STATUTORY INSTRUMENTS

1973 No. 1049

SEEDS

The Vegetable Seeds Regulations 1973

Made - - - -	12*th June* 1973
Laid before Parliament	22*nd June* 1973
Coming into Operation	16*th July* 1973

The Minister of Agriculture, Fisheries and Food and the Secretary of State in exercise of the powers vested in them by section 7(1) of the Seeds Act 1920**(a)** and, acting jointly, in exercise of the powers vested in them by sections 16(1), (1A), (2), (3), (4), (5) and (8), 17(1), (2), (3) and (4), 26(2) and 36 of the Plant Varieties and Seeds Act 1964**(b)**, as amended by section 4(1) of and paragraph 5(1), (2) and (3) of Schedule 4 to the European Communities Act 1972**(c)** 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 Vegetable Seeds Regulations 1973 and shall come into operation on the 16th July 1973.

Restriction of Seeds Regulations 1961 *and Seeds (Scotland) Regulations* 1961

2. The Seeds Regulations 1961**(d)**, and the Seeds (Scotland) Regulations 1961**(e)** and, in particular, Schedules 1, 2, 3, 4 and 8 thereof shall cease to have effect in relation to root and vegetable seeds of the following kinds—

Beetroot	Kohl rabi
Broad bean	Leek
Brussels sprout	Lettuce
Cabbage	Melon
Carrot	Onion
Cauliflower (including winter and spring heading forms commonly known as broccoli)	Parsley
	Parsnip
	Radish
Chicory	Runner bean
Celeriac	Savoy
Celery	Spinach
Cress	Spinach beet (including chard)

(a) 1920 c. 54.
(b) 1964 c. 14.
(c) 1972 c. 68.
(d) S.I. 1961/212 (1961 I, p. 362).
(e) S.I. 1961/274 (1961 I, p. 446).

Cucumber	Sprouting broccoli (including calabrese)
Dwarf bean (including climbing French or pole bean)	Sweet corn
Endive	Tomato
Garden kale (including borecole)	Turnip
Garden pea	Vegetable marrow

Interpretation

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

"the Act" means the Plant Varieties and Seeds Act 1964 as amended by section 4(1) of and Schedule 4 to the European Communities Act 1972;

"authorised officer" means an officer appointed by the Minister of Agriculture, Fisheries and Food or the Secretary of State for the execution of Part II of the Act;

"basic seeds" has the meaning assigned to that expression by Regulation 5(2) of these Regulations;

"certified seeds" has the meaning assigned to that expression by Regulation 5(2) of these Regulations;

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

"marketing" includes, as the context shall permit, the offering for sale, exposing for sale, sale and possession with a view to sale of seeds, and any transaction in the course of business under which the property in seeds is transferred from one person to another and "market" and "marketed" shall be construed accordingly;

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

"the Ministers" means the Minister of Agriculture, Fisheries and Food and the Secretary of State;

"National List" means the list of varieties of vegetables published in accordance with the Seeds (National Lists of Varieties) Regulations 1973(a);

"official examination" means an examination carried out by or on behalf of the Ministers, subject to the payment of any fee imposed by Regulations made under the Act or, in relation to seeds harvested elsewhere than in the United Kingdom, an examination approved by the Ministers;

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

"percentage of germination" means the percentage by number of pure seeds or pure pellets which produce seedlings which have developed the structures which indicate the ability to produce mature plants under favourable conditions in the field;

"percentage of purity" means the percentage by weight of pure seeds;

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

"small package" means a package containing no more than a net weight of seeds of 5 kilograms as regards pulses, 500 grams as regards onion, chervil, asparagus, spinach beet, leaf beet or chard, red beet or beetroot, turnip,

(a) S.I. 1973/994 (1973II, p.3024).

marrow, carrot, radish, and corn salad or lamb's lettuce and 100 grams as regards other kinds of vegetables;

"standard seeds" has the meaning assigned to that expression by Regulation 5(2) of these Regulations.

(2) The Interpretation Act 1889**(a)** shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament and as if these Regulations and the Regulations partially revoked hereby were Acts of Parliament.

Seeds to which the Regulations apply

4.—(1) Subject to paragraph (2) of this Regulation these Regulations apply to vegetable seeds of the kinds set out in Schedule 1 to these Regulations being seeds intended to be used only for the production of agricultural or horticultural crops.

(2) These Regulations shall not apply to any seeds which are marketed for delivery elsewhere than in a Member State.

Marketing of seeds

5.—(1) Subject to the provisions of this Regulation no person shall market any seeds of a variety of a kind to which these Regulations apply unless they are basic seeds, certified seeds or standard seeds of that variety.

(2) For the purposes of this Regulation—

"basic seeds" means seeds which have been produced by or under the authority of a person who is indicated in the National List or in the Common Catalogue as responsible for the maintenance of that variety being seeds which are intended to be used for the production of certified seeds and which, subject to paragraphs (6) and (7) of this Regulation, satisfy the requirements for basic seeds set out in Schedule 2 to these Regulations and which have on official examination satisfied those requirements;

"certified seeds" means seeds—

(*a*) which have been produced directly from basic seeds or, with the approval of a person who is indicated in the National List or in the Common Catalogue as responsible for the maintenance of that variety, from seeds of a generation earlier than that of basic seeds where the seeds of such earlier generation have on official examination satisfied the requirements for basic seeds set out in Schedule 2 to these Regulations,

(*b*) which are intended to be used mainly for the production of plants or parts of plants for human or animal consumption, and

(*c*) which, subject to paragraphs (3) and (6) of this Regulation satisfy the requirements for certified seeds set out in Schedule 2 to these Regulations and which have on official examination satisfied those requirements;

"standard seeds" means seeds which are intended to be used mainly for the production of plants or parts of plants for human or animal consumption and which satisfy the requirements for standard seeds set out in Schedule 2 to these Regulations.

(a) 1889 c. 63.

(3) The Ministers may, by a general licence taking effect during a period of 3 years beginning with the 16th July 1973, permit any person to market as certified seeds, seeds which have been examined in accordance with the licence notwithstanding that the requirements of the definition of "certified seeds" in paragraph (2) of this Regulation have not been fully met:

Provided that in all other respects the provisions of these Regulations shall apply in relation to the marketing of the seeds as they apply to the marketing of certified seeds.

(4) The Ministers 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 basic seeds, certified seeds, standard seeds or otherwise, seeds which fail in some respect to satisfy the requirements for basic seeds, certified seeds or standard seeds set out in Schedule 2 to these Regulations or which, notwithstanding the requirements of the Seeds (National Lists of Varieties) Regulations 1973 are of a variety not entered in the National List or in the Common Catalogue:

Provided that in all other respects the provisions of these Regulations shall apply in relation to the marketing of the seeds.

(5) Notwithstanding paragraph (1) of this Regulation any person may market in relation to a sale or a proposed sale to a person engaged in the business of trading in seeds otherwise than by way of retail sale seeds which have been imported from a country other than a Member State.

(6) Notwithstanding the requirement in Schedule 2 to these Regulations that basic seeds attain the minimum standards of germination specified in the said Schedule the Ministers may by licence authorise any person to market, as basic seeds, seeds of a kind specified in the licence which attain a lower percentage of germination than that specified in the said Schedule in relation to seeds of that kind.

(7) In a case where the official examination in respect of the germination of a proposed consignment of seeds has not been completed and the Ministers have been supplied with a provisional report in respect of such germination they may, if the seeds in other respects satisfy the appropriate requirements of Schedule 2 to these Regulations, authorise the sale of the seeds as basic seeds or as certified seeds, as the case may be, to the first consignee.

(8) Paragraphs (6) and (7) of this Regulation shall not apply to seeds which have been imported from a country other than a Member State unless they were (*a*) produced directly from basic seeds certified in a Member State or (*b*) produced directly from seeds of a generation earlier than that of basic seeds where the seeds of such earlier generation have on an official examination satisfied the requirements for basic seeds set out in Schedule 2 to these Regulations.

(9) (*a*) Except as provided in sub-paragraph (*b*) of this paragraph no person shall market any seeds comprising a mixture of varieties of seeds of the same kind.

(*b*) Subject to compliance with the additional requirement as to labelling in Part III of Schedule 5 to these Regulations, mixtures of varieties of standard seeds of lettuce or of radish may be marketed in packages containing no more than 50 grams of seed.

(10) Paragraph (1) of this Regulation shall not take effect in relation to—

(*a*) seeds of any generation earlier than that of basic seeds;

(*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 have not been cleaned 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.

Sampling

6.—(1) A sample of seeds for the purposes of the enforcement of these Regulations shall be taken by an authorised officer in accordance with the procedure set out in Part I of Schedule 3 to these Regulations.

(2) Subject to paragraph (3) of this Regulation the minimum weight of each part into which a sample of seeds is divided in accordance with paragraph (4) of this Regulation and the maximum weight of the lot or quantity of seeds from which a sample may be taken shall be respectively equal to the weights set out opposite the reference to the particular kind of seeds in Part II of the said Schedule 3.

(3) Where the seeds of which a sample is to be taken are contained in small packages the sample may consist of fifteen of such packages.

(4) A sample of seeds shall be divided by the authorised officer into three parts of which one part shall be delivered or sent by him 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 by the authorised officer and be available for production to a court in accordance with section 26(7) of the Act.

Certificate of test of sample

7. A certificate of the result of a test of a sample of seeds taken by an authorised officer for the purposes of Part II of the Act shall be in the form set out in Schedule 4 to these Regulations.

Sealing of packages

8.—(1) No person shall market a package of basic seeds or a package, other than a small package, of certified seeds unless it has been sealed with a sealing device by an authorised officer in such a manner that when the package is opened the sealing device will be broken and cannot be replaced except by a further sealing device affixed by an authorised officer.

(2) No person shall market a package of standard seeds or a small package of certified seeds unless it has been sealed by the person affixing the label required by Regulation 9(6) or 9(7) of these Regulations with a sealing device approved by the Ministers 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) No person shall market a package of seeds unless it is labelled, inscribed or otherwise dealt with in accordance with this Regulation.

(2) (*a*) Subject to the exception in sub-paragraph (*c*) of this paragraph, a package of basic seeds or a package, other than a small package, of certified seeds shall have affixed on the outside an official label which shall be either an adhesive label or a label secured to the package by a sealing device and shall be affixed in either case by an authorised officer.

(*b*) The official label shall be of the minimum size and of the colour specified, and shall contain particulars of the matters also specified, in Part I of Schedule 5 to these Regulations.

(*c*) The official label referred to in sub-paragraph (*a*) of this paragraph shall not be required when all of the particulars required by sub-paragraph (*b*) are included in the official notice placed in the package in accordance with paragraph (5) of this Regulation and the package is sufficiently transparent to enable such particulars to be readily legible through it.

(3) If the Ministers shall have authorised the marketing of basic seeds or of certified seeds in accordance with Regulation 5(6) or 5(7) of these Regulations a special 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.

(4) If a package of basic seeds or certified seeds shall have been officially re-sealed the fact shall be stated together with the date of re-sealing either on the official label referred to in paragraph (2) of this Regulation or on the official notice in the circumstances referred to in the said paragraph (2).

(5) A package of basic seeds, or a package, other than a small package, of certified seeds shall contain an official notice which shall be coloured white in the case of basic seeds and blue in the case of certified seeds containing particulars of the matters specified in the items numbered 4, 5 and 6 in Part I of Schedule 5 to these Regulations:

Provided that if such particulars are printed indelibly on the outside of the package or on an adhesive label affixed on the outside of the package the official notice referred to in this paragraph shall not be required.

(6) A package, other than a small package, of standard seeds shall have affixed on the outside a label which shall be of the minimum size and of the colour specified in Part II of Schedule 5 to these Regulations and shall contain particulars of the matters also specified in the said Part II:

Provided that if such particulars are indelibly printed on the outside of the package the said label shall not be required.

(7) A small package of certified seeds and a small package of standard seeds shall have affixed on the outside a label which shall be of the colour and shall contain the particulars appropriate to the seeds of the matters specified in Part III of Schedule 5 to these Regulations:

Provided that if such particulars are indelibly printed on the outside of the package the said label shall not be required.

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

(*a*) on the label referred to in paragraphs (2), (6) or (7) of this Regulation or, where such a label is not required, with the particulars otherwise given in accordance with those paragraphs, or

(*b*) on a separate label

and also (except where the label referred to in the said paragraphs (2), (6) or (7) of this Regulation is not required) either on the outside of the package or in a statement enclosed in the package.

(9) If the Ministers shall have authorised the marketing of seeds of a lower standard in accordance with Regulation 5(4) of these Regulations the official label referred to in paragraph (2) of this Regulation or the label referred to in paragraphs (6) or (7) of this Regulation shall state the respect in which the seeds are of a lower standard and if the seeds shall not have been authorised to be marketed as basic seeds, certified seeds or standard seeds the label shall be coloured brown and shall contain such particulars as shall be required by the general licence referred to in the said Regulation 5(4).

(10) The particulars and information given in accordance with this Regulation may be accompanied by further particulars and information relating to the seeds except that a reference to a particular selection may only be made in respect of an approved selection and in respect of standard seeds of a variety which was entered on the 1st January 1973 either in a list of a Member State other than the United Kingdom corresponding to a National List or in the Common Catalogue or in the National List when it was first published without any reference to any particular properties of that selection, the selection name in such a case being made to appear after the name of the variety of the seeds and with no greater prominence than that of the name of the variety.

(11) During the period expiring on the 1st July 1975 a statement of the testing of the seeds in accordance with the requirements of the Seeds Act 1920 may be substituted for the items numbered 1 in Part III of Schedule 5 to these Regulations.

(12) No person shall sell any seeds otherwise than in a package which is labelled, inscribed or otherwise dealt with in accordance with this Regulation unless they are sold by way of retail sale, in a quantity not exceeding the appropriate maximum weight indicated in Schedule 6 to these Regulations, 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 IV of Schedule 5 to these Regulations.

(13) The particulars and information given in accordance with this Regulation shall be given in the official language of one of the Member States.

Records etc. of transactions concerning standard seeds

10.—(1) A person who in the course of marketing any standard seeds affixes or causes to be affixed, in accordance with Regulation 9(6) of these Regulations, a label on the outside of a package of standard seeds or prints or stamps or causes to be printed or stamped on the outside of such a package the particulars referred to in the said Regulation 9(6) shall maintain and keep available for inspection by an authorised officer a record of the dates on which and of the packages on which such labels were affixed or particulars printed or stamped and shall, if so required by the Ministers, furnish them from time to time with a copy of such record.

(2) A person referred to in paragraph (1) of this Regulation shall keep and retain for a period of at least three years a record of the lots of standard seeds marketed by him, and shall take and retain for a period of at least two years

a sample of each such lot of at least the appropriate minimum weight specified in Part II of Schedule 3 to these Regulations and, if so required by the Ministers, or by an authorised officer, shall produce such record or deliver any such sample to them or to him.

Civil liabilities of sellers of seeds

11.—(1) The particulars given to a purchaser by the seller of basic seeds or certified seeds to which these Regulations apply, 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 17 of the Act in so far as they relate to the percentage of germination of the seeds, the percentage of analytical purity of the seeds, the content of seeds of other plant species or the varietal purity of the seeds.

(2) Section 17(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) of this Regulation, in so far as they relate to the percentages of germination, of analytical purity, or of the content of seeds of other plant species and there are hereby prescribed in respect of such matters the limits of variation set out in Schedule 7 to these Regulations.

(3) Section 17(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) of this Regulation, in so far as they relate to the percentages of germination, of analytical purity or of the content of seeds of other plant species.

(4) A purchaser who intends to obtain a test of seeds for the purposes of section 17(3) of the Act shall, not more than 10 days after delivery to him of the seeds and statutory statement, 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 to the purchaser of the seeds and statutory statement) 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) of this Regulation or, if the seller shall have failed to appoint such a day and time, on a day not more than 28 days after delivery to the purchaser of the seeds and statutory statement the purchaser may, and if the seller or his representative is present shall, take a sample of the seeds in accordance with the procedure set out in Part I of Schedule 3 to these Regulations and shall divide the sample so taken into two parts, each being of at least the appropriate minimum weight specified in Part II of Schedule 3 to these Regulations, of which one part shall be sent to the chief officer of the official 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.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th June 1973.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

Gordon Campbell,
Secretary of State for Scotland.

12th June 1973.

Regulation 4(1)

SCHEDULE 1

KINDS OF SEEDS TO WHICH THE REGULATIONS APPLY

Latin Name	Common Name
Allium cepa L.	Onion
Allium porrum L.	Leek
Anthriscus cerefolium (L.) Hoffm.	Chervil
Apium graveolens L.	Celery and celeriac
Asparagus officinalis L.	Asparagus
Beta vulgaris L. var. cicla (L.) Ulrich	Spinach beet, leaf beet or chard
Beta vulgaris L. var. esculenta L.	Red beet or beetroot
Brassica oleracea L. var. acephala DC. subvar. laciniata L.	Curly kale or borecole
Brassica oleracea L. convar. botrytis (L.) Alef. var. botrytis	Cauliflower
Brassica oleracea L. convar, botrytis (L.) Alef. var. italica Plenck	Sprouting broccoli and calabrese
Brassica oleracea L. var. bullata subvar. gemmifera DC.	Brussels sprout
Brassica oleracea L. var. bullata DC. et var. sabauda L.	Savoy cabbage
Brassica oleracea L. var capitata L.f. alba DC.	Cabbage
Brasscia oleracea L. vai. capitata L.f. rubra (L.) Thell.	Red Cabbage
Brassica oleracea L. var. gongylodes L.	Kohl rabi
Brassica rapa L. var. rapa (L.) Thell.	Turnip
Capsicum annuum L.	Chili, pepper and capsicum
Cichorium endivia L.	Endive
Cichorium intybus L. var. foliosum Bisch.	Chicory
Cucumis melo L.	Melon
Cucumis sativus L.	Cucumber or gherkin
Cucurbita pepo L.	Marrow
Daucus carota L. ssp. sativus (Hoffm.) Hayek	Carrot
Lactuca sativa L.	Lettuce
Petroselinum hortense Hoffm.	Parsley
Phaseolus coccineus L.	Runner bean
Phaseolus vulgaris L.	French bean, dwarf and climbing
Pisum sativum L. (excluding P. arvense L.)	Pea
Raphanus sativus L.	Radish,
Solanum lycopersicum L. (Lycopersicum esculentum Mill.)	Tomato
Solanum melongena L.	Aubergine or egg plant
Spinacia oleracea L.	Spinach
Valeria nella locusta (L.) Betcke (V. olitoria Poll.)	Corn-salad or lamb's lettuce
Vicia faba L. var. major	Broad bean

SCHEDULE 2 Regulation 5(2)

REQUIREMENTS FOR BASIC SEEDS, CERTIFIED SEEDS AND STANDARD SEEDS

PART I

Conditions relating to the crop from which the seeds are obtained.

1. So far as it can be ascertained at crop inspection, allowing for the variation expected in the particular kind of vegetable, the plants shall conform to the characteristics of the variety established when the variety was included in the UK National List of Varieties or the EEC Common Catalogue of varieties.

2. For basic seeds, at least one official field inspection shall be carried out. For certified seeds, at least one field inspection shall be carried out of which at least 20% of the area of each species shall be officially check inspected.

3. The cultural condition of the field and the stage of development of the crop shall be such that sufficient varietal identity and varietal purity and health can be adequately checked.

4. The minimum distances from neighbouring plants which might cause undesirable foreign pollination are as follows:—

A. *Beta and Brassica species*

Distance from other sources of foreign pollen likely to cross-fertilise with varieties of Beta or Brassica species:

(*a*) for basic seeds	1000 metres
(*b*) for certified seeds	600 metres

B. *Other species*

Distance from other sources of foreign pollen likely to cross-fertilise with varieties of these species:

(*a*) for basic seeds	500 metres
(*b*) for certified seeds	300 metres

These distances may be disregarded if there is adequate protection against any undesirable foreign pollination.

5. The crop shall be of a satisfactory state of health insofar as seed-borne diseases and organisms affecting the seeds are concerned.

PART II

Conditions relating to the seeds.

1. The seeds and the plants produced from them shall conform to the characteristics of the variety established when the variety was included in the UK National List of Varieties or the EEC Common Catalogue of varieties.

2. The seeds shall be of a satisfactory state of health insofar as seed-borne diseases and organisms affecting the seeds are concerned. In particular all basic seeds of brassica and of beta vegetables must be subject to a test for Phoma lingam and Phoma betae respectively and infected seeds must be appropriately treated before they can be used to produce certified seeds. For basic seeds and certified seeds the number of lettuce seeds infected with lettuce mosaic virus must not exceed 0·1%.

3. The seeds shall also comply with the following conditions:

(*a*) Standards

Kind		Minimum analytical purity (% by weight)	Maximum content of seeds of other plant species (% by weight)	Minimum germination (% of pure seeds, clusters or pellets)
Allium cepa	Onion	97	0·5	70
Allium porrum	Leek	97	0·5	65
Anthriscus cerefolium	Chervil	96	1	70
Apium graveolens	Celery and celeriac	97	1	70
Asparagus officinalis	Asparagus	96	0·5	70
Beta vulgaris	Cheltenham beet	97	0·5	50 (clusters)
	Other kinds	97	0·5	70 (clusters)
Brassica oleracea convar botrytis	Cauliflower, sprouting broccoli	97	1	70
Brassica oleracea (other kinds)	Other brassica kinds (curly kale, Brussels sprout, Savoy cabbage, cabbage, red cabbage, kohl rabi)	97	1	75
Brassica rapa	Turnip	97	1	80
Capsicum annuum	Chili, pepper and capsicum	97	0·5	65
Cichorium endivia	Endive	95	1	65
Cichorium intybus	Chicory	95	1·5	65
Cucumis melo	Melon	98	0·1	75
Cucumis sativus	Cucumber or gherkin	98	0·1	80
Cucurbita pepo	Marrow	98	0·1	75
Daucus carota	Carrot	95	1	65
Lactuca sativa	Lettuce	95	0·5	75
Petroselinum hortense	Parsley	97	1	65
Phaseolus coccineus	Runner bean	98	0·1	80
Phaseolus vulgaris	French bean, dwarf and climbing	98	0·1	75
Pisum sativum	Pea	98	0·1	80
Raphanus sativus	Radish	97	1	70
Solanum lycopersicum	Tomato	97	0·5	75
Solanum melongena	Aubergine or egg plant	96	0·5	65
Spinacia oleracea	Spinach	97	1	75
Valerianella locusta	Corn-salad or lamb's lettuce	95	1	65
Vicia faba	Broad bean	98	0·1	80

(*b*) Additional requirements

(i) seeds of pulses must not be contaminated by the following pea and bean seed beetles:

Acanthoscelides obtectus Say.
Bruchus affinis Fro.
Bruchus atomarius L.
Bruchus pisorum L.
Bruchus rufimanus Boh.

(ii) Seeds must not be contaminated with live mite (Acarina).

Regulations 6(1) and (2), 10(2) and 11(5).

SCHEDULE 3

PART I

PROCEDURE FOR THE TAKING OF SAMPLES

1. The following paragraphs numbered 2-5 inclusive shall not apply where the seeds to be sampled are in small packages as defined in Regulation 3(1) of these Regulations.

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

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

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

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

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

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

SEEDS IN FULL SACKS OR OTHER CONTAINERS

The sacks or containers shall be sampled at random and samples taken from either the top, middle or bottom of each selected sack or container. The position from which the seed is taken shall be varied from sack to sack and seed shall be taken from different horizontal positions. Wherever practicable, seed in sacks 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 seed of equal volume from each part of the container through which it travels. The instrument shall be inserted into the container 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 container. 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 seed obtained from successive locations increases progressively from the centre to the side of the container.

Alternatively, a longer instrument may be inserted until the aperture reaches the farther side of the container, rotated in the manner described above and then withdrawn at a uniform speed.

A stick sampler may be used in place of the instrument mentioned above. It may be used horizontally or vertically. If there is more than one aperture it must have transverse partitions so that each aperture opens into a separate compartment; it shall

be inserted diagonally into the container in the closed position, then opened, gently agitated to allow it to fill completely, closed again, with drawn 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 SACK

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

SEEDS IN BULK

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

Size of bulk	*Number of positions to be sampled*
Up to 50 kg	Not less than 3
51 to 1,500 kg	,, ,, ,, 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 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 seed 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 of the 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	,, ,, ,, 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. Where the composite sample so obtained exceeds the amount required, it shall be reduced by using an efficient seed divider.

PART II

MINIMUM WEIGHTS OF SAMPLES AND MAXIMUM WEIGHTS OF LOTS SAMPLED

Kind		Minimum Sample Weight (in grams)	Maximum Lot Weight (in tons)	Kind		Minimum Sample Weight (in grams)	Maximum Lot Weight (in tons)
Allium cepa	Onion	25	10	Daucus carota	Carrot	25	10
Allium porrum	Leek	25	10	Lactuca sativa	Lettuce	25	10
Anthriscus cerefolium	Chervil	25	10	Petroselinum hortense	Parsley	25	10
Apium graveolens	Celery, Celeriac	25	10	Phaseolus coccineus	Runner bean	1,000	20
Asparagus officinalis	Asparagus	100	10	Phaseolus vulgaris	French bean	500	20
Beta vulgaris	Beet (all kinds)	100	20	Pisum sativum	Pea	500	20
Brassica oleracea	Brassica (all kinds)	25	10	Raphanus sativus	Radish	50	10
Brassica rapa	Turnip	50	10	Solanum lycopersicum	Tomato	25	10
Capsicum annum	Chili, capsicum, pepper	50	10	Solanum melongena	Aubergine	25	10
Cichorium endivia	Endive	25	10	Spinacia oleracea	Spinach	100	10
Cichorium intybus	Chicory	25	10	Valerianella locusta	Corn-salad	25	10
Cucumis melo	Melon	100	20	Vicia faba	Broad bean	1,000	20
Cucumis sativus	Cucumber, gherkin	25	20				
Cucurbita pepo	Marrow	150	20				

In the case of F1 hybrid varieties of the above kinds, the minimum weight of the sample may be reduced to a quarter of the weight specified for the variety. The number of seeds per sample must be at least 200.

Regulation 7

SCHEDULE 4

Certificate of the Result of a Test of Seeds

Station No.....

Control Sample No.....

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD

DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

PLANT VARIETIES AND SEEDS ACT 1964

The Vegetable Seeds Regulations 1973

FINAL REPORT OF THE OFFICIAL SEED TESTING STATION FOR ENGLAND AND WALES/ SCOTLAND ON A SAMPLE TAKEN UNDER SECTION 25(5) OF THE ACT

on the premises of

Name .....

Address .....

.....

.....

Date received at Station.....

Date of sampling .....

Quantity sampled .....

Quantity represented .....

Description of seed

Kind .....%

Variety .....%

Category .....%

Certificate or reference number .....

Result of Official Test

Purity .....

Weed seeds .....

Other crop seeds .....

Germination .....

Remarks

Date ....

Chief Officer

Regulations 5(9), 9(2), (5), (6), (7) and (11)

SCHEDULE 5

PART I

OFFICIAL LABEL FOR A PACKAGE OF BASIC SEEDS OF ANY SIZE OR FOR A PACKAGE OF CERTIFIED SEEDS, OTHER THAN A SMALL PACKAGE AS DEFINED IN REGULATION 3

(*a*) PRESCRIBED CONTENTS

1. "EEC rules and standards"

2. Certification service and Member State or its mark
3. Month and year when officially sealed
4. Reference number of the lot
5. Kind
6. Variety
7. Category
8. Country of production
9. Declared net or gross weight or declared number of seeds

(*b*) MINIMUM SIZE OF THE LABEL
110 mm x 67 mm

(*c*) The label shall be white for basic seeds and blue for certified seeds

PART II

SUPPLIER'S LABEL FOR A PACKAGE OF STANDARD SEEDS, OTHER THAN A SMALL PACKAGE AS DEFINED IN REGULATION 3

(*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. Month and year when sealed
4. Kind
5. Variety
6. "Standard seeds"
7. Lot reference number given by the supplier responsible for affixing the labels
8. Country of production
9. Declared net or gross weight or declared number of seeds

(*b*) MINIMUM SIZE OF THE LABEL
110 mm x 67 mm

(*c*) The label shall be dark yellow

PART III

SMALL PACKAGES AS DEFINED IN REGULATION 3

A. SUPPLIER'S LABEL FOR A SMALL PACKAGE OF CERTIFIED 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. Year of sealing
4. Kind
5. Variety
6. "Certified seeds"
7. Reference number enabling the certified lot to be identified
8. Declared net or gross weight or declared number of seeds, except in the case of packages not exceeding 500 grams

(*b*) The label shall be blue

B. SUPPLIER'S LABEL FOR A SMALL PACKAGE OF STANDARD SEEDS

(*a*) PRESCRIBED CONTENTS

1. "Complies with legal standards"
2. Kind
3. Variety
4. Name and address of packeter or his identifying reference number
5. Declared net or gross weight or declared number of seeds, except in the case of packages not exceeding 500 grams
6. "Standard seeds"
7. Year of sealing (packeting)

(*b*) Where the seeds comprise a mixture of seeds of varieties of lettuce or of radish the label shall also state the names of the constituent varieties

(*c*) The label shall be dark yellow

PART IV

PARTICULARS TO BE MARKED OR DISPLAYED ON THE SALE OF UNPACKETED SEEDS

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

Regulation 9(12)

SCHEDULE 6

MAXIMUM WEIGHTS FOR RETAIL SALES OF UNPACKETED SEEDS

Allium cepa	Onion	1 kg
Allium porrum	Leek	
Anthriscus cerefolium	Chervil	
Apium graveolens	Celery and celeriac	
Asparagus officinalis	Asparagus	
Beta vulgaris	Spinach beet, leaf beet or chard	
Beta vulgaris	Red beet or beetroot	
Brassica oleracea	Cauliflower, broccoli and other brassica species	
Brassica rapa	Turnip	
Capsicum annuum	Chili, pepper and capsicum	
Cichorium endivia	Endive	
Cichorium intybus	Chicory	
Cucumis melo	Melon	
Cucumis sativus	Cucumber or gherkin	
Cucurbita pepo	Marrow	
Daucus carota	Carrot	
Lactuca sativa	Lettuce	
Petroselinum hortense	Parsley	
Raphanus sativus	Radish	
Solanum lycopersicum	Tomato	
Solanum melongena	Aubergine	
Spinacia oleracea	Spinach	
Valerianella locusta	Corn-salad or lamb's lettuce	
Phaseolus coccineus	Runner bean	3 kg
Phaseolus vulgaris	French bean, dwarf and climbing	
Pisum sativum	Pea	
Vicia faba	Broad bean	

Regulation 11(2)

SCHEDULE 7

LIMITS OF VARIATION

PART I

PURITY

Minimum Percentage of Purity Per cent	Limit of Variation Per cent
95·0	0·93
96·0	0·84
97.0	0·75
98·0	0·63

PART II

CONTENT OF SEEDS OF OTHER PLANT SPECIES

Maximum Content of Seeds of Other Plant Species Per cent	Limit of Variation Per cent
0·1	0·16
0·5	0·34
1·0	0·46
1·5	0·54

PART III

GERMINATION

Minimum Percentage of Germination Per cent	Limit of Variation Per cent
50	11
65	10
70	9
75	9
80	8

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply to Great Britain, are made under Part II of the Plant Varieties and Seeds Act 1964, as amended by the European Communities Act. The Regulations restrict the marketing of vegetable seeds to specified grades of seeds namely basic seeds, certified seeds and standard seeds as defined in the Regulations. By virtue of the Seeds (National Lists of Varieties) Regulations 1973 (S.I. 1973/994) only varieties of seeds entered in the National List of vegetable seeds, in the Common Catalogue of vegetable seeds published in the Official Journal of the European Communities or, in certain circumstances, in the National List of vegetable seeds of another Member State of the European Communities may be so marketed.

The seeds may only be sold in sealed packages which are to be labelled with prescribed particulars.

Samples of seeds may be taken in a prescribed manner for the enforcement of the Regulations and of the civil rights of a purchaser. The Regulations provide that certain particulars given on the sale of seeds are deemed to be warranted by the seller to be true.

A contravention of any of the provisions of the Regulations will be an offence under Part II of the Plant Varieties and Seeds Act 1964.

The Regulations do not apply to the marketing of seeds for delivery elsewhere than in a Member State of the European Communities.

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