

SCOTTISH STATUTORY INSTRUMENTS

2005 No. 329

The Fodder Plant Seed (Scotland) Regulations 2005

PART III

PROCEDURES FOR ISSUING OFFICIAL CERTIFICATES

Sampling

15.—(1) A sample of seed taken for the purposes of an official examination shall be taken—

- (a) (i) by a [^{F1}International Authority]; or
- (ii) by a licensed seed sampler in accordance with the terms of the licensed seed sampler's licence;
- (b) in accordance with the methods specified in Part I of Schedule 5; and
- (c) from a homogeneous seed lot.

[^{F2}(1A) A sample of seed of a Conservation Variety [^{F3}and of a directly harvested preservation mixture] taken for the purposes of checking compliance with these Regulations shall comply with paragraph (1)(b) and (c) and Part II of Schedule 5.]

(2) If a sample from a seed lot submitted or taken for the purpose of an official examination—

- (a) is found not to have been taken in accordance with paragraph (1);
- (b) is taken from a seed lot which, subject to paragraph 24 of Part II of Schedule 5, does not comply with paragraph 23 of Part II of Schedule 5;
- (c) is not a submitted sample; or
- (d) is otherwise found not to have been taken in accordance with the seeds regulations,

no, or no further, official examination of that sample shall be made under these Regulations, and any findings or results obtained in the course of any official examination of that sample, or from inspecting plants grown in a plot which has been sown with seed from that sample, shall be deemed to be null and void and shall be disregarded.

(3) For the avoidance of doubt, the provisions of this regulation apply for the purpose of issuing a breeder's confirmation, as they do for the purpose of issuing an official certificate.

Textual Amendments

- F1** Words in [reg. 15\(1\)\(a\)\(i\)](#) substituted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **14(16)** (as amended by [S.S.I. 2020/445](#), regs. 1(1)(b), **15(15)**); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F2** [Reg. 15\(1A\)](#) inserted (30.6.2009) by [The Seed \(Scotland\) \(Amendments for Conservation Varieties\) Regulations 2009 \(S.S.I. 2009/223\)](#), regs. 1, **27(a)**
- F3** Words in [reg. 15\(1A\)](#) inserted (10.2.2012) by [The Fodder Plant Seed \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/5\)](#), regs. 1, **5**

Changes to legislation: There are currently no known outstanding effects for the The Fodder
Plant Seed (Scotland) Regulations 2005, Section 15. (See end of Document for details)

Commencement Information

II Reg. 15 in force at 1.7.2005, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Fodder Plant Seed (Scotland) Regulations 2005, Section 15.