1974. No. 147 **[C]**

SEEDS

Fodder Plant Seeds

REGULATIONS, DATED 28TH JUNE 1974, MADE BY THE DEPARTMENT OF AGRICULTURE UNDER SECTION 1 OF THE SEEDS ACT (NORTHERN IRELAND) 1965 AS AMENDED BY SCHEDULE 3 TO THE EUROPEAN COMMUNITIES (AGRICULTURE) ORDER (NORTHERN IRELAND) 1972.

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The Department of Agriculture in exercise of the powers vested in it under section 1 of the Seeds Act (Northern Ireland) 1965(**a**) as amended by Schedule 3 to the European Communities (Agriculture) Order (Northern Ireland) 1972(**b**) and of every other power enabling it in that behalf and after consultation with representatives of such interests as appear to it to be concerned hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Fodder Plant Seeds Regulations (Northern Ireland) 1974 and shall come into operation on 1st July 1974.

Revocation of Seeds Regulations

2. The Seeds Regulations (Northern Ireland) 1971(**c**) are hereby revoked.

(**a**) 1965. c. 22 (N.I.).
(**b**) S.R. & O. (N.I.) 1972, No. 351.
(**c**) S.R. & O. (N.I.) 1971, No. 305.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—

"the Act" means the Seeds Act (Northern Ireland) 1965;

"Common Catalogue" means the Common Catalogue of varieties of kinds of agricultural plants published or to be published in the Official Journal of the European Communities;

"the Department" means the Department of Agriculture;

"higher voluntary standard" means any standard so described in Schedule 2 in relation to the seeds, being standards which the seeds satisfy and which they have on an official examination been found to satisfy;

"maintainer" means a person who is indicated in a National List or in the Common Catalogue as responsible for the maintenance of the particular fodder plant variety;

"marketing" includes, as the context shall permit, the offer for sale, exposure for sale, sale and possession with a view to sale of seeds and any transaction in the course of business—

(*a*) under which property in seeds is transferred from one person to another; or

(*b*) under which the seeds are made over by one person to another in pursuance of a contract under which the seeds will be used for producing further seeds or for producing plants or parts of plants for human or animal consumption;

and "market" and "marketed" shall be construed accordingly;

"Member State" means a Member State of the European Communities;

"National List" means a list of varieties of kinds of fodder plants published in accordance with the Seeds (National Lists of Varieties) Regulations 1973(**d**);

"official examination" means an examination carried out by or on behalf of the Department, subject to the payment of any fee imposed by Regulations made under the Act, an examination carried out by or on behalf of the Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland, or, in relation to seeds harvested elsewhere than in the United Kingdom, an examination approved by the Department;

"official label" and "official notice" mean respectively a label and a notice prepared by or on behalf of the Department;

"pure" in relation to seeds means wholly comprised of seeds of the kind which the seeds purport to be;

"small package" means a package of certified seeds, commercial seeds or a mixture of seeds, containing no more than a net weight of 15 kilograms of seeds.

(2) In these Regulations, in relation to the categories of seeds referred to therein—

"basic seeds" means seeds—

(*a*) which have been produced either

(i) by, or under the responsibility of the maintainer, or

(d) S.I. 1973, No. 994.

(ii) under the supervision of the Department to be recognised by it to be of a local variety and grown within a particular clearly defined area;

(*b*) which are intended for the production of certified seeds, and

(*c*) which satisfy the requirements for basic seeds set out in Schedule 2 and which have on an official examination been found to satisfy these requirements;

"certified seeds" means seeds which are either—

(i) (*a*) seeds which have been produced directly from basic seeds or, with the approval of the maintainer from pre-basic seeds, and

(*b*) which are intended for the production of plants or parts of plants for human or animal consumption,

or

(ii) (*a*) seeds of field peas or field beans or, in accordance with, and subject to the conditions imposed by a general licence granted by the Department seeds of other kinds, which have been produced directly from certified seeds, and

(*b*) which are intended for the production of certified seeds or for the production of plants or parts of plants for human or animal consumption,

being in either case seeds which satisfy the requirements for certified seeds set out in Schedule 2 and which have on an official examination been found to satisfy these requirements;

"commercial seeds" means seeds of the following kinds—

Grasses	*Legumes*
Velvet bent	Bird's foot trefoil
Red top	White lupin
Creeping bent	Blue lupin
Brown top	Yellow lupin
Tall oatgrass	Black medick, Trefoil
Sheep's fescue	Sainfoin
Annual meadowgrass	Alsike clover
Wood meadowgrass	Field bean
Smooth-stalked meadow-grass	Hungarian vetch
Rough-stalked meadowgrass	Common vetch
	Hairy vetch

(*a*) which are identifiable as to their kind; and

(*b*) which satisfy the requirements for commercial seeds set out in Schedule 2 and which have on an official examination been found to satisfy these requirements;

"pre-basic seeds" means seeds of a generation earlier than that of basic seeds—

(*a*) which have been produced by or under the responsibility of the maintainer;

(*b*) which are intended for the production of pre-basic seeds, uncertified pre-basic seeds, basic seeds or certified seeds; and

(*c*) which satisfy the requirements for basic seeds set out in Schedule 2 and which have on an official examination been found to satisfy these requirements;

"uncertified pre-basic seeds" means seeds of a generation earlier than that of basic seeds—

(*a*) which have been produced in the United Kingdom by or under the responsibility of the maintainer, and

(*b*) which are intended for the production of pre-basic seeds, uncertified pre-basic seeds or basic seeds.

Seeds to which the regulations apply

4.—(1) Subject to paragraph (2) these Regulations apply to seeds of the kinds set out in Schedule 1.

(2) These Regulations shall not apply to—

(*a*) seeds which are marketed for delivery elsewhere than in a Member State;

(*b*) seeds used or to be used for research or experiment;

(*c*) seeds used or to be used in the course of a process of selection;

(*d*) seeds which are marketed with a view to processing, treatment or cleaning, provided that the identity of the seeds is stated by the person by whom they are marketed, and

(*e*) a small package of seeds of grasses intended for use other than for agricultural purposes which is marketed before the 1st July 1976.

Marketing of seeds

5.—(1)(*a*) Subject to the provisions of this Regulation no person shall market any seeds which have been produced in a Member State unless they are pre-basic seeds, uncertified pre-basic seeds, basic seeds, certified seeds or commercial seeds.

(*b*) Sub-paragraph (*a*) shall not take effect until the 1st July 1976 in relation to seeds other than pre-basic seeds, uncertified pre-basic seeds or basic seeds where such seeds satisfy the requirements set out in Part II of Schedule 2 relating to certified seeds or, if they are seeds of a kind which may be marketed as commercial seeds, relating to commercial seeds, and where such seeds are marketed after the 30th September 1974 they shall have, on an official examination, been shown to satisfy these requirements.

(2) No person shall market any seeds which have been produced elsewhere than in a Member State unless they are—

(*a*) seeds marketed before the 1st July 1976, not being pre-basic seeds, uncertified pre-basic seeds, basic seeds, certified seeds or commercial seeds; or

(*b*) pre-basic seeds, basic seeds, certified seeds or commercial seeds; marketed in accordance with and subject to the conditions imposed by a general licence granted by the Department:

Provided that seeds marketed in accordance with sub-paragraph (*a*) shall satisfy the requirements set out in Part II of Schedule 2 relating to certified seeds or, if such seeds are of a kind which may be marketed as commercial seeds, relating to commercial seeds, and, where such seeds are marketed after the 30th September 1974, they shall have, on an official examination, been shown to satisfy these requirements.

(3) Paragraph (1) shall not prevent the marketing of a mixture of seeds where each of the constituents to which these Regulations apply consists of either basic seeds, certified seeds, commercial seeds or seeds marketed in accordance with paragraphs (1)(*b*) or (2)(*a*).

(4) The Department may, by a general licence taking effect during a period specified in the licence and subject to any conditions imposed by the licence, authorise any person to market as pre-basic seeds, basic seeds, certified seeds, commercial seeds or seeds marketed in accordance with paragraphs (1)(*b*) or (2)(*a*) seeds which fail in some respect to satisfy the requirements for such seeds set out in Schedule 2 or to market seeds which, notwithstanding the requirements of the Seeds (National Lists of Varieties) Regulations 1973, are of a variety not entered in a National List or in the Common Catalogue:

Provided that in all other respects, unless expressly otherwise provided, the provisions of these Regulations shall apply in relation to the marketing of the seeds.

(5) Notwithstanding the requirement that basic seeds shall attain the minimum standards of germination specified in Schedule 2, any person may, subject to the requirements of paragraphs (2)(*b*) and (7) of Regulation 9 market, as pre-basic seeds or basic seeds, seeds which in other respects satisfy the requirements for basic seeds set out in the said Schedule but which attain a lower percentage of germination than that specified in the said Schedule in relation to seeds of that kind.

(6) In a case where the official examination in respect of the germination of a proposed consignment of seeds has not been completed and the Department has been informed of the name and address of the first consignee, and provided with a provisional report in respect of such germination he may, if the seeds in other respects satisfy the appropriate requirements of Schedule 2, authorise the marketing of the seeds as pre-basic seeds, basic seeds, certified seeds or commercial seeds, as the case may be, to the said consignee.

(7) Paragraphs (5) and (6) shall not apply to seeds which have been imported from a country other than a Member State unless they were produced directly from pre-basic seeds or basic seeds certified in a Member State.

(8) Notwithstanding the requirements of Regulation 31(1) and (2) of the Seeds (National Lists of Varieties) Regulations 1973 commercial seeds may be marketed which are not of a variety which is entered in a National List or the Common Catalogue or which are marketed otherwise than under a varietal name.

Sampling

6.—(1) A sample of seeds taken for the purposes of an official examination or, subject to paragraph (3) for the enforcement of these Regulations shall be taken in accordance with the procedure set out in Schedule 3.

(2) A sample of seeds for the enforcement of these Regulations shall be divided into three parts: one part shall be delivered or sent to the owner of the seeds or his representative, one part shall be delivered or sent to the Chief Officer of an Official Seed Testing Station and the remaining part shall be retained and be available for production to a Court in accordance with section 9(7) of the Act;

Provided that, where it appears to the person taking the sample that the seeds from which the sample has been taken were purchased for use and not for resale, the first part of the sample shall be delivered to the last seller of the seeds or to his representative in place of the owner of the seeds or his representative.

(3) The weight of a sample taken for the enforcement of these Regulations shall be such as to ensure each of the parts into which it is divided is of not less than the minimum weight indicated in Schedule 3 and the sample shall be divided accordingly.

Certificates of taking and testing of a sample

7.—(1) A certificate in the form set out in Part I of Schedule 4 of the taking of a sample of seeds is hereby prescribed in accordance with section 9(3) of the Act.

(2) A certificate in the form set out in Part II of Schedule 4 of the result of a test of a sample of seeds taken for the enforcement of these Regulations is hereby prescribed in accordance with section 7(3) of the Act.

Sealing of packages

8.—(1) No person shall market a package of pre-basic seeds or basic seeds or a package, other than a small package, of certified seeds, commercial seeds or a mixture of seeds unless it has been, not later than at the time of sampling, sealed by a person authorised by the Department in that behalf with a sealing device (which may be an adhesive label) in such a manner that when the package is opened the sealing device will be broken and cannot be replaced.

(2) If a package of seeds which has been sealed in accordance with paragraph (1) of this Regulation shall have been opened it may only be resealed or further resealed by a person authorised by the Department in that behalf.

(3) No person shall market a package of uncertified pre-basic seeds or a small package of seeds unless it has been sealed with a sealing device approved by the Department and in such a manner that when the package is opened the sealing device will be broken and cannot be replaced.

Labelling of packages

9.—(1) Subject to paragraph (6) no person shall market any seeds except in a package which is labelled, inscribed or otherwise dealt with in accordance with this Regulation.

(2)(*a*) A package of pre-basic seeds or basic seeds or a package other than a small package of certified seeds, commercial seeds or a mixture of seeds shall have affixed on the outside an official label containing, as appropriate to the seeds, particulars of the matters specified, and being of the size and colour also specified, in Schedule 6 which shall be either an adhesive label or a label secured to the package by an alternative sealing device affixed in either case by a person authorised by the Department in that behalf.

(*b*) If in accordance with Regulation 5(5) a person shall market basic seeds of a lower percentage of germination than that specified in Schedule 2 the fact shall be stated on the official label.

(*c*) A person who markets a package, other than a small package, containing a mixture of seeds, shall with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the matters, relating to the seeds to which these Regulations apply, specified in Part V of Schedule 5.

(3) A package of basic seeds or a package, other than a small package, of certified seeds, commercial seeds or a mixture of seeds shall contain an official notice which shall be of the same colour as the official label and shall contain particulars of the matters specified in the items numbered, in the case of basic seeds or certified seeds, 3, 4 and 5 in Part I of Schedule 5 in the case of commercial seeds, 2, 4 and 5 in Part II of Schedule 5 and, in the case of a mixture of seeds, 3 and 4 in Part IV of Schedule 5: Provided that if such particulars are printed indelibely on the outside of the package or if the official label is an adhesive label the official notice referred to in this paragraph shall not be required.

(4)(*a*) A package of uncertified pre-basic seeds or a small package of seeds shall have affixed on the outside a label containing, as appropriate to the seeds, particulars of the matters specified, and being of the colour also specified, in Schedule 5; Provided that if such particulars are indelibly printed on the outside of the package the said label shall not be required.

(*b*) A person who markets a small package containing a mixture of seeds for use for agricultural purposes shall, with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the matters relating to the seeds to which these Regulations apply, specified in Part V of Schedule 5.

(5) A person who markets a package of seeds in accordance with paragraphs (1)(*b*) or (2)(*a*) of Regulation 5 shall with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars of the matters relating to the seeds specified in Part X of Schedule 5.

(6) A person may sell any seeds otherwise than in a package provided that they are sold by way of retail sale, in a quantity not exceeding the appropriate maximum weight indicated in Schedule 6 and are taken in the presence of the purchaser from a container on or in the proximity of which there is clearly and visibly marked or displayed a statement containing the particulars of the matters specified in Part XI of Schedule 5.

(7) If basic seeds are marketed in accordance with Regulation 5(5) or the Department shall have authorised the marketing of seeds in accordance with Regulation 5(6) a supplier's label affixed to the outside of the package shall contain a statement of the germination of the seeds together with the name and address of the seller and the reference number of the lot.

(8) If a package of seeds shall have been re-sealed in accordance with Regulation 8(2) that fact shall be stated, together with the date of the resealing and the name of the authority responsible for it, on the official label.

(9) If any seeds have been subjected to any chemical treatment, the fact that they have been so subjected and the nature of the treatment or the proprietary name of the chemical employed shall be stated either—

(*a*) on the label referred to in paragraphs (2), (4) or (5) where such a label is not required with the particulars otherwise given in accordance with those paragraphs, or

(*b*) on a separate supplier's label,

and also (except where the label referred to in paragraphs (2), (4) or (5) is not required, or where the information prescribed by this paragraph is given on an adhesive label) either on the outside of the package or in a statement enclosed in the package.

(10) The particulars and information given in accordance with this Regulation shall be given in one of the official languages of the European Economic Community.

(11) Subject to the provisions of the Act and of these regulations, no person shall, in connection with the marketing or the preparation for the marketing of any seeds, wilfully reproduce, remove, alter, deface, conceal or misuse in any way any label or notice affixed to, contained in or marked on any package of seeds or to be so affixed, contained or marked.

Higher voluntary standard

10. Where in the course of the marketing of any seeds it is stated or indicated in any label or notice affixed to, contained in or marked on any package of seeds or in any document accompanying the seeds that the seeds attain the higher voluntary standard the person marketing the seeds shall be deemed to state, for the purposes of the enforcement of these Regulations and in relation to the particulars given to the purchaser, that the seeds attain the higher voluntary standards applicable to the seeds.

Civil liabilities of sellers of seeds

11.—(1) The particulars given to a purchaser by the seller of pre-basic seeds, basic seeds, certified seeds whether given in pursuance of these regulations expressly or by implication arising from the description under which the seeds are sold, shall constitute a statutory warranty for the purpose of section 4 of the Act in so far as they relate to the percentage of germination, the percentage of analytical purity, the content of seeds of other plant kinds or the varietal purity of the seeds, or, in the case of a mixture of seeds, of any of its constituents to which these regulations apply.

(2) Section 4(2) of the Act shall apply to any particulars given to a purchaser by the seller of seeds, being particulars given or implied as in paragraph (1) in so far as they relate to the percentages of germination, of analytical purity, or to the content of seeds of other plant kinds and there are hereby prescribed in respect of such matters the limits of variation set out in Schedule 7.

(3) Section 4(3) of the Act shall apply to any particulars given to a purchaser by the seller of seeds, being particulars given or implied as in paragraph (1) in so far as they relate to the percentages of germination, analytical purity or to the content of seeds of other plant kinds.

(4) A purchaser who intends to obtain a test of seeds for the purposes of section 4(3) of the Act shall not more than 10 days after delivery to him of the seeds or of the particulars prescribed in Regulation 9(2)(*c*), 4(*b*) or (5) (whichever is the later) give to the seller written notice of his intention and thereupon the seller may indicate a day (not being more than 21 days after delivery of the seeds or of the said particulars, whichever is the later, to the purchaser) and a reasonable time on that day at which a sample of the seeds may be taken in the presence of himself or of his representative and the purchaser shall afford to the seller reasonable facilities for that purpose.

(5) On the day and at the time appointed by the seller in accordance with paragraph (4) or, if the seller shall have failed to appoint such a day and time, on a day not more than 28 days after delivery of the seeds or of the said particulars (whichever is the later) to the purchaser, the purchaser may, and if the seller or his representative is present shall, take a sample of the seeds, such sample being taken in accordance with the procedure set out in Schedule 3 and shall divide the sample so taken into two parts, each being of the appropriate minimum weight specified in Schedule 3, of which one part shall be sent to the Chief Officer of an Official Seed Testing Station for the purpose of being tested and the other part delivered or tendered to the seller or his representative or, if he or his representative was not present when the sample was taken, sent to him by post.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland this 28th day of June 1974 in the presence of:

(L.S.)

Thomas P. Gibson,
Assistant Secretary.

SCHEDULE 1

Kinds of seeds to which the regulations apply

(A) GRAMINEAE	(A) GRASSES
Agrostis canina L. ssp. *canina*	Velvet bent
Agrostis gigantea Roth.	Red top
Agrostis stolonifera L.	Creeping bent
Agrostis tenuis Sibth.	Brown top
Arrhenatherum elatius (L.) Beauv. ex J. S. et K. B. Presl.	Tall oatgrass
Dactylis glomerata L.	Cocksfoot
Festuca arundinacea Schreb.	Tall fescue
Festuca ovina L.	Sheep's fescue
Festuca pratensis Huds.	Meadow fescue
Festuca rubra L.	Red fescue
Lolium multiflorum Lam.	Italian ryegrass (including Westerwolds)
Lolium perenne L.	Perennial ryegrass
Lolium X hybridum Hausskn.	Hybrid ryegrass
Phleum bertolonii DC.	Timothy
Phleum pratense D.	Timothy
Poa annua L.	Annual meadowgrass
Poa nemoralis L.	Wood meadowgrass
Poa pratensis L.	Smooth-stalked meadowgrass
Poa trivialis L.	Rough-stalked meadowgrass

(B) LEGUMINOSAE	(B) LEGUMES
Lotus corniculatus L.	Birdsfoot trefoil
Lupinus albus L.	White lupin
Lupinus angustifolius L.	Blue Lupin
Lupinus luteus L.	Yellow lupin
Medicago lupulina L.	Black medick, trefoil
Medicago sativa L.	Lucerne
Medicago X varia Martyn	Lucerne
Onobrychis Lam.	Sainfoin
Pisum arvense L.	Field pea
Trifolium hybridum L.	Alsike clover
Trifolium pratense L.	Red clover
Trifolium repens L.	White clover
Vicia faba L. ssp. *faba* var. *equina* Pers.	Field bean
Vicia faba L. var. *minor* (Peterm.) Bull	Field bean
Vicia pannonica Crantz	Hungarian vetch
Vicia sativa L.	Common vetch
Vicia villosa Roth.	Hairy vetch

(C) Other species	(C) Other species
Brassica napus L. var. *napobrassica* (L.) Reichenb.	Swede
Brassica oleracea L. convar. *acephala* (DC) Alef.	Fodder kale
Raphanus sativus L. ssp. *oleifera* (DC) Metzg.	Fodder radish

SCHEDULE 2

Requirements for basic and certified seeds

PART I

Conditions relating to the crop from which the seeds are obtained

Inspections

1. There shall be at least one official field inspection with discretion for the Minister to require further inspections in particular cases.

Previous cropping

2. Previous cropping shall accord with the requirements of the Minister who will have regard to the circumstances likely to affect the crop under consideration.

Crop condition

3. The cultural condition of the field and the stage of development of the crop shall be such as to permit a sufficient check of identity and varietal purity.

Maximum age of crops

4. For crops of Italian ryegrass and other species where the growth characteristics are conducive to the establishment of a second generation seed will not be accepted for certification as first generation seed in the second harvest year. Basic seed crops of such species could be entered for certification as first generation seeds but not as basic seeds in the second harvest year.

Varietal purity

5. Grasses and herbage legumes.

	Maximum average tolerance in crops	
	Crops to produce certified seeds	*Crops to produce basic seeds*
Recognisable off-types of the same species (including Italian or awned ryegrass in perennial ryegrass and perennial or awnless ryegrass in Italian ryegrass)	1 plant in 10 square metres	1 plant in 50 square metres
Plants grown from shed seed other than those classifiable as off-types	15% of seed heads in the crop	1% of seed heads in the crop

6. For all species, so far as it can be ascertained at crop inspection, supplemented where appropriate by examination of a plot sown by the Department with a sample from the seed lot sown in the field, the crop shall be satisfactory for trueness to variety and varietal purity; the plants shall conform to the characteristics of the variety when it was included in a National List or the Common Catalogue. For hybrids the plants shall conform to the known characteristics of the parental lines.

Other crop plants

7. Seed crops of the following kinds must meet the following requirements:—

Seed crop	*Scheduled plants*	*Maximum average impurity*	
		Crops to produce certified seeds	*Crops to produce basic seeds*
Cocksfoot Meadow fescue Red fescue Tall fescue	Ryegrass (*Lolium* spp.)	1 plant in 10 square metres	1 plant in 50 square metres
White clover	Suckling clover (*Trifolium dubium*)	1 plant in 10 square metres	1 plant in 50 square metres

Isolation distances

8. For all species there shall be a physical barrier or 2 metres of fallow.

9. For cross-pollinated species there shall be the following minimum distances throughout the period of flowering of the crop from sources of foreign pollen likely to cross-fertilise with the crop:—

(*a*) Cruciferous species — 400m for crops to produce basic seeds; 200m for crops to produce certified seeds

(*b*) Other cross-fertilised species

	Multiplication fields	
	up to 2 hectares	*over 2 hectares*
Seeds intended for multiplication	200m	100m
Seeds intended for production of fodder plants	100m	50m

These distances need not be observed if there is adequate protection against any undesirable foreign pollination.

PART II

Conditions relating to the seeds

A *Basic and certified seeds*

The seeds shall possess the identity and varietal purity specified in Part I.

B *Basic, certified and commercial seeds*

1. The presence of diseases which reduce the value for use of the seeds shall be tolerated only within the smallest practicable limits. For lucerne and red clover basic seeds and seeds entered for certification at the higher voluntary standard if stem eelworm (*Ditylenchus dipsaci*) is reported on a field inspection the seeds must be fumigated by an approved method.

For basic and certified seeds of field beans a sample shall be examined for *Ascochyta fabae*. The level of infection shall not exceed:

Basic seeds	Nil in 1000 seeds
Certified seeds 1st generation	Nil in 600 seeds
Certified seeds 2nd generation	Nil in 400 seeds
Certified seeds 3rd generation or subsequent generation	No standard

2. According to their category the seeds shall also have been shown on an official examination to comply with the following conditions:—

Kind	*Minimum germination (% of pure seeds or pure pellets)*	*Maximum hard seed content (% of pure seeds or pure pellets)*	*Minimum analytical purity (% by weight)*		*Maximum* weed seed content (% by weight)*	
	Basic and certified seeds	*Basic and certified seeds*	*Basic and certified (minimum standard) seeds*	*Certified seeds (higher voluntary standard)*	*Certified seeds (minimum standard)*	*Certified seeds (higher voluntary standard)*
Perennial ryegrass	80		96	98	1.0	0.5
Italian ryegrass	75		96	98	1.0	0.5
Hybrid ryegrass	75		96	98	1.0	0.5
Cocksfoot	80		90	90	1.0	0.5
Timothy	80		95	98	0.5	0.5
Meadow fescue	80		95	98	1.0	0.5
Red fescue	75		90	95	1.0	0.5
Tall fescue	80		95	98	1.0	0.5
Red clover	80	20	97	98	0.5	0.5
White clover	80	40	97	98	0.8	0.5
Ladino white clover	80	40	97	98	0.5	0.5
Sainfoin†	75	20	95	98	1.5	0.5
Lucerne	80	40	97	98	0.5	0.5

* For basic seed, maximum weed seed content for all species is 0.1%

† including commercial seeds

Kind	*Minimum germination (% of pure seeds of pure pellets)*	*Maximum hard seed content (% of pure seed or pure pellets)*	*Minimum analytical purity (% by weight)*	*Maximum* weed seed content (% by weight)*
	Basic, certified and commercial seeds	*Basic, certified and commercial seeds*	*Basic, certified and commercial seeds*	*Certified and commercial seeds*
Red top	80		90	1.0
Other *Agrostis*	75		90	1.0
Tall oatgrass	80		90	1.0
Sheep's fescue	75		85	1.0
Meadow grasses	75		85	1.0
Birdsfoot trefoil	75	40	95	0.8
Lupins	80	20	97	0.2
Black medick, trefoil	80	20	97	0.8
Alsike clover	80	20	97	0.5
Field pea	80	—	97	0.1
Field bean	85	20	97	0.1
Vetches	85	20	97	0.5
Swede and kale	80	—	98	0.5
Fodder radish	80	—	95	0.5

* For basic seed, maximum weed seed content for all species is 0.1%

Comments

HARD SEEDS

Up to the maximum content indicated, hard seeds present shall be considered as seeds capable of germination.

UNGERMINATED SEEDS

All fresh and healthy seeds which do not germinate after pre-treatment shall be considered as seeds which have germinated.

WILD OATS AND DODDER

The seeds shall be free from wild oat (*Avena fatua* or *Avena ludoviciana*) and *dodder* (*Cuscuta* spp.). However, one seed of wild oat or dodder in a 100g sample shall not be considered an impurity if a second sample of 200g is free from wild oat or dodder.

BLACKGRASS

(*a*) *Basic, certified* (*minimum standard*) *and commercial seeds*
There shall not be more than 5 seeds of blackgrass (*Alopecurus myosuroides*) in a sample of 25g of basic seeds or more than 0.3% of blackgrass seeds in certified or commercial seeds.

(*b*) *Certified* (*higher voluntary standard*) *seeds*
A sample of the size specified in paragraph *j* shall contain not more than 1 seed of blackgrass.

DOCKS

(*a*) *Basic, certified* (*minimum standard*) *and commercial seeds*
There shall not be more than 2 seeds of docks (*Rumex obtusifolius* and *R. crispus*) in a sample of 5g.

(*b*) *Certified* (*higher voluntary standard*) *seeds*
For ryegrass, meadow fescue, tall fescue, red clover, lucerne and sainfoin there shall not be more than one seed of docks in a sample the size specified in paragraph *j*; for cocksfoot, timothy, red fescue and white clover there shall be not more than 2 seeds of docks in a sample of 5g.

COUCH GRASS

(*a*) *Basic, certified* (*minimum standard*) *and commercial seeds*
No requirements.

(*b*) *Certified* (*higher voluntary standard*) *seeds*
There shall be not more than one seed of couch grass (*Agropyron repens*) in a sample of the size specified in paragraph *j*.

OTHER CROP SPECIES

(*a*) *Basic certified* (*minimum standard*) *and commercial seeds*
The percentage by weight of other crop seeds shall not exceed 0.1 for basic seeds. For certified seeds it shall not exceed 1.0 except for *Poa* species in which 1.0% of seeds of other *Poa* species shall not be considered an impurity. For commercial seeds the percentage by weight of other crop seeds shall not exceed 3; for *Poa annua* L. 10%, and for other *Poa* species 3%, of other species of *Poa* shall not be considered an impurity.

For commercial seeds only of the *Vicia* species, a total of 6% of seeds of *Vicia pannonica. V. villosa* and related cultivated species shall not be considered as an impurity.

(*b*) *Certified (higher voluntary standard) seeds*

The percentage by weight of other crop seeds shall not exceed 1.0. In addition, in a sample of the size specified in paragraph *j*, the number of seeds of any single species shall not exceed 60, except for timothy for which the number shall not exceed 25; for tall fescue and meadow fescue there shall not be more than 10 seeds of any ryegrass in the specified sample.

For red fescue a sample of 30g shall contain not more than a total of 4 seeds of ryegrass, cocksfoot and meadow fescue.

AWNED RYEGRASS

All categories

In ryegrass there shall not be more than 1% by weight of seed having clearly defined awns in seeds of a variety known not to produce seeds with awns.

SAMPLE SIZE

The minimum size for the samples referred to in paragraphs *d*, *e*, *f* and *g* shall shall be as follows:—

Perennial ryegrass	6g
Italian ryegrass	6g
Hybrid ryegrass	6g
Cocksfoot	3g
Timothy	1g
Meadow fescue	5g
Tall fescue	5g
Red fescue	3g
White clover	2g
Red clover	5g
Lucerne	5g
Sainfoin—seed	40g
—fruit	60g

SPECIAL PROVISIONS FOR LUPINUS SPECIES

For basic seeds there shall be no more than 1% by number of bitter seeds in sweet varieties. For certified seeds there shall be no more than 3% by number in first generation certified seeds and 5% in subsequent generation certified seeds. In basic seeds and in all generations of certified seeds the percentage by number of seeds of another colour shall not exceed 2 in bitter lupins and 1 in other lupins. For commercial seeds the percentage by number of seeds of a different colour shall not exceed 4 in bitter lupins and 2 in other lupins. The percentage by number of bitter seeds in sweet lupins shall not exceed 5.

SCHEDULE 3

Sampling

Procedure for the taking of samples

PART I

1. Prior to sampling a seed lot shall be well mixed so as to be as uniform among its parts as is practicable.

2. When the seed lot is in sacks or other similar sized containers, the number of containers to be sampled shall be in accordance with the following table:—

Number of containers in the lot	*Minimum number of containers to be sampled*
1— 5 (inclusive)	Each container, portions being taken from at least five positions
6—14 „	Not less than 5 containers
15—30 „	At least 1 container in 3
31—49 „	Not less than 10 containers
50 or more	At least one container in 5

When there are more than 5 containers in the lot the containers to be sampled must be selected at random.

3. For sampling seed lots in containers weighing less than 50 kg a 100 kg weight of seeds is taken as the basic unit. Containers are combined to form sampling units weighing a maximum of 100 kg (e.g. 5 containers each to 20 kg form 1 unit). For sampling purposes each unit is regarded as one container and the sampling intensity prescribed above is used.

4. The samples should be taken in the following manner:

Seeds in full containers

Where the seeds are in sacks they shall be sampled at random and samples taken from either the top, middle or bottom of each selected sack. The position from which the seeds are taken shall be varied from sack to sack and seeds shall be taken from different horizontal positions. Wherever practicable, seeds shall be sampled with a metal spear, trier or probe with a solid point which shall be of sufficient length to reach beyond the middle of the sack when inserted from the side and shall have an oval aperture so placed that the instrument removes portions of seeds of equal volume from each part of the sack through which it travels. The instrument should be inserted into the sack in an upward direction at an angle of approximately 30° to the horizontal, with its aperture downwards until the aperture reaches the centre of the sack. It shall then be rotated so as to bring the aperture uppermost and withdrawn at once at a decreasing speed so that the quantity of seeds obtained from successive locations increases progressively from the centre to the side of the sack. Alternatively, a longer instrument should be inserted until the aperture reaches the farther side of the sack, rotated in the manner described above and then withdrawn at a uniform speed. A stick sampler may be used in place of the instrument above. It may be used horizontally or vertically. If the stick sampler has more than one aperture it must have transverse partitions so that each aperture opens into a separate compartment; it should be inserted diagonally into the sack in the closed position, then opened, gently agitated to allow it to fill completely, closed again, withdrawn and emptied.

Seeds in containers other than sacks shall wherever practicable be sampled with an instrument as aforesaid, which shall be used as already described.

Where it is not practicable to sample seeds in sacks or other containers in the manner already described, portions may be taken by hand, care being taken to keep the fingers tightly closed about the seeds so that none may escape as the hand is withdrawn. If necessary, in order to reach the lower levels, part of the contents shall be emptied into another sack or other container.

Seeds in a partly filled container

The seeds shall be thoroughly mixed by hand and small portions then taken from at least five different positions.

Seeds in bulk

Portions of seeds shall be taken with a stick sampler from at least the number of positions indicated in the table below:—

Size of lot	*Number of positions to be sampled*
Up to 50 kg	Not less than 3
51 to 1,500 kg	Not less than 5
1,501 to 3,000 kg	At least 1 for each 300 kg
3,001 to 5,000 kg	Not less than 10
5,001 to 20,000 kg	At least 1 for each 500 kg

Sampling positions must be selected at random in both vertical and horizontal planes.

If the stick sampler has more than one aperture it shall have transverse partitions so that each aperture opens into a separate compartment.

Seeds in a cleaning, mixing or dressing machine

Portions of seeds shall be drawn during the cleaning, mixing or dressing process so that the entire cross section of the seed stream is uniformly sampled at regular intervals throughout the whole process. The frequency shall be at least as indicated in the table below:—

Size of lot	*Number of times to be sampled*
Up to 50 kg	Not less than 3
51 to 1,500 kg	Not less than 5
1,501 to 3,000 kg	At least 1 for each 300 kg
3,001 to 5,000 kg	Not less than 10
5,001 to 20,000 kg	At least 1 for each 500 kg

5. When the individual portions taken from the lot already exceed the amount required they shall be put together in a clean receptacle and well mixed. The composite sample so obtained shall be reduced by using an efficient seed divider.

PART II

Maximum weight of a lot and minimum weight of sample

The maximum weight of a lot to be sampled shall be 10 tons and the minimum weight of a sample shall be 300 grams for those kinds of seeds set out in Schedule 2 except that for those kinds listed below the maximum weight of a lot to be sampled shall be 20 tons and the minimum weight of a sample shall be 500 grams:

White lupin
Blue lupin
Yellow lupin
Field Pea
Field Bean
Hungarian Vetch
Common Vetch
Hairy Vetch

Where an *Ascochyta fabae* test is required the minimum weight of a sample shall be 3 kg.

SCHEDULE 4

Certificates

PART I

Certificate of the taking of a sample

DEPARTMENT OF AGRICULTURE FOR NORTHERN IRELAND

SEEDS ACT (NORTHERN IRELAND) 1965

FODDER PLANT SEEDS REGULATIONS (NORTHERN IRELAND) 1974

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS TAKEN UNDER SECTION 8(3) OF THE ACT ON THE PREMISES OF

Name .....

Address .....

.....

.....

Kind .....

Variety .....

Category .....

Certificate or reference number .....

Date of sampling .....

Department's reference number .....

I certify that in taking the sample referred to above I used a method of sampling prescribed in Schedule 3 to the Fodder Plant Seed Regulations (Northern Ireland) 1974.

(Signed) .....
Authorised by the Department of Agriculture for the execution of the Act.

Date .....

PART II

Certificate of the result of a test of seeds

DEPARTMENT OF AGRICULTURE FOR NORTHERN IRELAND

SEEDS ACT (NORTHERN IRELAND) 1965

FODDER PLANT SEEDS REGULATIONS (NORTHERN IRELAND) 1974

Official Station No. .....

Control Sample No. .....

FINAL REPORT OF THE OFFICIAL SEED TESTING STATION FOR NORTHERN IRELAND ON A SAMPLE TAKEN UNDER SECTION 8(3) OF THE ACT ON THE PREMISES OF

Name .....

Address .....

.....

.....

Date received at Station ..... Date of sampling.....

Quantity sampled ..... Quantity represented .....

Description

Kind ..... Variety .....

Reference ..... Category .....

Results of Tests

% Pure seed	% inert matter	% Other crop seeds	% Weed seeds	% *Alopecurus myosuroides*

Inert matter

Other crop seeds

Weed seeds

Number of seeds

	5g	25g	100g	Further 200g
Rumex and *R. obstusifolius*				
Alopecurus mysuroides				
Avena fatua and *A. ludoviciana*				
Cuscuta spp.				

Germination ..... % Hard seed ..... % Fresh seeds..... %

Remarks

Date ..... Chief Officer

SCHEDULE 5

Labels

PART I

Official label for a package of basic seeds or certified seeds

(*a*) *Prescribed contents*

1. "EEC rules and standards"
2. Certifying Authority and Member State or their mark
3. Reference number of the lot
4. Kind
5. Variety
6. Category
7. Country of production
8. Declared net or gross weight
9. For certified seeds of the second generation and subsequent generations from basic seeds: number of generations from basic seed.
10. For seeds of grass varieties, in respect of which no official examination of their value for cultivation and use has been carried out: "Not intended for fodder production"

(*b*) *Minimum size of the label*

110 mm x 67 mm

(*c*) The label shall be coloured white for basic seeds, blue for certified seeds of the first generation from basic seeds and red for certified seeds of subsequent generations from basic seeds

PART II

Official label for a package of commercial seeds

(*a*) *Prescribed contents*

1. "EEC rules and standards"
2. "Commercial seed (not certified as to variety)"
3. Service responsible for sealing and Member State or their mark
4. Reference number of lot
5. Kind (for lupins, it shall be stated whether they are bitter or sweet)
6. Country of Production (or Region of production within a country)
7. Declared net or gross weight

(*b*) *Minimum size of label*

110 mm x 67 mm

(*c*) The label shall be coloured brown

PART III

Official label for a package of pre-basic seeds

(*a*) *Prescribed contents*

1. Certifying Authority and Member State or their mark
2. Reference number of lot
3. Kind
4. Variety
5. Specification "Pre-basic seed"
6. Number of generations preceding seed of the categories "certified seed" or "certified 1st generation seed"

(*b*) *Minimum size of label*

110 mm x 67 mm

(*c*) The label shall be coloured white with a diagonal violet line

PART IV

Official label for a package of a mixture of seeds

(*a*) *Prescribed contents*

1. "Seed mixture for ....."
   (intended use)
2. Service responsible for sealing and Member State or their mark
3. Reference number of the lot
4. Proprietary name of mixture or kinds of the constituents
5. Declared net or gross weight

(*b*) *Minimum size of the label*

110 mm x 67 mm

(*c*) The label shall be coloured green

PART V

Further particulars to be given in respect of a mixture of seeds

A. other than such a mixture in a small package, or

B. in a small package, for use for agricultural purposes

For each constituent

1. Kind
2. Category
3. Variety
4. Country of production or, in the case of commercial seeds, Region of production within a country
5. Proportion by weight of the mixture

PART VI

Supplier's label for uncertified pre-basic seeds

(*a*) *Prescribed contents*

1. Name and address of the supplier responsible for affixing the label or his identification mark
2. Reference number of the lot
3. Kind
4. Variety
5. Specification "uncertified pre-basic seeds"
6. Declared net or gross weight

(*b*) The label shall be coloured buff

PART VII

Supplier's label for a small package of seeds other than a mixture of seeds

(*a*) *Prescribed contents*

1. "EEC rules and standards"
2. Name and address of the supplier responsible for affixing the labels or his identification mark
3. Reference number of the lot
4. Kind
5. Variety (if appropriate)
6. Category
7. Declared net or gross weight.

(*b*) The label shall be coloured blue for certified seeds and brown for commercial seeds

PART VIII

Supplier's label for a small package of a mixture of seeds for use for agricultural purposes

(*a*) *Prescribed contents*

1. "Seed mixture for agricultural use"
2. Name and address of person responsible for sealing package or their identification mark
3. Reference number of the lot
4. Proprietary name of mixture or kinds of the constituents
5. Declared net weight

(*b*) The label shall be coloured green

PART IX

Supplier's label for a small package of a mixture of seeds for use for purposes other than agriculture

(*a*) *Prescribed contents*

1. "Complies with legal standards"
2. "Seed mixture for ....."
   (intended use)
3. Name and address of person responsible for sealing package or his identification mark
4. Reference number of the lot
5. "With ryegrass" or "without ryegrass"
6. Declared net weight

(*b*) The label shall be coloured green

PART X

Particulars to be given in accordance with regulation 9(6)

Prescribed contents

1. "Complies with legal standards"
2. Name and address of seller
3. Kind
4. Variety or type, or variety and type, of the seeds or the words "Variety and type not specified"
5. Country of production
6. Where the seeds comprise a mixture a statement to that effect and such particulars in respect of each constituent to which these Regulations apply as would be required if that constituent alone were offered for sale together with a statement of the proportion by weight of each such constituent present in the mixture. Provided that where the mixture is one of seeds derived from plants which have been grown together, it shall be sufficient to state that fact and to give in respect of the mixture as a whole the particulars which would otherwise have been required in respect of each constituent.

PART XI

Particulars to be marked or displayed on the sale of unpacketed seeds

1. "Complies with legal standards"
2. Kind
3. Variety

SCHEDULE 6

Maximum weight for retail sales of unpacketed seeds

Velvet bent	2 kg	Birdsfoot trefoil	2 kg
Red top		White lupin	
Creeping bent		Blue lupin	
Brown top		Yellow lupin	
Tall oatgrass		Black medick	
Cocksfoot		Lucerne	
Tall fescue		Sainfoin	
Sheep's fescue		Alsike clover	
Meadow fescue		Red clover	
Red fescue		White clover	
Italian ryegrass (including Westerwolds)		Hungarian vetch	
Perennial ryegrass		Common vetch	
Hybrid ryegrass		Hairy vetch	
Timothy		Swede	
Annual meadowgrass		Fodder kale	
Wood meadowgrass		Fodder radish	
Smooth-stalked meadowgrass		Field pea	3 kg
Rough-stalked meadowgrass		Field bean	
		Mixtures	7 kg

SCHEDULE 7

Limits of variation

PURITY (legumes and other kinds)

Minimum percentage of analytical purity	*Limit of variation*
per cent	Per cent
99.9—100	0.2
99.8	0.3
99.6—99.7	0.4
99.3—99.5	0.5
99.0—99.2	0.6
98.5—98.9	0.7
98.3—98.4	0.8
97.5—98.2	0.9
97.0—97.4	1.0
96.5—96.9	1.1
95.5—96.4	1.2
95.0—95.4	1.3

PURITY (grasses)

Minimum percentage of analytical purity	*Limit of variation*
Per cent	Per cent
99.9—100	0.2
99.7—99.8	0.4
99.5—99.6	0.5
99.3—99.4	0.6
99.0—99.2	0.7
98.8—98.9	0.8
98.3—98.7	0.9
98.0—98.2	1.0
97.5—97.9	1.1
97.0—97.4	1.2
96.5—96.9	1.3
96.0—96.4	1.4
95.0—95.9	1.5
94.0—94.9	1.6
93.0—93.9	1.7
92.0—92.9	1.9
91.0—91.9	2.0
90.0—90.9	2.1
88.0—89.9	2.2
86.0—87.9	2.4
84.0—85.9	2.5
82.0—83.9	2.6
80.0—81.9	2.8
78.0—79.9	2.9
75.0—77.9	3.0

OTHER SPECIES OR VARIETIES

(legumes and other kinds)

Maximum percentage of seeds	*Limit of variation*
Per cent	Per cent
0.0	0.1
0.1—0.2	0.3
0.3—0.4	0.4
0.5—0.6	0.5
0.7—0.9	0.6
1.0—1.4	0.7
1.5—1.7	0.8
1.8—2.4	0.9
2.5—2.9	1.0
3.0—3.4	1.1
3.5—4.4	1.2
4.5—4.9	1.3
5.0	1.4

OTHER SPECIES (all kinds)

Maximum number of seeds	*Limit of variation*
Number	Number
0	1
1	3
2	4
3—4	5
5—6	6
7—8	7
9—11	8
12—14	9
15—17	10
18—21	11
22—25	12
26—29	13
30—34	14
35—40	15
41—45	16
46—51	17
52—57	18
58—60	19

OTHER SPECIES (grasses)

Maximum percentage of seeds	*Limit of variation*
Per cent	Per cent
0.0	0.2
0.1	0.3
0.2	0.4
0.3—0.4	0.5
0.5—0.6	0.6
0.7—0.9	0.7
1.0—1.2	0.8
1.3—1.7	0.9
1.8—1.9	1.0
2.0—2.4	1.1
2.5—2.9	1.2
3.0	1.3

GERMINATION

Minimum percentage of germination	*Limit of variation*
Per cent	Per cent
99—100	2
97—98	3
94—96	4
91—93	5
87—90	6
82—86	7
76—81	8
70—75	9

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations are made under the Seeds Act (Northern Ireland) 1965, as amended by the European Communities (Agriculture) Order (Northern Ireland) 1972. They regulate the marketing in Northern Ireland of the seeds of fodder plants and revoke the Seeds Regulations (Northern Ireland) 1971 which previously regulated such marketing.

The regulations apply to seeds of the kinds of fodder plants which are set out in Schedule 2 to the Regulations, except where they are seeds sold for delivery to countries not within the European Economic Community, seeds used for research, experiment or selection processes, uncleaned seeds or certain seeds sold in small packages.

Seeds may be marketed only if they are of specified categories which attain the minimum standards prescribed by the regulations although a seller will be at liberty to claim that his seeds attain the higher standards which are also prescribed. Provision is made for the sealing and labelling of the packages in which seeds are sold and for the taking of samples for verification and enforcement purposes. The regulations also provide that sellers are deemed to warrant the correctness of certain particulars stated or implied on the sale of seeds.

Schedules to the regulations include details of the standards to be attained by the different categories of seeds and the crops from which they are derived, of the procedure for the taking of samples and of the particulars to appear on labels on packages of seeds. Tampering with such labels will constitute an offence.

The regulations give effect to Directive 66/401/EEC of the Council of the European Economic Community (O.J. No. 125 11.7.66 (O.J./S.E. 1966)) on the marketing of fodder plant seeds.