SCHEDULE 1

INTERPRETATION

PART I

MEANING OF PRE-BASIC SEED AND SIMILAR EXPRESSIONS

UK officially certified early movement pre-basic seed of a listed variety

5.—(1) In these Regulations "UK officially certified early movement pre-basic seed of a listed variety" means seed to which paragraph (2), (3) or (4) applies.

(2) This paragraph applies to —

(a) seed of a listed variety officially certified as early movement pre-basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and

(b) seed of a previously listed variety officially certified as early movement pre-basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.

(3) This paragraph applies to —

(a) pre-basic seed of a listed variety —

(i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;

(ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed;

(iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and

(iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test (whenever carried out), to satisfy the conditions laid down in Part II of Schedule 4 for basic seed;

(b) pre-basic seed of a previously listed variety that complies with the requirements of paragraph (a)(i) to (iv) and for which a marketing extension is in force;

(c) pre-basic seed of a listed variety —

(i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and

(ii) that complies with the requirements of paragraph (a)(ii) to (iv); and

(d) pre-basic seed of a previously listed variety —

(i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;

(ii) that complies with the requirements of paragraph (a)(ii) to (iv); and

(iii) for which a marketing extension is in force,

other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.

(4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 13 to re-grade it as early movement pre-basic seed.