
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the following regulations—

- the Vegetable Seeds Regulations 1993 (the “Vegetable Seed Regulations”);
- the Oil and Fibre Plant Seed (Scotland) Regulations 2004 (the “Oil and Fibre Plant Seed Regulations”);
- the Cereal Seed (Scotland) Regulations 2005 (the “Cereal Seed Regulations”);
- the Fodder Plant Seed (Scotland) Regulations 2005 (the “Fodder Plant Seed Regulations”);
- the Beet Seed (Scotland) (No. 2) Regulations 2010 (the “Beet Seed Regulations”);
- the Seed Potatoes (Scotland) Regulations 2015 (the “Seed Potatoes Regulations”); and
- the Seed (Licensing and Enforcement etc.) (Scotland) Regulations 2016 ([S.S.I. 2016/68](#)).

They transpose the following Commission Implementing Directives and Decision.

Commission Implementing Directive (EU) 2016/11

Commission Implementing Directive (EU) 2016/11 amending Annex II to Council [Directive 2002/57/EC](#) on the marketing of seed of oil and fibre plants (OJ L 3, 6.1.2016, p.48 amends Council [Directive 2002/57/EC](#) (OJ L 193, 20.7.2002, p.74) to reduce the minimum varietal purity of seed of hybrids of swede rape. This amendment is transposed by regulation 3(4), which amends schedule 4 (requirements for basic seed, certified seed, certified seed of the first generation, certified seed of the second generation, certified seed of the third generation and commercial seed) of the Oil and Fibre Plant Seed Regulations.

Commission Implementing Directive (EU) 2016/317 (“the Implementing Directive”) and Commission Implementing Decision (EU) 2016/320 (“the Implementing Decision”)

Commission Implementing Directive 2016/317 amending Council Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#), [2002/55/EC](#), [2002/56/EC](#) and [2002/57/EC](#) as regards the official label of seed packages (OJ L 60, 5.3.2016, p.72) requires the addition of an officially assigned serial number on the official label of certain categories of seed potatoes and certain categories of vegetable, oil and fibre plant, cereal, fodder and beet seeds. Commission Implementing Decision (EU) 2016/320 amending [Decision 2004/842/EC](#) concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogues of varieties of agricultural plant species or vegetable species has been submitted (OJ L 60, 5. 3.2016, p.88) introduces the requirement for an officially assigned serial number on the official label of seed potatoes and of oil and fibre plant, cereal, fodder and beet seeds, where those seed potatoes or seeds are authorised to be marketed for the purposes of tests and trials.

Regulation 2 amends the Vegetable Seed Regulations to transpose Article 4 of the Implementing Directive. Regulation 3 amends the Oil and Fibre Plant Seed Regulations to implement the Implementing Decision in relation to oil and fibre seeds and to transpose Article 6 of the Implementing Directive. Regulation 4 amends the Cereal Seed Regulations to implement the Implementing Decision in relation to cereal seeds and to transpose Article 2 of the Implementing Directive. Regulation 5 amends the Fodder Plant Seed Regulations to implement the Implementing Decision in relation to fodder plant seeds and to transpose Article 1 of the Implementing Directive.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 6 amends the Beet Seed Regulations to implement the Implementing Decision in relation to beet seeds and to transpose Article 3 of the Implementing Directive. Regulation 7 amends the Seed Potatoes Regulations to implement the Implementing Decision in relation to seed potatoes and to transpose Article 5 of the Implementing Directive.

Regulation 8 amends regulations 2 (to substitute certain definitions) and 15 (to correct drafting errors and fulfil a commitment to the Scottish Parliament to do so) of the Seed (Licensing and Enforcement etc.) (Scotland) Regulations 2016.

Regulation 3(3) amends the Oil and Fibre Plant Seed Regulations to update the cross-reference to the Fodder Plant Seed Regulations.

Regulation 4(2)(a) also makes a drafting correction to the Cereal Seed Regulations.

Transposition tables in relation to the above Commission Implementing Directives and Decision have been published with the Policy Note accompanying these Regulations.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.