STATUTORY INSTRUMENTS

1979 No. 888

SEEDS

The Seeds (Fees) Regulations 1979

Made - - - -	*24th July* 1979
Laid before Parliament	*31st July* 1979
Coming into Operation	*1st August* 1979

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 section 16(1), (1A)(e), (5)(a) and (8) 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:—

Citation and commencement

1. These regulations may be cited as the Seeds (Fees) Regulations 1979 and shall come into operation on 1st August 1979.

Revocation of previous regulations

2. The Seeds (Fees) Regulations 1978(**c**) are hereby revoked.

Interpretation

3. In these regulations "the Minister" means, in relation to England, the Minister of Agriculture, Fisheries and Food, and in relation to Scotland or Wales, the Secretary of State.

Fees

4.—(1) There shall be paid in advance in respect of matters arising under the regulations referred to in the Schedules hereto or under any regulations amending or superseding them the fees respectively specified in the second column of each of the said Schedules opposite the references to such matters.

(2) The Minister shall repay one-half of any initial fee paid in accordance with the Schedules hereto if the application in respect of which the initial fee was paid is withdrawn by the applicant before the earlier of:—

(*a*) the date of inspection of the crop in respect of which the application was made,

(*b*) the date specified by the Minister for notification of withdrawal of such applications.

(**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. 1978/1010.

5.—(1) Subject to paragraph (2) of this regulation any such fees in respect of matters arising in England or Wales shall be payable to the Minister of Agriculture, Fisheries and Food and any such fees in respect of matters arising in Scotland shall be payable to the Secretary of State for Scotland.

(2) Where the inspection of a crop is undertaken by a licensed crop inspector, where the sampling of a seed lot is undertaken by a licensed seed sampler and where the testing of a sample of seeds is undertaken by a licensed seed testing station the fee for such inspection, sampling and testing shall be payable to the licensed crop inspector, the licensed seed sampler or the licensed seed testing station concerned.

6. The Minister may exempt any person or class of persons or persons generally from compliance in whole or in part with the provisions of these regulations in relation to payment of fees and any exemptions so made may be made subject to conditions.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 20th July 1979.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

23rd July 1979.

Nicholas Edwards,
Secretary of State for Wales

24th July 1979.

SCHEDULE 1

MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1976(a)

MATTER	FEE
	£
A. Initial fees	
Initial fee per half-hectare or part thereof, payable on application for crops entered to produce:—	
(i) pre-basic or basic seed	5.60
(ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize	1.50
(iii) certified seed of the second generation of wheat, barley and oats	1.30
B. Crop inspection fees	
Fee on application for inspection or re-inspection of a crop entered to produce A(i), A(ii) or A(iii) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable (excluding sampling and testing of seed) per application for each seed lot entered for certification as:—	
(i) pre-basic and basic seed	20.00
(ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize	18.70
(iii) certified seed of the second generation of wheat, barley and oats	11.60
D. Sampling fees	
(i) Fee for sampling or re-sampling of seed lots entered for certification, per sample	13.00
E. Additional charges	
(i) Fee for a test of seeds for purity, germination and other seed content to:—	
(*a*) Minimum standard	13.15
(*b*) Higher Voluntary Standard	16.50
(ii) Fee for a special test of seeds to verify varietal authenticity	41.80
(iii) Fee for official mixture labels, per thousand:—	
(*a*) adhesive labels	8.00
(*b*) card labels	17.00

(a) S.I. 1976/1133.

SCHEDULE 2

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1976(a)

MATTER	FEE
	£
A. Initial fees	
Initial fee per half-hectare or part thereof payable on application for crops entered to produce:—	
(i) pre-basic or basic seed of herbage and cruciferous varieties	2.60
(ii) pre-basic or basic seed of field peas and field beans	1.60
(iii) certified seed of herbage varieties	1.10
(iv) certified seed of cruciferous varieties	2.55
(v) certified seed of the first, second and third generation of field peas and field beans	1.70
B. Crop inspection fees	
Fee on application for inspection or re-inspection of a crop entered to produce A(i), A(ii), A(iii), A(iv) and A(v) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable (excluding sampling and testing of seed) per application for each seed lot entered for certification as:—	
(i) pre-basic and basic seed of herbage and cruciferous varieties	17.50
(ii) pre-basic and basic seed of field peas and field beans	17.00
(iii) certified seed of herbage and cruciferous varieties and certified seed of the first, second and third generation of field peas and field beans	17.00
(iv) commercial seeds	16.50
D. Sampling fees	
(i) Fee for sampling or re-sampling of seed lots entered for certification under C(i) above, per sample	10.00
(ii) Fee for sampling or re-sampling of seed lots entered for certification under C(ii) above, per sample	13.00
(iii) Fee for sampling or re-sampling of seed lots of herbage and cruciferous varieties entered for certification under C(iii) above, per sample	10.00
(iv) Fees for sampling or re-sampling of seed lots of field beans and field peas entered for certification under C(iii) above, per sample	13.00

(a) S.I. 1976/1283.

SCHEDULE 2 *(continued)*

MATTER	FEE
	£
E. Additional charges	
(i) Fee for a test of seeds of field beans for *Ascochyta fabae*:—	
(a) pre-basic or basic seed	58.75
(b) certified seed of the first generation	35.25
(ii) Fee for a test of seeds of lupins of one colour for seeds of another colour	6.70
(iii) Fee for a test of seeds of sweet lupin for bitter seeds	6.70
(iv) Fee for a test of seeds of fodder grasses for purity, germination and other seed content	19.80
(v) Fee for a test of seeds of fine grasses for purity, germination and other seed content	27.95
(vi) Fee for a test of seeds of clover for purity, germination and other seed content	16.50
(vii) Fee for a test of seeds of pulses for purity, germination and other seed content	11.75
(viii) Fee for a test of seeds of crucifers for purity, germination and other seed content	19.80
(ix) Fee for a special test of seeds to verify varietal authenticity	41.80
(x) Fee for examination of documents submitted with applications for imported seeds to be verified as being of Higher Voluntary Standard	4.00
(xi) Fee for official mixture labels, per thousand	
(a) adhesive labels	8.00
(b) card labels	17.00

SCHEDULE 3

MATTERS ARISING UNDER THE BEET SEEDS REGULATIONS 1976(a)

MATTER	FEE
	£
A. Initial fees	
Initial fee per half-hectare or part thereof payable on application for crops entered to produce:—	
(i) pre-basic or basic seed	5.10
(ii) certified seed	2.55
B. Crop inspection fees	
Fee on application for inspection or re-inspection of a crop entered to produce A(i) or A(ii) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees-	
Final fee payable (excluding sampling and testing of seed) per application for each seed lot entered for certification as:—	
(i) pre-basic and basic seed	17.50
(ii) certified seed	16.50
D. Sampling fees	
Fee for sampling or re-sampling of seed lots entered for certification, per sample	10.00
E. Additional charges	
(i) Fee for a test of monogerm seed or precision seeds for the number of seedlings germinating from a cluster	9.80
(ii) Fee for a test of seeds for moisture content	1.60
(iii) Fee for a test of seeds for purity, germination and other seed content	14.80
(iv) Fee for a special test of seeds to verify varietal authenticity	41.80

(a) S.I. 1976/1068.

SCHEDULE 4

MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1976(a)

MATTER	FEE
	£
A. Initial fees	
Initial fees per half-hectare or part thereof payable on application for crops entered to produce:—	
(i) pre-basic or basic seed	5.10
(ii) certified seed	2.55
B. Crop inspection fees	
Fee on application for inspection or re-inspection of a crop entered to produce A(i) or A(ii) above, per half-hectare or part thereof inspected	1.50
C. Seed lot fees	
Final fee payable (excluding sampling and testing of seed) per application for each seed lot entered for certification as:—	
(i) pre-basic and basic seed	17.50
(ii) certified seed	16.50
(iii) commercial seed	16.50
D. Sampling fees	
Fee for sampling or re-sampling of seed lots entered for certification, per sample	10.00
E. Additional charges	
(i) Fee for a test of seeds for purity, germination and other seed content (including a test for sunflower or swede rape for *Sclerotinia sclerotiorum*)	14.80
(ii) Fee for a test of seeds of flax, linseed or sunflower for *Botrytis*	11.75
(iii) Fee for a test of seeds of flax or linseed for other diseases	11.75
(iv) Fee for a special test of seeds to verify varietal authenticity	41.80

(a) S.I. 1976/1284.

SCHEDULE 5

MATTERS ARISING UNDER THE VEGETABLE SEEDS REGULATIONS 1979(a)

MATTER	FEE
	£
A. Initial fees	
Initial fee payable on application for crops entered to produce:—	
(i) pre-basic and basic seed, other than that of cucumber, gherkin and tomato, per half-hectare or part thereof entered	5.10
(ii) pre-basic and basic seed of cucumber, gherkin and tomato, per crop entered	37.00
(iii) certified seed, other than that of cucumber, gherkin and tomato, per half-hectare or part thereof entered	2.55
(iv) certified seed of cucumber, gherkin and tomato, per crop entered	38.50
B. Crop inspection fees	
Fee on application for inspection or re-inspection of a crop entered to produce:—	
(i) A(i) or A(iii) above, per half-hectare or part thereof entered	1.50
(ii) A(ii) or A(iv) above, per crop	1.50
C. Seed lot fees	
Final fee (excluding sampling and testing of seed) payable per application for each seed lot entered for certification as:—	
(i) pre-basic and basic seed, other than that of cucumber, gherkin and tomato	17.50
(ii) certified seed, other than that of cucumber, gherkin and tomato	16.50
D. Sampling fees	
Fee for sampling or re-sampling of seed lots entered for certification, per sample	10.00
E. Additional charges	
Fee for a test for:—	
(i) Purity, germination and other seed content	11.75
(ii) Varietal authenticity	41.80
(iii) *Phoma lingam* (Canker) in pre-basic or basic seeds of brassicas	11.75
(iv) *Phoma betae* (Blackleg) in pre-basic or basic seeds of beet	11.75

(a) S.I. 1979/774.

SCHEDULE 5 *(continued)*

MATTER	FEE
	£
(v) Lettuce mosaic virus in pre-basic, basic and certified seeds of lettuce	23.35
(vi) *Septoria apiicola* (Leaf blight) and *Phoma apiicola* (Root rot) in pre-basic, basic and certified seeds of celery	11.75
(vii) *Ascochyta pisi mycosphaerella pinodes* and *Ascochyta pinodella* (Leaf and pod spot) in pre-basic, basic and certified seeds of peas	11.75
(viii) *Colletotrichum lindemuthianum* (Anthracnose) in pre-basic and basic seed of French beans	35.25
(xi) *Pseudomonas phaseolicola* (Halo blight) in pre-basic and basic seed of French beans	23.50
(x) *Ascochyta fabae* (Leaf and pod spot) in pre-basic and basic seed of broad beans	35.25

SCHEDULE 6

MATTERS ARISING UNDER THE SEEDS (REGISTRATION AND LICENSING) REGULATIONS 1974(a)

MATTER	FEE
	£
Seed Testing Stations	
A. Annual fee payable during the continuance of the licence (or a proportion thereof in respect of a fraction of a year)	860.00
B. Fee for each statutory test of a sample of:—	
(i) cereal seeds	0.95
(ii) fodder plant seeds	1.80
(iii) beet seeds	2.00
(iv) oil and fibre plant seeds	1.50
(v) vegetable seeds	1.20

(a) S.I. 1974/760.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations supersede the Seeds (Fees) Regulations 1978.

These Regulations prescribe fees in respect of matters arising under the Vegetable Seeds Regulations 1979, the Cereal Seeds Regulations 1976, the Fodder Plant Seeds Regulations 1976, the Beet Seeds Regulations 1976, the Oil and Fibre Plant Seeds Regulations 1976 and the Seeds (Registration and Licensing) Regulations 1974, or any Regulations amending or superseding any of those Regulations.

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