
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 114

[^{F1}[^{F2}[^{F3}[^{F4}[^{F5}SEEDS

**Seeds (Miscellaneous Amendments)
Regulations (Northern Ireland) 2008**

Made - - - - *12th March 2008*

Coming into operation *30th April 2008*

The Department of Agriculture and Rural Development⁽¹⁾ makes the following Regulations in exercise of the powers conferred by sections 1(1) and (2A) and 2 of the Seeds Act (Northern Ireland) 1965⁽²⁾.

In accordance with section 1(1) of that Act it has consulted with representatives of such interests as appear to it to be concerned.]]]]

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| <p>F1 Regulations revoked (31.12.2009) by The Cereal Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/383), regs. 1, 32(2)(d) (with reg. 32(3))</p> <p>F2 Regulations revoked (31.12.2009) by The Beet Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/384), regs. 1, 29(2)(c) (with reg. 29(3))</p> <p>F3 Regulations revoked (31.12.2009) by The Fodder Plant Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/385), regs. 1, 33(2)(e)</p> <p>F4 Regulations revoked (31.12.2009) by The Oil and Fibre Plant Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/386), regs. 1, 32(2)(c) (with reg. 32(3))</p> <p>F5 Regulations revoked (31.12.2009) by The Vegetable Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/387), regs. 1, 32(2)(c) (with reg. 32(3))</p> |
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Title and commencement

1. These Regulations may be cited as the Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2008 and shall come into operation on 30th April 2008.

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| <p>F5 Regulations revoked (31.12.2009) by The Vegetable Seeds Regulations (Northern Ireland) 2009 (S.R. 2009/387), regs. 1, 32(2)(c) (with reg. 32(3))</p> |
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(1) Formerly the Department of Agriculture for Northern Ireland: *see* S.I. 1999/283 (N.I. 1) Article 3(4)

(2) 1965 c. 22 (N.I.); section 1 was amended by 1970 c. 20 (N.I.), section 10(1) and S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Schedule 3; section 2 was amended by 1970 c. 20 (N.I.), section 10(2) and S.R. 1977 No. 295 Art. 2

Commencement Information

II Reg. 1 in operation at 30.4.2008, see [reg. 1](#)

Amendment of the Beet Seeds Regulations (Northern Ireland) 1994

2.—(1) The Beet Seeds Regulations (Northern Ireland) 1994⁽³⁾ are amended in accordance with paragraph (2).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of “the Department” insert—

““EEA State” means—

(a) a State which is a member of the European Communities; and

(b) Iceland, Liechtenstein and Norway;”;

(b) for the definition of “member State” substitute—

““member State” means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;”;

(c) for the definition of “official examination” substitute—

““official examination” means—

(a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;

(b) in relation to Certified Seed produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and

(c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”;

(d) for the definition of “official label” substitute—

““official label” means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”.

⁽³⁾ S.R. 1994 No. 251 as amended by S.R. 1997 No. 240, S.R. 2000 No. 52, S.R. 2001 No. 331 and S.I. 2001/3510

F5 Regulations revoked (31.12.2009) by [The Vegetable Seeds Regulations \(Northern Ireland\) 2009 \(S.R. 2009/387\)](#), regs. 1, **32(2)(c)** (with reg. 32(3))

Commencement Information

I2 [Reg. 2](#) in operation at 30.4.2008, see [reg. 1](#)

Amendment of the Cereal Seeds Regulations (Northern Ireland) 1994

3.—(1) The Cereal Seeds Regulations (Northern Ireland) 1994(4) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of “the Department” insert—

““EEA State” means—

(a) a State which is a member of the European Communities; and

(b) Iceland, Liechtenstein and Norway;”;

(b) for the definition of “member State” substitute—

““member State” means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;”;

(c) for the definition of “official examination” substitute—

““official examination” means—

(a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;

(b) in relation to Certified Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and

(c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”;

(4) S.R. 1994 No. 254 as amended by S.R. 1995 No. 366, S.R. 1997 No. 240, S.R. 2000 No. 53, S.R. 2000 No. 128, S.R. 2001 No. 330, S.I. 2001/3510, S.R. 2003 No. 42 and S.R. 2004 No. 460

(d) for the definition of “official label” substitute—

““official label” means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”.

(3) In Schedule 5, in Part II (maximum weight of a seed lot and minimum weight of a submitted sample), for the number “25” each time it occurs substitute “30”.

F5 Regulations revoked (31.12.2009) by [The Vegetable Seeds Regulations \(Northern Ireland\) 2009 \(S.R. 2009/387\)](#), regs. 1, **32(2)(c)** (with reg. 32(3))

Commencement Information

I3 [Reg. 3](#) in operation at 30.4.2008, see [reg. 1](#)

Amendment of the Fodder Plant Seeds Regulations (Northern Ireland) 1994

4.—(1) The Fodder Plant Seeds Regulations (Northern Ireland) 1994⁽⁵⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of “the Department” insert—

““EEA State” means—

- (a) a State which is a member of the European Communities; and
- (b) Iceland, Liechtenstein and Norway;”;

(b) for the definition to “member State” substitute—

““member State” means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;”;

(c) for the definition of “official examination” substitute—

““official examination” means—

- (a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—
 - (i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or
 - (ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;
- (b) in relation to Certified seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Commercial Seed produced in the United Kingdom—
 - (i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(5) [S.R. 1994 No. 252](#) as amended by [S.R. 1996 No. 311](#), [S.R. 1997 No. 240](#), [S.R. 2000 No. 54](#), [S.R. 2001 No. 329](#), [S.I. 2001/3510](#), [S.R. 2003 No. 42](#) and [S.R. 2004 No. 460](#)

- (ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and
 - (c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”; and
 - (d) for the definition of “official label” substitute—
““official label” means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”.
- (3) For sub-paragraph (c) of Part II of Schedule 5 (maximum weight of a seed lot and minimum weight of a submitted sample) substitute—
- “(c) The maximum weight of a seed lot of a mixture of seeds shall be 10 tonnes, except that, where more than 50% of the mixture consists of kinds of seeds for which the maximum weight of the seed lot prescribed in seeds Regulations is more than 10 tonnes, the maximum weight shall be as prescribed for the kinds of that type that appear in the larger or largest proportion.”.

F5 Regulations revoked (31.12.2009) by [The Vegetable Seeds Regulations \(Northern Ireland\) 2009 \(S.R. 2009/387\)](#), regs. 1, **32(2)(c)** (with reg. 32(3))

Commencement Information

I4 Reg. 4 in operation at 30.4.2008, see [reg. 1](#)

Amendment of the Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994

5.—(1) The Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994(6) are amended in accordance with paragraph (2).

- (2) In regulation 3(1) (interpretation)—
 - (a) after the definition of “the Department” insert—
““EEA State” means—
 - (a) a State which is a member of the European Communities; and
 - (b) Iceland, Liechtenstein and Norway;”;
 - (b) for the definition of “member State” substitute—
““member State” means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;”;
 - (c) for the definition of “official examination” substitute—
““official examination” means—
 - (a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—
 - (i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(6) S.R. 1994 No. 255 as amended by S.R. 1996 No. 312, S.R. 1997 No. 240, S.R. 2000 No. 55, S.R. 2001 No. 328, S.I. 2001/3510, S.R. 2003 No. 384 and S.R. 2004 No. 237

- (ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;
- (b) in relation to Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation, Certified Seed of the Third Generation or Commercial Seed produced in the United Kingdom—
 - (i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or
 - (ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and
- (c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”; and
- (d) for the definition of “official label” substitute—

““official label” means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”.

F5 Regulations revoked (31.12.2009) by [The Vegetable Seeds Regulations \(Northern Ireland\) 2009 \(S.R. 2009/387\)](#), regs. 1, **32(2)(c)** (with reg. 32(3))

Commencement Information

I5 [Reg. 5](#) in operation at 30.4.2008, see [reg. 1](#)

Amendment of the Vegetable Seeds Regulations (Northern Ireland) 1994

6.—(1) The Vegetable Seeds Regulations (Northern Ireland) 1994⁽⁷⁾ are amended in accordance with paragraphs (2) to (5).

- (2) In regulation 3(1) (interpretation)—
 - (a) after the definition of “the Department” insert—

““EEA State” means—

 - (a) a State which is a member of the European Communities; and
 - (b) Iceland, Liechtenstein and Norway;”;
 - (b) for the definition to “member State” substitute—

““member State” means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;”;
 - (c) for the definition of “official examination” substitute—

““official examination” means—

 - (a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—

(7) [S.R. 1994 No. 250](#) as amended by [S.R. 1996 No. 313](#), [S.R. 1997 No. 240](#), [S.R. 2000 No. 56](#), [S.R. 2001 No. 327](#) and [S.I. 2001/3510](#)

- (i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or
- (ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;
- (b) in relation to Certified Seed produced in the United Kingdom—
 - (i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or
 - (ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and
- (c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;” and
- (d) for the definition of “official label” substitute the following definition—

““official label” means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;”;
- (3) For Schedule 1 (kinds of seeds to which the Regulations apply) substitute Schedule 1 as set out in the Schedule.

(4) In Schedule 4, in Part II, in the table in paragraph 2(a) (minimum standards for seeds), at the appropriate place in alphabetical order insert the following row—

“Sweet corn or popcorn	98	0.1	85”.
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- (5) In Schedule 5—
 - (a) in Part I (sampling of seed lots), for the table in paragraph 11(a) (dynamic spear sampler) substitute the following table—

“Dimensions (mm)

	Point Shoulder	Base	Aperture Length	Aperture Width	Base Diameter	Outside Diameter	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
For sampling—							
All kinds other than asparagus, beans, beet, cucumber, gherkin, marrow, melon, peas, popcorn, spinach or sweet corn	42	7	8	20	8	10	12
All kinds other than beans, marrow, peas, popcorn or sweet corn	85	12	10	33	11	13	15
All kinds other than peas and broad beans	82	12	13	40	15	17	19

Changes to legislation: There are currently no known outstanding effects for the Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2008. (See end of Document for details)

	Points Should	Base Length	Aperture Width	Aperture Diameter	Outside Diameter
Peas and broad beans	78	15	15	40	18 20 22”;

and

- (b) in Part II (maximum weight of a seed lot and minimum weight of a submitted sample)—
 (i) in the table in sub-paragraph (a), at the appropriate place in alphabetical order insert the following row—

“Sweet corn or popcorn	20”;	and
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- (ii) -in the table in sub-paragraph (b), at the appropriate place in alphabetical order insert the following row—

“Sweet corn or popcorn	1000”.
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F5 Regulations revoked (31.12.2009) by [The Vegetable Seeds Regulations \(Northern Ireland\) 2009 \(S.R. 2009/387\)](#), regs. 1, **32(2)(c)** (with reg. 32(3))

Commencement Information

I6 [Reg. 6](#) in operation at 30.4.2008, see [reg. 1](#)

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 12th March 2008.



J.W. Speers
 A senior officer of the Department of Agriculture
 and Rural Development.

SCHEDULE

Regulation 6(3)

SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 1 TO THE
VEGETABLE SEEDS REGULATIONS (NORTHERN IRELAND) 1994

Commencement Information

I7 Sch. in operation at 30.4.2008, see **reg. 1**

“SCHEDULE 1

Regulation 4(1)

KINDS OF SEED TO WHICH THE REGULATIONS APPLY

<i>Latin Name</i>	<i>Common Name</i>
<i>Allium cepa</i> L. <i>Cepa</i> 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 or Chard
<i>Brassica oleracea</i> L.	Curly kale, Cauliflower, Sprouting broccoli or Calabrese, Brussels sprouts, Savoy cabbage, White cabbage, Red cabbage, Kohlrabi
<i>Brassica rapa</i> L.	Chinese cabbage, Turnip
<i>Cichorium endivia</i> L.	Curled-leaved endive, Plain-leaved endive
<i>Cichorium intybus</i> L.	Whitloof chicory, Large-leaved chicory or 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.	Dwarf French bean, Climbing French bean
<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

Changes to legislation: There are currently no known outstanding effects for the Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2008. (See end of Document for details)

<i>Latin Name</i>	<i>Common Name</i>
<i>Vicia faba</i> L. (partim)	Broad bean
<i>Zea mays</i> L. (partim)	Sweet corn, Popcorn”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the following Regulations:

- (a) the Beet Seeds Regulations (Northern Ireland) 1994;
- (b) the Cereal Seeds Regulations (Northern Ireland) 1994;
- (c) the Fodder Plant Seeds Regulations (Northern Ireland) 1994;
- (d) the Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994;
- (e) the Vegetable Seeds Regulations (Northern Ireland) 1994.

These Regulations implement as respects Northern Ireland—

- (a) Council Directive [2004/117/EC](#) (O.J. No. L14, 18.1.2005 p. 18) amending Council Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#), [2002/55/EC](#) and [2002/57/EC](#) on the marketing of fodder plant seed, cereal seed, beet seed, vegetable seed and oil and fibre plant seed. They update the definitions on examinations carried out under official supervision (regulations 2(2)(c), 3(2)(c), 4(2)(c), 5(2)(c) and 6(2)(c));
- (b) Commission Directive [2006/55/EC](#) (O.J. No. L159, 13.6.2006 p. 11) amending Annex III to Council Directive [66/402/EEC](#) as regards the maximum weight of seed lots. They amend the Cereal Seeds Regulations (Northern Ireland) 1994 to increase the maximum weight of a seed lot of species of cereal seed, except for maize, from 25 to 30 tonnes (regulation 3(3)). They also make a consequential amendment to the Fodder Plant Seeds Regulations (Northern Ireland) 1994 to take account of this where more than 50% of a fodder plant seeds mixture consists of cereal seeds (regulation 4(3));
- (c) Commission Directive [2006/124/EC](#) (O.J. No. L339, 6.12.2006 p. 12) amending Council Directive [2002/55/EC](#) on the marketing of vegetable seeds and Commission Decision [2007/321/EC](#) (O.J. No. L119, 9.5.2007, p. 48) releasing the United Kingdom from the requirement to apply the marketing provisions of Council Directive [2002/55/EC](#) in relation to certain vegetable seed species. They amend the Vegetable Seeds Regulations (Northern Ireland) 1994 to update the list of genera and species of plant to which the Regulations apply, the main change being the addition of sweet corn or popcorn to the list (regulation 6(3) and Schedule) and make other consequential amendments (regulation 6(4) and (5)).

The Regulations also update the definitions of “official label” to take account of a change in operating procedures and the definitions of “member State” (regulation 2(2)(a), (b) and (d), 3(2)(a), (b) and (d), 4(2)(a), (b) and (d), 5(2)(a), (b) and (d) and 6(2)(a), (b) and (d)).]

Changes to legislation:

There are currently no known outstanding effects for the Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2008.