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STATUTORY INSTRUMENTS

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**1987 No. 1091**

**SEEDS**

**The Cereal Seeds (Amendment) Regulations 1987**

<i>Made</i>	- - - -	<i>24th June 1987</i>
<i>Laid before Parliament</i>		<i>6th July 1987</i>
<i>Coming into force</i>		
<i>The whole of the regulations except regulation 2(3)(b)(ii)</i>		<i>27th July 1987</i>
<i>regulation 2(3)(b)(ii)</i>		<i>1st July 1988</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), (2), (3), (4), (5) and (8), 17(1), (2), (3) and (4) and 36 of the Plant Varieties and Seeds Act 1964<sup>(1)</sup> and now vested in them<sup>(2)</sup> 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, hereby make the following Regulations:—

**Title and commencement**

- 1.—(1) These Regulations may be cited as the Cereal Seeds (Amendment) Regulations 1987.
- (2) These Regulations, except regulation 2(3)(b)(ii) shall come into force on 27th July 1987.
- (3) Regulation 2(3)(b)(ii) shall come into force on 1st July 1988.

**Amendment**

- 2.—(1) The Cereal Seeds Regulations 1985<sup>(3)</sup> shall be amended in accordance with the following provisions of this regulation.
- (2) In paragraph (3)(a) of regulation 5 (marketing of seeds) for the words “in Schedule 4,” there shall be substituted the words “in Schedule 4 or Schedule 5,”.
- (3) In Schedule 5 (sampling of seed lots)—

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(1) 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.

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

(3) S.I. 1985/976.

- (a) in Part I, in paragraph 9 after the words “an automatic sampling device” there shall be inserted the words “approved by the Minister”, and
- (b) in Part II—
  - (i) for the words “The maximum weight of a seed lot and minimum weight of a submitted sample shall be as indicated below:—” there shall be substituted the following words:—

“The maximum weight of a seed lot shall be as indicated below (or a weight which does not exceed that indicated below by more than 5 per cent) and the minimum weight of a submitted sample shall be as indicated below:—”; and
  - (ii) in paragraph a. for the words “20 tonnes” in each place in which they appear there shall be substituted the words “25 tonnes”; and
- (c) in Part I of Schedule 6 (contents of official labels) in paragraph D (a) 8, the words “For mixtures of varieties” shall be omitted.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd June 1987.

L.S.

*John MacGregor*  
Minister of Agriculture, Fisheries and Food

24th June 1987

*Sanderson of Bowden*  
Minister of State, Scottish Office

24th June 1987

*Peter Walker*  
Secretary of State for Wales

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which amend the Cereal Seeds Regulations 1985, implement article 3 of Commission Directive [87/120/EEC](#) (OJNo. L49, 18.2.87, p. 42) in so far as it amends Annex III of Council Directive [66/402/EEC](#) (OJ No. 125, 11.7.66, p. 2309/66) (OJ/SE 1965—66 p. 143) (as amended) on the marketing of cereal seeds by providing (1) that the maximum weight of a seed lot, set out in that Annex, from which a sample is to be drawn for certification shall not be exceeded by more than 5% and (2) that with effect from 1 July 1988 the maximum weight of such a seed lot (other than maize) will be 25 tonnes (regulation 2(3)(b)(i) and (ii)).

The other changes of substance made by these Regulations to the 1985 Regulations are:—

(1) the inclusion of a provision enabling the Minister, by general licence, to authorise a person to market as Breeder's Seed, Pre-Basic Seed, Basic Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation, seeds which have failed in some respect to satisfy the requirements relating to the sampling of such seeds set out in Schedule 5 of the 1985 Regulations (regulation 2(2)); and

(2) the inclusion of a requirement that a sample of seeds taken from a seed stream during processing for the purposes of an official examination shall be taken by an automatic sampling device approved by the Minister (regulation 2(3)(a)).