
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 128

SEEDS

**Cereal Seeds (Amendment No. 2) Regulations
(Northern Ireland) 2000**

Made 13th April 2000

Coming into operation 18th May 2000

The Department of Agriculture and Rural Development in exercise of the powers conferred on it by sections 1(1), (2A)(a) and 2(b) of the Seeds Act (Northern Ireland) 1965(c) and of every other power enabling it in that behalf, after consultation with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Cereal Seeds (Amendment No. 2) Regulations (Northern Ireland) 2000 and shall come into operation on 18th May 2000.

Amendment of the Cereal Seeds Regulations (Northern Ireland) 1994

2.—(1) The Cereal Seeds Regulations (Northern Ireland) 1994(d) shall be amended as follows.

(2) In regulation 3(2) (interpretation)—

(a) in sub-paragraph (b) of the definition of “Basic Seed”, for the words “and rye” there shall be substituted the words “, rye and self-pollinating triticale”; and

(b) in the definition of “Certified Seed”, for the words “spelt wheat and rye” both times they appear there shall be substituted the words “spelt wheat and self-pollinating triticale”.

(3) Paragraph 2 (varietal identity and varietal purity) of Part I of Schedule 4 shall be renumbered as paragraph 2(1), and the following new sub-paragraph shall be inserted after it—

“(2) The crop shall have sufficient varietal identity and varietal purity. In the case of an inbred line, the crop shall have sufficient varietal identity and purity as regards its characteristics. For the production of seed of hybrid varieties, the requirement for sufficient varietal identity

(a) As inserted by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3

(b) As amended by 1970 c. 20 (N.I.) section 10(2)

(c) 1965 c. 22 (N.I.); the name of the Department was changed by S.I. 1999/283 (N.I. 1) Art. 3(4)

(d) S.R. 1994 No. 254 as amended by S.R. 1995 No. 366, S.R. 1997 No. 240 and S.R. 2000 No. 53

and purity shall apply also to the characteristics of the components, including characteristics as to male sterility and fertility restoration.”.

(4) In paragraph 6 (standards for varietal purity, species purity and wild oats) of Part I of Schedule 4—

(a) for the heading to the third column to the table there shall be substituted—

“Varietal purity (excluding rye†, maize‡ and self-pollinating varieties of triticaleØ) percentage by number”; and

(b) below footnote ‡ there shall be added the following footnote—

“Ø The varietal purity of self-pollinating varieties of triticale percentage by number shall be 99.7 for Basic Seed and 99.0 for Certified Seed of the First Generation.”.

(5) After paragraph 9 (special conditions for hybrids of rye) of Part I of Schedule 4 there shall be inserted the following paragraph—

“Special conditions for crops to produce hybrids of oats, barley, wheat, durum wheat, spelt wheat and self-pollinating triticale

10. (a) The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination. The minimum distance of the female component shall be 25 metres from any other variety of the same species except from a crop of the male component. This distance may be disregarded if there is sufficient protection from any undesirable foreign pollination.

(b) The crop shall have sufficient identity and purity as regards the characteristics of the components.

(c) Where seed is produced by use of a chemical hybridisation agent, the crop shall conform to the following standards or other conditions—

(i) the minimum varietal purity of each component shall be—

(a) oats, barley, wheat, durum wheat and spelt wheat 99.7%

(b) self-pollinating triticale 99.0%;

(ii) the minimum hybridity shall be 95%. The percentage hybridity shall be assessed in accordance with current international methods, in so far as such methods exist. In cases where the hybridity is determined during seed testing prior to certification, the determination of the hybridity during field inspection need not be done.”.

(6) For paragraph 1 of Part II of Schedule 4 (conditions relating to the seeds) there shall be substituted—

“1. The seeds shall possess the varietal identity and the varietal purity (appropriate to the kind, category and level of the seeds) specified in Part I. In the case of seed of an inbred line, it shall possess the varietal identity and the varietal purity (appropriate to the kind, category and level of the

seeds) specified in Part I as regards its characteristics. For the seed of hybrid varieties, the requirements as to varietal identity and varietal purity (appropriate to the kind, category and level of the seeds) specified in Part I, other than the requirement as to varietal purity of Basic Seed specified in the third column of the table in paragraph 6 of Part I, shall apply also to the characteristics of the components. For hybrids of oats, barley, wheat, durum wheat, spelt wheat and self-pollinating triticale, the minimum varietal purity of the seed of the category “Certified Seed” shall be 90%. It shall be examined in official post-control tests on an appropriate proportion of samples.”.

(7) In paragraph 3 of Part II of Schedule 4—

(a) for—

“*Germination* (% by number) All Categories 85 85”

there shall be substituted—

“*Germination* (% by number) All Categories 85 85
(except triticale)

Triticale 80 —”; and

(b) in the table headed “Minimum Standard-maximum number of other seeds or structures in 500g.”, in the third box down in the first column, there shall be inserted before the words “Certified Seed of the First Generation” the words “Certified Seed,”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 13th April 2000.

(L.S.)

Liam McKibben

Senior Officer of the Department of
Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations implement Commission Directive 99/8/EC (O.J. No. L50, 26.2.99, p. 26) and Commission Directive 99/54/EC (O.J. No. L142, 5.6.99, p. 30) amending Council Directive 66/402/EEC (O.J. No. L125, 11.7.66, p. 2309/66) (O.J./SE 1965-66, p. 143) on the marketing of cereal seed by amending the Cereal Seeds Regulations (Northern Ireland) 1994 as amended (“the 1994 Regulations”).

These Regulations amend the 1994 Regulations to permit the marketing of seeds of hybrids of self-pollinating varieties of triticale as Basic Seed and Certified Seed (regulation 2(2) and (4)). They also establish, in respect of this hybrid and hybrids of oats, barley, wheat, durum wheat and spelt wheat, conditions to be met both by the crops from which seeds are obtained and by the seeds themselves (regulation 2(3), (4), (5) and (6)).

These Regulations also amend the 1994 Regulations to reduce the minimum germination requirement for triticale from 85 per cent. to 80 per cent. and introduce sample purity standards (at the Minimum Standard) for Certified Seed (regulation 2(7)).

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