
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations, which apply in Northern Ireland, implement—

- Council [Directive 66/401/EEC](#) on the marketing of fodder plant seed;
- Council [Directive 66/402/EEC](#) on the marketing of cereal seed;
- Council [Directive 2002/54/EC](#) on the marketing of beet seed;
- Council [Directive 2002/55/EC](#) on the marketing of vegetable seed;
- Council [Directive 2002/56/EC](#) on the marketing of seed of oil and fibre plants;

(partially) 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;

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; and

(partially) 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.

They revoke the ten sets of Regulations listed in regulation 35(2) and replace them with a single set of Regulations for the marketing of seed.

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

The types of seed to which the 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 the 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 Department licenses crop inspectors, seed samplers and seed testing stations to act under these Regulations (regulation 21).

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

Part 5 also sets out the requirements for imported seed to be marketed in Northern Ireland (regulation 27).

Contravention of any provision in the Regulations is an offence under section 3(1)(b) of the Seeds Act (Northern Ireland) 1964 (c.22) incurring liability on summary conviction to a fine not exceeding level 5 on the standard scale.

Status: *This is the original version (as it was originally made).*

An impact assessment has not been produced for this statutory rule as no impact on business or the private or voluntary sector is foreseen. The Explanatory Memorandum for this statutory rule is available alongside the rule at www.legislation.gov.uk.