadau, neu'r hadau y tyfwyd ohonynt y cnwd a gynhyrchodd yr hadau, wedi eu samplu yn anghywir;
- (b) nad oedd y cnwd y cynaeafwyd yr hadau ohono yn bodloni'r amodau yn Atodlen 2; neu
- (c) nad oedd yr hadau—
 - (i) yn bodloni'r amodau yn Atodlen 2 pan brofwyd hwy; neu
 - (ii) nad ydynt bellach yn bodloni'r amodau hynny.

(2) Os tynnir ardystiad yn ôl, rhaid i Weinidogion Cymru hysbysu'r ceisydd.

(3) O fewn 7 diwrnod ar ôl ei hysbysu, rhaid i'r ceisydd hysbysu unrhyw berson y gwerthwyd neu y cyflenwyd yr hadau iddo.

Samplu at ddibenion gorfodi

24.—(1) Rhaid i sampl o hadau a gymerir at ddibenion gorfodi'r Rheoliadau hyn gael ei gymryd gan swyddog awdurdodedig Gweinidogion Cymru, a rhaid iddo rannu'r sampl yn dair rhan.

the Welsh Ministers must be satisfied that the person is competent to act as such, and has passed an examination specified by the Welsh Ministers.

(3) Before licensing a seed testing station the Welsh Ministers must be satisfied that the station has adequate premises, qualified personnel and equipment to test for the purposes of these Regulations.

(4) A licensed crop inspector, seed inspector or seed testing station may charge reasonable fees for carrying out functions under these Regulations but may not derive any private gain in connection with the carrying out of such functions.

General provisions relating to licences

22.—(1) A licence must be in writing, and may be subject to such conditions as the Welsh Ministers consider appropriate.

(2) The Welsh Ministers may vary, suspend or revoke a licence by notice in writing at any time.

PART 5

Administration and revocations

Withdrawing certification

23.—(1) The Welsh Ministers may withdraw certification from any seed if satisfied that—

- (a) the seed, or the seed from which the crop producing the seed was grown, was incorrectly sampled;
- (b) the crop from which the seed was harvested did not meet the conditions in Schedule 2; or
- (c) the seed—
 - (i) did not meet the conditions in Schedule 2 when it was tested; or
 - (ii) no longer meets those conditions.

(2) If certification is withdrawn the Welsh Ministers must notify the applicant.

(3) Within 7 days of being notified the applicant must notify any person to whom they have sold or supplied the seed.

Sampling for enforcement purposes

24.—(1) A sample of seed taken for the purposes of enforcing these Regulations must be taken by an authorised officer of the Welsh Ministers, who must divide it into three parts.

(2) Rhaid rhoi un rhan i berchennog yr hadau (neu gynrychiolydd y perchennog) a rhaid anfon y ddwy ran arall i orsaf brofi swyddogol, un ar gyfer profi a'r llall i'w chadw hyd nes ei dangos gerbron llys yn unol ag adran 26(7) o Ddeddf Amrywogaethau a Hadau Planhigion 1964(1).

Ffuriau tystysgrifau a ddefnyddir ar gyfer gorfodi

25.—(1) At ddibenion adran 26(3) o Ddeddf Amrywogaethau a Hadau Planhigion 1964, rhaid i dystysgrif o'r modd y cymerwyd sampl at y diben o orfodi'r Rheoliadau hyn—

- (a) cyfeirio at y Rheoliadau hyn, ac ardystio bod y sampl wedi ei gymryd a'i drin yn unol â rheoliad 24;
- (b) pennu—
 - (i) enw a chyfeiriad y person a gymerodd y sampl;
 - (ii) y fangre lle y cymerwyd y sampl;
 - (iii) y math o hadau a samplwyd;
 - (iv) y dyddiad y cymerwyd y sampl;
 - (v) rhif cyfeirnod y lot o hadau;
 - (vi) y maint a samplwyd.

(2) At ddibenion adran 24(5) o Ddeddf Amrywogaethau a Hadau Planhigion 1964, rhaid i dystysgrif o ganlyniad prawf a wnaed mewn gorsaf brofi hadau swyddogol, ar sampl a gymerwyd gan swyddog awdurdodedig at ddibenion y Ddeddf honno—

- (a) cyfeirio at y Rheoliadau hyn;
- (b) enwi'r hadau a brofwyd;
- (c) cynnwys yr holl ganlyniadau prawf mewn perthynas â'r safon ofynnol ar gyfer yr hadau hynny.

Ardystio ar gyfer allforio

26. Caiff Gweinidogion Cymru ardystio ansawdd unrhyw hadau y bwriedir eu hallforio i'r tu allan i'r Undeb Ewropeaidd.

Mewnforio o'r tu allan i'r Undeb Ewropeaidd

27.—(1) Rhaid labelu hadau a fewnforir o'r tu allan i'r Undeb Ewropeaidd gyda label a gymeradwyir gan y Sefydliad ar gyfer Cydweithrediad a Datblygiad Economaidd(2) ar gyfer yr ardystiad amrywogaethol ar reolaeth hadau a symudir mewn masnach ryngwladol.

(2) Os bwriedir lluosï'r hadau ymhellach, rhaid i'r person sy'n bwriadu eu lluosï gyflwyno sampl i Weinidogion Cymru yn gyntaf, ar gyfer ei wirio.

(1) 1964 p. 14.

(2) Mae manylion am y labeli hyn ar gael ar wefan y Sefydliad ar gyfer Cydweithrediad a Datblygiad Economaidd (OECD).

(2) One part must be given to the owner of the seed (or a representative of the owner) and the other two parts must be sent to an official testing station, one for testing and the other for retention pending production to a court in accordance with section 26(7) of the Plant Varieties and Seeds Act 1964(1).

Forms of certificates used for enforcement

25.—(1) For the purposes of section 26(3) of the Plant Varieties and Seeds Act 1964, a certificate of how a sample was taken for the purpose of enforcing these Regulations must—

- (a) make reference to these Regulations, and must certify that the sample was taken and treated in accordance with regulation 24;
- (b) specify—
 - (i) the name and address of the person taking the sample;
 - (ii) the premises at which the sample was taken;
 - (iii) the type of seed sampled;
 - (iv) the date the sample was taken;
 - (v) the reference number of the seed lot;
 - (vi) the quantity sampled.

(2) For the purposes of section 24(5) of the Plant Varieties and Seeds Act 1964, a certificate of the result of a test at an official seed testing station of a sample taken by an authorised officer for the purposes of that Act must—

- (a) make reference to these Regulations;
- (b) identify the seed tested;
- (c) contain all test results relating to the standard required for that seed.

Certification for export

26. The Welsh Ministers may certify the quality of any seed intended for export outside the European Union.

Importation from outside the European Union

27.—(1) Seed imported from outside the European Union must be labelled with a label approved by the Organisation for Economic Cooperation and Development(2) for the varietal certification on the control of seed moving in international trade.

(2) If the seed is to be further multiplied the person intending to multiply it must first submit a sample to the Welsh Ministers for verification.

(1) 1964 c. 14.

(2) Details of these labels are available on the OECD's website.

(3) Rhaid i berson sy'n marchnata hadau a fewnforiwyd o drydedd wlad ac sydd â'u pwysau'n fwy na dau gilogram, gyflenwi i Weinidogion Cymru, mewn ysgrifen ac o fewn un mis ar ôl marchnata'r hadau am y tro cyntaf, y manylion canlynol ynghlŷn â'r hadau—

- (a) y rhywogaeth;
- (b) yr amrywogaeth;
- (c) y categori;
- (ch) y wlad lle'u cynhyrchwyd a'r awdurdod archwilio swyddogol;
- (d) y wlad y'u hanfonwyd ohoni;
- (dd) y mewnforiwr; ac
- (e) y maint o hadau.

Apelau

28.—(1) Caiff unrhyw berson a dramgwyddir gan benderfyniad gan Weinidogion Cymru i—

- (a) amrywio, atal dros dro, dirymu neu wrthod caniatáu trwydded arolygydd cnydau, samplwr hadau, gorsaf brofi hadau, neu berson y mae arno angen trwydded o dan reoliad 20,
- (b) gwrthod ardystio hadau,
- (c) tynnu ardystiad hadau yn ôl,

o fewn 21 diwrnod ar ôl ei hysbysu o'r penderfyniad, apelio yn erbyn y penderfyniad, i berson a benodir at y diben gan Weinidogion Cymru.

(2) Rhaid i'r person a benodir ystyried yr apêl ac unrhyw sylwadau a wneir gan Weinidogion Cymru, a chyflwyno adroddiad ysgrifenedig i Weinidogion Cymru o fewn 21 diwrnod ynghyd ag argymhellad ar sut i weithredu.

(3) Rhaid i Weinidogion Cymru wedyn wneud penderfyniad terfynol a hysbysu'r apelydd, ynghyd â'r rhesymau.

Ffioedd

29. Caiff Gweinidogion Cymru godi ffi resymol am unrhyw beth a wneir o dan y Rheoliadau hyn.

Marchnata hadau o dan randdirymiad penodol

30. Mae'r Ysgrifennydd Gwladol yn gweithredu fel yr Aelod-wladwriaeth at ddibenion Rheoliad y Comisiwn (EC) Rhif 217/2006 sy'n gosod rheolau ar gyfer cymhwyso Cyfarwyddebau'r Cyngor 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC a 2002/57/EC mewn perthynas ag awdurdodi Aelod-wladwriaethau i ganiatáu dros dro farchnata hadau nad ydynt yn bodloni'r gofynion o ran yr egino lleiaf⁽¹⁾.

(3) Any person marketing seed that has been imported from a third country and exceeds two kilograms must supply the Welsh Ministers, in writing and within one month of the first marketing of the seed, with the following particulars relating to the seed—

- (a) the species;
- (b) the variety;
- (c) the category;
- (d) the country of production and the official inspection authority;
- (e) the country of despatch;
- (f) the importer; and
- (g) the quantity of seed.

Appeals

28.—(1) Any person who is aggrieved by a decision of the Welsh Ministers to—

- (a) vary, suspend, revoke or refuse to grant a licence of a crop inspector, seed sampler, seed testing station, or a person requiring a licence under regulation 20,
- (b) refuse to certify seed,
- (c) withdraw certification of seed,

may, within 21 days of being notified of the decision, appeal against it to a person appointed for the purpose by the Welsh Ministers.

(2) The appointed person must consider the appeal and any representations made by the Welsh Ministers, and within 21 days report in writing with a recommended course of action to the Welsh Ministers.

(3) The Welsh Ministers must then make a final decision and notify the appellant, together with the reasons.

Fees

29. The Welsh Ministers may charge a reasonable fee for anything done under these Regulations.

Marketing seed under a specific derogation

30. The Secretary of State acts as the member State for the purposes of Commission Regulation (EC) No 217/2006 laying down rules for the application of Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination⁽¹⁾.

(1) OJ Rhif L 38, 9.2.2006, t. 17.

(1) OJ No L 38, 9.2.2006, p. 17.

Cyfrinachedd

31. Rhaid i Weinidogion Cymru beidio â datgelu'r disgrifiad o gydrannau achyddol hadau, os yw bridwr yr hadau yn gofyn iddynt beidio â'i ddatgelu.

Trwyddedu ac ardystio mewn rhan arall o'r Deyrnas Unedig

32.—(1) Ceir marchnata yng Nghymru unrhyw hadau a ardystiwyd mewn rhan arall o'r Deyrnas Unedig.

(2) Caiff arolygydd cnydau, samplwr hadau neu orsaf brofi hadau a drwyddedwyd i weithredu fel y cyfryw mewn rhan arall o'r Deyrnas Unedig weithredu fel y cyfryw o dan y Rheoliadau hyn.

Darpariaethau trosiannol

33.—(1) Mae arolygydd cnydau, samplwr hadau neu orsaf brofi hadau a oedd, ar yr adeg y daeth y Rheoliadau hyn i rym, wedi ei drwyddedu neu ei thrwyddedu o dan Reoliadau Hadau (Cofrestru, Trwyddedu a Gorfodi) (Cymru) 2005(1) yn parhau wedi ei drwyddedu neu ei thrwyddedu fel y cyfryw o dan y Rheoliadau hyn.

(2) Mae person y mae'n ofynnol iddo fod yn drwyddedig o dan reoliad 20 o'r Rheoliadau hyn, ac a oedd, ar yr adeg y daeth y Rheoliadau hyn i rym, yn drwyddedig o dan Reoliadau Hadau (Cofrestru, Trwyddedu a Gorfodi) (Cymru) 2005, yn awr yn drwyddedig i weithredu fel y cyfryw o dan y Rheoliadau hyn yn ddarostyngedig i ba bynnag amodau a hysbysir gan Weinidogion Cymru, a bydd yn parhau'n drwyddedig oni chaiff y drwydded ei hatal dros dro neu'i dirymu'n ddiweddarach gan Weinidogion Cymru o dan y Rheoliadau hyn.

Dirymu

34. Dirymir y Rheoliadau canlynol-

- (a) Rheoliadau Hadau Planhigion Olew a Ffibr (Cymru) 2004(2);
- (b) Rheoliadau Hadau Llysiau (Cymru) 2005(3);
- (c) Rheoliadau Hadau ŷd (Cymru) 2005(4);
- (ch) Rheoliadau Hadau Betys (Cymru) 2005(5);
- (d) Rheoliadau Hadau Planhigion Porthiant (Cymru) 2005(6);

(1) O.S. 2005/3038 (Cy. 226).
(2) O.S. 2004/2881 (Cy. 251).
(3) O.S. 2005/3035 (Cy. 223).
(4) O.S. 2005/3036 (Cy. 224).
(5) O.S. 2005/3037 (Cy. 225).
(6) O.S. 2005/1207 (Cy. 79).

Confidentiality

31. If the breeder so requests, the description of genealogical components of seed must not be disclosed by the Welsh Ministers.

Licensing and certifying in another part of the United Kingdom

32.—(1) Any seed certified in another part of the United Kingdom may be marketed in Wales.

(2) A crop inspector, seed sampler or seed testing station licensed to act as such in another part of the United Kingdom may act as such under these Regulations.

Transitional provisions

33.—(1) A crop inspector, seed sampler or seed testing station licensed at the time these Regulations come into force under the Seed (Registration, Licensing and Enforcement) (Wales) Regulations 2005(1) continues to be licensed as such under these Regulations.

(2) A person requiring to be licensed under regulation 20 of these Regulations who was licensed under the Seed (Registration, Licensing and Enforcement) (Wales) Regulations 2005, at the time these Regulations come into force, is now licensed to act as such under these Regulations subject to such conditions as may be notified by the Welsh Ministers and continues to be licensed unless the licence is subsequently suspended or revoked by the Welsh Ministers under these Regulations.

Revocation

34. The following Regulations are revoked-

- (a) the Oil and Fibre Plant Seed (Wales) Regulations 2004(2);
- (b) the Vegetable Seed (Wales) Regulations 2005(3);
- (c) the Cereal Seed (Wales) Regulations 2005(4);
- (d) the Beet Seed (Wales) Regulations 2005(5);
- (e) the Fodder Plant Seed (Wales) Regulations 2005(6);

(1) S.I. 2005/3038 (W. 226).
(2) S.I. 2004/2881 (W. 251).
(3) S.I. 2005/3035 (W. 223).
(4) S.I. 2005/3036 (W. 224).
(5) S.I. 2005/3037 (W. 225).
(6) S.I. 2005/1207 (W. 79).

- (dd) Rheoliadau Hadau (Cofrestru, Trwyddedu a Gorfodi) (Cymru) 2005(1);
- (e) Rheoliadau Hadau yd (Cymru) a Hadau Planhigion Porthiant (Cymru) (Diwygio) 2006(2);
- (f) Rheoliadau Hadau (Cymru) (Diwygiadau ar gyfer Cynnal Profion a Threialu etc.) 2007(3);
- (ff) Rheoliadau Hadau (Diwygiadau Amrywogaethau Cadwraeth) (Cymru) 2009(4);
- (g) Rheoliadau Hadau (Diwygiadau Amrywiol) (Cymru) 2010(5);
- (ng) Rheoliadau Hadau Llysiâu (Cymru) (Diwygio) 2011(6).

- (f) the Seed (Registration, Licensing and Enforcement) (Wales) Regulations 2005(1);
- (g) the Cereal Seed (Wales) and Fodder Plant Seed (Wales) (Amendment) Regulations 2006(2);
- (h) the Seed (Wales) (Amendments for Tests and Trials etc) Regulations 2007(3);
- (i) the Seed (Conservation Varieties Amendments) (Wales) Regulations 2009(4);
- (j) the Seed (Miscellaneous Amendments) (Wales) Regulations 2010(5);
- (k) the Vegetable Seed (Wales) (Amendment) Regulations 2011(6).

John Griffiths

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy, un o Weinidogion Cymru

Minister for the Environment and Sustainable Development, one of the Welsh Ministers

1 Chwefror 2012

1 February 2012

(1) O.S. 2005/3038 (Cy. 226).
 (2) O.S. 2006/3250 (Cy. 294).
 (3) O.S. 2007/119 (Cy. 9).
 (4) O.S. 2009/1356 (Cy. 131).
 (5) O.S. 2010/1808 (Cy. 176).
 (6) O.S. 2011/994 (Cy. 147).

(1) S.I. 2005/3038 (W. 226).
 (2) S.I. 2006/3250 (W. 294).
 (3) S.I. 2007/119 (W. 9).
 (4) S.I. 2009/1356 (W. 131).
 (5) S.I. 2010/1808 (W. 176).
 (6) S.I. 2011/994 (W. 147).

Hadau y mae'r Rheoliadau hyn yn gymwys iddynt

<i>Planhigion y mae'r Rheoliadau yn gymwys iddynt</i>	<i>Enw cyffredin (fel canllaw yn unig)</i>
Betys	
<i>Beta vulgaris</i> L.	betys siwgr, betys porthiant (gan gynnwys mangls)
Ydau	
<i>Avena nuda</i> L.	ceirch noeth
<i>Avena sativa</i> L. (gan gynnwys <i>A. byzantina</i> K. Koch)	ceirch a cheirch coch
<i>Hordeum vulgare</i> L.	haidd
<i>Secale cereale</i> L.	rhyg
<i>Triticum aestivum</i> L.	gwenith
<i>Triticum durum</i> Desf.	gwenith caled
<i>Triticum spelta</i> L.	gwenith yr Almaen
<i>x Triticosecale</i> Wittm. ex A. Camus — hybridiau o ganlyniad i groesi rhywogaeth o'r genws <i>Triticum</i> gyda rhywogaeth o'r genws <i>Secale</i>	rhygwenith
<i>Zea mays</i> L. (partim)	indrawn (ac eithrio popgorn ac india-corn)

Planhigion porthiant

Glaswelltau meinddail:

<i>Agrostis canina</i> L.	maeswellt y cŵn
<i>Agrostis capillaris</i> L.	maeswellt cyffredin
<i>Agrostis gigantea</i> Roth	maeswellt mawr
<i>Agrostis stolonifera</i> L.	maeswellt rhedegog
<i>Festuca filiformis</i> Pourr.	peiswellt meinddail
<i>Festuca ovina</i> L.	peiswellt y defaid
<i>Festuca rubra</i> L.	peiswellt coch, peiswellt Chewing
<i>Festuca trachyphylla</i> (Hack.) Krajina	peiswellt caled
<i>Poa annua</i> L.	gweunwellt unflwydd
<i>Poa nemoralis</i> L.	gweunwellt y coed
<i>Poa pratensis</i> L.	gweunwellt llyfn
<i>Poa trivialis</i> L.	gweunwellt garw
<i>xFestulolium</i> Asch. & Graebn. — hybridiau o ganlyniad i groesi rhywogaeth o'r genws <i>Festuca</i> gyda rhywogaeth o'r genws <i>Lolium</i>	Festulolium

Glaswelltau porthiant:

<i>Arrhenatherum elatius</i> (L.) P.Beauv. ex J. Presl & C. Presl	ceirchwellt tal
<i>Bromus catharticus</i> Vahl.	pawrwellt porthi
<i>Bromus sitchensis</i> Trin.	pawrwellt Alasga
<i>Dactylis glomerata</i> L.	troed y ceiliog
<i>Festuca arundinacea</i> Schreber	peiswellt tal
<i>Festuca pratensis</i> Huds.	peiswellt
<i>Lolium multiflorum</i> Lam.	rhygwellt yr Eidal gan gynnwys rhygwellt Westerworld
<i>Lolium perenne</i> L.	rhygwellt parhaol
<i>Lolium x boucheanum</i> Kunth	rhygwellt hydrid
<i>Phleum nodosum</i> L.	rhonwellt bach
<i>Phleum pratense</i> L.	rhonwellt

Codlyisiau hadau bach:

<i>Lotus corniculatus</i> L.	pys-y-ceirw
<i>Medicago lupulina</i> L.	maglys du
<i>Medicago sativa</i> L.	maglys rhuddlas
<i>Medicago x varia</i> T. Martyn	maglys y tywod
<i>Onobrychis viciifolia</i> Scop.	y godog
<i>Trifolium hybridum</i> L.	meillion Sweden
<i>Trifolium pratense</i> L.	meillion coch
<i>Trifolium repens</i> L.	meillion gwyn

Codlyisiau hadau mawr:

<i>Lupinus albus</i> L.	bysedd-y-blaidd gwyn
<i>Lupinus angustifolius</i> L.	bysedd y blaidd culddail
<i>Lupinus luteus</i> L.	bysedd-y-blaidd melyn
<i>Pisum sativum</i> L. (partim)	pys y maes
<i>Vicia faba</i> L. (partim)	ffa'r maes
<i>Vicia pannonica</i> Crantz	ffacbys Hwngari
<i>Vicia sativa</i> L.	ffacbys
<i>Vicia villosa</i> Roth	ffacbys tir âr

Planhigion croesffurf:

<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.	swêds
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>medullosa</i> Thell. + var. <i>viridis</i> L.	cêl porthiant
<i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.	radis porthiant

Planhigion olew a ffibr

<i>Brassica juncea</i> (L.) Czern.	mwstard brown
<i>Brassica napus</i> L. (partim)	rêp swêds (gan gynnwys planhigion a elwir yn gyffredin rêp porthiant a rêp had olew)
<i>Brassica nigra</i> (L.) W.D.J. Koch	mwstard du
<i>Brassica rapa</i> L. var. <i>silvestris</i> (Lam.) Briggs	rêp maip
<i>Cannabis sativa</i> L.	cywarch
<i>Glycine max</i> (L.) Merr.	ffa soia
<i>Helianthus annuus</i> L.	blodau'r haul
<i>Linum usitatissimum</i> L.	llin, had llin
<i>Sinapis alba</i> L.	mwstard gwyn

Llysiau

<i>Allium cepa</i> L. (Cepa Group)	nionod, Echalion
<i>Allium porrum</i> L.	cennin
<i>Apium graveolens</i> L.	Seleri, seleriac
<i>Asparagus officinalis</i> L.	merllys
<i>Beta vulgaris</i> L.	bety gan gynnwys betys Cheltenham, betys ysbigoglys a dail betys
<i>Brassica oleracea</i> L.	ysgewyll Brwsel, blodfresych, bresych deiliog, colrabi, cabets coch, cabets crych, brocoli blaguro neu calabrese, cabets gwyn
<i>Brassica rapa</i> L.	cabets Tsieinia, maip
<i>Cichorium endivia</i> L.	ysgellog y meirch (cyrliog-ddail, syth-ddail)
<i>Cichorium intybus</i> L.	ysgellog (Eidalaidd) mawr-ddail
<i>Cucumis melo</i> L.	melonau
<i>Cucumis sativus</i> L.	Cucumerau, gercynau
<i>Cucurbita maxima</i> Duchesne	gowrdiau
<i>Cucurbita pepo</i> L.	maros neu courgettes
<i>Daucus carota</i> L.	moron, moron porthi
<i>Lactuca sativa</i> L.	letys
<i>Lycopersicon esculentum</i> Mill	tomatos

<i>Petroselinum crispum</i> (Mill) Nyman ex A.W Hill	persli
<i>Phaseolus coccineus</i> L.	ffa dringo
<i>Phaseolus vulgaris</i> L.	ffa Ffrengig (bach, dringol)
<i>Pisum sativum</i> L. (partim)	pys crych, pys crwn, pys siwgr
<i>Raphanus sativus</i> L.	radis, radis du
<i>Spinacia oleracea</i> L.	ysbigoglys
<i>Vicia faba</i> L. (partim)	ffa llydain
<i>Zea mays</i> L. (partim)	india-corn, popgorn

SCHEDULE 1

Regulation 4

Seed to which these Regulations apply

<i>Plants to which the Regulations apply</i>	<i>Common name (for guidance only)</i>
Beet	
<i>Beta vulgaris</i> L.	sugar beet, fodder beet (including mangel)
Cereals	
<i>Avena nuda</i> L.	small naked oat, hullless oat
<i>Avena sativa</i> L. (includes <i>A.byzantina</i> K. Koch)	oats and red oat
<i>Hordeum vulgare</i> L.	Barley
<i>Secale cereale</i> L.	Rye
<i>Triticum aestivum</i> L.	Wheat
<i>Triticum durum</i> Desf.	durum wheat
<i>Triticum spelta</i> L.	spelt wheat
<i>x Triticosecale</i> Wittm. ex A. Camus - hybrids resulting from the crossing of a species of the genus <i>Triticum</i> with a species of the genus <i>Secale</i>	Triticale
<i>Zea mays</i> L. (partim)	maize (except popcorn and sweetcorn)
Fodder plants	
Fine grasses:	
<i>Agrostis canina</i> L.	velvet bent
<i>Agrostis capillaris</i> L.	brown top
<i>Agrostis gigantea</i> Roth	red top
<i>Agrostis stolonifera</i> L.	creeping bent grass
<i>Festuca filiformis</i> Pourr.	fine leaved sheep's fescue
<i>Festuca ovina</i> L.	sheep's fescue
<i>Festuca rubra</i> L.	red fescue, Chewings fescue
<i>Festuca trachyphylla</i> (Hack.) Krajina	hard fescue
<i>Poa annua</i> L.	annual meadowgrass
<i>Poa nemoralis</i> L.	wood meadowgrass
<i>Poa pratensis</i> L.	smooth-stalked meadowgrass
<i>Poa trivialis</i> L.	rough-stalked meadowgrass
<i>xFestulolium</i> Asch. & Graebn. - Hybrids resulting from the crossing of a species of the genus <i>Festuca</i> with a species of the genus <i>Lolium</i>	Festulolium

Fodder grasses:

<i>Arrhenatherum elatius</i> (L.) P.Beauv.ex J. Presl & C. Presl	tall oatgrass
<i>Bromus catharticus</i> Vahl.	rescue grass
<i>Bromus sitchensis</i> Trin.	Alaska brome-grass
<i>Dactylis glomerata</i> L.	Cocksfoot
<i>Festuca arundinacea</i> Schreber	tall fescue
<i>Festuca pratensis</i> Huds.	meadow fescue
<i>Lolium multiflorum</i> Lam.	Italian ryegrass including Westerwold ryegrass
<i>Lolium perenne</i> L.	perennial ryegrass
<i>Lolium x boucheanum</i> Kunth	hybrid ryegrass
<i>Phleum nodosum</i> L.	small timothy
<i>Phleum pratense</i> L.	Timothy

Small seeded legumes:

<i>Lotus corniculatus</i> L.	birdsfoot trefoil
<i>Medicago lupulina</i> L.	trefoil, black medick
<i>Medicago sativa</i> L.	Lucerne
<i>Medicago x varia</i> T. Martyn	sand lucerne
<i>Onobrychis viciifolia</i> Scop.	sainfoin
<i>Trifolium hybridum</i> L.	Alsike clover
<i>Trifolium pratense</i> L.	red clover
<i>Trifolium repens</i> L.	white clover

Large seeded legumes:

<i>Lupinus albus</i> L.	white lupin
<i>Lupinus angustifolius</i> L.	narrow leaved lupin (previously known as blue lupin)
<i>Lupinus luteus</i> L.	yellow lupin
<i>Pisum sativum</i> L. (partim)	field pea
<i>Vicia faba</i> L. (partim)	field bean
<i>Vicia pannonica</i> Crantz	Hungarian vetch
<i>Vicia sativa</i> L.	common vetch
<i>Vicia villosa</i> Roth	hairy vetch

Crucifers:

<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.	Swede
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>medullosa</i> Thell. + var. <i>viridis</i> L.	fodder kale
<i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.	fodder radish

Oil and fibre plants:

<i>Brassica juncea</i> (L.) Czern.	brown mustard
<i>Brassica napus</i> L. (partim)	swede rape (including plants commonly known as fodder rape and oilseed rape)
<i>Brassica nigra</i> (L.) W.D.J. Koch	black mustard
<i>Brassica rapa</i> L. var. <i>silvestris</i> (Lam.) Briggs	turnip rape
<i>Cannabis sativa</i> L.	Hemp
<i>Glycine max</i> (L.) Merr.	soya bean
<i>Helianthus annuus</i> L.	Sunflower
<i>Linum usitatissimum</i> L.	flax, linseed
<i>Sinapis alba</i> L.	white mustard

Vegetables:

<i>Allium cepa</i> L. (Cepa Group)	onion, Echalion
<i>Allium porrum</i> L.	Leek
<i>Apium graveolens</i> L.	celery, celeriac
<i>Asparagus officinalis</i> L.	Asparagus
<i>Beta vulgaris</i> L.	beetroot including Cheltenham beet, spinach beet and chard
<i>Brassica oleracea</i> L.	Brussels sprouts, cauliflower, curly kale, kohlrabi, red cabbage, Savoy cabbage, sprouting broccoli or calabrese, white cabbage
<i>Brassica rapa</i> L.	Chinese cabbage, turnip
<i>Cichorium endivia</i> L.	endive (curled-leaved, plain-leaved)
<i>Cichorium intybus</i> L.	large-leaved (Italian) chicory
<i>Cucumis melo</i> L.	Melon
<i>Cucumis sativus</i> L.	cucumber, gherkin
<i>Cucurbita maxima</i> Duchesne	Gourd
<i>Cucurbita pepo</i> L.	marrow or courgette
<i>Daucus carota</i> L.	carrot, fodder carrot
<i>Lactuca sativa</i> L.	Lettuce
<i>Lycopersicon esculentum</i> Mill	Tomato

<i>Petroselinum crispum</i> (Mill) Nyman ex A.W Hill	Parsley
<i>Phaseolus coccineus</i> L.	runner bean
<i>Phaseolus vulgaris</i> L.	French bean (dwarf, climbing)
<i>Pisum sativum</i> L. (partim)	wrinkled pea, round pea, sugar pea
<i>Raphanus sativus</i> L.	radish, black radish
<i>Spinacia oleracea</i> L.	Spinach
<i>Vicia faba</i> L. (partim)	broad bean
<i>Zea mays</i> L. (partim)	sweet corn, popcorn

ATODLEN 2

Rheoliadau 10, 11, 13 a 23

Gofynion ardystio

CYNNWYS

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4. Ystyr "hadau cyn-sylfaenol"
5. Ystyr "hadau sylfaenol"
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7. Gofynion cnydau a hadau

RHAN 2

Ydau

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11. Ystyr "hadau sylfaenol"
12. Ystyr "hadau ardystiedig"
13. Ystyr "hadau ardystiedig, cenhedlaeth gyntaf"
14. Ystyr "hadau ardystiedig, ail genhedlaeth"
15. Gofynion cnydau a hadau

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17. Gofynion ychwanegol ar gyfer haid, gwenith, gwenith caled a gwenith yr Almaen
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RHAN 1

Betys

Cwmpas Rhan 1

1. Mae'r Rhan hon yn rheoleiddio'r math o fetys yn Atodlen 1.

Dehongli

- 2. Yn y Rheoliadau hyn—
 - (a) ystyr "hadau uneginol" ("*monogerm seed*") yw hadau sy'n uneginol yn enetig; a
 - (b) "hadau trachywir" ("*precision seed*") yw hadau a baratowyd i'w defnyddio mewn heuwr trachywir i gynhyrchu eginblanhigion sengl.

Mathau a ganiateir o hadau betys

- 3. Rhaid i hadau betys fod yn—
 - (a) hadau cyn-sylfaenol;
 - (b) hadau sylfaenol; neu
 - (c) hadau ardystiedig.

Ystyr "hadau cyn-sylfaenol"

- 4. Hadau cyn-sylfaenol yw hadau—
 - (a) a gynhyrchwyd o genhedlaeth gynharach na hadau cyn-sylfaenol gan, neu o dan gyfrifoldeb, y bridwr, yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; a
 - (b) a fwriedir ar gyfer cynhyrchu—
 - (i) rhagor o hadau cyn-sylfaenol;
 - (ii) hadau sylfaenol; neu
 - (iii) gydag awdurdod ysgrifenedig y bridwr, hadau ardystiedig.

Ystyr "hadau sylfaenol"

- 5. Hadau sylfaenol yw hadau—
 - (a) a gynhyrchwyd o dan gyfrifoldeb y bridwr yn

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PART 1

Beet

Scope of Part 1

1. This Part regulates the type of beet in Schedule 1.

Interpretation

- 2. In these Regulations—
 - (a) "monogerm seed" ("*hadau uneginol*") means seed that is genetically monogerm; and
 - (b) "precision seed" ("*hadau trachywir*") means seed designed for use in precision drills to produce single seedlings.

Permitted types of beet seed

- 3. Beet seed must be—
 - (a) pre-basic seed;
 - (b) basic seed; or
 - (c) certified seed.

Meaning of "pre-basic seed"

- 4. Pre-basic seed is seed—
 - (a) produced from a generation prior to pre-basic seed by or under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; and
 - (b) intended for the production of—
 - (i) more pre-basic seed;
 - (ii) basic seed; or
 - (iii) with the breeder's written authority, certified seed.

Meaning of "basic seed"

- 5. Basic seed is seed—
 - (a) produced under the responsibility of the

unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; a

- (b) a fwriedir ar gyfer cynhyrchu hadau ardystiedig.

breeder according to well-defined practices for the maintenance of the variety; and

- (b) intended for the production of certified seed.

Ystyr "hadau ardystiedig"

6. Hadau ardystiedig yw hadau sy'n ddisgynyddion uniongyrchol hadau sylfaenol ac a fwriedir ar gyfer cynhyrchu betys.

Gofynion cnydau a hadau

7.—(1) Rhaid i archwiliadau o'r cnydau gan arolygwyr cnydau swyddogol neu drwyddedig gael eu cynnal yn unol ag Erthygl 2(3)(A) o Gyfarwyddeb y Cyngor 2002/54/EC ar farchnata hadau betys(1) ac Atodiad I(A) i'r Gyfarwyddeb honno, a rhaid i'r cnwd fodloni'r amodau yn yr Atodiad hwnnw.

(2) Rhaid i'r hadau a gynhyrchir gan y cnwd gael eu samplu yn unol ag Erthygl 9(2) o'r Gyfarwyddeb honno ac Atodiad II iddi, a rhaid iddynt fodloni'r amodau yn Atodiad I(B) i'r Gyfarwyddeb honno.

(3) Rhaid i'r hadau gael eu labelu yn unol ag Atodiad III i'r Gyfarwyddeb honno.

(4) Rhaid i'r cynnwys lleithedd mwyaf beidio â bod yn fwy na 15% yn ôl pwysau.

(5) Rhaid i glefydau ac organebau niweidiol sy'n lleihau defnyddioldeb yr hadau fod ar y lefel isaf bosibl.

Meaning of "certified seed"

6. Certified seed is seed that is of direct descent from basic seed and is intended for the production of beet.

Crop and seed requirements

7.—(1) Crop inspections by official or licensed crop inspectors must be carried out in accordance with Article 2(3)(A) of, and Annex I(A) to, Council Directive 2002/54/EC on the marketing of beet seed(1), and the crop must satisfy the conditions in that Annex.

(2) The seed produced by the crop must be sampled in accordance with Article 9(2) and Annex II to that Directive, and must satisfy the conditions in Annex I(B) to that Directive.

(3) The seed must be labelled in accordance with Annex III to that Directive.

(4) The maximum moisture content must not exceed 15% by weight.

(5) Diseases and harmful organisms that reduce the usefulness of the seed must be at the lowest possible level.

RHAN 2

Ydau

PENNOD 1

Mathau o hadau

PART 2

Cereals

CHAPTER 1

Types of seed

Cwmpas Rhan 2

8. Mae'r Rhan hon yn rheoleiddio'r mathau o ydau yn Atodlen 1.

Mathau a ganiateir o hadau ŷd

9.—(1) Rhaid i hadau ŷd fod yn—

- (a) hadau cyn-sylfaenol;
- (b) hadau sylfaenol;
- (c) hadau ardystiedig;
- (ch) hadau ardystiedig, cenhedlaeth gyntaf;
- (d) hadau ardystiedig, ail genhedlaeth; neu

Scope of Part 2

8. This Part regulates the types of cereal in Schedule 1.

Permitted types of cereal seed

9.—(1) Cereal seed must be—

- (a) pre-basic seed;
- (b) basic seed;
- (c) certified seed;
- (d) certified seed, first generation;
- (e) certified seed, second generation; or

(1) OJ Rhif L 193, 20.7.2002, t. 12, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 2004/117/EC (OJ Rhif L 14, 18.1.2005, t.18).

(1) OJ No L 193, 20.7.2002, p.12, as last amended by Council Directive 2004/117/EC (OJ No L 14, 18.1.2005, p.18).

(dd) hadau o safon wirfoddol uwch.

(2) Caiff yr hadau fod yn gymysgedd o rywogaethau ŷd o wahanol amrywogaethau ar yr amod bod pob amrywogaeth yn y cymysgedd wedi ei hardystio ac yn effeithiol rhag lledaenu organebau niweidiol.

Ystyr "hadau cyn-sylfaenol" (gan gynnwys hybridiau)

10. Hadau cyn-sylfaenol (gan gynnwys hybridiau) yw hadau—

- (a) a gynhyrchwyd o genhedlaeth gynharach na hadau cyn-sylfaenol neu o hadau cyn-sylfaenol gan, neu o dan gyfrifoldeb, y bridiwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; a
- (b) a fwriedir ar gyfer cynhyrchu—
 - (i) rhagor o hadau cyn-sylfaenol;
 - (ii) hadau sylfaenol; neu
 - (iii) gydag awdurdod ysgrifenedig y bridiwr, hadau ardystiedig o'r categorïau CS, C1 neu C2 (ni chaniateir cynhyrchu amrywogaethau hybrid i C1 neu C2).

(f) seed of a higher voluntary standard.

(2) The seed may be a mixture of cereal species of different varieties provided that each variety in the mixture is certified and is effective against the propagation of harmful organisms.

Meaning of "pre-basic seed" (including hybrids)

10. Pre-basic seed (including hybrids) is seed—

- (a) produced from a generation prior to pre-basic seed or from pre-basic seed by or under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; and
- (b) intended for the production of—
 - (i) more pre-basic seed;
 - (ii) basic seed; or
 - (iii) with the breeder's written authority, certified seed of categories CS, C1 or C2 (hybrid varieties may not be produced to C1 or C2).

Ystyr "hadau sylfaenol"

11. Hadau sylfaenol yw hadau sy'n cydymffurfio â'r amodau canlynol.

<i>Math o yd</i>	<i>Amod</i>
Amrywogaethau hunanbeilliol o geirch, ceirch noeth, haid, rhyg, rhygwenith, gwenith, gwenith caled a gwenith yr Almaen	Rhaid i'r hadau fod— (a) wedi eu cynhyrchu o dan gyfrifoldeb y bridiwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; a (b) wedi eu bwriadu ar gyfer cynhyrchu hadau ardystiedig o'r categorïau CS, C1 neu C2
Amrywogaethau hybrid o geirch, haid, rhyg, gwenith, gwenith caled, gwenith yr Almaen, rhygwenith ac indrawn	Rhaid i'r hadau fod wedi eu bwriadu ar gyfer cynhyrchu hybridiau
Amrywogaethau o rywogaethau indrawn sy'n beillwyr agored	Rhaid i'r hadau fod— (a) wedi eu cynhyrchu o dan gyfrifoldeb y bridiwr, yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; (b) wedi eu bwriadu ar gyfer cynhyrchu hadau o'r amrywogaeth honno o'r categori 'hadau ardystiedig' croesiad triphlyg, neu o amrywogaeth hybrid "top cross", neu o hybridiau rhyngamrywogaethol
Indrawn, llinellau mewnfrid	Unrhyw hadau

Meaning of "basic seed"

11. Basic seed is seed complying with the following conditions.

<i>Type of cereal</i>	<i>Condition</i>
Self-pollinating varieties of oats, naked oats, barley, rye, triticale, wheat, durum wheat and spelt wheat	The seed must be— (a) produced under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; and (b) intended for the production of certified seed of categories CS C1 or C2
Hybrid varieties of oats, barley, rye, wheat, durum wheat, spelt wheat, triticale and maize	The seed must be intended for the production of hybrids
Maize spp open-pollinated varieties	The seed must be— (a) produced under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; (b) intended for the production of seed of this variety of the category 'certified seed' triple cross or of top cross hybrid variety or of intervarietal hybrids
Maize, inbred lines	Any seed

Ystyr "hadau ardystiedig"

12. Hadau ardystiedig yw hadau—

- (a) o ryg, indrawn neu rygwenith a hybridiau o haidd, ceirch, gwenith, gwenith caled, gwenith yr Almaen;
- (b) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridiwr, o hadau o genhedlaeth gynharach na hadau sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; ac
- (c) a fwriedir at ddibenion ac eithrio cynhyrchu hadau yd.

Ystyr "hadau ardystiedig, cenhedlaeth gyntaf"

13. Hadau ardystiedig, cenhedlaeth gyntaf yw hadau—

- (a) ceirch, haidd, rhygwenith, gwenith, gwenith caled, neu wenith yr Almaen, ac eithrio hybridiau ym mhob achos;
- (b) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridiwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; ac
- (c) a fwriedir naill ai ar gyfer cynhyrchu hadau o'r categori 'hadau ardystiedig, ail genhedlaeth' neu at ddibenion ac eithrio cynhyrchu hadau yd.

Ystyr "hadau ardystiedig, ail genhedlaeth"

14. Hadau ardystiedig, ail genhedlaeth yw hadau—

- (a) ceirch, haidd, rhygwenith, gwenith, gwenith caled, neu wenith yr Almaen, ac eithrio hybridiau ym mhob achos;
- (b) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol, o hadau ardystiedig, cenhedlaeth gyntaf, neu, os gofynnir felly gan y bridiwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; ac
- (c) a fwriedir at ddibenion ac eithrio cynhyrchu hadau yd.

Gofynion cnydau a hadau

15.—(1) Rhaid i archwiliadau o'r cnydau gan arolygwyr cnydau swyddogol neu drwyddedig gael eu cynnal yn unol ag Erthygl 2(3)(A) o Gyfarwyddeb y Cyngor 66/402/EEC ar farchnata hadau yd⁽¹⁾ ac Atodiad I i'r Gyfarwyddeb honno, a rhaid i'r cnwd fodloni'r amodau yn yr Atodiad hwnnw.

(2) Rhaid i'r hadau a gynhyrchir gan y cnwd gael eu samplu yn unol ag Erthygl 7 o'r Gyfarwyddeb honno ac Atodiad III iddi, a rhaid iddynt fodloni'r amodau yn Atodiad II i'r Gyfarwyddeb honno.

(1) OJ Rhif L 125, 11.7.1966, t. 2309, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).

Meaning of "certified seed"

12. Certified seed is seed—

- (a) of rye, maize, or triticale and hybrids of barley, oats, wheat, durum wheat, spelt wheat;
- (b) that has been produced directly from basic seed or, if the breeder so requests, from seed of a generation prior to basic seed that satisfies the conditions for basic seed; and
- (c) that is intended for purposes other than the production of cereal seed.

Meaning of "certified seed, first generation"

13. Certified seed, first generation is seed—

- (a) of oats, barley, triticale, wheat, durum wheat or spelt wheat, other than hybrids in each case;
- (b) produced directly from basic seed or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
- (c) intended either for the production of seed of the category 'certified seed, second generation' or for purposes other than the production of cereal seed.

Meaning of "certified seed, second generation"

14. Certified seed, second generation is seed—

- (a) of oats, barley, triticale, wheat, durum wheat or spelt wheat, other than hybrids in each case;
- (b) produced directly from basic seed, from certified seed, first generation or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
- (c) intended for purposes other than the production of cereal seed.

Crop and seed requirements

15.—(1) Crop inspections by official or licensed crop inspectors must be carried out in accordance with Article 2(3)(A) of, and Annex I to, Council Directive 66/402/EEC on the marketing of cereal seed⁽¹⁾, and the crop must satisfy the conditions in that Annex.

(2) The seed produced by the crop must be sampled in accordance with Article 7 of, and Annex III to, that Directive and must satisfy the conditions in Annex II to that Directive.

(1) OJ No L 125, 11.7.1966, p. 2309, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).

(3) Rhaid i'r cynnwys lleithedd mwyaf beidio â bod yn fwy na 17% yn ôl pwysau.

(4) Rhaid i glefydau ac organebau niweidiol sy'n lleihau defnyddioldeb yr hadau fod ar y lefel isaf bosibl.

PENNOD 2

Safonau gwirfoddol uwch

Safonau gwirfoddol uwch ar gyfer ydau

16.—(1) Ceir marchnata haid, ceirch, gwenith (gan gynnwys gwenith caled a gwenith yr Almaen) neu geirch noeth, a ddsbarthwyd yn hadau sylfaenol neu'n hadau ardystiedig o'r categorïau C1 neu C2, fel hadau o safon wirfoddol uwch, sef safon uwch na'r un a reoleiddir o dan Bennod 1, os ydynt yn bodloni'r safonau uwch yn y Bennod hon.

(2) Rhaid i burdeb rhywogaethol y cnwd fod yn 99.99% o leiaf (yn ôl nifer).

(3) Ac eithrio hybrid, y purdeb amrywogaethol lleiaf ar gyfer hadau yw—

- (a) 99.95% ar gyfer hadau sylfaenol;
- (b) 99.9% ar gyfer hadau C1;
- (c) 99.7% ar gyfer hadau C2.

(4) Yn achos C1 ac C2 rhaid i burdeb dadansoddol yr hadau fod yn 99% yn ôl pwysau.

Gofynion ychwanegol ar gyfer haid, gwenith, gwenith caled a gwenith yr Almaen

17. Yn achos haid, gwenith, gwenith caled a gwenith yr Almaen—

- (a) y nifer mwyaf o geirch gwyllt mewn cnwd fydd 7 am bob hectar.
- (b) y ganran fwyaf yn ôl nifer o'r heintiad penddu mewn hadau fydd—
 - (i) 0.1% ar gyfer hadau sylfaenol;
 - (ii) 0.2% ar gyfer hadau C1 ac C2.

Hadau o blanhigion eraill

18. Rhaid i'r nifer o hadau o rywogaethau planhigion eraill mewn sampl o 1000g beidio â bod yn fwy na'r canlynol.

(3) The maximum moisture content must not exceed 17% by weight.

(4) Diseases and harmful organisms that reduce the usefulness of the seed must be at the lowest possible level.

CHAPTER 2

Higher voluntary standards

Higher voluntary standards for cereals

16.—(1) Barley, oats, wheat (including durum wheat and spelt wheat) or naked oats classified as basic seed, or certified seed of categories C1 or C2, may be marketed as being of a higher voluntary standard, which is a standard higher than that regulated under Chapter 1, if it meets the higher standards in this Chapter.

(2) The crop must have at least 99.99% (by number) species purity.

(3) Other than a hybrid, the minimum varietal purity of seed is—

- (a) 99.95% for basic seed;
- (b) 99.9% for C1 seed;
- (c) 99.7% for C2 seed.

(4) In the case of C1 and C2 the seed must have 99% by weight analytical purity.

Additional requirements for barley, wheat, durum wheat and spelt wheat

17. In the case of barley, wheat, durum wheat and spelt wheat—

- (a) the maximum number of wild oats in a crop is 7 per hectare.
- (b) the maximum percentage by number of loose smut infection in seed is—
 - (i) 0.1% for basic seed;
 - (ii) 0.2% for C1 and C2 seed.

Seed from other plants

18. The number of seeds from other plant species in a sample of 1000g must not exceed the following.

Hadau o rywogaethau eraill

<i>Categori o hadau a samplwyd</i>	<i>Pob rywogaeth arall o blanhigion (gan gynnwys rywogaethau a bennir yng ngholofnau 3 i 6)</i>	<i>Rhywogaethau yd eraill</i>	<i>Pob rywogaeth o blanhigion ac eithrio ydau</i>	<i>Ceirch gwyllt neu efrau</i>	<i>Rhuddygl gwyllt, bulwg yr yd, pawrwellt anhiliog neu farchwellt</i>
Hadau sylfaenol	1	0	1	0	0 ^(a)
C1	2	1	1	0	1
C2	4	3	2	0	1

^(a) Mewn perthynas â rhuddygl gwyllt a bulwg yr yd yn unig.

Seed of other species

<i>Category of seed sampled</i>	<i>All other plant species (including species specified in columns 3 to 6)</i>	<i>Other cereal species</i>	<i>All plant species other than cereals</i>	<i>Wild oats or darnel</i>	<i>Wild radish, corn cockle, sterile brome or couch</i>
Basic seed	1	0	1	0	0 ^(a)
C1	2	1	1	0	1
C2	4	3	2	0	1

^(a) Only in respect of wild radish and corn cockle.

Mallryg a sglerotia

19. Mewn sampl o 1000g—
- (a) yn achos hadau sylfaenol, rhaid bod dim mallryg na sglerotia;
 - (b) yn achos hadau ardystiedig (C1 neu C2) rhaid bod dim mwy nag un darn o fallryg neu sglerotia.

RHAN 3

Planhigion porthiant

PENNOD 1

Safonau sylfaenol

Cwmpas Rhan 3

20. Mae'r Rhan hon yn rheoleiddio'r mathau o blanhigion porthiant yn Atodlen 1.

Mathau a ganiateir o hadau porthiant

- 21.—(1) Rhaid i hadau porthiant fod yn—
- (a) hadau cyn-sylfaenol;
 - (b) hadau sylfaenol;
 - (c) hadau ardystiedig;
 - (ch) hadau ardystiedig, cenhedlaeth gyntaf;
 - (d) hadau ardystiedig, ail genhedlaeth;
 - (dd) hadau masnachol; neu
 - (e) hadau o safon wirfoddol uwch.

(2) Caiff yr hadau fod yn gymysgedd o rywogaethau porthiant o wahanol amrywogaethau ar yr amod bod pob amrywogaeth yn y cymysgedd wedi ei hardystio.

Ystyr "hadau cyn-sylfaenol"

22. Hadau cyn-sylfaenol yw hadau—
- (a) a gynhyrchwyd o genhedlaeth gynharach na hadau cyn-sylfaenol gan, neu o dan gyfrifoldeb, y bridwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; a
 - (b) a fwriedir ar gyfer cynhyrchu—
 - (i) rhagor o hadau cyn-sylfaenol;
 - (ii) hadau sylfaenol; neu
 - (iii) gydag awdurdod ysgrifenedig y bridwr, hadau ardystiedig CS, C1 neu C2.

Ergot and sclerotia

19. In a sample of 1000g—
- (a) in the case of basic seed there must be no ergot or sclerotia;
 - (b) in the case of certified seed (C1 or C2) there must be no more than one piece of ergot or sclerotia.

PART 3

Fodder plants

CHAPTER 1

Basic standards

Scope of Part 3

20. This Part regulates the types of fodder plants in Schedule 1.

Permitted types of fodder seed

- 21.—(1) Fodder seed must be—
- (a) pre-basic seed;
 - (b) basic seed;
 - (c) certified seed;
 - (d) certified seed, first generation;
 - (e) certified seed, second generation;
 - (f) commercial seed; or
 - (g) seed of a higher voluntary standard.

(2) The seed may be a mixture of fodder species of different varieties provided that each variety in the mixture is certified.

Meaning of "pre-basic seed"

22. Pre-basic seed is seed—
- (a) produced from a generation prior to pre-basic seed by or under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; and
 - (b) intended for the production of—
 - (i) more pre-basic seed;
 - (ii) basic seed; or
 - (iii) with the breeder's written authority, certified seed CS, C1 or C2.

Ystyr "hadau sylfaenol"

- 23.—(1) Hadau sylfaenol yw hadau—
- (a) amrywogaethau a fridiwyd; neu
 - (b) amrywogaethau lleol.
- (2) Hadau amrywogaethau a fridiwyd yw hadau—
- (a) a gynhyrchwyd o dan gyfrifoldeb y bridwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth;
 - (b) a fwriedir ar gyfer cynhyrchu hadau ardystiedig.
- (3) Hadau amrywogaethau lleol yw hadau—
- (a) a gynhyrchwyd o dan reolaeth swyddogol, allan o ddeunydd y derbyniwyd ei fod o'r amrywogaeth leol, ar un neu ragor o ddaliadau o fewn rhanbarth tarddiad y diffiniwyd ei derfynau yn eglur;
 - (b) a fwriedir ar gyfer cynhyrchu hadau ardystiedig.

Ystyr "hadau ardystiedig"

24. Hadau ardystiedig yw hadau (ac eithrio ffa'r maes, pys y maes, maglys rhuddlas (*Medicago sativa*), bysedd-y-blaidd a ffabys)—
- (a) sydd wedi eu cynhyrchu yn uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; ac
 - (b) a fwriedir at ddibenion ac eithrio cynhyrchu hadau.

Ystyr "hadau ardystiedig, cenhedlaeth gyntaf"

25. Hadau ardystiedig, cenhedlaeth gyntaf mewn perthynas â ffa'r maes, pys y maes, maglys rhuddlas (*Medicago sativa*) bysedd-y-blaidd a ffabys yw hadau—
- (a) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; a
 - (b) a fwriedir ar gyfer—
 - (i) cynhyrchu hadau ardystiedig, ail genhedlaeth (yn achos ffa'r maes a phys y maes yn unig); neu
 - (ii) dibenion ac eithrio cynhyrchu hadau (ym mhob achos).

Ystyr "hadau ardystiedig, ail genhedlaeth"

26. Hadau ardystiedig, ail genhedlaeth mewn perthynas â ffa'r maes, pys y maes, maglys rhuddlas (*Medicago sativa*) bysedd-y-blaidd a ffabys yw hadau—
- (a) sydd wedi eu cynhyrchu'n uniongyrchol o

Meaning of "basic seed"

- 23.—(1) Basic seed is seed of—
- (a) bred varieties; or
 - (b) local varieties.
- (2) Seed of bred varieties is seed—
- (a) produced under the responsibility of the breeder according to well-defined practices for the maintenance of the variety;
 - (b) intended for the production of certified seed.
- (3) Seed of local varieties is seed—
- (a) produced under official control from material officially accepted as being of the local variety on one or more holdings situated within a clearly demarcated region of origin;
 - (b) intended for the production of certified seed.

Meaning of "certified seed"

24. Certified seed is seed (other than of field beans, field peas, lucerne (*Medicago sativa*), lupins and vetches)—
- (a) produced directly from basic seed or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
 - (b) intended for purposes other than the production of seed.

Meaning of "certified seed, first generation"

25. Certified seed, first generation in relation to field beans, field peas, lucerne (*Medicago sativa*), lupins and vetches is seed—
- (a) produced directly from basic seed or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
 - (b) intended for—
 - (i) the production of certified seed, second generation (in the case of field beans and field peas only); or
 - (ii) purposes other than the production of seed (in all cases).

Meaning of "certified seed, second generation"

26. Certified seed, second generation in relation to field beans, field peas, lucerne (*Medicago sativa*), lupins and vetches is seed—
- (a) produced directly from basic seed, from

hadau sylfaenol, o hadau ardystiedig, cenhedlaeth gyntaf (C1), neu, os gofynnir felly gan y bridwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; a

- (b) a fwriedir at ddibenion ac eithrio cynhyrchu hadau planhigion porthiant.

Ystyr "hadau masnachol"

27. Hadau masnachol yw hadau gweunwellt unflwydd, ffacbys Hwngari neu'r godog, y gellir eu hadnabod fel rhai sy'n perthyn i rywogaeth.

Gofynion cnydau a hadau

28.—(1) Rhaid i archwiliadau o'r cnydau gan arolygwyr cnydau swyddogol neu drwyddedig gael eu cynnal yn unol ag Erthygl 2(3)(A) o Gyfarwyddeb y Cyngor 66/401/EEC ar farchnata hadau planhigion porthiant(1) ac Atodiad I i'r Gyfarwyddeb honno, a rhaid i'r cnwd fodloni'r amodau yn yr Atodiad hwnnw.

(2) Rhaid i'r hadau a gynhyrchir gan y cnwd gael eu samplu yn unol ag Atodiad III i'r Gyfarwyddeb honno, a rhaid iddynt fodloni'r amodau yn Atodiad II i'r Gyfarwyddeb honno.

(3) Rhaid i glefydau ac organebau niweidiol sy'n lleihau defnyddioldeb yr hadau fod ar y lefel isaf bosibl.

PENNOD 2

Safonau gwirfoddol uwch

Safonau gwirfoddol uwch ar gyfer hadau porthiant

29. Yn achos troed y ceiliog, festulolium, rhygwellt hybrid, rhygwellt yr Eidal, maglys rhuddlas, peiswellt, rhygwellt parhaol, meillion coch, peiswellt coch, y godog, rhonwellt bach, rhonwellt, gweunwellt llyfn, peiswellt tal a meillion gwyn, ceir marchnata hadau ardystiedig (CS) fel hadau ardystiedig o safon wirfoddol uwch.

Safonau gofynnol o ran purdeb a rhywogaethau eraill o hadau yn y sampl

30. Rhaid i'r sampl a gymerir o dan baragraff 28(2) at ddiben Cyfarwyddeb y Cyngor 66/401/EEC gyrraedd y safonau gofynnol a bennir yn y tabl canlynol.

certified seed, first generation (C1) or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and

- (b) intended for purposes other than the production of seed of fodder plants.

Meaning of "commercial seed"

27. Commercial seed is seed of annual meadowgrass, Hungarian vetch or sainfoin that is identifiable as belonging to a species.

Crop and seed requirements

28.—(1) Crop inspections by official or licensed crop inspectors must be carried out in accordance with Article 2(3)(A) of, and Annex I to, Council Directive 66/401/EEC on the marketing of fodder plant seed(1), and the crop must satisfy the conditions in that Annex.

(2) The seed produced by the crop must be sampled in accordance with Annex III to that Directive, and must satisfy the conditions in Annex II to that Directive.

(3) Diseases and harmful organisms that reduce the usefulness of the seed must be at the lowest possible level.

CHAPTER 2

Higher voluntary standards

Higher voluntary standards for fodder seed

29. In the case of cocksfoot, festulolium, hybrid ryegrass, Italian ryegrass, Lucerne, meadow fescue, perennial ryegrass, red clover, red fescue, sainfoin, small timothy, timothy, smooth stalked meadow grass, tall fescue and white clover, certified seed (CS) may be marketed as certified seed of a higher voluntary standard.

Minimum standards for purity and other species of seed in the sample

30. The sample taken under paragraph 28(2) for the purpose of Council Directive 66/401/EEC must have the minimum standards set out in the following table.

(1) OJ Rhif L 125, 11.7.1966, t. 2298, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).

(1) OJ No L 125, 11.7.1966, p. 2298, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).

<i>Pennawd colofn</i>	<i>Purdeb dadansoddol gofynnol (% yn ôl pwysau)</i>	<i>Cyfanswm pwysau'r holl rywogaethau eraill (% yn ôl pwysau)</i>	<i>Cyfanswm pwysau un rywogaeth unigol arall (% yn ôl pwysau)</i>	<i>Hadau Rumex spp ac eithrio R acetosella ac R maritimus</i>	<i>Hadau marchwellt</i>	<i>Hadau cynffonwellt du</i>	<i>Terfynau ar gyfer rhywogaethau penodol eraill</i>
Glaswelltau meinddail							
festulolium	98	1.5	0	0	10	0	
peiswellt coch	95	1.5	0.5	5	10	10	Ni chaiff y sampl gynnwys mwy na phedwar hedyn o rygwellt, troed y ceiliog, peiswellt a 0.3% gweunwellt garw
gweunwellt llyfn	90	1.5	0.5	2	3	3	Uchafswm o 0.4% yn ôl pwysau o hadau gweunwelltau eraill
Glaswelltau porthiant							
troed y ceiliog	90	1.5	0.5	5	10	10	
peiswellt, peiswellt tal	98	1.5	0.5	5	10	10	0.3% gweunwellt garw, 0.3% rygwellt
rygwellt hybrid, rygwellt yr Eidal, rygwellt parhaol	98	1.5	0.5	5	10	10	0.4% gweunwellt unflwydd, 0.3% gweunwellt garw
rhonwellt bach, rhonwellt	98	1.5	0.5	4	10	10	0.3% <i>Agrostis spp</i>
Codlysiâu hadau bach							
maglys rhuddlas, meillion coch, meillion gwyn	98	1.5	0.5	10	10	10	0.3% <i>Melilotus spp</i>
y godog	98	1.5	0.5	5	10	10	0.3% <i>Melilotus spp</i>

<i>Column header</i>	<i>Minimum analytical purity (% by weight)</i>	<i>Total weight of all other species (% by weight)</i>	<i>Total weight of a single other species (% by weight)</i>	<i>Seed of Rumex acetosella and R maritimus</i>	<i>Seed of couch</i>	<i>Seed of blackgrass</i>	<i>Limits of other specific species</i>
Fine grasses							
festulolium	98	1.5	0	0	10	0	
red fescue	95	1.5	0.5	5	10	10	The sample must have no more than four seeds ryegrass, cocksfoot, meadow fescue and 0.3% rough stalked meadow grass
smooth-stalked meadowgrass	90	1.5	0.5	2	3	3	Maximum of 0.4% by weight of seed of other meadow grass
Fodder grasses							
cocksfoot	90	1.5	0.5	5	10	10	
meadow fescue, tall fescue	98	1.5	0.5	5	10	10	0.3% rough stalked meadow grass, 0.3% ryegrass
hybrid ryegrass, Italian ryegrass, perennial ryegrass	98	1.5	0.5	5	10	10	0.4% annual meadowgrass, 0.3% rough stalked meadow grass
small timothy, timothy	98	1.5	0.5	4	10	10	0.3% <i>Agrostis spp</i>
Small seeded legumes							
lucerne, red clover, white clover	98	1.5	0.5	10	10	10	0.3% <i>Melilotus spp</i>
sainfoin	98	1.5	0.5	5	10	10	0.3% <i>Melilotus spp</i>

RHAN 4

Olew a ffibr

Cwmpas Rhan 4

31. Mae'r Rhan hon yn rheoleiddio'r mathau o blanhigion olew a ffibr yn Atodlen 1.

Mathau a ganiateir o hadau olew a ffibr

32. Rhaid i hadau olew a ffibr fod yn—
- (a) hadau cyn-sylfaenol;
 - (b) hadau sylfaenol;
 - (c) hadau ardystiedig;
 - (ch) hadau ardystiedig, cenhedlaeth gyntaf;
 - (d) hadau ardystiedig, ail genhedlaeth;
 - (dd) hadau ardystiedig, trydedd genhedlaeth; neu
 - (e) hadau masnachol.

Ystyr "hadau cyn-sylfaenol"

33.—(1) "Hadau cyn-sylfaenol" yw hadau cenhedlaeth gynharach na hadau sylfaenol—

- (a) sydd wedi eu cynhyrchu gan, neu o dan gyfrifoldeb, y bridiwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth, a
- (b) a fwriedir i'w defnyddio i gynhyrchu mwy o hadau cyn-sylfaenol, hadau sylfaenol, neu, gydag awdurdod ysgrifenedig y bridiwr—
 - (i) yn achos mwstard du, mwstard brown, cywarch deuoecaidd, blodau'r haul, rêp swêds, rêp maip, neu fwstard gwyn, hadau CS;
 - (ii) yn achos cywarch monoecaidd neu ffa soia, hadau C1 neu C2;
 - (iii) yn achos llin neu had llin, hadau C1, C2 neu C3.

(2) Ond mewn perthynas â chydran mewn amrywogaeth hybrid, ystyr "hadau cyn-sylfaenol" yw hadau o genhedlaeth gynharach na hadau sylfaenol, a fwriedir i'w defnyddio i gynhyrchu—

- (a) rhagor o hadau cyn-sylfaenol;
- (b) hadau sylfaenol; neu
- (c) gydag awdurdod ysgrifenedig y bridiwr, hadau CS.

Ystyr "hadau sylfaenol" ar gyfer amrywogaethau nad ydynt yn hybridiau

34. Yn achos amrywogaeth nad yw'n hybrid, hadau sylfaenol yw hadau—

- (a) a gynhyrchwyd o dan gyfrifoldeb y bridiwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer

PART 4

Oil and fibre

Scope of Part 4

31. This Part regulates the types of oil and fibre plants in Schedule 1.

Permitted types of oil and fibre seed

32. Oil and fibre seed must be—
- (a) pre-basic seed;
 - (b) basic seed;
 - (c) certified seed;
 - (d) certified seed, first generation;
 - (e) certified seed, second generation;
 - (f) certified seed, third generation; or
 - (g) commercial seed.

Meaning of "pre-basic seed"

33.—(1) "Pre-basic seed" is seed of a generation prior to basic seed—

- (a) that has been produced by or under the responsibility of the breeder according to well-defined practices for the maintenance of the variety, and
- (b) intended to be used for the production of more pre-basic seed, basic seed, or with the breeder's written authority—
 - (i) in the case of black mustard, brown mustard, dioecious hemp, sunflower, swede rape, turnip rape or white mustard, CS seed;
 - (ii) in the case of monoecious hemp or soya bean, C1 or C2 seed;
 - (iii) in the case of flax or linseed, C1, C2 or C3 seed.

(2) But in relation to a component of a hybrid variety, "pre-basic seed" means seed of a generation prior to basic seed that is intended to be used for the production of—

- (a) more pre-basic seed;
- (b) basic seed; or
- (c) with the breeder's written authority, CS seed.

Meaning of "basic seed" for non-hybrid varieties

34. In the case of a non-hybrid variety, basic seed is seed—

- (a) produced under the responsibility of the breeder according to well-defined practices for

cynnal yr amrywogaeth;

- (b) a fwriedir ar gyfer cynhyrchu—
- (i) hadau ardystiedig,
 - (ii) hadau ardystiedig, cenhedlaeth gyntaf,
 - (iii) hadau ardystiedig, ail genhedlaeth; neu
 - (iv) hadau ardystiedig, trydedd genhedlaeth.

Ystyr "hadau sylfaenol" ar gyfer llinellau mewnfrid

35. Yn achos llinell fewnfrid, hadau sylfaenol yw hadau llinell fewnfrid o hybrid, sy'n bodloni'r amodau ar gyfer hadau sylfaenol.

Ystyr "hadau sylfaenol" ar gyfer hybridiau syml

36. Yn achos hybrid syml, hadau sylfaenol yw hadau a fwriedir ar gyfer cynhyrchu hybridiau.

Ystyr "hadau ardystiedig"

37. Hadau ardystiedig yw hadau mwstard du, mwstard Tsieina, mwstard gwyn, cywarch deuoceaid, blodau'r haul, rêp swêds neu rêp maip—

- (a) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridiwr, o genhedlaeth gynharach na hadau sylfaenol, sy'n bodloni'r amodau ar gyfer hadau sylfaenol;
- (b) a fwriedir at ddibenion ac eithrio cynhyrchu hadau planhigion olew neu ffibr.

Ystyr "hadau ardystiedig, cenhedlaeth gyntaf"

38. Hadau ardystiedig, cenhedlaeth gyntaf yw hadau cywarch monoecaidd, llin, had llin neu soia—

- (a) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridiwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol;
- (b) a fwriedir ar gyfer cynhyrchu naill ai—
 - (i) hadau ardystiedig, ail genhedlaeth;
 - (ii) pan fo'n briodol, hadau ardystiedig, trydedd genhedlaeth; neu
 - (iii) at ddibenion ac eithrio cynhyrchu hadau planhigion olew neu ffibr.

Ystyr "hadau ardystiedig, ail genhedlaeth"

39.—(1) Hadau ardystiedig, ail genhedlaeth yw hadau llin, had llin, soia neu gywarch monoecaidd.

- (2) Yn achos llin, had llin a soia, maent yn hadau—
- (a) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol, o hadau ardystiedig o'r genhedlaeth gyntaf, neu, os gofynnir felly gan y bridiwr, o hadau cyn-sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol; a

the maintenance of the variety;

- (b) intended for the production of—
- (i) certified seed,
 - (ii) certified seed, first generation,
 - (iii) certified seed, second generation; or
 - (iv) certified seed, third generation.

Meaning of "basic seed" for inbred lines

35. In the case of an inbred line, basic seed is seed of an inbred line of a hybrid that satisfies the conditions for basic seed.

Meaning of "basic seed" for simple hybrids

36. In the case of a simple hybrid, basic seed is seed intended for the production of hybrids.

Meaning of "certified seed"

37. Certified seed is seed of black, brown and white mustard, dioecious hemp, sunflower, swede rape or turnip rape—

- (a) produced directly from basic seed or, if the breeder so requests, from seed of a generation prior to basic seed that satisfies the conditions for basic seed;
- (b) intended for purposes other than the production of seed of oil or fibre plants.

Meaning of "certified seed, first generation"

38. Certified seed, first generation is seed of monoecious hemp, flax, linseed or soya—

- (a) produced directly from basic seed or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed;
- (b) intended either for the production of—
 - (i) certified seed, second generation;
 - (ii) where appropriate, certified seed, third generation; or
 - (iii) for purposes other than the production of seed of oil or fibre plants.

Meaning of "certified seed, second generation"

39.—(1) Certified seed, second generation is seed of flax, linseed, soya or monoecious hemp.

- (2) In the case of flax, linseed, soya, it is seed—
- (a) produced directly from basic seed, from certified seed of the first generation or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and

- (b) a fwriedir—
 - (i) at ddibenion ac eithrio cynhyrchu hadau, neu,
 - (ii) pan fo'n briodol, cynhyrchu hadau ardystiedig, trydedd genhedlaeth.

(3) Yn achos cywarch monoceaidd, maent yn hadau—

- (a) sydd wedi eu cynhyrchu'n uniongyrchol o hadau ardystiedig o'r genhedlaeth gyntaf, a sefydlwyd ac a reolwyd yn swyddogol gyda golwg ar gynhyrchu hadau ardystiedig o'r ail genhedlaeth; a
- (b) a fwriedir ar gyfer cynhyrchu cywarch sydd i'w gynaeafu yn ei flodau.

Ystyr "hadau ardystiedig, trydedd genhedlaeth"

40. Hadau ardystiedig, trydedd genhedlaeth yw hadau o lin neu had llin—

- (a) sy'n ddisgynyddion uniongyrchol hadau sylfaenol, hadau ardystiedig o'r genhedlaeth gyntaf neu'r ail neu, os gofynnir felly gan y bridwr, o hadau o genhedlaeth gynharach na hadau sylfaenol; a
- (b) a fwriedir at ddibenion ac eithrio cynhyrchu hadau.

Ystyr "hadau masnachol"

41. Hadau masnachol (hadau mwstard du yn unig) yw hadau y gellir eu hadnabod fel rhai sy'n perthyn i rywogaeth.

Gofynion cnydau a hadau

42.—(1) Rhaid i archwiliadau o'r cnydau gan arolygwyr cnydau swyddogol neu drwyddedig gael eu cynnal yn unol ag Erthygl 2(5)(A) o Gyfarwyddeb y Cyngor 2002/57/EC ar farchnata hadau planhigion olew a ffibr(1) ac Atodiad I i'r Gyfarwyddeb honno, a rhaid i'r cnwd fodloni'r amodau yn yr Atodiad hwnnw.

(2) Rhaid i'r hadau a gynhyrchir gan y cnwd gael eu samplu yn unol ag Atodiad III i'r Gyfarwyddeb honno, a rhaid iddynt fodloni'r amodau yn Atodiad II i'r Gyfarwyddeb honno.

(3) Rhaid i glefydau ac organebau niweidiol sy'n lleihau defnyddioldeb yr hadau fod ar y lefel isaf bosibl.

Gofynion ar gyfer uniad amrywogaethol

43.—(1) Rhaid i hadau sy'n cael eu marchnata fel uniad amrywogaethol gydymffurfio â'r paragraff hwn.

(2) Rhaid i'r uniad amrywogaethol fod yn uniad rhwng hadau CS ardystiedig amrywogaeth hybrid

(b) intended for—

- (i) purposes other than the production of seed or,
- (ii) where appropriate, the production of certified seed, third generation seed.

(3) In the case of monoecious hemp it is seed—

- (a) produced directly from certified seed of the first generation established and officially controlled with a view to the production of certified seed of the second generation; and
- (b) intended for the production of hemp to be harvested in flower.

Meaning of "certified seed, third generation"

40. Certified seed, third generation is seed from flax or linseed—

- (a) of direct descent from basic seed, from certified seed of the first or second generation or, if the breeder so requests, from seed of a generation prior to basic seed; and
- (b) intended for purposes other than the production of seed.

Meaning of "commercial seed"

41. Commercial seed (black mustard seed only) is seed that is identifiable as belonging to a species.

Crop and seed requirements

42.—(1) Crop inspections by official or licensed crop inspectors must be carried out in accordance with Article 2(5)(A) of, and Annex I to, Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants(1), and the crop must satisfy the conditions in that Annex.

(2) The seed produced by the crop must be sampled in accordance with Annex III to that Directive and must satisfy the conditions in Annex II to that Directive.

(3) Diseases and harmful organisms that reduce the usefulness of the seed must be at the lowest possible level.

Requirements for a varietal association

43.—(1) Seed marketed as a varietal association must comply with this paragraph.

(2) The varietal association must be an association of certified CS seed of a specified pollinator-dependant

(1) OJ Rhif L 193, 20.7.2002, t.74, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t.40).

(1) OJ No L 193, 20.7.2002, p.74, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p.40).

peillydd-ddibynnol benodedig, a hadau CS ardystiedig un neu ragor o amrywogaethau peillydd penodedig, a rhaid i'r ddau fath o hadau fod wedi eu derbyn ar Restr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin.

(3) Rhaid i hadau'r cydrannau benyw a gwryw mewn uniad amrywogaethol fod wedi eu trin gan ddefnyddio sylweddau trin hadau o liwiau gwahanol.

(4) Rhaid cyfuno'r hadau yn fecanyddol yn y cyfrannau a benderfynwyd ar y cyd gan y personau sy'n gyfrifol am gynnal y cydrannau dan sylw.

(5) Rhaid hysbysu Gweinidogion Cymru o'r cyfrannau hyn, gan y person sy'n gyfrifol am gynnal yr hybrid peillydd-ddibynnol a'r peillyddion sydd o fewn yr uniad amrywogaethol.

(6) Yn y paragraff hwn—

- (a) ystyr "hybrid peillydd-ddibynnol" ("*pollinator-dependent hybrid*") yw'r gydran wryw-anhiliog o fewn yr uniad amrywogaethol (y gydran fenyw);
- (b) ystyr "peillydd" ("*pollinator*") yw cydran sy'n gollwng pail o fewn uniad amrywogaethol.

RHAN 5

Llysiau

Cwmpas Rhan 5

44. Mae'r Rhan hon yn rheoleiddio'r mathau o llysiau yn Atodlen 1.

Mathau a ganiateir o hadau llysiau

45. Rhaid i hadau llysiau fod yn—

- (a) hadau cyn-sylfaenol;
- (b) hadau sylfaenol; neu
- (c) hadau ardystiedig; neu
- (ch) hadau safonol.

(2) Caiff yr hadau fod yn gymysgedd o wahanol amrywogaethau o'r un rhywogaeth o llysiau, ar yr amod bod pob amrywogaeth yn y cymysgedd yn hadau safonol.

Ystyr "hadau cyn-sylfaenol"

46. Hadau cyn-sylfaenol yw hadau—

- (a) a gynhyrchwyd o genhedlaeth gynharach na hadau cyn-sylfaenol gan, neu o dan gyfrifoldeb, y bridwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth; a
- (b) a fwriedir ar gyfer cynhyrchu—
 - (i) rhagor o hadau cyn-sylfaenol;
 - (ii) hadau sylfaenol; neu

hybrid variety with certified CS seed of one or more specified pollinator varieties both of which have been accepted on to the United Kingdom National List or the Common Catalogue.

(3) The seed of the female and male components of a varietal association must have been dressed using seed dressings of different colours.

(4) The seed must be mechanically combined in the proportions jointly determined by the persons responsible for the maintenance of these components.

(5) The proportions must be notified to the Welsh Ministers by the person responsible for the maintenance of the pollinator-dependent hybrid and pollinators within the varietal association.

(6) In this paragraph—

- (a) "pollinator-dependent hybrid" ("*hybrid peillydd-ddibynnol*") means the male-sterile component within the varietal association (female component);
- (b) "pollinator" ("*peillydd*") means a component shedding pollen within a varietal association.

PART 5

Vegetables

Scope of Part 5

44. This Part regulates the types of vegetables in Schedule 1.

Permitted types of vegetable seed

45.—(1) Vegetable seed must be—

- (a) pre-basic seed;
- (b) basic seed;
- (c) certified seed; or
- (d) standard seed.

(2) The seed may be a mixture of different varieties of the same vegetable species provided that each variety in the mixture is standard seed.

Meaning of "pre-basic seed"

46. Pre-basic seed is seed—

- (a) produced from a generation prior to pre-basic seed by or under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; and
- (b) intended for the production of—
 - (i) more pre-basic seed;
 - (ii) basic seed; or

(iii) gydag awdurdod ysgrifenedig y bridwr, hadau ardystiedig.

(iii) with the breeder's written authority, certified seed.

Ystyr "hadau sylfaenol"

47.—(1) Hadau sylfaenol yw hadau—

- (a) a gynhyrchwyd o dan gyfrifoldeb y bridwr yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth;
- (b) a fwriedir ar gyfer cynhyrchu hadau ardystiedig.

(2) Er mwyn osgoi amheuaeth, mae hyn yn cynnwys hadau y bwriedir iddynt fod yn gydran o amrywogaeth hybrid o lysieuyn.

Ystyr "hadau ardystiedig"

48. Hadau ardystiedig yw hadau—

- (a) sydd wedi eu cynhyrchu'n uniongyrchol o hadau sylfaenol neu, os gofynnir felly gan y bridwr, o genhedlaeth gynharach na hadau sylfaenol sy'n bodloni'r amodau ar gyfer hadau sylfaenol;
- (b) a fwriedir yn bennaf ar gyfer cynhyrchu llysiau.

Ystyr "hadau safonol"

49. Hadau safonol yw hadau a fwriedir yn bennaf ar gyfer cynhyrchu llysiau, ac sydd wedi eu cymeradwyo gan Weinidogion Cymru fel hadau sydd â phurdeb amrywogaethol a hunaniaeth amrywogaethol digonol.

Gofynion cnydau a hadau

50.—(1) Rhaid i archwiliadau o'r cnydau gan arolygwyr cnydau swyddogol neu drwyddedig gael eu cynnal yn unol ag Erthygl 2(4)(A) o Gyfarwyddeb y Cyngor 2002/55/EC ar farchnata hadau llysiau(1) ac Atodiad I i'r Gyfarwyddeb honno, a rhaid i'r cnwd fodloni'r amodau yn yr Atodiad hwnnw.

(2) Rhaid i'r hadau a gynhyrchir gan y cnwd gael eu samplu yn unol ag Erthygl 25 o'r Gyfarwyddeb honno ac Atodiad III iddi, a rhaid iddynt fodloni'r amodau yn Atodiad II i'r Gyfarwyddeb honno.

(3) Nid yw is-baragraff (1) yn gymwys yn achos hadau safonol.

(4) Rhaid i glefydau ac organebau niweidiol sy'n lleihau defnyddioldeb yr hadau fod ar y lefel isaf bosibl.

(5) Ar ôl eu marchnata, mae hadau llysiau yn ddarostyngedig i reolaeth gan Weinidogion Cymru, o ran hunaniaeth amrywogaethol a phurdeb amrywogaethol.

Meaning of "basic seed"

47.—(1) Basic seed is seed—

- (a) produced under the responsibility of the breeder according to well-defined practices for the maintenance of the variety;
- (b) intended for the production of certified seed.

(2) For the avoidance of doubt this includes seeds intended as a component of a hybrid variety of vegetable.

Meaning of "certified seed"

48. Certified seed is seed—

- (a) produced directly from basic seed or, if the breeder so requests, from seed of a generation prior to basic seed that satisfies the conditions for basic seed;
- (b) intended mainly for the production of vegetables.

Meaning of "standard seed"

49. Standard seed is seed that is intended mainly for the production of vegetables and has been approved by the Welsh Ministers as having sufficient varietal purity and varietal identity.

Crop and seed requirements

50.—(1) Crop inspections by official or licensed crop inspectors must be carried out in accordance with Article 2(4)(A) of, and Annex I to, Council Directive 2002/55/EC on the marketing of vegetable seed(1), and the crop must satisfy the conditions in that Annex.

(2) The seed produced by the crop must be sampled in accordance with Article 25 of, and Annex III to, that Directive and must satisfy the conditions in Annex II to that Directive.

(3) Sub-paragraph (1) does not apply in the case of standard seed.

(4) Diseases and harmful organisms that reduce the usefulness of the seed must be at the lowest possible level.

(5) After marketing, vegetable seed is subject to control by the Welsh Ministers for varietal identity and varietal purity.

(1) OJ Rhif L 193, 20.7.2002, t. 33, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).

(1) OJ No L 193, 20.7.2002, p. 33, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).

ATODLEN 3

Rheoliadau 16 a 17

Labelu a gwerthiannau rhydd

CYNNWYS

RHAN 1

Cyflwyniad

1. Mathau o labeli
2. Amser labelu
3. Amrywogaethau a addaswyd yn enetig
4. Trin hadau â chemegion

RHAN 2

Labeli swyddogol

5. Labeli swyddogol: gofynion cyffredinol
6. Labeli swyddogol ar gyfer hadau cyn-sylfaenol
7. Labeli swyddogol ar gyfer hadau sylfaenol a hadau ardystiedig
8. Labeli swyddogol ar gyfer hadau masnachol sydd heb eu hardystio o ran amrywogaeth
9. Labelu cymysgeddau

RHAN 3

Gofynion ychwanegol ynghylch labeli swyddogol ar gyfer rhywogaethau penodol

10. Cyflwyniad
11. Gofynion ychwanegol ar gyfer hadau betys
12. Gofynion ychwanegol ar gyfer hadau yd
13. Gofynion ychwanegol ar gyfer hadau porthiant
14. Gofynion ychwanegol ar gyfer hadau olew a ffibr

RHAN 4

Labeli cyflenwr

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16. Labelu pecyn
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SCHEDULE 3

Regulations 16 and 17

Labelling and loose sales

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RHAN 5

Gwerthiannau o hadau rhydd

26. Gwerthiannau o hadau rhydd

PART 5

Sales of loose seed

26. Sales of loose seed

RHAN 1

Cyflwyniad

Mathau o labeli

1.—(1) Mae dau fath o label ar gyfer hadau, sef labeli swyddogol a labeli cyflenwr.

(2) Rhaid defnyddio label cyflenwr ar becyn o hadau bridwr, a chaniateir ei ddefnyddio ar becyn bach o hadau fel a bennir yn Rhan 4 o'r Atodlen hon ac ar becyn o hadau llysiau safonol o unrhyw faint.

(3) Rhaid defnyddio label swyddogol ar unrhyw becyn arall o hadau.

Amser labelu

2. Rhaid labelu pecyn ar yr adeg y caiff ei selio.

Amrywogaethau a addaswyd yn enetig

3. Os yw amrywogaeth wedi ei haddasu yn enetig, rhaid datgan hynny ar y label.

Trin hadau â chemegion

4. Os rhoddwyd unrhyw driniaeth gemegol i hadau, rhaid datgan y ffaith honno ar y label, a natur y driniaeth neu enw perchnogol y cemegyn a ddefnyddiwyd.

PART 1

Introduction

Types of label

1.—(1) There are two types of label for seed, official labels and supplier's labels.

(2) A supplier's label must be used on a package of breeder's seed, and may be used on a small package of seed specified in Part 4 of this Schedule and on a package of standard vegetable seed of any size.

(3) An official label must be used on any other package of seed.

Time of labelling

2. A package must be labelled at the time of sealing.

Genetically modified varieties

3. If a variety has been genetically modified, this must be stated on the label.

Chemical treatment of seed

4. If seed has been subjected to any chemical treatment, this fact and the nature of the treatment or the proprietary name of the chemical used must be stated on the label.

RHAN 2

Labeli swyddogol

Labeli swyddogol: gofynion cyffredinol

5.—(1) Label swyddogol yw label a gyflenwir gan Weinidogion Cymru.

(2) Rhaid iddo fod ar y tu allan i'r pecyn.

(3) Rhaid iddo beidio â bod wedi ei ddefnyddio o'r blaen.

(4) Rhaid iddo fod naill ai'n adlynol neu wedi ei gysylltu gyda dyfais selio a gymeradwywyd gan Weinidogion Cymru.

(5) Rhaid iddo fod mewn un o ieithoedd swyddogol yr Undeb Ewropeaidd.

(6) Rhaid iddo fod yn 110 mm x 67 mm o leiaf.

(7) Rhaid iddo ddwyn rhif unigryw.

(8) Rhaid iddo gael ei osod ynghlwm wrth y pecyn gan swyddog awdurdodedig Gweinidogion Cymru, samplwr hadau trwyddedig neu unrhyw berson sy'n cael ei oruchwylio gan berson o'r fath.

(9) Fel rhanddirymiad o'r uchod, yn achos hadau ŷd, hadau porthiant a hadau olew a ffibr a ddsbarthwyd, ym mhob achos, fel CS, C1, C2 neu C3, ceir defnyddio'r bag cyfan fel y label, ar yr amod y gwneir hynny gyda chymeradwyaeth Gweinidogion Cymru a bod y bag o'r un lliw â'r lliw sy'n ofynnol ar gyfer y label.

Labeli swyddogol ar gyfer hadau cyn-sylfaenol

6.—(1) Rhaid i'r canlynol ymddangos ar label swyddogol ar hadau cyn-sylfaenol—

- (a) enw'r awdurdod ardstyio;
- (b) enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (c) rhif cyfeirnod y lot hadau;
- (ch) y wlad y'u cynhyrchwyd ynddi;
- (d) mis a blwyddyn y selio, a fynegir fel "sealed ..." (mis a blwyddyn);
- (dd) y rhywogaeth (rhaid defnyddio'r enw botanegol, y ceir ei roi yn ei ffurf gryno a heb gynnwys enwau'r awdurdodau, ac eithrio yn achos hadau betys neu lysiau, pryd y caniateir defnyddio'r enw cyffredin);
- (e) yr amrywogaeth;
- (f) y disgrifiad "pre-basic" neu "PB";
- (ff) y pwysau net neu gros datganedig neu'r nifer datganedig o hadau (neu, yn achos betys, y nifer datganedig o glystyrau neu hadau pur);
- (g) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid

PART 2

Official labels

Official labels: general requirements

5.—(1) An official label is a label supplied by the Welsh Ministers.

(2) It must be on the outside of the package.

(3) It must not have been previously used.

(4) It must be adhesive, or secured by a sealing device approved by the Welsh Ministers.

(5) It must be in one of the official languages of the European Union.

(6) It must be at least 110 mm x 67 mm.

(7) It must have a unique number.

(8) It must be fixed to the package by an authorised officer of the Welsh Ministers, a licensed seed sampler or any person being supervised by such a person.

(9) By way of derogation from the above, in the case of cereal seed, fodder seed and oil and fibre seed, classified in each case as CS, C1, C2 or C3, the whole bag may be used as the label, provided that this is done with the approval of the Welsh Ministers and the bag is the same colour as is required for the label.

Official labels for pre-basic seed

6.—(1) The following must appear on an official label on pre-basic seed—

- (a) the name of the certification authority;
- (b) the name or initials of the member State;
- (c) the reference number of the seed lot;
- (d) the country of production;
- (e) the month and year of sealing expressed as "sealed ..." (month and year);
- (f) the species (this must be the botanical name, which may be given in abridged form and without the authorities' names, except that, in the case of beet or vegetable seed, the common name may be used);
- (g) the variety;
- (h) the description "pre-basic" or "PB";
- (i) the declared net or gross weight or number of seeds (or, in the case of beet, the declared number of clusters or pure seed);
- (j) where granulated pesticides, pelleting substances or other solid additives are used,

eraill, natur yr ychwanegyn a bras amcan o'r gymhareb rhwng pwysau'r hadau a chyfanswm y pwysau (neu, yn achos betys, y gymhareb rhwng pwysau'r hadau pur a chyfanswm y pwysau);

(ng) nifer y cenedlaethau a ragflaenodd y categori "hadau ardystiedig (CS)" neu "hadau ardystiedig cenedlaeth gyntaf (C1)".

(2) Rhaid i'r label fod yn wyn, gyda streipen groeslinol fioled ar ei draws.

Labeli swyddogol ar gyfer hadau sylfaenol a hadau ardystiedig

7.—(1) Rhaid i'r canlynol ymddangos ar label swyddogol ar hadau ardystiedig—

- (a) y geiriau "EU Rules and standards";
- (b) enw'r awdurdod ardystio;
- (c) enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (ch) rhif cyfeirnod y lot hadau;
- (d) naill ai—
 - (i) mis a blwyddyn y selio, a fynegir fel "sealed ..." (mis a blwyddyn); neu
 - (ii) mis a blwyddyn y samplu swyddogol diwethaf at ddibenion ardystio, a fynegir fel "sampled ..." (mis a blwyddyn);
- (dd) y rhywogaeth (rhaid defnyddio'r enw botanegol, naill ai'n llawn neu yn ei ffurf gryno, ac eithrio yn achos hadau betys neu lysiau, pryd y caniateir defnyddio'r enw cyffredin);
- (e) yr amrywogaeth;
- (f) y categori;
- (ff) y wlad y'u cynhyrchwyd ynddi;
- (g) y pwysau net neu gros datganedig neu'r nifer datganedig o hadau neu, yn achos betys, y nifer datganedig o glystyrau o hadau pur;
- (ng) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a bras amcan o'r gymhareb rhwng pwysau'r hadau a chyfanswm y pwysau (neu, yn achos betys, y gymhareb rhwng pwysau'r hadau pur a chyfanswm y pwysau);
- (h) os yw'r egino wedi ei ailbrofi, y gair "retested" a ddilynir gan fis a blwyddyn yr ailbrofi.

(2) Rhaid i'r label fod o liw—

- (a) gwyn ar gyfer hadau sylfaenol;
- (b) glas ar gyfer hadau ardystiedig a hadau ardystiedig o'r genhedlaeth gyntaf;
- (c) coch ar gyfer hadau ardystiedig o'r ail a'r drydedd genhedlaeth.

the nature of the additive and the approximate ratio between the weight of the seed and the total weight (or, in the case of beet, the ratio between the weight of pure seed and the total weight);

(k) the number of generations preceding the category "certified seed (CS) " or "certified first generation (C1) seed".

(2) The label must be white with a diagonal violet stripe.

Official labels for basic seed and certified seed

7.—(1) The following must appear on an official label on certified seed—

- (a) the words "EU Rules and standards";
- (b) the name of the certification authority;
- (c) the name or initials of the member State;
- (d) the reference number of the seed lot;
- (e) either—
 - (i) the month and year of sealing expressed as "sealed ..." (month and year); or
 - (ii) the month and year of the last official sampling for the purposes of certification expressed as "sampled ..." (month and year);
- (f) the species (this must be the botanical name, either in full or in abridged form except that, in the case of beet or vegetable seed, the common name may be used);
- (g) the variety;
- (h) the category;
- (i) the country of production;
- (j) the declared net or gross weight or number of seeds or in the case of beet the declared number of clusters of pure seed;
- (k) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of the seed and the total weight (or, in the case of beet, the ratio between the weight of pure seed and the total weight);
- (l) where the germination has been retested the word "retested" followed by the month and year of re-testing.

(2) The label must be coloured—

- (a) white for basic seed;
- (b) blue for certified seed and certified seed of the first generation;
- (c) red for certified seed of the second and third generation.

Labeli swyddogol ar gyfer hadau masnachol sydd heb eu hardystio o ran amrywogaeth

8.—(1) Rhaid i'r canlynol ymddangos ar label swyddogol ar hadau masnachol sydd heb eu hardystio o ran amrywogaeth—

- (a) y geiriau "EU Rules and standards";
- (b) enw'r awdurdod ardystio;
- (c) enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (ch) rhif cyfeirnod y lot hadau;
- (d) naill ai—
 - (i) mis a blwyddyn y selio, a fynegir fel "sealed ..." (mis a blwyddyn); neu
 - (ii) mis a blwyddyn y samplu swyddogol diwethaf at ddibenion ardystio, a fynegir fel "sampled ..." (mis a blwyddyn);
- (dd) y rhywogaeth (rhaid defnyddio'r enw botanegol, naill ai'n llawn neu yn ei ffurf gryno, ac eithrio, yn achos hadau betys neu lysiau, pan ganiateir defnyddio'r enw cyffredin);
- (e) y geiriau "commercial seed not certified as to variety";
- (f) y wlad neu'r rhanbarth y'u cynhyrchwyd ynddi;
- (ff) y pwysau net neu gros datganedig neu'r nifer datganedig o hadau;
- (g) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a bras amcan o'r gymhareb rhwng pwysau'r hadau a chyfanswm y pwysau;
- (ng) pan fo'r egino wedi ei ailbrofi, y gair "retested" a ddilynrir gan fis a blwyddyn yr ailbrofi.

(2) Rhaid i'r label fod o liw brown.

Labelu cymysgeddau

9.—(1) Rhaid i'r canlynol ymddangos ar label swyddogol ar gymysgedd o hadau—

- (a) yr awdurdod sy'n gyfrifol am selio'r pecyn;
- (b) enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (c) rhif cyfeirnod y lot hadau;
- (ch) mis a blwyddyn y selio, a fynegir fel "sealed ..." (mis a blwyddyn);
- (d) y rhywogaeth, y categori, yr amrywogaeth, y wlad y'i cynhyrchwyd ynddi a'r gyfran yn ôl pwysau ar gyfer pob un o'r cydrannau;
- (dd) y pwysau net neu gros datganedig neu'r nifer datganedig o hadau;
- (e) pan ddynodir y pwysau, ac os defnyddir plaleiddiaid gronynnog, sylweddau pelennu

Official labels for commercial seed not certified as to variety

8.—(1) The following must appear on an official label on commercial seed not certified as to variety—

- (a) the words "EU Rules and standards";
- (b) the name of the certification authority;
- (c) the name or initials of the member State;
- (d) the reference number of the seed lot;
- (e) either—
 - (i) the month and year of sealing expressed as "sealed ..." (month and year); or
 - (ii) the month and year of the last official sampling for the purposes of certification expressed as "sampled ..." (month and year);
- (f) the species (this must be the botanical name, either in full or in abridged form except that, in the case of beet or vegetable seed, the common name may be used);
- (g) the words "commercial seed not certified as to variety";
- (h) the country or region of production;
- (i) the declared net or gross weight or number of seeds;
- (j) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of the seed and the total weight;
- (k) where the germination has been retested the word "retested" followed by the month and year of re-testing.

(2) The label must be coloured brown.

Labelling mixtures

9.—(1) The following must appear on an official label on a mixture of seed—

- (a) the authority responsible for sealing the package;
- (b) the name or initials of the member State;
- (c) the reference number of the seed lot;
- (d) the month and year of sealing expressed as "sealed . . ." (month and year);
- (e) the species, category, variety, country of production and proportion by weight of each of the components;
- (f) the declared net or gross weight, or declared number of seeds;
- (g) where the weight is indicated and granulated pesticides, pelleting substances or other solid

neu ychwanegion solid eraill, natur yr ychwanegyn a bras amcan o'r gymhareb rhwng pwysau'r hadau pur a chyfanswm y pwysau;

- (f) pan fo pob un o gydrannau'r cymysgedd wedi eu hailbrofi o ran egino, y gair "retested" a ddilynr gan fis a blwyddyn yr ailbrofi;
- (ff) yn achos ydau, y geiriau "mixture of" a ddilynr gan y rhywogaethau a'r amrywogaethau a datganiad cymhwyso bod y cymysgedd yn effeithiol rhag lledaenu organeb niweidiol;
- (g) yn achos planhigion porthiant, y geiriau "mixture of seeds for" a ddilynr gan ddisgrifiad o'r defnydd y bwriedir ar eu cyfer.

(2) Ond ar gyfer cymysgeddau porthiant a gofrestrwyd gyda Gweinidogion Cymru, os yw'r label yn dangos enw cofrestredig y cymysgedd, caniateir hepgor y canrannau yn ôl pwysau o bob un o'r cydrannau, ar yr amod—

- (a) y cyflenwir yr wybodaeth honno i'r cwsmer os gofynnir amdani, a
- (b) y rhoddir gwybod i gwsmeriaid y cânt ofyn am y manylion hyn.

(3) Rhaid i'r label fod o liw gwyrdd.

additives are used, the nature of the additive and the approximate ratio between the weight of the pure seed and the total weight;

- (h) where the germination of all the components of the mixture has been retested, the word "retested" followed by the month and year of re-testing;
- (i) in the case of cereals the words "mixture of" followed by the species and varieties and a qualifying statement that the mixture is effective against the propagation of a harmful organism;
- (j) in the case of fodder plants the words "mixture of seeds for" followed by an indication of the intended use.

(2) But for fodder mixtures registered with the Welsh Ministers, provided the label shows the registered name of the mixture, the percentage by weight of each of the components may be omitted provided that—

- (a) this information is supplied to the customer on request, and
- (b) customers are informed that they can request these details.

(3) The label must be coloured green.

RHAN 3

Gofynion ychwanegol ynghylch labeli swyddogol ar gyfer rhywogaethau penodol

Cyflwyniad

10. Mae'r gofynion canlynol, sydd ar gyfer rhywogaethau penodol, yn ychwanegol at y gofynion yn Rhan 2.

Gofynion ychwanegol ar gyfer hadau betys

11. Rhaid i label swyddogol ar gyfer hadau betys bennu—

- (a) "monogerm" neu "precision" fel y bo'n briodol;
- (b) "fodder beet" neu "sugar beet" fel y bo'n briodol.

Gofynion ychwanegol ar gyfer hadau yd

12.—(1) Rhaid i label swyddogol ar gyfer haidd noeth C1 ac C2 gynnwys y geiriau "minimum germination capacity 75%".

(2) Rhaid i label swyddogol ar gyfer hadau yd sylfaenol o amrywogaethau sy'n hybridiau neu'n llinellau mewnfrid gynnwys—

PART 3

Additional requirements for official labels for specific species

Introduction

10. The following requirements for specific species are in addition to the requirements in Part 2.

Additional requirements for beet seed

11. An official label for beet seed must specify—

- (a) "monogerm" or "precision" as appropriate;
- (b) "fodder beet" or "sugar beet" as appropriate.

Additional requirements for cereal seed

12.—(1) An official label for C1 and C2 naked barley must include the words "minimum germination capacity 75%".

(2) An official label for basic cereal seed of varieties that are hybrids or inbred lines must include—

- (a) ar gyfer hadau sylfaenol pan fo'r hybrid neu'r llinell fewnfrid y mae'r hadau yn perthyn iddo neu iddi wedi ei dderbyn neu wedi ei derbyn ar Restr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin, yr enw y'i derbyniwyd yn swyddogol odano, gyda chyfeiriad at yr amrywogaeth derfynol neu hebddo, ac os bwriedir yr hadau yn unig fel cydran ar gyfer amrywogaethau terfynol, y gair "component";
- (b) ar gyfer hadau sylfaenol mewn achosion eraill, enw'r gydran y mae'r hadau sylfaenol yn perthyn iddi, y caniateir ei ddangos ar ffurf cod, ynghyd â chyfeiriad at yr amrywogaeth derfynol, gan gyfeirio neu beidio at ei swyddogaeth (gwryw neu fenyw) ynghyd â'r gair "component".

(3) Rhaid i label swyddogol ar gyfer hadau ŷd ardystiedig (CS, C1 neu C2) o amrywogaethau sy'n hybridiau neu'n llinellau mewnfrid gynnwys y gair "hybrid" ar ôl yr amrywogaeth.

(4) Pan fo hadau'n cael eu marchnata fel hadau o safon wirfoddol uwch rhaid i'r label gynnwys y llythrennau "HVS".

Gofynion ychwanegol ar gyfer hadau porthiant

13. Rhaid i label swyddogol ar gyfer hadau porthiant gynnwys—

- (a) ar gyfer hadau ardystiedig o'r ail genhedlaeth a chenedlaethau dilynol, y nifer o genedlaethau ar ôl hadau sylfaenol;
- (b) yn achos hadau o amrywogaethau glaswellt, na chynhaliwyd unrhyw archwiliad swyddogol o'u gwerth o ran eu tyfu a'u defnyddio, y geiriau "Not intended for fodder production";
- (c) os yw'r hadau'n cael eu marchnata ar y safon wirfoddol uwch, y llythrennau "HVS".

Gofynion ychwanegol ar gyfer hadau olew a ffibr

14.—(1) Rhaid i label swyddogol ar gyfer hadau olew a ffibr sylfaenol o amrywogaethau sy'n hybridiau neu'n llinellau mewnfrid gynnwys—

- (a) ar gyfer hadau sylfaenol pan fo'r hybrid neu'r llinell fewnfrid y mae'r hadau yn perthyn iddo neu iddi wedi ei dderbyn, neu wedi ei derbyn, ar Restr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin, yr enw y'i derbyniwyd yn swyddogol odano, gyda chyfeiriad at yr amrywogaeth derfynol neu hebddo, ac os bwriedir yr hadau i'w defnyddio yn unig fel cydran ar gyfer amrywogaethau terfynol, y gair "component";
- (b) ar gyfer hadau sylfaenol mewn achosion eraill, enw'r gydran y mae'r hadau sylfaenol yn perthyn iddi, y caniateir ei roi ar ffurf cod, ynghyd â chyfeiriad at yr amrywogaeth derfynol, gan gyfeirio neu beidio at ei

(a) for basic seed where the hybrid or inbred line to which the seed belongs has been accepted on to the United Kingdom National List or the Common Catalogue, the name under which it has been officially accepted, with or without reference to the final variety, and if the seed is intended solely as a component for final varieties the word "component";

(b) for basic seed in other cases the name of the component to which the basic seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its function (male or female) and accompanied by the word "component".

(3) An official label for certified cereal seed (CS, C1 or C2) of varieties that are hybrids or inbred lines must include the word "hybrid" after the variety.

(4) Where seed is marketed as being of the higher voluntary standard the label must contain the letters "HVS".

Additional requirements for fodder seed

13. An official label for fodder seed must include—

- (a) for certified seed, second and subsequent generations, the number of generations after basic seed;
- (b) in the case of seed of grass varieties in respect of which no official examination of their value for cultivation and use has been carried out the words "Not intended for fodder production";
- (c) where seed is marketed at the higher voluntary standard the letters "HVS".

Additional requirements for oil and fibre seed

14.—(1) An official label for basic oil and fibre seed of varieties that are hybrids or inbred lines must include—

- (a) for basic seed where the hybrid or inbred line to which the seed belongs has been officially accepted on to the United Kingdom National List or the Common Catalogue, the name under which it has been officially accepted, with or without reference to the final variety, and if the seed is intended solely as a component for final varieties the word "component";
- (b) for basic seed in other cases the name of the component to which the basic seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its

swyddogaeth (gwryw neu fenyw) ynghyd â'r gair "component".

(2) Rhaid i label swyddogol ar gyfer hadau olew a ffibr ardystiedig (CS, C1 neu C2) o amrywogaethau sy'n hybridiau neu'n llinellau mewnfrid gynnwys y gair "hybrid" ar ôl yr amrywogaeth.

(3) Rhaid i label swyddogol ar gyfer hadau ardystiedig uniad amrywogaethol fod o liw glas, gyda streipen werdd groeslinol ar ei draws.

function (male or female) and accompanied by the word "component".

(2) An official label for certified oil and fibre seed (CS, C1 or C2) of varieties that are hybrids or inbred lines must include the word "hybrid" after the variety.

(3) An official label for certified seed of a varietal association must be blue with a diagonal green line.

RHAN 4

Labeli cyflenwr

Ystyr "label cyflenwr"

15. Label cyflenwr yw label nas darparwyd gan Weinidogion Cymru.

Labelu pecyn

16. Rhaid i label cyflenwr naill ai gael ei gysylltu â'r pecyn yn yr un modd â label swyddogol neu gael ei argraffu'n annileadwy ar y pecyn.

Cyfeiriadau at bwysau yn y Rhan hon

17. Yn y Rhan hon, nid yw'r cyfeiriadau at bwysau yn cynnwys unrhyw blaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill.

Hadau bridiwr: labeli cyflenwr

18.—(1) Rhaid i'r canlynol ymddangos ar label cyflenwr ar becyn o hadau bridiwr—

- (a) enw, cyfeiriad a rhif cofrestru'r cyflenwr sy'n gyfrifol am osod y label;
- (b) rhif cyfeirnod y lot hadau;
- (c) y rhywogaeth;
- (ch) yr amrywogaeth;
- (d) y geiriau "breeder's seed";
- (dd) y pwysau net neu gros datganedig neu'r nifer datganedig o hadau.

(2) Rhaid i'r label fod o liw llwydfelyn.

Hadau betys: labeli cyflenwr

19.—(1) Ceir defnyddio label cyflenwr ar becyn bach o hadau betys.

(2) Pecyn bach o hadau betys (a adwaenir fel "pecyn UE bach" ("*small EU package*")) yw pecyn sydd—

- (a) yn achos hadau betys sylfaenol ac ardystiedig o amrywogaethau trachywir neu uneginol, naill ai'n pwysu dim mwy na 2.5 kg neu'n

PART 4

Supplier's labels

Meaning of "supplier's label"

15. A supplier's label is a label that has not been provided by the Welsh Ministers.

Labelling a package

16. A supplier's label must either be attached to the package in the same way as an official label or printed indelibly on the package.

References to weights in this Part

17. In this Part references to the weight exclude any granulated pesticides, pelleting substances or other solid additives.

Breeder's seed: supplier's labels

18.—(1) The following must appear on a supplier's label on a package of breeder's seed—

- (a) the name, address and registration number of the supplier responsible for attaching the label;
- (b) the reference number of the seed lot;
- (c) the species;
- (d) the variety;
- (e) the words "breeder's seed";
- (f) the declared net or gross weight or number of seeds.

(2) The label must be buff-coloured.

Beet seed: supplier's labels

19.—(1) A supplier's label may be used on a small package of beet seed.

(2) A small package of beet seed (known as a "small EU package" ("*pecyn UE bach*")) is a package that—

- (a) in the case of basic and certified beet seed of precision or monogerm varieties, either weighs not more than 2.5 kg or consists of not more

cynnwys dim mwy na 100,000 o glystyrau;

- (b) ar gyfer yr holl hadau betys eraill, yn pwysu dim mwy na 10kg.

(3) Rhaid i'r label fod o'r un lliw â'r label swyddogol ar gyfer y categori hwnnw o hadau.

(4) Rhaid i'r canlynol ymddangos ar y label—

- (a) y geiriau "Small EU package";
- (b) enw, cyfeiriad a rhif adnabod y person sy'n gosod y label;
- (c) y rhif cyfresol;
- (ch) y gwasanaeth a ddyrannodd y rhif cyfresol;
- (d) enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (dd) y rhif cyfeirnod os nad yw'r rhif cyfresol swyddogol yn caniatáu adnabod y lot;
- (e) y rhywogaeth;
- (f) naill ai "sugar beet" neu "fodder beet" fel y bo'n briodol;
- (ff) yr amrywogaeth;
- (g) y categori;
- (ng) y pwysau net neu gros neu'r nifer o glystyrau neu hadau pur;
- (h) pan ddynodir y pwysau ac os defnyddir plaleiddiaid gronnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r clystyrau neu'r hadau pur a chyfanswm y pwysau;
- (i) naill ai "monogerm" neu "precision" fel y bo'n briodol.

Hadau yd: labeli cyflenwr

20.—(1) Ceir defnyddio label cyflenwr ar becyn bach o hadau yd.

(2) Pecyn bach o hadau yd yw pecyn o unrhyw hadau ardystiedig, neu unrhyw gymysgedd o hadau ardystiedig, nad yw'n fwy na 15kg.

(3) Rhaid i'r label fod o'r un lliw â'r label swyddogol ar gyfer y categori hwnnw o hadau.

(4) Rhaid i'r canlynol ymddangos ar y label—

- (a) y geiriau "EU rules and standards";
- (b) enw, cyfeiriad a rhif cofrestru'r cyflenwr sy'n gyfrifol am osod y label;
- (c) rhif cyfeirnod y lot hadau;
- (ch) y rhywogaeth;
- (d) yr amrywogaeth;
- (dd) y categori;
- (e) y pwysau datganedig net neu'r nifer datganedig o hadau;
- (f) ar gyfer amrywogaethau hybrid o indrawn, y

than 100,000 clusters;

- (b) for all other beet seed weights not more than 10kg.

(3) The label must be the same colour as the official label for that category of seed.

(4) The following must appear on the label—

- (a) the words "Small EU package";
- (b) the name, address and identification number of the person affixing the label;
- (c) the serial number;
- (d) the service that assigned the serial number;
- (e) the name or initials of the member State;
- (f) the reference number if the official serial number does not enable the lot to be identified;
- (g) the species;
- (h) either "sugar beet" or "fodder beet" as appropriate;
- (i) the variety;
- (j) the category;
- (k) the net or gross weight or number of clusters or pure seeds;
- (l) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight;
- (m) either "monogerm" or "precision" as appropriate.

Cereal seed: supplier's labels

20.—(1) A supplier's label may be used on a small package of cereal seed.

(2) A small package of cereal seed is a package of any certified seed, or any mixture of certified seed, not exceeding 15kg.

(3) The label must be the same colour as the official label for that category of seed.

(4) The following must appear on the label—

- (a) the words "EU rules and standards";
- (b) the name, address and registration number of the supplier responsible for affixing the label;
- (c) the reference number of the seed lot;
- (d) the species;
- (e) the variety;
- (f) the category;
- (g) the declared net weight or declared number of seeds;
- (h) for hybrid varieties of maize, the word

gair "hybrid";

- (ff) yn achos hadau C1 ac C2 o haidd noeth, y geiriau "minimum germination capacity 75%".

Hadau porthiant (amaethyddol neu amwynderol): pecynnau y caniateir eu labelu gyda label cyflenwr

21.—(1) Ceir defnyddio label cyflenwr ar becyn bach o hadau porthiant amaethyddol neu amwynderol (gan gynnwys cymysgedd o hadau porthiant).

(2) Mae pecyn bach o hadau porthiant naill ai'n becyn UE bach 'A' neu'n becyn UE bach 'B'.

(3) Pecyn UE bach 'A' yw pecyn sy'n cynnwys cymysgedd o hadau nas bwriedir ar gyfer cynhyrchu planhigion porthiant, ac sydd â'i bwysau net yn ddim mwy na 2kg.

(4) Pecyn UE bach 'B' yw pecyn sy'n cynnwys—

- (a) hadau sylfaenol,
- (b) hadau ardystiedig (CS, C1 neu C2),
- (c) hadau masnachol, neu
- (ch) (onid yw'r pecyn yn becyn UE bach 'A') cymysgedd o hadau,

ac sydd â'i bwysau net yn ddim mwy na 10 kg.

Hadau porthiant ac eithrio cymysgedd: gofynion labelu

22.—(1) Rhaid i label cyflenwr ar becyn bach o hadau porthiant (ac eithrio cymysgedd cadwraeth, fel y gweler ym mharagraff 23) fod o'r un lliw â'r label swyddogol ar gyfer y categori hwnnw o hadau.

(2) Rhaid i'r canlynol ymddangos ar y label—

- (a) y geiriau "small EU 'B' package";
- (b) enw, cyfeiriad a rhif adnabod y person sy'n gosod y label;
- (c) y rhif cyfresol;
- (ch) y rhif cyfeirnod os nad yw'r rhif cyfresol yn caniatáu adnabod y lot hadau;
- (d) y rhywogaeth;
- (dd) pwysau net neu gros yr hadau pur neu nifer yr hadau pur;
- (e) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r hadau a chyfanswm y pwysau;
- (f) yn achos hadau ardystiedig—
 - (i) yr amrywogaeth;
 - (ii) y categori;
 - (iii) ar gyfer hadau glaswellt o amrywogaeth

"hybrid";

- (i) in the case of C1 and C2 seed of naked barley, the words "minimum germination capacity 75%".

Fodder seed (agricultural or amenity): packages that may be labelled with a supplier's label

21.—(1) A supplier's label may be used on a small package of fodder seed, either agricultural or amenity (including a mixture of fodder seed).

(2) A small package of fodder seed is either a small EU 'A' package or a small EU 'B' package.

(3) A small EU 'A' package is a package containing a mixture of seed not intended for the production of fodder plants, with a net weight not exceeding 2 kg.

(4) A small EU 'B' package is a package containing—

- (a) basic seed,
- (b) certified seed (CS, C1 or C2),
- (c) commercial seed, or
- (d) (unless the package is a small EU 'A' package) a mixture of seed,

with a net weight not exceeding 10 kg.

Fodder seed other than a mixture: labelling requirements

22.—(1) A supplier's label on a small package of fodder seed (other than a preservation mixture, for which see paragraph 23) must be the same colour as the official label for that category of seed.

(2) The following must appear on the label—

- (a) the words "small EU 'B' package";
- (b) the name, address and identification number of the person affixing the label;
- (c) the serial number;
- (d) the reference number if the serial number does not enable the seed lot to be identified;
- (e) the species;
- (f) the net or gross weight of pure seed or the number of pure seeds;
- (g) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the seed and the total weight;
- (h) in the case of certified seed—
 - (i) the variety;
 - (ii) the category;
 - (iii) for grass seed of a variety for which an

nad yw archwiliad o'i gwerth o ran ei thyfu a'i defnyddio yn ofynnol, y geiriau "not intended for the production of fodder plants";

(ff) yn achos hadau masnachol, y geiriau "commercial seed".

Cymysgedd o hadau porthiant: gofynion labelu

23.—(1) Rhaid i label cyflenwr ar becyn bach o gymysgedd o hadau porthiant fod o'r un lliw â'r label swyddogol ar gyfer y categori hwnnw o hadau.

(2) Rhaid i'r canlynol ymddangos ar y label—

- (a) y geiriau "small EU 'A' package" neu "small EU 'B' package" fel y bo'n briodol;
- (b) enw, cyfeiriad a rhif adnabod y person sy'n gosod y label;
- (c) ar gyfer pecyn UE bach 'A'—
 - (i) y rhif cyfeirnod sy'n caniatáu adnabod y lotiau o hadau a ddefnyddiwyd yn y cymysgedd;
 - (ii) enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (ch) ar gyfer pecyn UE bach 'B'—
 - (i) y rhif cyfresol a ddyroddwyd yn swyddogol;
 - (ii) y person a ddyrannodd y rhif cyfresol;
 - (iii) enw neu flaenlythrennau'r Aelod-wladwriaeth;
 - (iv) y rhif cyfeirnod os nad yw'r rhif cyfresol swyddogol yn caniatáu adnabod y lotiau o hadau a ddefnyddiwyd;
- (d) y geiriau "Seed-mixture for ... (y defnydd a fwriedir)";
- (dd) y pwysau net neu gros neu nifer yr hadau pur;
- (e) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r hadau a chyfanswm y pwysau;
- (f) y canrannau, yn ôl pwysau, o'r gwahanol gydrannau, sydd i'w dangos fesul rhywogaeth, a phan fo'n briodol, fesul amrywogaeth.

(3) Ond ar gyfer cymysgeddau a gofrestrwyd gyda Gweinidogion Cymru, os yw'r label yn dangos enw cofrestredig y cymysgedd, caniateir hepgor y canrannau yn ôl pwysau o bob un o'r cydrannau, ar yr amod—

- (a) y cyflenwr yr wybodaeth honno i'r cwsmer os gofynnir amdani, a
- (b) y rhoddir gwybod i gwsmeriaid y cânt ofyn am y manylion hynny.

examination of its value for cultivation and use is not required the words "not intended for the production of fodder plants";

(i) in the case of commercial seed the words "commercial seed".

Fodder seed mixture: labelling requirements

23.—(1) A supplier's label on small package of a mixture of fodder seed must be the same colour as the official label for that category of seed.

(2) The following must appear on the label—

- (a) words "small EU 'A' package" or "small EU 'B' package" as appropriate;
- (b) the name, address and identification number of the person affixing the label;
- (c) for a small EU 'A' package—
 - (i) the reference number enabling the seed lots used in the mixture to be identified;
 - (ii) the name or initials of the member State;
- (d) for a small EU 'B' package—
 - (i) the officially assigned serial number;
 - (ii) the person that assigned the serial number;
 - (iii) the name or initials of the member State;
 - (iv) the reference number if the official serial number does not enable the used seed lots to be identified;
- (e) the words "Seed-mixture for ... (intended use)";
- (f) the net or gross weight or number of pure seeds;
- (g) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the seed and the total weight;
- (h) the percentage by weight of the various components shown by species and, where appropriate, by variety.

(3) But for mixtures registered with the Welsh Ministers, provided the label shows the registered name of the mixture, the percentage by weight of each of the components may be omitted provided that—

- (a) this information is supplied to the customer on request; and
- (b) customers are informed that they can request these details.

Hadau olew a ffibr: labeli cyflenwr

24.—(1) Ceir defnyddio label cyflenwr ar becyn bach o hadau olew a ffibr.

(2) Pecyn bach o hadau olew a ffibr yw pecyn o unrhyw hadau olew a ffibr ardystiedig neu fasnachol, nad yw ei bwysau'n fwy na 15 kg.

(3) Rhaid i'r label fod o'r un lliw â'r label swyddogol ar gyfer y categori hwnnw o hadau.

(4) Rhaid i'r canlynol ymddangos ar y label—

- (a) y geiriau "EU Rules and standards";
- (b) enw, cyfeiriad a rhif cofrestru'r cyflenwr sy'n gyfrifol am osod y label;
- (c) rhif cyfeirnod y lot hadau;
- (ch) y rhywogaeth (rhaid defnyddio'r enw botanegol, naill ai'n llawn neu yn ei ffurf gryno);
- (d) yr amrywogaeth;
- (dd) ar gyfer hadau ardystiedig, y categori;
- (e) ar gyfer hadau masnachol, y geiriau "commercial seed (not certified as to variety)";
- (f) pwysau datganedig net neu gros clystyrau o hadau pur (ac eithrio ar gyfer pecynnau nad ydynt yn fwy na 500 gram);
- (ff) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r hadau a chyfanswm y pwysau.

Hadau llysiau: labeli cyflenwr

25.—(1) Ceir defnyddio label cyflenwr ar—

- (a) pecyn o hadau llysiau safonol, beth bynnag fo'i bwysau;
- (b) pecyn bach o hadau llysiau ardystiedig (CS); ac
- (c) pecyn bach o gymysgeddau o hadau llysiau safonol o wahanol amrywogaethau o'r un rhywogaeth.

(2) Pecyn bach yw pecyn o hadau sy'n pwyso dim mwy nag—

- (a) ar gyfer codlyisiau, 5 kg;
- (b) ar gyfer merlllys, betys coch, moron, dail betys neu fetys ysbigoglys, gowrdiau, maros, nionod, radis, ysbigoglys neu faip, 500 gram;
- (c) ar gyfer unrhyw rywogaeth arall o lysiau, 100 gram.

(3) Rhaid i'r label fod o liw melyn tywyll ar gyfer hadau safonol neu las ar gyfer hadau ardystiedig.

(4) Rhaid i'r canlynol ymddangos ar label pecyn o hadau safonol (ac eithrio cymysgedd o wahanol

Oil and fibre seed: supplier's labels

24.—(1) A supplier's label may be used on a small package of oil and fibre seed.

(2) A small package of oil and fibre seed is a package of any certified or commercial oil and fibre seed that does not weigh more than 15 kg.

(3) The label must be the same colour as the official label for that category of seed.

(4) The following must appear on the label—

- (a) the words "EU Rules and standards";
- (b) the name, address and registration number of the supplier responsible for affixing the label;
- (c) the reference number of the seed lot;
- (d) the species (this must be the botanical name, either in full or in abridged form);
- (e) the variety;
- (f) for certified seed, the category;
- (g) for commercial seed the words "commercial seed (not certified as to variety)";
- (h) the declared net or gross weight of clusters of pure seeds (except for packages not exceeding 500 grams);
- (i) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the seed and the total weight.

Vegetable seed: supplier's labels

25.—(1) A supplier's label may be used on—

- (a) a package of standard vegetable seed, no matter what the weight;
- (b) a small package of certified (CS) vegetable seed; and
- (c) a small package of mixtures of standard vegetable seed of different varieties of the same species.

(2) A small package is a package of seed that weighs no more than—

- (a) for legumes, 5 kg;
- (b) for asparagus, beetroot, carrot, chard or spinach beet, gourd, marrow, onion, radish, spinach or turnip, 500 grams;
- (c) for any other vegetable species, 100 grams.

(3) The label must be coloured dark yellow for standard seed or blue for certified seed.

(4) The following must appear on the label on a package of standard seed (other than a mixture of

amrywogaethau o hadau safonol o'r un rhywogaeth) a hadau ardystiedig—

- (a) y geiriau "EU rules and standards";
- (b) enw, cyfeiriad a rhif adnabod y person sy'n gosod y label;
- (c) y flwyddyn farchnata pan seliwyd y pecyn neu pan wnaed yr archwiliad egino diwethaf (ceir dynodi diwedd y flwyddyn farchnata);
- (ch) y rhywogaeth;
- (d) yr amrywogaeth;
- (dd) y categori: yn achos pecynnau bach, ceir marcio hadau ardystiedig gyda'r llythyren 'C' neu 'Z' a hadau safonol gyda'r llythrennau 'ST';
- (e) yn achos hadau safonol, y rhif cyfeirnod a roddwyd gan y person sy'n gyfrifol am osod y labeli;
- (f) yn achos hadau ardystiedig y rhif cyfeirnod sy'n caniatáu adnabod y lot ardystiedig;
- (ff) y pwysau net neu gros datganedig neu'r nifer datganedig o hadau, ac eithrio ar gyfer pecynnau bach o hyd at 500 gram;
- (g) pan ddynodir y pwysau ac os defnyddir plaleiddiaid gronnynog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r clystyrau neu'r hadau pur a chyfanswm y pwysau.

(5) Rhaid i'r canlynol ymddangos ar y label ar becyn o gymysgedd o wahanol amrywogaethau o hadau safonol o'r un rhywogaeth—

- (a) y geiriau "EU rules and standards";
- (b) enw, cyfeiriad a rhif adnabod y person sy'n gosod y label;
- (c) y flwyddyn y seliwyd y pecyn, a fynegir fel "sealed...[blwyddyn]" neu flwyddyn y samplu diwethaf at ddibenion y prawf egino diwethaf a fynegir fel "sampled...[blwyddyn]" (ceir ychwanegu'r geiriau "use before...[dyddiad]");
- (ch) y geiriau "mixture of varieties of...[enw'r rhywogaeth]";
- (d) yr amrywogaethau;
- (dd) y gyfran o'r amrywogaethau, a fynegir fel y pwysau net neu fel y nifer o hadau;
- (e) y rhif cyfeirnod a roddwyd gan y person sy'n gyfrifol am osod y labeli;
- (f) y pwysau net neu gros neu nifer yr hadau;
- (ff) os nodir y pwysau ac os defnyddir plaleiddiaid gronnynog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r clystyrau neu'r hadau pur a chyfanswm y pwysau.

different varieties of standard seed of the same species) and certified seed—

- (a) the words "EU rules and standards";
- (b) the name, address and identification number of the person affixing the label;
- (c) the marketing year of the sealing or of the last examination of germination (the end of the marketing year may be indicated);
- (d) the species;
- (e) the variety;
- (f) the category: in the case of small packages, certified seed may be marked with the letter 'C' or 'Z' and standard seed with the letters 'ST';
- (g) in the case of standard seed, the reference number given by the person responsible for affixing the labels;
- (h) in the case of certified seed the reference number enabling the certified lot to be identified;
- (i) the declared net or gross weight or declared number of seeds, except for small packages of up to 500 grams;
- (j) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight.

(5) The following must appear on the label on a package of a mixture of different varieties of standard seed of the same species—

- (a) the words "EU rules and standards";
- (b) the name, address and identification number of the person affixing the label;
- (c) the year of sealing expressed as "sealed...[year]" or the year of the last sampling for the purposes of the last testing of germination expressed as "sampled...[year]" (the words "use before...[date]" may be added);
- (d) the words "mixture of varieties of...[name of the species]";
- (e) the varieties;
- (f) the proportion of the varieties, expressed as net weight or as the number of seeds;
- (g) the reference number given by the person responsible for affixing the labels;
- (h) the net or gross weight or the number of seeds;
- (i) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight.

RHAN 5

Gwerthiannau o hadau rhydd

Gwerthiannau o hadau rhydd

26.—(1) Ceir gwerthu hadau rhydd (heb eu pecynnu) yn unol â'r paragraff hwn.

(2) Y meintiau mwyaf y caniateir eu gwerthu yw—

(a) ar gyfer hadau porthiant—

(i) 3 kg yn achos ffa'r maes a phys y maes;

(ii) 2 kg yn achos yr holl hadau porthiant eraill;

(iii) 7 kg yn achos cymysgedd o hadau;

(b) ar gyfer hadau yd, 5 kg;

(c) ar gyfer hadau betys, 2.5 kg;

(ch) ar gyfer hadau olew a ffibr, 5 kg;

(d) ar gyfer hadau llysiau—

(i) 3 kg yn achos codlyisiau;

(ii) 1 kg yn achos yr holl hadau llysiau eraill.

(3) Rhaid i'r gwerthiant fod i'r defnyddiwr terfynol, a rhaid i'r wybodaeth a fyddai wedi bod yn ofynnol ar becyn o'r hadau hynny gael ei harddangos yn agos at y man gwerthu.

ATODLEN 4

Rheoliad 9(2)

Eithriadau

CYNNWYS

RHAN 1

Cyflenwi hadau ac eithrio drwy farchnata

1. Lluosi hadau yn gynnar
2. Hadau fel y'u tyfir
3. Hadau a arbedir ar fferm

RHAN 2

Marchnata hadau nad ydynt yn cydymffurfio ag Atodlen 2

4. Hadau â datganiad egino is
5. Symud hadau yn gynnar
6. Profion tetrasoliwm ar gyfer hadau yd
7. Marchnata hadau o amrywogaethau cadwraeth
8. Marchnata cymysgeddau cadwraeth sy'n

PART 5

Sales of loose seed

Sales of loose seed

26.—(1) Loose (unpacked) seed may be sold in accordance with this paragraph.

(2) The maximum quantity that may be sold is—

(a) for fodder seed—

(i) 3 kg in the case of field beans and field peas;

(ii) 2 kg in the case of all other fodder seed;

(iii) 7 kg in the case of a mixture of seed;

(b) for cereal seed, 5 kg;

(c) for beet seed, 2.5 kg;

(d) for oil and fibre seed, 5 kg;

(e) for vegetable seed—

(i) 3 kg in the case of legumes;

(ii) 1 kg in the case of all other vegetable seed.

(3) The sale must be to the final consumer, and the information that would have been required on a package of that seed must be displayed near the point of sale.

SCHEDULE 4

Regulation 9(2)

Exceptions

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Supply of seed other than by way of marketing

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2. Seed as grown
3. Farm saved seed

PART 2

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5. Early movement of seed
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8. Marketing preservation mixtures that include

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9. Marchnata amrywogaethau anrhestredig (ac eithrio hadau llysiâu) ar gyfer profion a threialon
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 11. Marchnata at ddibenion gwyddonol neu ddethol
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 14. Marketing seed certified in another member State
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RHAN 3

Ardystio hadau nad ydynt yn cydymffurfio'n llawn â'r Rheoliadau hyn

16. Hadau nad ydynt wedi eu hardystio yn derfynol, a gynaeafwyd mewn Aelod-wladwriaeth arall
17. Hadau nad ydynt wedi eu hardystio yn derfynol, a gynaeafwyd mewn trydedd wlad
18. Estyniadau marchnata

RHAN 1

Cyflenwi hadau ac eithrio drwy farchnata

Lluosi hadau yn gynnar

1.—(1) Caniateir i hadau o amrywogaeth anrhestredig gael eu cyflenwi gan berson, a drwyddedwyd i farchnata hadau ar gyfer eu llusi, i'w gyrru ymlaen drwy'r categorïau o wahanol genedlaethau o hadau.

(2) Rhaid i bob cenhedlaeth o hadau a gyflenwir fod wedi cyrraedd y safon sy'n ofynnol ar gyfer ardystio.

(3) Rhaid i'r hadau a gynhyrchir barhau'n eiddo i'r person trwyddedig, ac ni cheir eu marchnata.

Hadau fel y'u tyfir

2. Caniateir i hadau fel y'u tyfir gael eu hanfon gan y tyfwr i'w glanhau cyn eu hardystio, ac at gorff profi neu gorff archwilio at ddibenion ardystio.

PART 3

Certifying seed that does not fully comply with these Regulations

16. Seed not finally certified, harvested in another member State
17. Seed not finally certified, harvested in a third country
18. Marketing extensions

PART 1

Supply of seed other than by way of marketing

Early multiplication of seed

1.—(1) Seed of an unlisted variety may be supplied by a person licensed to market seed for multiplication for progression through the different generation categories of seed.

(2) Each generation of seed supplied must have reached the standard required for certification.

(3) The seed produced must remain the property of the licensed person, and may not be marketed.

Seed as grown

2. Seed as grown may be sent by the grower for cleaning prior to certification, and to a testing or inspection body for the purposes of certification.

Hadau a arbedir ar fferm

3. Y person a'u tyfodd, yn unig, gaiff ddefnyddio hadau a arbedir ar fferm, ac ni cheir eu marchnata na'u cyflenwi i neb arall, ond caniateir eu hanfon i'w glanhau, ar yr amod bod y person sy'n eu glanhau yn dychwelyd yr hadau i gyd i'r daliad lle'u tyfwyd.

RHAN 2

Marchnata hadau nad ydynt yn cydymffurfio ag Atodlen 2

Hadau â datganiad egino is

4.—(1) Ceir marchnata hadau cyn-sylfaenol a hadau sylfaenol sydd â chanran safon egino lleiaf sy'n is na'r hyn sy'n ofynnol gan y Gyfarwyddeb mewn perthynas â'r hadau hynny a bennir yn Atodlen 2, ar yr amod bod y cyflenwr yn gwarantu canran egino lleiaf benodol.

(2) Rhaid datgan yr egino ar y label swyddogol ynghyd ag enw a chyfeiriad y cyflenwr a rhif cyfeirnod y lot hadau.

Symud hadau yn gynnar

5.—(1) Er mwyn sicrhau bod hadau ar gael yn gynnar, ceir marchnata hadau cyn-sylfaenol, sylfaenol ac ardystiedig cyn cael y canlyniad swyddogol ynglŷn â'r egino—

- (a) os dyroddwyd adroddiad prawf hadau o dan y Rheoliadau hyn sy'n dynodi bod yr hadau wedi cyrraedd y safon purdeb dadansoddol ofynnol lleiaf a nodir yn y Gyfarwyddeb mewn perthynas â'r hadau hynny a bennir yn Atodlen 2, a
- (b) os yw'r cyflenwr yn gwarantu'r egino lleiaf ar gyfer yr hadau hynny.

(2) Nid yw'r paragraff hwn yn gymwys yn achos hadau a fewnforiwyd o drydedd wlad.

Profion tetrasoliwm ar gyfer hadau ôd

6. Ceir marchnata hadau ôd os cynhaliwyd prawf tetrasoliwm arnynt a gymeradwywyd gan Weinidogion Cymru i ganfod hyfywedd yr hadau, yn lle'r profion a bennir yng Nghyfarwyddeb y Cyngor 66/402/EEC ar farchnata hadau ôd(1).

Marchnata hadau o amrywogaethau cadwraeth

7.—(1) Caiff Gweinidogion Cymru awdurdodi marchnata hadau amrywogaeth gadwraeth yn unol â'r paragraff hwn.

(1) OJ Rhif L 125, 11.7.1966, t. 2309, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).

Farm saved seed

3. Farm-saved seed may only be used by the person who grew it, and may not be marketed or supplied to any other person, but it may be sent for cleaning provided that the person who cleans it returns all the seed to the holding where it was grown.

PART 2

Marketing seed that does not comply with Schedule 2

Seed with a declared lower germination

4.—(1) Pre-basic and basic seed with a minimum percentage germination standard lower than required in the Directive relating to that seed specified in Schedule 2 may be marketed provided that the supplier guarantees a specific minimum percentage germination.

(2) The germination must be stated on the official label together with the supplier's name and address and the reference number of the seed lot.

Early movement of seed

5.—(1) To ensure the early availability of seed, pre-basic, basic and certified seed may be marketed before the official germination result has been received if—

- (a) a seed test report has been issued under these Regulations, indicating that the seed has achieved the required minimum analytical purity standard set out in the Directive relating to that seed specified in Schedule 2, and
- (b) the supplier guarantees the minimum germination for that seed.

(2) This paragraph does not apply in the case of seed imported from a third country.

Tetrazolium testing for cereal seed

6. Cereal seed may be marketed if it has been subjected to a tetrazolium test approved by the Welsh Ministers to establish the viability of the seed instead of the tests specified in Council Directive 66/402/EEC on the marketing of cereal seed(1).

Marketing seed of conservation varieties

7.—(1) The Welsh Ministers may authorise the marketing of seed of a conservation variety in accordance with this paragraph.

(1) OJ No L 125, 11.7.1966, p. 2309, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).

(2) Rhaid i'r hadau fod yn hadau amrywogaeth a restrwyd fel amrywogaeth gadwraeth yn Rhestr Genedlaethol y Deyrnas Unedig.

(3) Rhaid cynhyrchu'r hadau o gnwd a dyfir yn y rhanbarth a bennir fel tarddle'r amrywogaeth yn Rhestr Genedlaethol y Deyrnas Unedig, neu fel yr awdurdodir gan Weinidogion Cymru.

(4) Ni cheir marchnata a defnyddio'r hadau ac eithrio yn y rhanbarth a ddatgenir fel y tarddle.

(5) Rhaid cyfyngu ar gyfanswm yr hadau sy'n cael eu marchnata mewn unrhyw un flwyddyn yn unol ag Erthygl 14 o Gyfarwyddeb y Comisiwn 2008/62/EC(1) (sy'n ymwneud ag amrywogaethau cadwraeth amaethyddol) ac Erthygl 15 o Gyfarwyddeb y Comisiwn 2009/145/EC ac Atodiad I i'r Gyfarwyddeb honno(2) (sy'n ymwneud ag amrywogaethau cadwraeth o lysiau).

(6) Ac eithrio yn achos hadau amrywogaeth gadwraeth o lysieuyn a wiriwyd fel hadau safonol, rhaid i'r hadau fod yn ddisgynyddion hadau a gynhyrchwyd yn unol ag arferion a ddiffiniwyd yn eglur ar gyfer cynnal yr amrywogaeth.

(7) Yn achos hadau betys, hadau yd, hadau planhigion porthiant a hadau olew a ffibr, rhaid i'r hadau gydymffurfio â'r gofynion ar gyfer ardystio hadau ardystiedig a bennir yng Nghyfarwyddeb y Cyngor 2002/54/EC(3) (hadau betys), Cyfarwyddeb y Cyngor 66/402/EEC (hadau yd), Cyfarwyddeb y Cyngor 66/401/EEC(4) (hadau planhigion porthiant) neu Gyfarwyddeb y Cyngor 2002/57/EC(5) (hadau planhigion olew a ffibr) (yn ôl fe y digwydd), ac eithrio'r gofynion mewn perthynas â phurdeb amrywogaethol minimol ac archwilio.

(8) Rhaid i hadau llysiau gydymffurfio ag—

- (a) y gofynion ar gyfer ardystio hadau ardystiedig, a bennir yng Nghyfarwyddeb y Cyngor 2002/55/EC(6) ar farchnata hadau llysiau, ac eithrio'r gofynion mewn perthynas â phurdeb amrywogaethol minimol ac archwilio; neu
- (b) y gofynion ar gyfer marchnata hadau safonol a bennir yn y Gyfarwyddeb honno, ac eithrio'r gofynion mewn perthynas â phurdeb amrywogaethol minimol.

(2) The seed must be of a variety listed as a conservation variety in the United Kingdom National List.

(3) The seed must be produced from a crop grown in the region of origin specified for the variety in the United Kingdom National List or as authorised by the Welsh Ministers.

(4) The seed may only be marketed and used in the stated region of origin.

(5) The total amount of seed marketed in any year must be limited in accordance with Article 14 of Commission Directive 2008/62/EC(1) (which relates to agricultural conservation varieties) and Article 15 of and Annex I to Commission Directive 2009/145/EC(2) (which relates to vegetable conservation varieties).

(6) Except in the case of seed of a vegetable conservation variety which is verified as standard seed, the seed must descend from seed produced according to well-defined practices for maintenance of the variety.

(7) In the case of beet seed, cereal seed, fodder plant seed and oil and fibre seed, the seed must comply with the requirements for certification of certified seed set out in Council Directive 2002/54/EC(3) (beet seed), Council Directive 66/402/EEC (cereal seed), Council Directive 66/401/EEC(4) (fodder plant seed) or Council Directive 2002/57/EC(5) (oil and fibre plant seed) (as the case may be), except the requirements in respect of minimal varietal purity and examination.

(8) Vegetable seed must comply with—

- (a) the requirements for certification of certified seed set out in Council Directive 2002/55/EC(6) on the marketing of vegetable seed, except the requirements in respect of minimal varietal purity and examination; or
- (b) the requirements for marketing of standard seed set out in that Directive, except the requirements in respect of minimal varietal purity.

(1) OJ Rhif L 162, 21.6.2008, t.13.

(2) OJ Rhif L 312, 27.11.2009, t.44.

(3) OJ Rhif L 193, 20.7.2002, t.12, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Cyngor 2004/117/EC (OJ Rhif L 14, 18.1.2005, t. 18).

(4) OJ Rhif L 125, 11.7.1966, t. 2298, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC.

(5) OJ Rhif L 193, 20.7.2002, t. 74, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC.

(6) OJ Rhif L 193, 20.7.2002, t. 33, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC.

(1) OJ No L 162, 21.6.2008, p. 13.

(2) OJ No L 312, 27.11.2009, p. 44.

(3) OJ No L 193, 20.7.2002, p.12, as last amended by Council Directive 2004/117/EC (OJ No L 14, 18.1.2005, p. 18).

(4) OJ No L 125, 11.7.1966, p. 2298, as last amended by Commission Directive 2009/74/EC.

(5) OJ No L 193, 20.7.2002, p. 74, as last amended by Commission Directive 2009/74/EC.

(6) OJ No L 193, 20.7.2002, p. 33, as last amended by Commission Directive 2009/74/EC.

(9) Rhaid i burdeb amrywogaethol hadau amrywogaeth gadwraeth fod yn ddigonol.

(10) Rhaid peidio â gwerthu'r hadau fel hadau rhydd o dan baragraff 26 o Atodlen 3.

(11) Rhaid labelu'r hadau gyda label cyflenwr neu hysbysiad printiedig neu stampiedig sydd, yn ychwanegol at gydymffurfio â darpariaethau cymwys y paragraff o Ran 4 o Atodlen 3 sy'n gymwys i'r math o hadau dan sylw (ac eithrio'r darpariaethau sy'n pennu lliw'r label)—

(a) yn cynnwys—

(i) yn achos amrywogaeth gadwraeth amaethyddol, y geiriau "conservation variety", neu

(ii) yn achos amrywogaeth gadwraeth o lysieuyn, y geiriau "certified seed of a conservation variety" neu "standard seed of a conservation variety";

(b) yn datgan rhanbarth y tarddiad; ac

(c) o liw brown.

(12) Yn y paragraff hwn, mae i "amrywogaeth gadwraeth" yr ystyr a roddir i "conservation variety" gan reoliad 2(1) o Reoliadau Hadau (Rhestrau Cenedlaethol o Amrywogaethau) 2001(1).

Marchnata cymysgeddau cadwraeth sy'n cynnwys hadau porthiant anardystiedig

8.—(1) Caiff Gweinidogion Cymru awdurdodi marchnata cymysgeddau cadwraeth yn unol â'r paragraff hwn.

(2) Rhaid i gais am awdurdodiad gael ei wneud gan y cynhyrchwr, a rhaid i'r cais gynnwys—

(a) yr wybodaeth a restrir yn Erthygl 4(2) o Gyfarwyddeb y Comisiwn 2010/60/EU, fel y'i darllenir ynghyd ag Erthygl 4(3) o'r Gyfarwyddeb honno, a

(b) pa bynnag wybodaeth arall a fydd yn ofynnol gan Weindogion Cymru i wirio cydymffurfiaeth ag Erthygl 5 o'r Gyfarwyddeb honno (yn achos cymysgeddau cadwraeth a gynaeafir yn uniongyrchol) ac Erthygl 6 o'r Gyfarwyddeb honno (yn achos cymysgeddau cadwraeth a dyfir fel cnwd).

(3) O ran awdurdodiad—

(a) ni cheir ei roi oni fydd y cymysgedd cadwraeth yn cydymffurfio ag Erthygl 5 o Gyfarwyddeb y Comisiwn 2010/60/EU (yn achos cymysgeddau cadwraeth a gynaeafir yn uniongyrchol) neu Erthygl 6 o'r Gyfarwyddeb honno (yn achos cymysgeddau cadwraeth a dyfir fel cnwd),

(9) Seed of a conservation variety must have sufficient varietal purity.

(10) The seed must not be sold as loose seed under paragraph 26 of Schedule 3.

(11) The seed must be labelled with a supplier's label or a printed or stamped notice which, in addition to complying with the applicable provisions of the paragraph of Part 4 of Schedule 3 which applies to the type of seed in question (except provisions specifying a colour of label)—

(a) contains—

(i) in the case of an agricultural conservation variety, the words "conservation variety", or

(ii) in the case of a vegetable conservation variety, the words "certified seed of a conservation variety" or "standard seed of a conservation variety";

(b) states the region of origin; and

(c) is coloured brown.

(12) In this paragraph "conservation variety" ("*amrywogaeth gadwraeth*") has the meaning given by regulation 2(1) of the Seeds (National Lists of Varieties) Regulations 2001(1).

Marketing preservation mixtures which include uncertified fodder seed

8.—(1) The Welsh Ministers may authorise the marketing of preservation mixtures in accordance with this paragraph.

(2) An application for an authorisation must be made by the producer and must contain—

(a) the information listed in Article 4(2) of Commission Directive 2010/60/EU, as read with Article 4(3) of that Directive, and

(b) such other information as the Welsh Ministers may require to verify compliance with Article 5 of that Directive (in the case of directly harvested preservation mixtures) and Article 6 of that Directive (in the case of crop-grown preservation mixtures).

(3) An authorisation—

(a) may only be granted if the preservation mixture complies with Article 5 of Commission Directive 2010/60/EU (in the case of a directly harvested preservation mixture) or Article 6 of that Directive (in the case of a crop-grown preservation mixture),

(1) O.S. 2001/3510; mewnosodwyd y diffiniad o "conservation variety" gan O.S. 2009/1273 ac amnewidiwyd gan O.S. 2011/464.

(1) S.I. 2001/3510; the definition of "conservation variety" was inserted by S.I. 2009/1273 and substituted by S.I. 2011/464.

- (b) ni cheir ei roi ac eithrio ar gyfer marchnata cymysgedd cadwraeth yn rhanbarth ei darddiad, fel y'i penderfynir gan Weinidogion Cymru yn unol ag Erthygl 3 o Gyfarwyddeb y Comisiwn 2010/60/EU,
- (c) ni cheir ei roi ar gyfer cymysgedd cadwraeth sy'n cynnwys amrywogaeth gadwraeth onid yw'r amrywogaeth honno'n cydymffurfio â gofynion paragraff 7, is-baragraffau (1) i (7), (9) a (10); ac
- (ch) rhaid iddo bennu'r materion a restrir yn Erthygl 4(2) o Gyfarwyddeb y Comisiwn 2010/60/EU, fel y'i darllenir ynghyd ag Erthygl 4(3) o'r Gyfarwyddeb honno.

(4) Rhaid labelu'r hadau gyda label cyflenwr pinc neu hysbysiad printiedig neu stampiedig sydd, yn hytrach na chynnwys yr wybodaeth labelu ar gyfer cymysgeddau o hadau a bennir yn Atodlen 3, yn cynnwys yr wybodaeth ganlynol—

- (a) y geiriau "EU rules and standards";
- (b) enw a chyfeiriad, neu farc adnabod, y person sy'n gosod y labeli;
- (c) y dull o gynaeafu;
- (ch) blwyddyn y selio, a fynegir fel "sealed..." (blwyddyn);
- (d) rhanbarth y tarddiad;
- (dd) yr ardal ffynhonnell;
- (e) y safle casglu;
- (f) y math o gynefin yn y safle casglu;
- (ff) y geiriau "preservation seed mixture";
- (g) rhif cyfeirnod y lot, a roddwyd gan y person a osododd y labeli;
- (ng) yn achos cymysgeddau cadwraeth a dyfwyd fel cnwd—
 - (i) y ganran yn ôl pwysau o'r cydrannau fesul rhywogaeth, a phan fo'n berthnasol, fesul is-rywogaeth;
 - (ii) y gyfradd egino benodol ar gyfer y cydrannau hadau porthiant yn y cymysgedd nad ydynt yn cydymffurfio â'r gofynion egino a bennir ym mharagraff 28(2) o Atodlen 2 (ac eithrio pan fo'r cymysgedd yn cynnwys mwy na phump o gydrannau hadau porthiant o'r fath, ac os felly, ceir defnyddio'r gyfradd egino gyfartalog ar gyfer y cydrannau hynny);
- (h) yn achos cymysgeddau cadwraeth a gynaeafir yn uniongyrchol, y ganran yn ôl pwysau, fel rhywogaeth a phan fo'n berthnasol, fel is-rywogaeth, o'r cydrannau hynny sy'n nodweddiadol o'r math o gynefin yn y safle casglu ac sydd, fel cydrannau o'r cymysgedd, yn bwysig o ran diogelu'r amgylchedd naturiol yng nghyd-destun cadwraeth yr adnoddau genetig;

- (b) may only be granted for the marketing of a preservation mixture in its region of origin as determined by the Welsh Ministers in accordance with Article 3 of Commission Directive 2010/60/EU,
- (c) may only be granted for a preservation mixture that contains a conservation variety if that variety complies with the requirements of paragraph 7, sub-paragraphs (1) to (7), (9) and (10); and
- (d) must specify the matters listed in Article 4(2) of Commission Directive 2010/60/EU, as read with Article 4(3) of that Directive.

(4) The seed must be labelled with a pink supplier's label or a printed or stamped notice which, instead of containing the labelling information for mixtures of seed set out in Schedule 3, contains the following information—

- (a) the words "EU rules and standards";
- (b) the name and address, or the identification mark, of the person affixing the labels;
- (c) the harvesting method;
- (d) the year of sealing expressed as "sealed..." (year);
- (e) the region of origin;
- (f) the source area;
- (g) the collection site;
- (h) the habitat type of the collection site;
- (i) the words "preservation seed mixture";
- (j) the reference number of the lot given by the person affixing the labels;
- (k) in the case of crop-grown preservation mixtures—
 - (i) the percentage by weight of the components as species and, where relevant, sub-species;
 - (ii) the specific germination rate for the fodder seed components of the mixture that do not comply with the germination requirements set out in paragraph 28(2) of Schedule 2 (unless the mixture contains more than five such fodder seed components, in which case the average germination rate for those components may be used);
- (l) in the case of directly-harvested preservation mixtures, the percentage by weight of those components as species and, where relevant, sub-species that are typical for the habitat type of the collection site and that are, as components of the mixture, of importance for the preservation of the natural environment in the context of the conservation of genetic resources;

- (i) y pwysau net neu gros datganedig; ac
- (l) os defnyddir plaleiddiaid gronynnog, sylweddau pelennu neu ychwanegion solid eraill, natur yr ychwanegyn a hefyd bras amcan o'r gymhareb rhwng pwysau'r clystyrau neu'r hadau pur a chyfanswm y pwysau.

(5) Rhaid i gyfanswm pwysau'r hadau yr awdurdodir eu marchnata bob blwyddyn beidio â bod yn fwy na 5% o gyfanswm pwysau'r cymysgeddau hadau porthiant sy'n cael eu marchnata yn y Deyrnas Unedig yn ystod yr un flwyddyn.

(6) Yn y paragraff hwn, mae i "amrywogaeth gadwraeth" yr ystyr a roddir i "conservation variety" gan reoliad 2(1) o Reoliadau Hadau (Rhestrau Cenedlaethol o Amrywogaethau) 2001.

(7) Mae i'r ymadroddion a ddefnyddir yn y paragraff hwn, ac y defnyddir eu cyfystyron Saesneg yng Nghyfarwyddeb y Comisiwn 2010/60/EU yr un ystyron yn y paragraff hwn ag sydd i'r cyfystyron hynny yn y Gyfarwyddeb honno.

Marchnata amrywogaethau anrhestredig (ac eithrio hadau llysiâu) ar gyfer profion a threialon

9.—(1) Caiff Gweinidogion Cymru awdurdodi marchnata hadau pan fo cais i'w cofnodi yn Rhestr Genedlaethol y Deyrnas Unedig wedi ei gyflwyno, ond hyd hynny heb ei ganiatáu.

(2) Nid yw'r paragraff hwn yn gymwys mewn perthynas â hadau llysiâu (ymdrinnir â hadau llysiâu yn y paragraff dilynol).

(3) Rhaid i geisydd fod yn gynhyrchwr sefydledig yng Nghymru.

(4) Mae awdurdodiad yn ddilys am un flwyddyn ac yn adnewyddadwy.

(5) Bydd awdurdodiad yn annilys unwaith yr ychwanegir yr amrywogaeth at Restr Genedlaethol y Deyrnas Unedig, neu y tynnir y cais i'w rhestru yn ôl neu y gwrthodir y cais.

(6) Ni chaiff neb ofyn am awdurdodiad ac eithrio'r person a gyflwynodd gais am gofnodi'r amrywogaethau dan sylw yn Rhestr Genedlaethol y Deyrnas Unedig.

(7) Ni cheir rhoi awdurdodiad ac eithrio ar gyfer cynnal profion neu dreialon mewn mentrau amaethyddol, er mwyn casglu gwybodaeth ynglŷn â thyfu neu ddefnyddio'r amrywogaeth.

(8) Rhaid i'r meintiau a awdurdodir ar gyfer pob amrywogaeth beidio â bod yn fwy na'r canrannau canlynol o hadau o'r un rhywogaeth a ddefnyddir yn flynyddol yn y Deyrnas Unedig—

- (a) yn achos gwenith caled: 0.05 %,
- (b) yn achos pys maes, ffa maes, ceirch, haidd a gwenith: 0.3 %,

- (m) declared net or gross weight; and
- (n) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the clusters or pure seeds and the total weight.

(5) The total quantity of the seed authorised to be marketed each year must not exceed 5% of the total weight of fodder seed mixtures marketed in the United Kingdom in the same year.

(6) In this paragraph "conservation variety" ("*amrywogaeth gadwraeth*") has the meaning given by regulation 2(1) of the Seeds (National Lists of Varieties) Regulations 2001.

(7) Expressions used both in this paragraph and Commission Directive 2010/60/EU have the same meaning in this paragraph as they have in that Directive.

Marketing unlisted varieties (other than vegetable seed) for tests and trials

9.—(1) The Welsh Ministers may authorise the marketing of seed for which an application for entry in the United Kingdom National List has been submitted but not yet granted.

(2) This paragraph does not apply in relation to vegetable seed (for which see the following paragraph).

(3) An applicant must be a producer established in Wales.

(4) An authorisation is valid for one year and is renewable.

(5) An authorisation becomes invalid once the variety is added to the United Kingdom National List or the application to be listed is withdrawn or rejected.

(6) The authorisation may only be requested by the person who has submitted an application for entry of the varieties concerned in the United Kingdom National List.

(7) An authorisation may only be granted for tests or trials carried out at agricultural enterprises to gather information on the cultivation or use of the variety.

(8) The quantities authorised for each variety must not exceed the following percentages of seed of the same species used annually in the United Kingdom—

- (a) in the case of durum wheat: 0.05 %,
- (b) in the case of field pea, field bean, oats, barley and wheat: 0.3 %,

(c) ym mhob achos arall: 0.1 %,

ac eithrio, os yw meintiau o'r fath yn annigonol ar gyfer hau 10 hectar, ceir awdurdodi'r maint sydd ei angen ar gyfer arwynebedd o'r fath.

(9) Rhaid i hadau porthiant gydymffurfio â'r amodau ar gyfer—

- (a) hadau ardystiedig (pob rhywogaeth ac eithrio pys maes a ffa maes); neu
- (b) hadau ardystiedig, ail genhedlaeth (pys maes a ffa maes).

(10) Rhaid i hadau yd gydymffurfio â'r amodau ar gyfer—

- (a) hadau ardystiedig (rhyg, indrawn a hybridiau o geirch a cheirch coch, haidd, gwenith, gwenith caled, gwenith yr Almaen a rhygwenith ac eithrio amrywogaethau hunanbeilliol); neu
- (b) hadau ardystiedig, ail genhedlaeth ceirch a cheirch coch, haidd, gwenith, gwenith caled, gwenith yr Almaen ac amrywogaethau hunanbeilliol o rygwenith, ac eithrio hybridiau ym mhob achos.

(11) Rhaid i hadau betys gydymffurfio â'r amodau ar gyfer hadau ardystiedig.

(12) Rhaid i hadau planhigion olew a ffibr gydymffurfio â'r amodau ar gyfer—

- (a) hadau ardystiedig (pob rhywogaeth ac eithrio llin a had llin);
- (b) hadau ardystiedig, ail a thrydedd genhedlaeth (llin a had llin).

(13) Rhaid labelu'r pecyn gyda label oren, y mae'n rhaid iddo gynnwys y geiriau "variety not yet officially listed; for tests and trials only" a phan fo'n gymwys "genetically modified variety" yn ychwanegol at y gofynion labelu eraill yn y Rheoliadau hyn.

Marchnata amrywogaethau anrhestredig o hadau llyisiau

10.—(1) At y diben o gasglu gwybodaeth a phrofiad ymarferol o amrywogaeth yn ystod y cyfnod tyfu, caiff Gweinidogion Cymru awdurdodi marchnata hadau llyisiau nad ydynt wedi eu rhestru yn Rhestr Genedlaethol y Deyrnas Unedig, ar yr amod bod cais wedi ei wneud i'w cofnodi yn Rhestr Genedlaethol un Aelod-wladwriaeth o leiaf.

(2) Mae awdurdodiad yn ddilys am un flwyddyn ac yn adnewyddadwy ddwywaith am gyfnod na fydd yn hwy nag un flwyddyn yn dilyn pob adnewyddiad.

(3) Nid oes cyfyngiadau meintiol ar y meintiau y ceir eu hawdurdodi.

(4) Ni chaiff neb ofyn am awdurdodiad ac eithrio'r person a gyflwynodd gais am gofnodi'r amrywogaethau dan sylw yn y Rhestr Genedlaethol berthnasol.

(c) in all other cases: 0.1 %,

except that, if such quantities are not sufficient to sow 10 hectares, the quantity needed for such an area may be authorised.

(9) Fodder seed must comply with the conditions for—

- (a) certified seed (all species other than field peas and field beans); or
- (b) certified seed, second generation (field peas and field beans).

(10) Cereal seed must comply with the conditions for—

- (a) certified seed (rye, maize and hybrids of oats and red oats, barley, wheat, durum wheat, spelt wheat and triticale other than self-pollinating varieties); or
- (b) certified seed, second generation oats and red oats, barley, wheat, durum wheat, spelt wheat and self-pollinating varieties of triticale, other than hybrids in each case.

(11) Beet seed must comply with the conditions for certified seed.

(12) Seed of oil and fibre plants must comply with the conditions for—

- (a) certified seed (all species other than flax and linseed);
- (b) certified seed, second and third generation (flax and linseed).

(13) The package must be labelled with an orange label which must include the words "variety not yet officially listed; for tests and trials only" and, where applicable "genetically modified variety" in addition to the other labelling requirements in these Regulations.

Marketing unlisted varieties of vegetable seed

10.—(1) For the purpose of gaining knowledge and practical experience of a variety during cultivation, the Welsh Ministers may authorise the marketing of vegetable seed not listed on the United Kingdom National List provided an application has been made for entry into the National List of at least one member State.

(2) An authorisation is valid for one year and is renewable twice for a period not exceeding one year at each renewal.

(3) There are no quantitative restrictions on the amount that may be authorised.

(4) The authorisation may only be requested by the person who has submitted an application for entry of the varieties concerned on to the relevant National List.

(5) Rhaid labelu'r pecyn gyda label oren, ac y mae'n rhaid iddo gynnwys y geiriau "Variety not yet officially listed" yn ychwanegol at y gofynion labelu eraill yn y Rheoliadau hyn (ac eithrio nad oes raid i enw'r awdurdod sy'n ardystio ymddangos, nac ychwaith wlad y tarddiad).

(6) Rhaid i'r person sy'n marchnata'r hadau—

- (a) dal gafael mewn sampl o bob lot hadau sy'n cael ei farchnata, a'i chadw am ddwy flynedd o leiaf;
- (b) cofnodi, ar gyfer pob gwerthiant, enw a chyfeiriad y prynwr, a chadw'r cofnod am dair blynedd o leiaf.

Marchnata at ddibenion gwyddonol neu ddethol

11.—(1) Caiff Gweinidogion Cymru awdurdodi cynhyrchwr i roi ar y farchnad feintiau bach o hadau (ac eithrio hadau llysiau) at ddibenion gwyddonol neu ddethol.

(2) Caiff Gweinidogion Cymru roi awdurdodiad pa un a yw'r amrywogaeth wedi ei rhestru yn Rhestr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin ai peidio.

(3) Rhaid i geisydd am awdurdodiad fod yn gynhyrchwr sydd wedi ymsefydlu yng Nghymru.

(4) Rhaid labelu'r pecyn gyda label oren, ac y mae'n rhaid iddo gynnwys y geiriau "Variety not yet officially listed" (os yw hynny'n wir) yn ychwanegol at ofynion labelu eraill y Rheoliadau hyn.

(5) Rhaid i'r person sy'n marchnata'r hadau—

- (a) dal gafael mewn sampl o bob lot hadau sy'n cael ei farchnata, a'i chadw am ddwy flynedd o leiaf;
- (b) cofnodi, ar gyfer pob gwerthiant, enw a chyfeiriad y prynwr, a chadw'r cofnod am dair blynedd o leiaf.

Cyfyngiadau mewn perthynas â hadau a addaswyd yn enetig

12. Ni chaiff Gweinidogion Cymru ganiataú awdurdodiad o dan baragraffau 8 i 11 mewn perthynas â hadau amrywogaeth a addaswyd yn enetig, ac eithrio pan fo marchnata a gollwng y deunydd a addaswyd yn enetig gan y ceisydd ar gyfer ei dyfu wedi ei awdurdodi o dan naill ai—

- (a) Cyfarwyddeb 2001/18/EC Senedd Ewrop a'r Cyngor (ar ollwng i'r amgylchedd yn fwriadol organebau a addaswyd yn enetig⁽¹⁾), neu

(5) The package must have an orange label and include the words "Variety not yet officially listed" in addition to the other labelling requirements of these Regulations (except that the name of the certifying authority and the country of origin need not appear).

(6) The person marketing the seed must—

- (a) retain a sample of each seed lot marketed and keep it for at least two years;
- (b) record for each sale the name and address of the buyer and keep the record for at least three years.

Marketing for scientific or selection purposes

11.—(1) The Welsh Ministers may authorise a producer to place on the market small quantities of seed (other than vegetable seed) for scientific or selection purposes.

(2) The Welsh Ministers may grant an authorisation whether or not the variety is listed on the United Kingdom National List or the Common Catalogue.

(3) An applicant for authorisation must be a producer established in Wales.

(4) The package must have an orange label and include the words "Variety not yet officially listed" (if this is the case) in addition to the other labelling requirements of these Regulations.

(5) The person marketing the seed must—

- (a) retain a sample of each seed lot marketed and keep it for at least two years;
- (b) record for each sale the name and address of the buyer and keep the record for at least three years.

Restrictions relating to genetically modified seed

12. The Welsh Ministers may only grant an authorisation in respect of seed of a genetically modified variety under paragraphs 8 to 11 if the marketing and release of the genetically modified material by the applicant have been authorised for cultivation under either—

- (a) Directive 2001/18/EC of the European Parliament and of the Council (on the deliberate release into the environment of genetically modified organisms⁽¹⁾), or

(1) OJ Rhif L 106, 17.4.2001, t. 1, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb 2008/27/EC (OJ Rhif L 81, 20.3.2008, t. 45).

(1) OJ No L 106, 17.4.2001, p. 1, as last amended by Directive 2008/27/EC (OJ No L 81, 20.3.2008, p. 45).

(b) Rheoliad (EC) Rhif 1829/2003 (ar fwyd a phorthiant a addaswyd yn enetig(1)).

(b) Regulation (EC) No 1829/2003 (on genetically modified food and feed(1)).

Marchnata hadau a fewnforiwyd sydd i'w labelu fel HVS

13.—(1) Ceir marchnata hadau a ardystiwyd mewn Aelod-wladwriaeth arall, neu mewn trydedd wlad, fel hadau sy'n cyrraedd safon wirfoddol uwch yn unol â'r paragraff hwn.

(2) Rhaid cyflwyno sampl i Weinidogion Cymru i'w brofi, ac os bodlonir Gweinidogion Cymru bod y sampl yn cyrraedd y safon wirfoddol uwch, rhaid iddynt ddyroddi tystysgrif sy'n cadarnhau hynny.

(3) Rhaid ail-labelu'r hadau gan ddefnyddio—

- (a) label swyddogol a ddyroddir gan Weinidogion Cymru os yw'r hadau yn dod o Aelod-wladwriaeth arall, neu
- (b) label y Sefydliad ar gyfer Cydweithrediad a Datblygiad Economaidd (OECD) os yw'r hadau yn dod o drydedd wlad,

ac yn y ddau achos, rhaid datgan ar y label enw'r wlad y cynhyrchwyd yr hadau ynddi.

(4) Yn achos hadau a fewnforir tra'n aros i'w cynnwys yn Rhestr Genedlaethol y Deyrnas Unedig, neu hadau nas ardystiwyd yn derfynol yn y wlad lle'u cynhyrchwyd, ceir gwirio eu bod yn cyrraedd y safon wirfoddol uwch ac yna eu hailraddio, ar ôl eu rhestru neu'u hardystio'n derfynol.

Marchnata hadau a ardystiwyd mewn Aelod-wladwriaeth arall

14. Ceir marchnata hadau a ardystiwyd yn llawn ac a labelwyd mewn Aelod-wladwriaeth arall heb unrhyw ardystiad pellach o dan y Rheoliadau hyn.

Marchnata hadau o amrywogaethau llyisiau amatur

15.—(1) Caiff Gweinidogion Cymru awdurdodi marchnata hadau o amrywogaeth llyisiau amatur yn unol â'r paragraff hwn.

(2) Rhaid i'r hadau fod o amrywogaeth a restrir fel amrywogaeth o lysiau amatur yn Rhestr Genedlaethol y Deyrnas Unedig.

(3) Rhaid i'r hadau gydymffurfio â'r gofynion ar gyfer marchnata hadau safonol a bennir yng Nghyfarwyddeb y Cyngor 2002/55/EC(2) ar farchnata hadau llyisiau, ac eithrio'r gofynion mewn perthynas â phurdeb amrywogaethol minimol.

Marketing imported seed to be labelled as HVS

13.—(1) Seed certified in another member State or third country may be marketed as meeting a higher voluntary standard in accordance with this paragraph.

(2) A sample must be submitted to the Welsh Ministers for testing, and the Welsh Ministers, if satisfied that the sample meets the higher voluntary standard, must issue a certificate confirming this.

(3) The seed must be re-labelled using—

- (a) an official label issued by the Welsh Ministers if the seed is from another member State, or
- (b) an OECD label if the seed is from a third country,

and in both cases the country of production must be stated on the label.

(4) Seed imported pending inclusion in the United Kingdom National List or not finally certified in the country of production may be verified as being of a higher voluntary standard and re-graded after listing or final certification.

Marketing seed certified in another member State

14. Seed fully certified and labelled in another member State may be marketed without further certification under these Regulations.

Marketing seed of amateur vegetable varieties

15.—(1) The Welsh Ministers may authorise the marketing of seed of an amateur vegetable variety in accordance with this paragraph.

(2) The seed must be of a variety listed as an amateur vegetable variety in the United Kingdom National List.

(3) The seed must comply with the requirements for marketing of standard seed set out in Council Directive 2002/55/EC(2) on the marketing of vegetable seed, except the requirements in respect of minimal varietal purity.

(1) OJ Rhif L 268, 18.10.2003, t. 1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 298/2008 (OJ Rhif L 97, 9.4.2008, t. 64).

(2) OJ Rhif L 193, 20.7.2002, t. 33, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2009/74/EC (OJ Rhif L 166, 27.6.2009, t. 40).

(1) OJ No L 268, 18.10.2003, p. 1, as last amended by Regulation (EC) No 298/2008 (OJ No L 97, 9.4.2008, p. 64).

(2) OJ No L 193, 20.7.2002, p. 33, as last amended by Commission Directive 2009/74/EC (OJ No L 166, 27.6.2009, p. 40).

(4) Rhaid i'r hadau fod â phurdeb amrywogaethol digonol.

(5) Rhaid marchnata'r hadau mewn pecynnau bach nad yw eu pwysau net yn fwy na'r pwysau net a bennir yn Atodiad II i Gyfarwyddeb y Comisiwn 2009/145/EC(1) (sy'n ymwneud ag amrywogaethau llyisiau amatur).

(6) Rhaid labelu'r hadau gyda label cyflenwr neu hysbysiad printiedig neu stampiedig sydd, yn ogystal â chydymffurfio â darpariaethau cymwys paragraff 25 o Atodlen 3, yn cynnwys y geiriau "amateur variety".

(7) Yn y rheoliad hwn, mae i "amrywogaeth llyisiau amatur" yr ystyr a roddir i "amateur vegetable variety" gan reoliad 5A(5) o Reoliadau Hadau (Rhestrau Cenedlaethol o Amrywogaethau) 2001(2).

(4) The seed must have sufficient varietal purity.

(5) The seed must be marketed in small packages not exceeding the net weight specified in Annex II to Commission Directive 2009/145/EC(1) (which relates to amateur vegetable varieties).

(6) The seed must be labelled with a supplier's label or a printed or stamped notice which, in addition to complying with the applicable provisions of paragraph 25 of Schedule 3, contains the words "amateur variety".

(7) In this regulation "amateur vegetable variety" ("*amrywogaeth llyisiau amatur*") has the meaning given by regulation 5A(5) of the Seeds (National Lists of Varieties) Regulations 2001(2).

RHAN 3

Ardystio hadau nad ydynt yn cydymffurfio'n llawn â'r Rheoliadau hyn

Hadau nad ydynt wedi eu hardystio'n derfynol, a gynaeafwyd mewn Aelod-wladwriaeth arall

16.—(1) Yn achos hadau—

(a) sydd wedi eu cynhyrchu—

(i) yn uniongyrchol o hadau sylfaenol neu hadau ardystiedig o'r genhedlaeth gyntaf, a ardystiwyd yn swyddogol naill ai mewn Aelod-wladwriaeth arall neu mewn trydedd wlad y caniatwyd cywerthedd iddi o dan y Gyfarwyddeb, mewn perthynas â'r hadau hynny, a bennir yn Atodlen 2 neu

(ii) drwy groesi hadau sylfaenol a ardystiwyd mewn Aelod-wladwriaeth gyda hadau sylfaenol a ardystiwyd mewn trydedd wlad o'r fath, a

(b) sydd wedi eu cynaeafu mewn Aelod-wladwriaeth arall,

gellir eu hardystio os yw'r hadau hynny wedi bod yn destun archwiliad maes ar gyfer y categori hwnnw o hadau, ac os yw archwiliad swyddogol wedi dangos bod yr amodau ar gyfer hadau o'r categori hwnnw wedi eu bodloni.

(2) Os yw'r hadau wedi eu cynhyrchu yn uniongyrchol o hadau a ardystiwyd yn swyddogol, o genedlaethau cynharach na hadau sylfaenol, ceir eu hardystio fel hadau sylfaenol os yw'r amodau a bennir ar gyfer y categori hwnnw wedi eu bodloni.

PART 3

Certifying seed that does not fully comply with these Regulations

Seed not finally certified, harvested in another member State

16.—(1) Seed—

(a) that has been produced—

(i) directly from basic seed or certified seed of the first generation officially certified either in another member State or in a third country that has been granted equivalence under the Directive relating to that seed specified in Schedule 2, or

(ii) from the crossing of basic seed certified in a member State with basic seed certified in such a third country, and

(b) that has been harvested in another member State,

may be certified if that seed has undergone field inspection for that category of seed and if official examination has shown that the conditions for seed of that category are satisfied.

(2) Where the seed has been produced directly from officially certified seed of generations prior to basic seed, it may be certified as basic seed if the conditions laid down for that category are satisfied.

(1) OJ Rhif L 312, 27.11.2009, t. 44.

(2) O.S. 2001/3510; mewnosodwyd rheoliad 5A gan O.S. 2011/464.

(1) OJ No L 312, 27.11.2009, p. 44.

(2) S.I. 2001/3510; regulation 5A was inserted by S.I. 2011/464.

(3) Rhaid i'r hadau gael eu labelu gyda label llwyd sy'n dwyn yr wybodaeth ganlynol—

- (a) yr awdurdod sy'n gyfrifol am yr archwiliad maes ac enw neu flaenlythrennau'r Aelod-wladwriaeth;
- (b) y rhywogaeth, a ddynodir gan ei henw botanegol o leiaf, y caniateir ei roi yn ei ffurf dalfyredig heb gynnwys enwau'r awdurdodau;
- (c) yr amrywogaeth (yn achos llinellau mewnfrid a hybridiau a fwriedir yn unig fel cydrannau ar gyfer amrywogaethau hybrid, rhaid ychwanegu'r gair "component");
- (ch) y categori;
- (d) yn achos amrywogaethau hybrid, y gair "hybrid";
- (dd) y pwysau net neu gros datganedig;
- (e) y geiriau "seed not finally certified".

(4) Rhaid i'r hadau fynd gyda dogfen swyddogol sy'n datgan—

- (a) yr awdurdod sy'n dyroddi'r ddogfen;
- (b) y rhywogaeth, a ddynodir gan ei henw botanegol o leiaf, y caniateir ei roi yn ei ffurf dalfyredig heb gynnwys enwau'r awdurdodau;
- (c) yr amrywogaeth;
- (ch) y categori;
- (d) rhif cyfeirnod yr hadau a ddefnyddiwyd i hau'r cae ac enw'r wlad a ardystiodd yr hadau;
- (dd) rhif cyfeirnod y lot hadau neu'r cae;
- (e) yr arwynebedd a driniwyd i gynhyrchu'r lot hadau a gwmpesir gan y ddogfen;
- (f) y maint o hadau a gynaeafwyd a'r nifer o becynnau;
- (ff) y nifer o genedlaethau ar ôl hadau sylfaenol, yn achos hadau ardystiedig;
- (g) datganiad yn tystio bod yr amodau yr oedd yn ofynnol eu bodloni gan y cnwd y daeth yr hadau ohono wedi eu bodloni;
- (ng) pan fo'n briodol, canlyniadau dadansoddiad hadau rhagarweiniol.

Hadau nad ydynt wedi eu hardystio'n derfynol, a gynaeafwyd mewn trydedd wlad

17.—(1) Ceir ardystio hadau a gynaeafwyd mewn trydedd wlad—

- (a) os cynhyrchwyd hwy'n uniongyrchol—
 - (i) o hadau sylfaenol neu hadau ardystiedig o'r genhedlaeth gyntaf, a ardystiwyd naill ai mewn Aelod-wladwriaeth neu mewn trydedd wlad y caniatwyd cywerthedd

(3) The seed must be labelled with a grey label bearing the following information—

- (a) the authority responsible for field inspection and the name or initials of the member State;
- (b) the species, indicated at least under its botanical name, which may be given in abridged form and without the authorities' names;
- (c) the variety (in the case of inbred lines and hybrids intended solely as components for hybrid varieties, the word "component" must be added);
- (d) the category;
- (e) in the case of hybrid varieties, the word "hybrid";
- (f) the declared net or gross weight;
- (g) the words "seed not finally certified".

(4) The seed must be accompanied by an official document stating—

- (a) the authority issuing the document;
- (b) the species, indicated at least under its botanical name, which may be given in abridged form and without the authorities' names;
- (c) the variety;
- (d) the category;
- (e) the reference number of the seed used to sow the field and name of the country that certified that seed;
- (f) the reference number of the seed lot or field;
- (g) the area cultivated for the production of the seed lot covered by the document;
- (h) the quantity of seed harvested and number of packages;
- (i) the number of generations after basic seed, in the case of certified seed;
- (j) an attestation that the conditions to be satisfied by the crop from which the seed comes have been fulfilled;
- (k) where appropriate, the results of a preliminary seed analysis.

Seed not finally certified, harvested in a third country

17.—(1) Seed harvested in a third country may be certified if—

- (a) it has been produced directly from—
 - (i) basic seed or certified seed of the first generation certified either in a member State or in a third country that has been granted equivalence under Council

iddi o dan Benderfyniad y Cyngor 2003/17/EC ar gywerthedd archwiliadau maes a gyflawnir mewn trydydd gwledydd, ar gnydau sy'n cynhyrchu hadau ac ar gywerthedd hadau a gynhyrchir mewn trydydd gwledydd(1); neu

- (ii) drwy groesi hadau sylfaenol a ardystiwyd yn swyddogol mewn Aelod-wladwriaeth gyda hadau sylfaenol a ardystiwyd mewn trydedd wlad o'r fath;
 - (b) os buont yn destun archwiliad maes yn unol â Phenderfyniad y Cyngor 2003/17/EC;
 - (c) os dangosodd archwiliad bod yr amodau ar gyfer hadau o'r categori hwnnw wedi eu bodloni;
 - (ch) os ydynt yn dod ynghyd â thystysgrif gan yr awdurdod cymwys yng ngwlad eu tarddiad, sy'n ardystio'u statws.
- (2) Rhaid i'r label fod yn llwyd.

Estyniadau marchnata

18. Caiff Gweinidogion Cymru roi estyniad marchnata sy'n caniatáu cyfnod estynedig ar gyfer ardystio a marchnata hadau o amrywogaeth sydd wedi ei dileu o Restr Genedlaethol y Deyrnas Unedig neu'r Catalog Cyffredin.

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Decision 2003/17/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries(1); or

- (ii) the crossing of basic seed officially certified in a member State with basic seed certified in such a third country;
 - (b) it has undergone field inspection in accordance with Council Decision 2003/17/EC;
 - (c) examination has shown that the conditions for seed of that category are satisfied;
 - (d) it is accompanied by a certificate from the competent authority of the country of origin certifying its status.
- (2) The label must be grey.

Marketing extensions

18. The Welsh Ministers may grant a marketing extension allowing an extended period for the certification and marketing of seed of a variety that has been deleted from the United Kingdom National List or the Common Catalogue.

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(1) OJ Rhif L 8, 14.1.2003, t. 10, fel y'i diwygiwyd ddiwethaf gan Benderfyniad y Cyngor 2007/780/EC (OJ Rhif L 314, 1.12.2007, t. 20).

(1) OJ No L 8, 14.1.2003, p. 10, as last amended by Council Decision 2007/780/EC (OJ No L 314, 1.12.2007, p. 20).

