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STATUTORY INSTRUMENTS

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**2010 No. 1195**

**AGRICULTURE**

**The Seeds (National Lists of Varieties)  
(Amendment) Regulations 2010**

<i>Made</i>	- - - -	<i>6th April 2010</i>
<i>Laid before Parliament</i>		<i>8th April 2010</i>
<i>Coming into force</i>	- -	<i>30th June 2010</i>

The Secretary of State is designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy and makes the following Regulations under the powers conferred by that section.

**Title and commencement**

1. These Regulations may be cited as the Seeds (National Lists of Varieties) (Amendment) Regulations 2010 and come into force on 30th June 2010.

**Amendments**

2.—(1) The Seeds (National Lists of Varieties) Regulations 2001<sup>(3)</sup> are amended as follows.

(2) For the table in paragraph 1 of Part 1 of Schedule 1, substitute the table in Schedule 1 to these Regulations.

(3) For the table in paragraph 2 of Part 1 of Schedule 1, substitute the table in Schedule 2 to these Regulations.

(4) In the table headed “vegetable species” in paragraph 1 of Part 2 of Schedule 1 omit—

(a) the entry for “*Asparagus officinalis* L.”; and

(b) the entry for “*Cichorium intybus* L. (Large leaved (Italian) chicory)”.

(5) For the table in paragraph 2 of Part 2 of Schedule 1, substitute the table in Schedule 3 to these Regulations.

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(1) [S.I. 1972/1811](#).

(2) [1972 c. 68](#). The power of the Secretary of State, as a designated Minister, to make regulations which extend to Scotland and Northern Ireland remains exercisable by virtue of section 57(1) of the [Scotland Act 1998 \(c.46\)](#) and article 3(2) of [S.I. 2000/2812](#) respectively.

(3) [S.I. 2001/3510](#), amended by [S.I. 2004/2949](#), [2007/1871](#), [2008/2683](#) and [2009/1273](#).

6th April 2010

*Bryan Davies*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

## SCHEDULE 1

Regulation 2(2)

## Varieties of plant species on National Lists: agricultural crop varieties

<i>Name</i>	<i>Common name</i>
<b>Cereals</b>	
<i>Avena nuda</i> L.	Small naked oat, Hulless oat
<i>Avena sativa</i> L. (includes <i>A. byzantia</i> K. Koch)	Oats and red oat
<i>Hordeum vulgare</i> L.	Barley
<i>Secale cereale</i> L.	Rye
<i>xTriticosecale</i> Wittm. Ex A. Camus	Triticale
Hybrids resulting from the crossing of a species of the genus <i>Triticum</i> and a species of the genus <i>Secale</i>	
<i>Triticum aestivum</i> L.	Wheat
<i>Triticum durum</i> Desf.	Durum wheat
<i>Triticum spelta</i> L.	Spelt wheat
<i>Zea Mays</i> L. (partim)	Maize (except popcorn and sweetcorn)
<b>Potatoes</b>	
<i>Solanum tuberosum</i> L., including any other tuber-forming species or hybrids of <i>Solanum</i>	Potato
<b>Beet</b>	
<i>Beta vulgaris</i> L.	Sugar beet, fodder beet (including mangel)
<b>Fodder plants</b>	
(a) Grasses	
<i>Agrostis canina</i> L.	Velvet bent
<i>Agrostis capillaris</i> L.	Brown top
<i>Agrostis gigantea</i> Roth.	Red top
<i>Agrostis stolonifera</i> L.	Creeping bent grass
<i>Arrhenatherm elatius</i> (L.) P. Beauv. ex J. Presl & C. Presl	Tall oatgrass
<i>Bromus catharticus</i> Vahl.	Rescue grass
<i>Bromus sitchensis</i> Trin.	Alaska brome-grass
<i>Dactylis glomerata</i> L.	Cocksfoot
<i>Festuca arundinacea</i> Schreber	Tall fescue
<i>Festuca filiformis</i> Pourr.	Fine leaved sheep's fescue
<i>Festuca ovina</i> L.	Sheep's fescue
<i>Festuca pratensis</i> Huds.	Meadow fescue

*Status: This is the original version (as it was originally made).*

<i>Name</i>	<i>Common name</i>
<i>Festuca rubra</i> L.	Red fescue, Chewings fescue
<i>Festuca trachyphylla</i> (Hack.) Krajina	Hard fescue
<i>Lolium multiflorum</i> Lam.	Italian ryegrass including Westerwold ryegrass
<i>Lolium perenne</i> L.	Perennial ryegrass
<i>Lolium x boucheanum</i> Kunth	Hybrid ryegrass
<i>Phleum nodosum</i> L.	Small timothy
<i>Phleum pratense</i> L.	Timothy
<i>Poa annua</i> L.	Annual meadowgrass
<i>Poa nemoralis</i> L.	Wood meadowgrass
<i>Poa pratensis</i> L.	Smooth-stalked meadowgrass
<i>Poa trivialis</i> L.	Roughstalked meadowgrass
<i>xFestulolium</i> Asch. & Graebn.	Festulolium

Hybrids resulting from the crossing of a species of the genus *Festuca* with a species of the genus *Lolium*

(b) Legumes

<i>Lotus corniculatis</i> L.	Birdsfoot trefoil
<i>Lupinus albus</i> L.	White lupin
<i>Lupinus angustifolius</i> L.	Narrow leaved lupin (previously known as Blue lupin)
<i>Lupinus luteus</i> L.	Yellow lupin
<i>Medicago lupulina</i> L.	Black medick, Trefoil
<i>Medicago sativa</i> L.	Lucerne
<i>Medicago x varia</i> T. Martyn	Sand lucerne
<i>Onobrychis viciifolia</i> Scop.	Sainfoin
<i>Pisum sativum</i> L. (partim)	Field pea
<i>Trifolium hybridum</i> L.	Alsike clover
<i>Trifolium pratense</i> L.	Red clover
<i>Trifolium repens</i> L.	White clover
<i>Vicia faba</i> L. (partim)	Field bean
<i>Vicia pannonica</i> Crantz	Hungarian vetch
<i>Vicia sativa</i> L.	Common vetch
<i>Vicia villosa</i> Roth	Hairy vetch

<i>"Name</i>	<i>Common name</i>
(c) Other fodder plants	
<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.	Swede
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. Var. <i>medullosa</i> Thell. + var. <i>viridis</i> L.	Fodder kale
<i>Raphanus sativus</i> L. var. <i>oleiformis</i> Pers.	Fodder radish
<b>Oleaginous and fibrous plants</b>	
<i>Brassica juncea</i> (L.) Czern.	Brown mustard
<i>Brassica napus</i> L. (partim)	Swede rape (including plants commonly known as fodder rape and oilseed rape)
<i>Brassica nigra</i> (L.) W.D.J. Koch	Black mustard
<i>Brassica rapa</i> L. var. <i>silvestris</i> (Lam.) Briggs	Turnip rape
<i>Cannabis sativa</i> L.	Hemp
<i>Glycine max</i> (L.) Merr.	Soya bean
<i>Helianthus annuus</i> L.	Sunflower
<i>Linum usitatissimum</i> L.	Flax, Linseed
<i>Sinapis alba</i> L.	White mustard"

## SCHEDULE 2

Regulation 2(3)

## Varieties of plant species on National Lists: vegetable varieties

<i>"Name</i>	<i>Common name</i>
<i>Allium cepa</i> L. (Cepa Group)	Onion, Echalion
<i>Allium cepa</i> L. (Aggregatum Group)	Shallot
<i>Allium fistulosum</i> L.	Japanese bunching onion or Welsh onion
<i>Allium porrum</i> L.	Leek
<i>Allium sativum</i> L.	Garlic
<i>Allium schoenoprasum</i> L.	Chives
<i>Apium graveolens</i> L.	Celery, Celeriac
<i>Asparagus officinalis</i> L.	Asparagus
<i>Beta vulgaris</i> L.	Beetroot including Cheltenham Beet, Spinach beet or Chard
<i>Brassica oleracea</i> L.	Curly kale, Cauliflower, Sprouting broccoli or Calabrese, Brussels sprout, Savoy Cabbage, White cabbage, Red cabbage, Kohlrabi
<i>Brassica rapa</i> L.	Chinese cabbage, Turnip

*Status: This is the original version (as it was originally made).*

<i>"Name</i>	<i>Common name</i>
<i>Cichorium endivia</i> L.	Curled-leaved endive, Plain-leaved endive
<i>Cichorium intybus</i> L.	Large leaved (Italian) chicory
<i>Cucumis melo</i> L.	Melon
<i>Cucumis sativus</i> L.	Cucumber, Gherkin
<i>Cucurbita maxima</i> Duchesne	Gourd
<i>Cucurbita pepo</i> L.	Marrow or Courgette
<i>Daucus carota</i> L.	Carrot, Fodder carrot
<i>Lactuca sativa</i> L.	Lettuce
<i>Lycopersicon esculentum</i> Mill.	Tomato
<i>Petroselinum crispum</i> (Mill.) Nyman ex A. W. Hill	Parsley
<i>Phaseolus coccineus</i> L.	Runner bean
<i>Phaseolus vulgaris</i> L.	Dwarf French bean, Climbing French bean
<i>Pisum sativum</i> L. (partim)	Wrinkled pea, Round pea, Sugar pea
<i>Raphanus sativus</i> L.	Radish, Black radish
<i>Rheum rhabarbarum</i> L.	Rhubarb
<i>Spinacia oleracea</i> L.	Spinach
<i>Vicia faba</i> L. (partim)	Broad bean
<i>Zea mays</i> L. (partim)	Sweet corn, Popcorn"

## SCHEDULE 3

Regulation 2(5)

## Derogated species: agricultural crop species

<i>"Name</i>	<i>Column Name</i>
<i>Alopecurus pratensis</i> L.	Meadow foxtail
<i>Arachis hypogaea</i> L.	Groundnut (peanut)
<i>Avena strigosa</i> Schreb.	Black oat, Bristle oat
<i>Carthamus tinctorius</i> L.	Safflower
<i>Carum carvi</i> L.	Caraway
<i>Cynodon dactylon</i> (L.) Pers	Bermuda grass
<i>Galega orientalis</i> Lam.	Fodder galega
<i>Gossypium</i> spp.	Cotton
<i>Hedysarum coronarium</i> L.	Sulla

<i>"Name</i>	<i>Column Name</i>
<i>Oryza sativa</i> L.	Rice
<i>Papaver somniferum</i> L.	Poppy
<i>Phacelia tanacetifolia</i> Benth	California bluebell
<i>Phalaris aquatica</i> L.	Harding grass, Phalaris
<i>Phalaris canariensis</i> L.	Canary grass
<i>Poa palustris</i> L.	Swamp meadowgrass
<i>Sorghum bicolor</i> (L.) Moench	Sorghum
<i>Sorghum sudanense</i> (Piper) Stapf.	Sudan grass
<i>Sorghum bicolor</i> (L.) Moench x <i>Sorghum Sudanese</i> (Piper) Stapf.	Hybrids resulting from the crossing of <i>Sorghum bicolor</i> and <i>Sorghum Sudanese</i>
<i>Trisetum flavescens</i> (L.) P. Beauv	Golden oatgrass
<i>Trifolium alexandrinum</i> L.	Berseem, Egyptian clover
<i>Trifolium incarnatum</i> L.	Crimson clover
<i>Trifolium resupinatum</i> L.	Persian clover
<i>Trigonella foenum-graecum</i> L.	Fenugreek"

## EXPLANATORY NOTE

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

These Regulations amend the Seeds (National Lists of Varieties) Regulations 2001 (S.I. 2001/3510) to implement, in part, Commission Directive 2009/74/EC amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 220/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in light of developments of scientific and technical knowledge (OJ No L 166, 27.6.2009, p 40).

The Directive amends the botanical names of certain species listed in Council Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in order to reflect revisions to the International Code of Botanical Nomenclature. It also amends those Directives to take account of new classifications of certain subspecies as independent species.

These Regulations also add the vegetable species *Asparagus officinalis* L. and *Cichorium intybus* L. to the list of species to which the provisions of the Seeds (National Lists of Varieties) Regulations 2001 apply.

A transposition note is annexed to the Explanatory Memorandum which is available from the Food and Environment Research Agency, Whitehouse Lane, Huntingdon Road, Cambridge, CB3 0LF.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

**Status:** *This is the original version (as it was originally made).*