STATUTORY INSTRUMENTS

1981 No. 938

SEEDS

The Cereal Seeds (Amendment) Regulations 1981

Made - - - -	1st *July* 1981
Laid before Parliament	10th *July* 1981
Coming into Operation	1st *August* 1981

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), 24(5), 26(2) and (3) and 36 of the Plant Varieties and Seeds Act 1964(**a**) and now vested in them(**b**) and of all other powers enabling them in that behalf, after consultation with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

Application, citation and commencement

1. These regulations, which apply to Great Britain, may be cited as the Cereal Seeds (Amendment) Regulations 1981, and shall come into operation on 1st August 1981.

Amendment of principal regulations

2. The Cereal Seeds Regulations 1980(**c**) are hereby amended in accordance with the following provisions of these regulations.

3. In sub-paragraph (*b*) of paragraph (1) of regulation 5 after "(2)," there shall be inserted "(2A),"

4.—(1) In paragraph (2) of regulation 9 at the end of sub-paragraph (*b*) there shall be added the words—

"or included in the particulars printed or stamped on the package in accordance with paragraph (2A) of this regulation".

(2) After paragraph (2) of regulation 9 there shall be inserted the following paragraph—

"(2A) Notwithstanding paragraph (2) of this regulation, a package (other than a small package) of basic seeds, certified seeds, certified seeds of the first generation or certified seeds of the second generation may be marketed if—

(**a**) 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.

(**b**) By the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(**c**) S.I. 1980/900.

(*a*) the particulars of the matters specified in Part I of Schedule 5 are printed or stamped indelibly on the package in a panel of the size and colour so specified, and

(*b*) the requirements of Part V of that Schedule are satisfied."

5. For the Table in paragraph 5 of Part I of Schedule 2 there shall be substituted the Table set out in Schedule 1 to these regulations.

6. In paragraph 7(*b*) of Schedule 3 for "250 kg" there shall be substituted "250 grams.".

7. After Part IV of Schedule 5 there shall be added the new Part set out in Schedule 2 to these regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th June 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

29th June 1981.

Nicholas Edwards,
Secretary of State for Wales.

1st July 1981.

Regulation 5

SCHEDULE 1

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PARAGRAPH 5 OF SCHEDULE 2 TO THE PRINCIPAL REGULATIONS

Standards for varietal purity and wild oats

5.

Crops to produce	Level	Varietal purity excluding rye and maize percentage (by number)	Species purity excluding rye and maize percentage (by number)	Wild oats* maximum number per hectare			
				oats	barley	wheat	rye and maize
Basic seed	†Higher voluntary standard	99·95	99·99	Nil	7	7	—
	Minimum standard	99·9	No standard	Nil	7	7	7
Certified seed	—	—	—	—	—	—	625
Certified seed of the first generation	†Higher voluntary standard	99·9	99·99	Nil	7	7	—
	Minimum standard	99·7	No standard	Nil	125	625	—
Certified seed of the second generation	†Higher voluntary standard	99·7	99·99	Nil	7	7	—
	Minimum standard	99·0	No standard	Nil	125	625	—

*Wild oats—*Avena fatua, Avena sterilis, Avena ludoviciana.*

†Higher Voluntary Standards apply only to oats, barley and wheat and crops to produce seeds at these standards must not be more than one-third laid at the time of inspection.

Regulation 7

SCHEDULE 2

NEW PART TO BE ADDED AFTER PART IV OF SCHEDULE 5 TO THE PRINCIPAL REGULATIONS

PART V

PRINTING OF SPECIFIED MATTERS ON PACKAGES

A. Seeds which have not been imported

1. The printing or stamping of the packages shall be under the supervision of the Minister.

2. The manner of printing or stamping shall have been approved by the Minister.

3. Each package shall have printed or stamped on it, or be perforated with, an individual serial number allocated by the Minister, which shall appear in the same panel as the particulars of the matters specified in Part I of this Schedule.

4. Arrangements shall be made with the printer for returns to be made to the Minister of the number of packages printed or stamped pursuant to regulation 9(2A) and of the individual serial numbers of such packages.

5. The reference number of the seed lot and the month and year in which the package was officially sealed shall be printed or stamped under the supervision of the Minister at the time of sampling for official examination.

6. There shall be kept such records of seed packaged and marketed pursuant to regulation 9(2A) as may be required by the Minister.

7. Each package of seed marketed in accordance with regulation 5(5) shall be capable of having affixed to it, in a manner approved by the Minister, a supplier's label containing a statement pursuant to regulation 9(6).

B. Seeds imported from another Member State

Such requirements of the Member State from which the seeds have been imported as correspond to the requirements specified in this Part for seeds which have not been imported shall, in the opinion of the Minister, have been satisfied.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which amend the Cereal Seeds Regulations 1980, give effect to Commission Decision No. 80/755/EEC authorising the indelible printing of prescribed information on packages of cereal seed (OJ No. L207, 9.8.80, p. 37), as amended by Commission Decision No. 81/109/ EEC (OJ No. L64, 11.3.81, p. 13).

The amendments made by these regulations provide that, subject to certain conditions, the matters specified in Part I of Schedule 5 to the principal regulations may be printed or stamped on the packages of certain categories of cereal seed instead of being contained in an official label affixed to the packages.

The amendments also specify standards in respect of the maximum number of wild oats in seed crops of wheat, rye and maize and correct an error in the principal regulations relating to the minimum weight of samples of inbred lines of maize.

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