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 STATUTORY INSTRUMENTS
 

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1985 No. 980

## SEEDS

**The Seeds (Registration, Licensing and Enforcement) Regulations  
1985**

<i>Made - - - -</i>	<i>26th June 1985</i>
<i>Laid before Parliament</i>	<i>10th July 1985</i>
<i>Coming into Operation</i>	<i>1st August 1985</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 16(1), (1A), (3), (4) and (8), 24(5), 26(2) and (3) and 36 of the Plant Varieties and Seeds Act 1964 (a) and now vested in them (b) and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned and with the Council on Tribunals in accordance with section 10(1) of the Tribunals and Inquiries Act 1971 (c), hereby make the following regulations:—

*Title, extent and commencement*

1. These regulations may be cited as the Seeds (Registration, Licensing and Enforcement) Regulations 1985, shall apply to Great Britain and shall come into operation on 1st August 1985.

*Revocation of previous regulations*

2. The Seeds (Registration and Licensing) Regulations 1974 (d), the Seeds (Registration and Licensing) (Amendment) Regulations 1975 (e) and the Seeds (Registration and Licensing) (Amendment) Regulations 1981 (f) are hereby revoked.

*Interpretation*

3.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Plant Varieties and Seeds Act 1964;

“marketing” includes the offer for sale, exposure for sale, sale and possession with a view to sale of seeds and any transaction in the course of business—

(a) under which the property in seeds is transferred from one person to another; or

(b) under which the seeds are made over by one person to another in pursuance of a contract under which the seeds will be used for producing further seeds or for producing plants or parts of plants for human or animal consumption;

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(a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68), section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4.

(b) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.

(c) 1971 c.62.

(d) S.I. 1974/760.

(e) S.I. 1975/720.

(f) S.I. 1981/1699.

and “marketed” shall be construed accordingly;

“the Minister” means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Scotland or Wales, the Secretary of State;

“official examination” in relation to any seeds or crop, has the meaning given to it in appropriate seeds regulations, and “officially examined” shall be construed accordingly;

“seed merchant” means a person engaged in the business of trading in seeds other than a person engaged in a business trading only in small packages of seeds, small EEC packages of seeds, small EEC A packages of seeds or small EEC B packages of seeds (as defined in each case in seeds regulations) or in unpacketed seeds which may be marketed in accordance with seeds regulations;

“seed packer” means a person engaged in the business of re-packing seeds or a person who, in accordance with the requirements of the Vegetable Seeds Regulations 1985 **(a)** for the time being in force, labels or marks packages of Standard Seed of vegetables (as defined in those regulations);

“seed processor” means a person engaged in the business of cleaning, treating or otherwise processing seeds intended for sale;

“seeds” means seeds of any kind to which seeds regulations apply but does not include seed potatoes or silvicultural propagating or planting material;

“seeds regulations” means regulations made under section 16 of the Act and for the time being in force;

“the Tribunal” means the Plant Varieties and Seeds Tribunal established by section 10 of and Schedule 4 to the Act **(b)**.

(2) A reference in these regulations to a numbered regulation or a Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these regulations.

*Registration of seed merchants, seed packers and seed processors*

4.—(1) No person shall carry on the business of a seed merchant, a seed packer or a seed processor unless he is for the time being registered as a seed merchant, a seed packer or a seed processor, as the case may be, for the purposes of these regulations.

(2) A person who wishes to be registered as a seed merchant, a seed packer or a seed processor shall make an application to the Minister in writing and shall give to the Minister such information relating to his proposed business as the Minister may reasonably require.

(3) The Minister shall register a person as a seed merchant, a seed packer or a seed processor if he is satisfied that there are available to that person such premises, machinery, equipment, facilities and personnel as appear to the Minister to be necessary to enable that person to carry on the business to which his application relates.

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**(a)** S.I. 1985/979.

**(b)** Section 10 of, and Schedule 4 to, the Act were amended by paragraph 5(5) of Schedule 4 to the European Communities Act 1972.

(4) A person registered as a seed merchant, a seed packer or a seed processor shall keep and maintain proper records of his transactions in seeds and of the treatment, testing and other operations undertaken by him or on his behalf in relation to any seeds; and his continued registration shall be conditional upon his giving to the Minister such information as the Minister may reasonably require and to his permitting, at any reasonable time, an officer of the Minister to inspect and take copies of any such records and to inspect the premises, machinery, equipment and facilities available for the carrying on of the business in respect of which he is registered.

(5) The registration of a person as a seed merchant, a seed packer or a seed processor shall be effective for an unlimited period, except that the Minister may at any time revoke any such registration if it appears to the Minister that there are no longer available to a person so registered such premises, machinery, equipment, facilities and personnel as are necessary to enable him to carry on the business in respect of which he is registered or that such person has failed to comply with the obligations imposed by paragraph (4) above.

#### *Prohibition of marketing of seeds*

5.—(1) If it appears to the Minister that seeds of a particular kind, variety, category or level marketed by a person registered as a seed merchant, a seed packer or a seed processor in accordance with regulation 4 have been shown to fail to satisfy the requirements of seeds regulations the Minister may, by notice in writing served on the seed merchant, seed packer or seed processor (as the case may be), prohibit, for either an unlimited or for a specified period, the further marketing of seeds of that kind, variety, category or level by such person either absolutely or from such premises as may be specified in the notice.

(2) If, whilst the marketing by a person of any seeds of a particular kind, variety, category or level is prohibited under paragraph (1) above, the Minister is satisfied that it is no longer likely that such seeds, if marketed by that person, will fail to satisfy the requirements of seeds regulations, he shall terminate the prohibition imposed under paragraph (1) above in respect of such seeds.

#### *Representations and hearings*

6.—(1) The Minister shall, before making a decision to—

- (a) refuse to register a person as a seed merchant, a seed packer or a seed processor on the grounds that he is not satisfied as to one or more of the matters referred to in regulation 4(3); or
- (b) revoke the registration of a person as a seed merchant, a seed packer or a seed processor in accordance with regulation 4(5); or
- (c) prohibit in accordance with regulation 5(1) the marketing by a person of seeds of a particular kind, variety, category or level,

give to that person notice in writing of his proposed decision together with the reasons for it and, subject to the payment of any fee imposed by seeds regulations, afford to that person an opportunity of making representations to him in writing, or of being heard by a person appointed by him for the purpose or, if that person shall so desire, of both making such representations and being so heard.

(2) A notice given by the Minister under paragraph (1) above shall inform the person to whom it is given of his rights to make representations in writing,

of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard.

(3) If no person within the time allowed for the purpose has made any representations in writing to the Minister or has applied to be heard the Minister shall proceed to make his decision.

(4) A person making representations in writing to the Minister shall, with the representations, and a person applying to be heard shall, not later than 7 days before the day appointed for the hearing, deliver to the Minister two copies of any documents upon which that person proposes to rely.

(5) If a person entitled to be heard by the Minister shall apply to be heard the Minister shall, subject to the payment of any fees payable under seeds regulations, appoint a time and place for the hearing.

(6) In appointing such time and place the Minister shall have regard to the convenience of the person who is to be heard and of his witnesses, the situation of any premises to be viewed in connection with the matter and to the other circumstances of the case, including the wishes of, and expense to, the parties.

(7) The Minister shall give to the person who is to be heard not less than 21 days notice in writing of the time and place of the hearing.

(8) The hearing may be adjourned from time to time.

(9) The person who is to be heard may be represented at the hearing by a person chosen by him.

(10) The person who is to be heard may give evidence and he or his representative may call witnesses and produce documents but, except with the leave of the person conducting the hearing, no document shall be produced unless copies are delivered to the Minister in accordance with paragraph (4) above.

(11) The person conducting the hearing may require a witness to give his evidence on oath or affirmation and may for that purpose administer an oath or affirmation in due form.

(12) The hearing shall be in public unless the person conducting the hearing after consultation with the person who is to be heard or his representative otherwise directs.

(13) The Minister shall not make his decision until he has considered, in addition to the submissions made and evidence adduced at the hearing, any representations made to him in writing.

(14) The Minister shall give notice in writing of his decision together with his reasons for it to the person affected by it and shall also inform him of the time within which and manner in which an appeal may be brought.

#### *Extension of time*

7. Where any document is to be delivered or given or any act is to be done in a time prescribed by these regulations the Minister may, if in all the circumstances of the case he considers it reasonable, extend the time for such period and upon such terms, if any, as he thinks fit.

*Appeal*

8.—(1) An appeal shall lie to the Tribunal against a decision of the Minister to refuse to register a person, to revoke the registration of a person or to prohibit the marketing by a person of seeds of a particular kind, variety, category or level.

(2) The hearing of an appeal by the Tribunal shall be held in such place as shall be determined by the Chairman of the Tribunal who shall have regard to the matters referred to in regulation 6(6) as well as to the convenience of the members of the Tribunal.

(3) Where an appeal is brought against any decision of the Minister to revoke the registration of a person or to prohibit the marketing by a person of seeds of a particular kind, variety, category or level the operation of the decision shall be suspended pending the final determination of the appeal.

(4) The Minister shall take such steps as may be necessary to give effect to any decision given on the final determination of the appeal.

*Licensing of seed testing stations*

9.—(1) The Minister may licence an establishment for the testing of seeds for the purposes of seeds regulations for such period as may be specified in the licence.

(2) A licence granted under paragraph (1) above may impose such conditions as the Minister shall think necessary or desirable having regard to the kinds of seeds to be tested, the kinds of tests to be made and the procedure to be followed in connection with such tests and such conditions may include a requirement relating to the keeping and production of records.

(3) A breach of any of the conditions imposed by a licence granted under paragraph (1) above shall be an offence against these regulations.

(4) In respect of the licensing and operation of seed testing stations there shall be payable to the Minister the appropriate fees prescribed in seeds regulations.

(5) The Minister may vary a licence granted under paragraph (1) above by a notice in writing given to the owner or person in charge of the licensed establishment.

(6) Subject to paragraphs (7) and (8) below, the Minister may revoke or suspend with immediate effect a licence granted under paragraph (1) above if it appears to him that there has been a breach of any conditions imposed by the licence.

(7) Where the Minister revokes or suspends a licence under paragraph (6) above he shall, as soon as practicable, give to the owner or person in charge of the licensed establishment notice in writing of the reasons for the revocation or suspension and shall afford him an opportunity of making representations in writing to the Minister with regard to the revocation or suspension or of being heard by a person appointed for the purpose by the Minister.

(8) A notice given under paragraph (7) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to

be heard; and in the event of the owner or person in charge of the licensed establishment making any representations (whether orally or in writing) to the Minister under this paragraph the Minister shall reconsider, as soon as practicable, his decision to revoke or suspend the licence under paragraph (6) above in the light of those representations.

(9) Subject to paragraphs (10), (11), and (12) below, the Minister may revoke or suspend (other than with immediate effect) a licence granted under paragraph (1) above if it appears to him that there has been a breach of any conditions imposed by it.

(10) Where the Minister proposes to revoke or suspend a licence under paragraph (9) above he shall give to the owner or person in charge of the licensed establishment notice in writing of the proposed revocation or suspension together with the reasons for it and shall afford him an opportunity of making representations in writing to the Minister with regard to that proposal or of being heard by a person appointed for the purpose by the Minister.

(11) A notice given by the Minister under paragraph (10) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard.

(12) The Minister shall not take a decision to revoke or suspend a licence under paragraph (9) above until he has considered any representations made by the owner or person in charge of the licensed establishment (whether orally or in writing) under paragraph (11) above.

*Licensing of seed samplers and crop inspectors*

**10.**—(1) The Minister may, upon being satisfied that a person has successfully completed an appropriate course of instruction and has other necessary qualifications, grant to that person a licence to be a seed sampler or a crop inspector for such period as may be specified in the licence.

(2) A licence granted to a person under paragraph (1) above to be a seed sampler—

- (a) shall specify any or all of the functions listed in Part I of Schedule 1 as being the functions of that person as a seed sampler;
- (b) may impose any or all of the conditions listed in Part II of Schedule 1 and any other conditions as the Minister shall think necessary or desirable having regard to the seeds to be sampled by that person.

(3) A licence granted to a person under paragraph (1) above to be a crop inspector—

- (a) shall specify any or all of the functions listed in Part I of Schedule 2 as being the functions of that person as a crop inspector;
- (b) may impose any or all of the conditions listed in Part II of Schedule 2 and any other conditions as the Minister shall think necessary or desirable having regard to the crops to be officially examined by that person.

(4) The Minister may vary a licence granted under paragraph (1) above by a notice in writing given to the holder of the licence.

(5) Subject to paragraphs (6) and (7) below, the Minister may revoke a licence granted under paragraph (1) above if it appears to him that the holder of the licence—

- (a) is no longer qualified or is otherwise unfit to perform any of the functions of a seed sampler or a crop inspector, as the case may be, specified in the licence; or
- (b) has failed to comply with any of the conditions imposed by the licence.

(6) Where the Minister proposes to revoke a licence under paragraph (5) above, he shall give to the holder of the licence notice in writing of the proposed revocation together with the reasons for it and shall afford him an opportunity of making representations in writing to the Minister with regard to that proposal or of being heard by a person appointed for the purpose by the Minister.

(7) A notice given by the Minister under paragraph (6) above shall inform the person to whom it is given of his right to make representations in writing, of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made and of his right to be heard and of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard; and the Minister shall not take a decision to revoke a licence under paragraph (5) above until he has considered any representations made by the holder of the licence (whether orally or in writing) in respect of his proposal to revoke the licence.

*Sampling for enforcement purposes*

**11.—**(1) A sample of seeds taken for the enforcement of seeds regulations shall be taken and divided by a person authorised by the Minister in that behalf in accordance with the requirements contained in Schedule 5 of the appropriate seeds regulations to provide three parts of which—

- (a) one part shall be delivered or sent to the owner of the seeds or his representative; and
- (b) two parts shall be delivered or sent to the Chief Officer of an official seed testing station, one of which parts shall be officially examined for the purposes of the appropriate seeds regulations and the other of which shall be retained by such person for production to a court in accordance with section 26(7) of the Act;

except that where it appears to the person taking the sample that the seeds from which the sample has been taken were purchased for use and not for resale, the first part of the sample shall be delivered or sent to the last seller of the seeds or to his representative instead of to the owner of the seeds or his representative.

(2) Subject to paragraph (3) below, the minimum weight of the sample of seeds shall be such as to ensure that each of the parts into which it is divided is of not less than the minimum weight for a sample of that kind of seeds indicated in Part II of Schedule 5 of the appropriate seeds regulations.

(3) Where the seeds from which a sample is to be taken for the enforcement of the Vegetable Seeds Regulations 1985 are contained in small packages, the sample shall consist of the contents of as many such packages as the person

taking the sample may reasonably require for the purpose.

*Certificates of taking and testing of a sample*

12.—(1) A certificate in the form set out in Schedule 3 of the taking of a sample of seeds for the enforcement of seeds regulations, adapted as appropriate for use in England or in Wales or in Scotland, is hereby prescribed for the purposes of section 26(3) of the Act.

(2) A certificate in the form set out in the appropriate part of Schedule 4, according to the kind of seeds tested, of the result of a test of a sample of seeds carried out for the enforcement of seeds regulations and adapted as appropriate for use in England and Wales or in Scotland, is hereby prescribed for the purposes of section 24(5) of the Act.

*Inspection and publication of lists of registered and licensed persons*

13. The Minister—

- (a) shall make available for inspection by any person at any reasonable time the names and addresses of—
- (i) persons for the time being registered as seed merchants, seed packers or seed processors for the purposes of these regulations; and
  - (ii) persons for the time being licensed as seed samplers or crop inspectors for the purposes of these regulations; and
- (b) may from time to time publish in such manner as he thinks appropriate the names and addresses of such persons.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th June 1985.



*Michael Jopling,*  
Minister of Agriculture, Fisheries  
and Food.

*George Younger,*  
Secretary of State for Scotland.

25th June 1985.

*Nicholas Edwards,*  
Secretary of State for Wales.

26th June 1985.



## SCHEDULE 1

Regulation 10(2)

## LICENSED SEED SAMPLERS

## PART I

## FUNCTIONS WHICH MAY BE SPECIFIED IN A LICENCE

That the seed sampler shall—

- (1) sample, in accordance with seeds regulations, such seeds (other than Breeder's Seed, Pre-basic Seed, Basic Seed or imported seeds of any category) as the Minister shall, under the terms of the licence, permit and submit sealed samples of such seeds for an official examination;
- (2) keep records of seed lots sampled by him and the methods of sampling used;
- (3) keep records of the use by him of labels issued or authorised by the Minister;
- (4) ensure that packages of seeds are labelled or re-labelled and sealed or re-sealed in accordance with seeds regulations;
- (5) ensure that mixtures of seeds are prepared, labelled or re-labelled and sealed or re-sealed in accordance with seeds regulations;
- (6) ensure that sampling equipment, including automatic sampling devices, operated by him in carrying out his functions operates correctly at all times and is properly maintained.

## PART II

## CONDITIONS WHICH MAY BE IMPOSED BY A LICENCE

That the seed sampler shall—

- (1) carry out his functions subject to supervision by officers of the Minister;
- (2) carry out his functions in accordance with any instructions relating thereto issued by the Minister;
- (3) attend such training courses and undergo such examinations as the Minister may, from time to time, require;
- (4) notify the Minister forthwith of any change in his residential address during the currency of the licence;
- (5) maintain his expertise by carrying out his functions regularly.

## SCHEDULE 2

Regulation 10(3)

## LICENSED CROP INSPECTORS

## PART I

## FUNCTIONS WHICH MAY BE SPECIFIED IN A LICENCE

That the crop inspector shall—

- (1) officially examine, in a manner approved for the time being by the Minister, for the purposes of seeds regulations, seeds crops of the kinds, categories and levels specified in the licence;
- (2) complete and submit to the Minister such reports on official examinations of crops carried out by him as the Minister may, from time to time, require;
- (3) maintain records of crops officially examined by him;
- (4) supervise specified licensed crop inspectors as directed by the Minister.

## PART II

## CONDITIONS WHICH MAY BE IMPOSED BY A LICENCE

That the crop inspector shall—

- (1) carry out his functions subject to supervision by officers of the Minister;
- (2) carry out his functions subject to supervision by licensed crop inspectors authorised by the Minister in that behalf;
- (3) carry out his functions in accordance with instructions relating thereto issued by the Minister;
- (4) maintain his expertise by making regular official examinations of crops;
- (5) attend such training courses and undergo such examinations on the official examination of crops as the Minister may, from time to time, require;
- (6) notify the Minister forthwith of any change in his residential address during the currency of the licence;
- (7) not officially examine more than the maximum areas, if any, laid down by the Minister.

SCHEDULE 3

Regulation 12(1)

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND  
WELSH OFFICE AGRICULTURE DEPARTMENT

PLANT VARIETIES AND SEEDS ACT 1964 — SECTION 26(3)

THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS TAKEN UNDER SECTION 25(5) OF THE ACT

on the premises of

Name .....

Address .....

.....

.....

Kind .....

Variety .....

Category .....

Level .....

Seed lot or reference number .....

Date of sampling .....

Quantity sampled .....

Ministry's/Department's reference number .....

I certify that in taking the sample referred to above I used one of the methods of sampling prescribed in Schedule 5 of the appropriate seeds regulations.

Signed .....

Authorised by the Minister of Agriculture,  
Fisheries and Food/Secretary of State

Date .....

Regulation 12(2)

SCHEDULE 4

CERTIFICATES OF THE RESULTS OF TESTS OF SEEDS

PART I

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND  
WELSH OFFICE AGRICULTURE DEPARTMENT

PLANT VARIETIES AND SEEDS ACT 1964 — SECTION 24(5)

THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985

THE CEREAL SEEDS REGULATIONS 1985

REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

on the premises of (Name and Address)

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Official Station Sample No. ....

Control Sample No. ....

Date received at Station .....

Date of sampling .....

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Quantity sampled .....

Description

Kind

--

Variety

--

Category and level

--

Reference No.

--

Result of Test

% Pure seed	% Inert matter	% Other seeds

Inert matter

Other seeds

Number of seeds	500g	Further 500g	TOTAL 1 kg
Other cultivated cereal spp.			
Spp. other than cultivated cereals			
Total			
<i>Raphanus raphanistrum</i>			
<i>Agrostemma githago</i>			
<i>Avena fatua, A. ludoviciana, A. sterilis</i>			
<i>Lolium temulentum</i>			
<i>Bromus sterilis</i>			
<i>Agropyron repens</i>			
Number of Pieces Ergot			

Loose smut infection in ..... embryos examined %

Moisture content %

3192

SEEDS

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Germination %  Fresh seed %  Pre-treated for dormancy

Varietal Purity

Declared variety %   
Other varieties %

Remarks:

Date .....

CHIEF OFFICER

## PART II

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
 DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND  
 WELSH OFFICE AGRICULTURE DEPARTMENT

PLANT VARIETIES AND SEEDS ACT 1964 — SECTION 24(5)

THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985

THE FODDER PLANT SEEDS REGULATIONS 1985

REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

On the premises of (Name and Address)

		Official Station Sample No. ....
		Control Sample No. ....
		Date received at Station .....
		Date of sampling .....
		Quantity sampled .....

Description

Kind		Variety	
Category and level		Reference No.	

Result of Test

% Pure seed	% Inert matter	% Other seeds

% <i>Agropyron repens</i>	% <i>Alopecurus myosuroides</i>	% <i>Melilotus</i> spp.
% <i>Raphanus raphanistrum</i>	% <i>Sinapis arvensis</i>	

Inert matter

Other seeds

Number of seeds		
<i>Agropyron repens</i>		
<i>Alopecurus myosuroides</i>		
<i>Avena fatua</i> , <i>A. ludoviciana</i> , <i>A. sterilis</i>		
<i>Cuscuta</i> spp.		
<i>Melilotus</i> spp.		
<i>Rumex</i> spp. other than <i>R. acetosella</i> and <i>R. maritimus</i>		

No. of seeds infected with *Ascochyta fabae*  
in ..... seeds examined

Germination %

Hard seed %

Fresh seed %



Varietal purity

Declared variety %

Other varieties %


Remarks:

Date .....

CHIEF OFFICER

PART III

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
 DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND  
 WELSH OFFICE AGRICULTURE DEPARTMENT

PLANT VARIETIES AND SEEDS ACT 1964 — SECTION 24(5)

THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985

THE BEET SEEDS REGULATIONS 1985

REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

On the premises of (Name and Address)

<div style="border-left: 1px solid black; border-bottom: 1px solid black; height: 100px; width: 100%;"></div>	<p>Official Station Sample No. ....</p> <p>Control Sample No. ....</p> <p>Date received at Station .....</p> <p>Date of sampling .....</p> <p>Quantity sampled .....</p>
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Description

Kind		Variety	
Category		Reference No.	

Result of Test

% Pure seed	% Inert matter	% Other seeds	% Solid additives

Inert matter

Other seeds

Germination		%
Germinated clusters with— one seedling		%
two seedlings		%
three or more seedlings		%
Moisure content		%

Remarks:

Date .....

CHIEF OFFICER

PART IV

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND  
WELSH OFFICE AGRICULTURE DEPARTMENT  
PLANT VARIETIES AND SEEDS ACT 1964 — SECTION 24(5)

THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985  
THE VEGETABLE SEEDS REGULATIONS 1985

REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

On the premises of (Name and Address)

			Official Station Sample No. ....
			Control Sample No. ....
			Date received at Station .....
			Date of sampling .....
			Quantity sampled .....

Description

Kind		Variety	
Category		Reference No.	

3198

SEEDS

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Result of Test

% Pure seed	% Inert matter	% Other seeds

Inert matter

Other seeds

Germination %

Fresh seed %

Remarks:

Date .....

CHIEF OFFICER

PART V

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND  
WELSH OFFICE AGRICULTURE DEPARTMENT

PLANT VARIETIES AND SEEDS ACT 1964 — SECTION 24(5)

THE SEEDS (REGISTRATION, LICENSING AND ENFORCEMENT) REGULATIONS 1985

THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1985

REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

On the premises of (Name and Address)

		Official Station Sample No. ....
		Control Sample No. ....
		Date received at Station .....
		Date of sampling .....
		Quantity sampled .....

Description

Kind		Variety	
Category		Reference No.	

Result of Test

% Pure seed	% Inert matter	% Other seeds

Inert matter

Other seeds

Number of seeds

Other plant species		
<i>Avena fatua, A. ludoviciana, A. sterilis</i>		
<i>Cuscuta</i> spp.		
<i>Raphanus raphanistrum</i>		
<i>Rumex</i> spp. other than <i>Rumex acetosella</i>		
<i>Alopecurus myosuroides</i>		
<i>Lolium remotum</i>		

Number of pieces

Sclerotia of <i>Sclerotinia sclerotiorum</i>		
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Germination %

Fresh seed %

Remarks:

Date .....

CHIEF OFFICER

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations consolidate, with amendments, the provisions of the Seeds (Registration and Licensing) Regulations 1974, as amended.

The regulations, which come into operation on 1st August 1985, continue to prohibit a person from carrying on the business of a seed merchant, a seed packer or a seed processor unless he is registered with the Minister of Agriculture, Fisheries and Food or the Secretary of State (in practice the Secretary of State for Scotland or the Secretary of State for Wales) ("the Minister") (regulation 4(1)).

The regulations also continue to provide for—

- (1) the Minister to be required to be satisfied that a person applying to be registered as a seed merchant, a seed packer or a seed processor has available to him adequate premises, machinery, equipment, facilities and personnel in order to carry on the business to which his application for registration relates (regulation 4(3)) and for the Minister to be able to revoke the registration of a person if these are no longer available to him (regulation 4(5));
- (2) the Minister to be able to revoke the registration of a person who fails to maintain proper records of his transactions in seeds and of the treatment and testing of seeds carried out by him or who fails to make such records available for inspection by the Minister (regulation 4(4) and (5));
- (3) the Minister to be able to prohibit the marketing, by a registered person, for an unlimited or a specified period, of seeds of a particular kind, variety, category or level where seeds of that particular kind, variety, category or level which have been marketed by that person have been shown to fail to meet the requirements contained in seeds regulations (regulation 5(1));
- (4) the making of oral or written representations to the Minister before he refuses to register a person or revokes a person's registration or prohibits the marketing of seeds (regulation 6) and for an appeal against his decision to be made to the Plant Varieties and Seeds Tribunal (regulation 8);
- (5) the licensing of seed testing stations (regulation 9);
- (6) the licensing of seed samplers and crop inspectors and the making of oral or written representations to the Minister before he takes a decision to revoke a crop inspector's or a seed sampler's licence (regulation 10);
- (7) the publication by the Minister of the names and addresses of persons registered or licensed under the regulations (regulation 13(b)).

The changes of substance made by these regulations are—

- (1) provisions are included for the making of oral or written representations to the Minister concerning a decision by him to revoke or suspend a licence granted to a seed testing station (regulation 9);



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- (2) the functions which seed samplers and crop inspectors may be required to perform under the terms of the licences granted to them are set out in the regulations (Part I of Schedules 1 and 2) as are conditions which may be imposed in such licences (Part II of Schedules 1 and 2). The Minister may also impose any additional conditions as he thinks necessary having regard to the seeds to be sampled or the crops to be inspected (regulation 10(3)(b));
  - (3) provisions are included relating to the sampling of seeds taken for the purposes of enforcing seeds regulations (regulation 11). Such provisions were previously contained in the regulations relating to the various kinds of seeds concerned but they have been omitted from the new regulations relating to such seeds, which come into operation on 1st August 1985;
  - (4) the form of a certificate of the taking of a sample of seeds is prescribed by the regulations for the purposes of section 26(3) of the Plant Varieties and Seeds Act 1964 and the regulations also prescribe, for the purposes of section 24(5) of that Act, the form of a certificate of the result of a test at an official seed testing station of a sample of seeds taken for the purpose of enforcing seeds regulations (regulation 12). Such forms were previously prescribed in the regulations relating to the various kinds of seeds concerned but they have also been omitted from the new regulations relating to such seeds;
  - (5) a provision is included requiring the Minister to make available for public inspection the names and addresses of persons registered under the regulations as seed merchants, seed packers or seed processors and of persons licensed under the regulations as seed samplers or crop inspectors (regulation 13(a)).

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