

---

WELSH STATUTORY INSTRUMENTS

---

**2004 No. 2881**

**The Oil and Fibre Plant Seed (Wales) Regulations 2004**

**PART III**

**CONTROL OF OIL AND FIBRE PLANT SEED**

**Marketing of officially certified early movement seed**

17.—(1) A person may market officially certified early movement pre-basic, officially certified early movement basic or officially certified early movement commercial seed before the completion of the official germination test, if the person marketing the seed —

- (a) obtains a provisional analytical report indicating what the percentage of germination of the seed is likely to be;
- (b) provides the first buyer, upon or before delivery of the seed, with a written statement that the seed is marketed before the completion of the official germination test together with the result in the provisional analytical report;
- (c) notifies the National Assembly for Wales in writing of the name and address of the first buyer by way of trade as soon as practicable after delivery and in any event not later than seven days after delivery;
- (d) guarantees a specific minimum percentage of germination, which shall be the percentage of the germination of the seed as ascertained in the provisional analytical report;
- (e) ensures that a label accompanies the package containing the seed and that the label contains —
  - (i) a statement that the seed is being sold before completion of the official germination test;
  - (ii) a statement of the specific minimum percentage of germination in accordance with paragraph (d), together with his or her name and address and the reference number of the seed lot.
  - (iii) In the event of the official germination test showing the failure of the seed to comply with the minimum germination standard specified in paragraph 8 of Part II of Schedule 4 for seed of the relevant category, the person marketing the seed shall provide the first buyer with the result of the completed official germination test, in writing, as soon as practicable and in any event not later than seven days after being informed of it.

(2) Paragraphs (1) & (2) shall not apply to seed which has been imported into Wales from a country which is not an EEA State.

(3) For purposes of this regulation,

- (a) “officially certified early movement pre-basic seed” means—
  - (i) UK officially certified early movement pre-basic seed of a listed variety;
  - (ii) EC officially certified early movement pre-basic seed of a listed variety;

- (iii) UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety; and
  - (iv) EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety.
- (b) “officially certified basic seed” means —
  - (i) UK officially certified early movement basic seed of a listed variety;
  - (ii) EC officially certified early movement basic seed of a listed variety;
  - (iii) UK officially certified early movement basic seed of a component of a listed hybrid variety; and
  - (iv) EC officially certified early movement basic seed of a component of a listed hybrid variety.
- (c) “officially certified early movement commercial seed” means —
  - (i) UK officially certified early movement commercial seed;
  - (ii) EC officially certified early movement commercial seed.