STATUTORY INSTRUMENTS

1977 No. 146

PLANT BREEDERS' RIGHTS

The Plant Breeders' Rights (Amendment) Regulations 1977

Made - - -	31*st January* 1977
Laid before Parliament	10*th February* 1977
Coming into Operation	3*rd March* 1977

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Northern Ireland (being the Secretary of State concerned with agriculture in Northern Ireland) acting jointly, in exercise of the powers vested in them by sections 9(1) and 36 of the Plant Varieties and Seeds Act 1964(a) (extended to Northern Ireland by the Plant Varieties and Seeds (Northern Ireland) Order 1964(b) and to the Isle of Man by the Plant Varieties and Seeds (Isle of Man) Order 1969(c)) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1.—(1) These regulations may be cited as the Plant Breeders' Rights (Amendment) Regulations 1977 and shall come into operation on 3rd March 1977.

(2) These regulations shall be read as one with the Plant Breeders' Rights Regulations 1969(d) as amended by the Plant Breeders' Rights (Amendment) Regulations 1971(e) and the Plant Breeders' Rights (Amendment) Regulations 1972(f) (hereinafter referred to as "the principal regulations").

Amendment of principal regulations

2. The principal regulations are hereby further amended by adding at the end of Schedule 3 five further Parts as follows:—

(a) 1964 c. 14.
(b) S.I. 1964/1574 (1964 III, p. 3543).
(c) S.I. 1969/1829 (1969 III, p. 5701).
(d) S.I. 1969/1021 (1969 II, p. 2976).
(e) S.I. 1971/1094 (1971 II, p. 3253).
(f) S.I. 1972/84 (1972 I, p. 244).

PART XXXIV

Timothy, cocksfoot, tall fescue, meadow fescue, red clover and white clover

Quantity

1.—(1) During the year beginning with the making of the application the following amounts of seed shall be delivered:—

For a timothy variety	—	500 grams
,, ,, cocksfoot ,,	—	1000 ,,
,, ,, tall fescue variety	—	1000 ,,
,, ,, meadow fescue variety	—	1000 ,,
,, ,, red clover variety	—	1000 ,,
,, ,, white clover variety	—	500 ,,

(2) During each of the immediately succeeding years until the completion of the tests and trials there shall be delivered such reproductive and other plant material in such quantity and of such description and quality as shall appear to the Controller to be necessary or desirable for the proper completion of the tests and trials.

Packing

2. The seed shall be packed in a suitable container of sufficient strength to withstand mechanical damage during transit.

Quality

3. The seed shall be free from pests and diseases and shall comply with the following standards:—

Kind	Minimum germination %	Minimum purity %	Maximum weed seed content (% by weight)	Maximum hard seed content (% of pure seeds)	Wild Oats and Dodder (in a sample of 100g)	Blackgrass maximum %	Docks Maximum in a sample of 5g	Maximum other crop species (% by weight)
Timothy	80	95	0.5	—	0	0.3	2	1.0
Cocksfoot . .	80	90	1.0	—	0	0.3	2	1.0
Tall fescue . .	80	95	1.0	—	0	0.3	2	1.0
Meadow fescue . .	80	95	1.0	—	0	0.3	2	1.0
Red clover . .	80	97	0.5	20	0	0.3	2	1.0
White clover . .	80	97	0.8	40	0	0.3	2	1.0

Dressing and treatments

4. The seed shall not have been subjected to any fungicidal or pesticidal treatment.

PART XXXV

Lilies

Quantity

9 visually healthy bulbs of flowering size shall be delivered.

PART XXXVI

Cherries

Quantity

1. 3 trees on F 12/1 or Colt rootstocks shall be delivered. The trees shall be not less than 2 and not more than 3 years old.

Health

2. (*a*) The trees shall not show symptoms of any virus disease.

(*b*) The trees shall be healthy. They shall not be lacking in vigour or affected by bacterial canker or other pests or disease.

PART XXXVII

Cherry rootstocks

Quantity

1. 25 well rooted rootstocks of not less than 7 mm in diameter selected from the stool or layer bed shall be delivered.

Health

2. (*a*) The rootstocks shall not show symptoms of any virus disease.

(*b*) The rootstocks shall be healthy. They shall not be lacking in vigour or affected by bacterial canker or other pests or disease.

PART XXXVIII

Hops

Quantity

1. 6 one year bedded sets shall be delivered.

Health

2. (*a*) The sets shall not show symptoms of any virus disease.

(*b*) The sets shall be healthy. They shall not be lacking in vigour or affected by pests or disease.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th January 1977.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

Bruce Millan,
Secretary of State for Scotland.

27th January 1977.

Roy Mason,
Secretary of State for Northern Ireland.

31st January 1977

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations further amend the Plant Breeders' Rights Regulations 1969. Schemes having been made to enable Plant Breeders' Rights to be granted in respect of timothy, cocksfoot, tall fescue and meadow fescue, red clover, white clover, lilies, cherries and cherry rootstocks and hops, the regulations specify the reproductive and other plant material to be delivered when an application is made for a grant of Plant Breeders' Rights in respect of plant varieties of those kinds.

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