

SCHEDULE 3

Regulations 8(8)(a) and (b), (10) to (13), (15)(c), 10(3)(a) and (b) and (4)(a), (b), (c) and (d) and (15)(a) and (b), 13(5)(e), 14(1)(b), paragraphs 2(3)(a), 5(3)(a), 7(3)(a), 10(3)(a), 14(3)(a), 18(3)(a), 20(3)(a), 24(3)(a), 28(3)(a), 32(3)(a), 36(3)(a), 40(3)(a), 44(3)(a), 47(3)(a), 51(3)(a), 54(3)(a) and 63(7)(a), (9)(a) and (10)(a) of Schedule 1 and paragraph 4 of Schedule 4

CONDITIONS RELATING TO CROPS FROM WHICH SEED IS TO BE HARVESTED

1.—(1) The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop and the field shall be sufficiently free from plants which are volunteers from previous cropping.

(2) In the case of a hybrid of swede rape the crop shall be raised in a production ground where five years have elapsed since plants of cruciferae were last grown.

2. Subject to paragraph 3, the crop shall conform to the following standards as regards the minimum distances from neighbouring sources of pollen which may result in undesirable foreign pollination —

Crop 1	Minimum distance 2
(a) (a) Black mustard, brown mustard, dioecious hemp, swede rape, turnip rape and white mustard except hybrids of swede rape —	
(i) for the production of basic seed	400 metres
(ii) for the production of CS seed	200 metres
(b) (b) Hybrids of swede rape —	
(i) for the production of basic seed	500 metres
(ii) for the production of CS seed	300 metres
(c) (c) Sunflower —	
(i) for the production of basic seed of hybrids	1,500 metres
(ii) for the production of basic seed of varieties other than hybrids	750 metres
(iii) for the production of CS seed (hybrids and non-hybrids)	500 metres
(d) (d) Monoecious hemp	
(i) for the production of basic seed	5,000 metres
(ii) for the production of CS seed	1,000 metres

3. Paragraph 2 shall not apply if there is sufficient protection from any undesirable foreign pollination.

Status: This is the original version (as it was originally made).

4. Subject to paragraphs 5 and 6, the crop shall have sufficient varietal identity and varietal purity.
5. In the case of an inbred line the crop shall have sufficient identity and purity as regards its characteristics.
6. For the production of seed of a hybrid variety the requirement for sufficient identity and purity shall also apply to the characteristics of the components including male sterility or fertility restoration.
7. In the case of black and brown mustard and dioecious hemp, the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed —
 - (a) one per 30 square metres for the production of basic seed, and
 - (b) one per 10 square metres for the production of CS seed.
8. In the case of monoecious hemp, the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed
 - (a) one per 30 square metres for the production of basic seed; and
 - (b) one per 10 square metres for the production of C1 and C2 seed.
9. In the case of a hybrid of sunflower, the percentage by number of plants which are recognisable as obviously not being true to the inbred line or the component shall not exceed —
 - (a) for the production of basic seed —
 - (i) in the case of an inbred line; 0.2%;
 - (ii) in the case of a male parent of a simple hybrid which has shed pollen while 2% or more of the female plants have receptive flowers; 0.2%; and
 - (iii) in the case of a female parent; 0.5%;
 - (b) for the production of CS seed —
 - (i) in the case of a male component which has shed pollen while 5% or more of the female plants have receptive flowers; 0.5%; and
 - (ii) in the case of a female component; 1%;
10. In the case of the production of seed of a hybrid variety of sunflower —
 - (a) sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;
 - (b) where the female component plants have receptive stigmas, the percentage by number of female component plants which have shed pollen or are shedding pollen shall not exceed 0.5%;
 - (c) for the production of basic seed, the total percentage by number of plants of the female component which are recognisable as obviously not being true to the component and which have shed pollen or are shedding pollen shall not exceed 0.5%; and
 - (d) where a female male-sterile component and a male component which contains a specific restorer line or lines which restore male fertility has been used for the production of CS seed, at least one third of the plants grown from CS seed of the resulting hybrid shall produce pollen which appears normal in all respects.
11. In the case of the production of a hybrid variety of swede rape produced using the male sterility the percentage by number of plants which are recognisable as obviously not being true to the inbred line or the component shall not exceed —
 - (a) for the production of basic seed —
 - (i) in the case of an inbred line; 0.1%;

- (ii) in the case of a male component of a simple hybrid; 0.1% and
- (iii) in the case of a female component of a simple hybrid; 0.2% and
- (b) for the production of CS seed
 - (i) in the case of a male component; 0.3% and
 - (ii) in the case of a female component; 1.0%.

12. In a case where a male-sterile component is used for the production of seed of a hybrid variety of swede rape male sterility shall be at least 99% for the production of basic seed and at least 98% for the production of CS seed. The level of male sterility shall be assessed by examining flowers for the absence of fertile anthers.

13. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level including, in the case of soya bean, *Pseudomonas syringae pv. glycinea*, *Diaporthe phaseolorum var. caulivora* and *var. sojiae*, *Phialophora gregata* and *Phytophthora megasperma f.s.p. glycinea*.

14.—(1) A crop from which basic seed is to be produced shall be examined by an official field inspection to determine whether the crop meets the conditions set out in this Schedule and in Part I of Schedule 4.

(2) A crop from which CS, C1, C2 or C3 seed is to be produced shall be examined by means of an official field inspection or an inspection carried out under official supervision to determine whether the crop meets the conditions set out in this Schedule and in Part I of Schedule 4.

(3) Field inspections shall be carried out at a time when the condition and stage of development of the crop permit an adequate examination.

(4) Subject to sub-paragraphs (5) and (6), at least one field inspection of the crop shall be carried out.

(5) At least two field inspections shall be carried out in the case of a hybrid of sunflower.

(6) At least three field inspections shall be carried out in the case of a hybrid of swede rape and shall be carried out as follows —

- (a) the first inspection shall be carried out before the flowering stage;
- (b) the second inspection shall be carried out at the early flowering stage; and
- (c) the third inspection shall be carried out at the end of the flowering stage.

15. For the purpose of determining whether a crop from which pre-basic seed is to be produced meets the conditions laid down in this Schedule, the crop from which such seed is to be produced shall be treated in the same way as a crop from which basic seed is to be produced.