STATUTORY INSTRUMENTS

1980 No. 901

SEEDS

The Seeds (Fees) Regulations 1980

Made - - - -	27*th June* 1980
Laid before Parliament	9*th July* 1980
Coming into Operation	1*st August* 1980

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 1980 and shall come into operation on 1st August 1980.

Revocation of previous regulations

2. The Seeds (Fees) Regulations 1979**(c)** are hereby revoked.

Interpretation

3. In these regulations—

"licensed crop inspector" means a person licensed under regulation 9 of the Seeds (Registration and Licensing) Regulations 1974**(d)** to be a crop inspector;

"licensed seed sampler" means a person licensed under regulation 9 of the Seeds (Registration and Licensing) Regulations 1974 to be a seed sampler;

"licensed seed testing station" means an establishment which a person is authorised to maintain by a licence granted to him under regulation 8 of the Seeds (Registration and Licensing) Regulations 1974;

"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.

(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. 1979/888.

(d) S.I. 1974/760.

Fees

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

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hereto an initial fee has been paid shall repay one-half of it if the application in respect of which it was paid is withdrawn by the applicant before the earlier of:—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

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 16th June 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

18th June 1980.

George Younger,
Secretary of State for Scotland.

27th June 1980.

Nicholas Edwards,
Secretary of State for Wales.

SCHEDULE 1

MATTERS ARISING UNDER THE CEREAL SEEDS REGULATIONS 1980(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	7.50
	(ii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize.	2.00
	(iii) certified seed of the second generation of wheat, barley and oats	1.55
B.	Crop inspection fees	
	Fee on application for inspection or re-inspection of a crop entered to produce A(i), (ii) or (iii) above, per half-hectare or part thereof inspected	2.75
C.	Seed lot fees	
	Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—	
	(i) breeder's seed	10.00
	(ii) pre-basic and basic seed	30.00
	(iii) certified seed of the first generation of wheat, barley and oats and certified seed of rye and maize.	23.50
	(iv) 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 as at C(i), (ii), (iii) or (iv) above and for sampling of lots of imported seed intended to be sown to produce C(i), (ii), (iii) or (iv) above, per sample	14.00
E.	Additional charges	
	(i) Fee for a test of seeds for purity, germination and other seed content to:—	
	(a) Minimum standard	17.85
	(b) Higher Voluntary Standard	22.40
	(ii) Fee for a special test of seeds to verify varietal identity	55.00
	(iii) Fee for embryo test for loose smut, per thousand embryos tested	12.50
	(iv) Fee for tear-resistant labels other than for mixtures per thousand	8.00
	(v) Fee for official mixture labels, per thousand:—	
	(a) adhesive labels	10.45
	(b) card labels	17.00
	(c) tear resistant labels	25.00

(a) S.I. 1980/900.

SCHEDULE 2

MATTERS ARISING UNDER THE FODDER PLANT SEEDS REGULATIONS 1980(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	3.40
	(ii) pre-basic or basic seed of field peas and field beans.	5.00
	(iii) certified seed of herbage varieties	1.45
	(iv) certified seed of cruciferous varieties	3.80
	(v) certified seed of the first, second and third generation of field peas and field beans	2.10
B.	Crop inspection fees	
	Fee on application for inspection or re-inspection of a crop entered to produce A(i), (ii), (iii), (iv) or (v) above, per half-hectare of part therof inspected	2.75
C.	Seed lot fees	
	Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—	
	(i) breeder's seed of herbage and cruciferous varieties.	10.00
	(ii) breeder's seed of field peas and field beans	10.00
	(iii) pre-basic and basic seed of herbage and cruciferous varieties	22.75
	(iv) pre-basic and basic seed of field peas and field beans	34.00
	(v) certified seed of herbage and cruciferous varieties...	22.10
	(vi) certified seed of the first, second and third generation of field peas and field beans	31.25
	(vii) commercial seeds	20.50
D.	Sampling fees	
	(i) Fee for sampling or re-sampling of seed lots entered as at C(i), (iii) or (v) above and for sampling of lots of imported seed intended to be sown to produce C(i), (iii) or (v) above, per sample	10.00
	(ii) Fee for sampling or re-sampling of seed lots entered as at C(ii), (iv) or (vi) above and for sampling of lots of imported seed intended to be sown to produce C(ii), (iv) or (vi) above, per sample	14.00
	(iii) Fee for sampling or re-sampling of commercial seed of herbage, cruciferous and field bean varieties and for sampling of imported seed of herbage, cruciferous and field bean varieties intended to be sown to produce commercial seed, per sample	10.00

(a) S.I. 1980/899.

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	75.00
	(b) certified seed of the first generation	45.00
	(ii) Fee for a test of seeds of lupins of one colour for seeds of another colour	9.10
	(iii) Fee for a test of seeds of sweet lupin for bitter seeds	9.10
	(iv) Fee for a test of seeds of fodder grasses for purity, germination and other seed content	28.00
	(v) Fee for a test of seeds of fine grasses for purity, germination and other seed content	38.00
	(vi) Fee for a test of seeds of clover for purity, germination and other seed content	22.00
	(vii) Fee for a test of seeds of pulses for purity, germination and other seed content	16.50
	(viii) Fee for a test of seeds of crucifers for purity, germination and other seed content	27.00
	(ix) Fee for a special test of seeds to verify varietal identity	55.00
	(x) Fee for examination of documents submitted with applications for imported seeds to be verified as being of Higher Voluntary Standard	4.50
	(xi) Fee for tear-resistant labels other than for mixtures per thousand	8.00
	(xii) Fee for official mixture labels, per thousand:—	
	(a) adhesive labels	10.45
	(b) card labels	17.00
	(c) tear-resistant labels	25.00

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	9.00
	(ii) certified seed	3.75
B.	Crop inspection fees	
	Fee on application for inspection or re-inspection of a crop entered to produce A(i) or (ii) above, per half-hectare or part thereof inspected	2.75
C.	Seed lot fees	
	Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—	
	(i) pre-basic and basic seed	30.70
	(ii) certified seed	28.90
D.	Sampling fees	
	Fee for sampling or re-sampling of seed lots entered as at C(i) or (ii) above and for sampling of lots of imported seed intended to be sown to produce C(i) or (ii) above, 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	13.30
	(ii) Fee for a test of seeds for moisture content	2.20
	(iii) Fee for a test of seeds for purity, germination and other seed content	20.10
	(iv) Fee for a special test of seeds to verify varietal identity	55.00

(a) S.I. 1976/1068, amended by S.I. 1979/1004.

SCHEDULE 4

MATTERS ARISING UNDER THE OIL AND FIBRE PLANT SEEDS REGULATIONS 1979(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	9.00
	(ii) certified seed	3.75
B.	Crop inspection fees	
	Fee on application for inspection or re-inspection of a crop entered to produce A(i) or (ii) above, per half-hectare or part thereof inspected	2.75
C.	Seed lot fees	
	Fee payable (excluding sampling and testing of seed) per application for each seed lot entered as:—	
	(i) pre-basic and basic seed	30.70
	(ii) certified seed	28.90
	(iii) commercial seed	28.90
D.	Sampling fees	
	Fee for sampling or re-sampling of seed lots entered as at C(i), (ii) or (iii) above and for sampling of lots of imported seed intended to be sown to produce C(i), (ii) or (iii) above, per sample	14.00
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*)	20.10
	(ii) Fee for a test of seeds of flax, linseed or sunflower for *Botrytis*	15.00
	(iii) Fee for a test of seeds of flax or linseed for other diseases	15.00
	(iv) Fee for a special test of seeds to verify varietal identity	55.00

(a) S.I. 1979/1005

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 peas, cucumber, gherkin and tomato, per half-hectare or part thereof entered	9.00
	(ii) pre-basic and basic seed of peas, per half-hectare or part thereof entered	5.00
	(iii) pre-basic and basic seed of cucumber, gherkin and tomato, per crop entered	47.00
	(iv) certified seed, other than that of peas, cucumber, gherkin and tomato, per half-hectare or part thereof entered	3.75
	(v) certified seed of peas, per half-hectare or part thereof entered	2.10
	(vi) certified seed of cucumber, gherkin and tomato, per crop entered	48.00
B.	Crop inspection fees	
	Fee on application for inspection or re-inspection of a crop entered to produce:—	
	(i) A(i), (ii), (iv) or (v) above, per half-hectare or part thereof entered	2.75
	(ii) A(iii) or (vi) above, per crop	2.75
C.	Seed lot fees	
	Fee (excluding sampling and testing of seed) payable per application for each seed lot entered as:—	
	(i) pre-basic and basic seed, other than that of peas, cucumber, gherkin and tomato	30.70
	(ii) pre-basic and basic seed of peas	34.00
	(iii) certified seed, other than that of peas, cucumber, gherkin and tomato	28.90
	(iv) certified seed of peas	31.25
D.	Sampling fees	
	(i) Fee for sampling or re-sampling of seed lots other than peas entered as at C(i) or (iii) above and for sampling of lots of imported seed intended to be sown to produce C(i) or (iii) above	10.00
	(ii) Fee for sampling or re-sampling of seed lots of peas entered as at C(ii) or (iii) above and for sampling of lots of imported seed intended to be sown to produce C(ii) or (iii) above	14.00

(a) S.I. 1979/774

SCHEDULE 5 (continued)

	MATTER	FEE
E.	Additional charges	£
	Fee for a test for:—	
	(i) Purity, germination and other seed content, excluding peas	18.00
	(ii) Purity, germination and other seed content of peas.	16.50
	(iii) Varietal identity	55.00
	(iv) *Phoma lingam* (Canker) in pre-basic or basic seeds of brassicas	15.00
	(v) *Phoma betae* (Blackleg) in pre-basic or basic seeds of beet	16.50
	(vi) Lettuce mosaic virus in pre-basic, basic and certified seeds of lettuce	27.50
	(vii) *Septoria apiicola* (Leaf blight) and *Phoma apiicola* (Root rot) in pre-basic, basic and certified seeds of celery	15.00
	(viii) *Ascochyta pisi mycosphaerella pinodes* and *Ascochyta pinodella* (Leaf and pod spot) in pre-basic, basic and certified seeds of peas	15.00
	(ix) *Colletotrichum lindemuthianum* (Anthracnose) in pre-basic and basic seed of French beans	45.00
	(x) *Pseudomonas phaseolicola* (Halo blight) in pre-basic and basic seed of French beans	30.00
	(xi) *Ascochyta fabae* (Leaf and pod spot) in pre-basic and basic seed of broad beans	45.00

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...	1000.00 (or a proportion thereof in respect of a fraction of a year)
B.	Fee for each statutory test of a sample of:—	
	(i) cereal seeds.....	1.80
	(ii) fodder plant seeds.....	2.00
	(iii) beet seeds.....	2.20
	(iv) oil and fibre plant seeds.....	2.00
	(v) vegetable seeds.....	1.60

EXPLANATORY NOTE

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

These Regulations supersede the Seeds (Fees) Regulations 1979.

These Regulations prescribe fees in respect of matters arising under the Vegetable Seeds Regulations 1979, the Cereal Seeds Regulations 1980, the Fodder Plant Seeds Regulations 1980, the Beet Seeds Regulations 1976, the Oil and Fibre Plant Seeds Regulations 1979 and the Seeds (Registration and Licensing) Regulations 1974.

(a) S.I. 1974/760