

2013 No. 304

SEEDS

The Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2013

Made - - - - 19th December 2013

Coming into operation - 20th January 2014

The Department of Agriculture and Rural Development^(a) makes the following Regulations in exercise of the powers conferred by sections 1(1), (2A) and 2 of the Seeds Act (Northern Ireland) 1965^(b), after consultation, in accordance with section 1(1) of that Act, with representatives of such interests as appear to it to be concerned.

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as The Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2013 and come into operation on 20th January 2014.

PART 2

AMENDMENT OF THE VEGETABLE SEEDS REGULATIONS (NORTHERN IRELAND) 2009

Amendment of The Vegetable Seeds Regulations (Northern Ireland) 2009

2. In regulation 3 (definitions relating to plant species) of the Vegetable Seeds Regulations (Northern Ireland) 2009^(c), for the definition of “tomato” substitute ““tomato” means plants commonly known by that name of the species *Solanum lycopersicum* L;”.

(a) Formerly the Department of Agriculture for Northern Ireland: see S.I. 1999/283 (N.I. 1) Article 3(4)

(b) 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 Article 3 and Schedule 3

(c) S.R. 2009 No.398 as amended by S.R. 2011 No.38

PART 3

AMENDMENT OF THE FODDER PLANT SEEDS REGULATIONS (NORTHERN IRELAND) 2009

Amendment of The Fodder Plant Seeds Regulations (Northern Ireland) 2009

3. The Fodder Plant Seeds Regulations (Northern Ireland) 2009(a) are amended in accordance with regulations 4 to 6.

4. In regulation 2(1) (general interpretation) for the definition of “the Fodder Plant Seed Directive” substitute ““the Fodder Plant Seed Directive” means Council Directive 66/401/EEC on the marketing of fodder plant seed(b)”.

5.—(1) Regulation 25 (sampling) is amended as follows.

(2) In paragraph (3) for the words “paragraph (5)” substitute “paragraph (5) or regulation 25A”.

(3) For paragraph (4) substitute the following—

“(4) Subject to paragraph (5), the maximum weight of a seed lot of a mixture of seeds to which regulation 24(1) or (2) applies shall be 10 tonnes, except that, where more than 50% of the mixture consists of species of seeds for which the maximum seed lot weight prescribed in seeds regulations is more than 10 tonnes, the maximum weight of a mixture shall be that of the larger or largest seed lot.”.

(4) For paragraph (5) substitute the following—

“(5) (a) Subject to sub-paragraph (b), a seed lot may exceed the maximum weight for a seed lot required under paragraph (3) or (4) by not more than 5 per cent.

(b) Where a person referred to in regulation 25A has approval to increase the maximum weight of a seed lot of grasses to 25 tonnes, the weight of such a seed lot may not exceed 25 tonnes by not more than 5 per cent.”

(5) In paragraph (7)(b) for the words “paragraph (3) or (4)” substitute “paragraph (3) or (4) or regulation 25A”.

6. After regulation 25 insert the following—

“Increase to maximum weight of a seed lot of grasses

25A.—(1) Any person registered by the Department under regulation 5 of the Seeds (Registration, Licensing and Enforcement) Regulations (Northern Ireland) 2009(c) or by another National Authority under any equivalent provision extending to any other part of the United Kingdom may apply to the Department for approval to increase the maximum weight, specified in column 2 of Schedule 7, of a seed lot of grasses set out in paragraphs 1 and 2 of column 1 to 25 tonnes.

(2) An application under paragraph (1) shall be made in writing to the Department and contain such information as the Department may require.

(3) An approval may be made subject to such conditions as the Department thinks are necessary.

(4) The Department may withdraw an approval to increase the maximum weight of a seed lot of grasses where it is satisfied that there has been a breach of any condition imposed under paragraph (3).

(a) S.R. 2009 No.385 as amended by S.R. 2011 No.397

(b) O.J. No. 125, 11.7.1966, p.2298, as last amended by Commissioning Implementing Directive 2012/37/EU (O.J. No. L325, 23.11.2012, p.13)

(c) S.R. 2009 No.388

(5) In paragraph (1), the words National Authority have the same meaning as the words “National Authorities” in regulation 2(1) of the Seeds (National List of Varieties) Regulations 2001(a).”

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 19th December 2013



Ian Humes
A senior officer of the
Department of Agriculture and Rural Development

(a) S.I. 2001 No 3510 as amended by S.I. 2004 No 2949; S.I. 2007 No 1871; S.I. 2009 No 1273 and S.I. 2011 No 464

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Commission Implementing Directive 2013/45/EU (O.J. L 213, 8.8.2013, p.20) amending the botanical name of tomato.

Regulation 2 amends regulation 3 (definitions relating to plant species) of the Vegetable Seeds Regulations (Northern Ireland) 2009 in relation to the definition for tomato.

These Regulations also implement Commission Implementing Directive 2012/37/EU (O.J. L 325, 22.11.2012, p.13). They amend the Fodder Plant Seeds Regulations (Northern Ireland) 2009 (“the principle Regulations”) in order to permit the increase of the maximum weight of a seed lot of certain fodder plant species.

Regulation 4 amends regulation 2 of the principle Regulations in relation to the definition of the Fodder Plant Seeds Directive.

Regulation 5 makes minor amendments to regulation 25 of the principle Regulations to provide for references to new regulation 25A and to replace an incorrect reference in paragraph (4).

Regulation 6 inserts a new regulation 25A after regulation 25 of the principle Regulations to provide a procedure whereby a registered person may apply to the Department for approval to increase the maximum weight of a seed lot for grasses to 25 tonnes.

No impact assessments have been prepared for these Regulations, as the amendments effect no significant changes in Northern Ireland.

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