STATUTORY INSTRUMENTS

1975 No. 1694

SEEDS

The Vegetable Seeds Regulations 1975

Made - - - -	21*st October* 1975
Laid before Parliament	31*st October* 1975
Coming into Operation	21*st November* 1975

The Minister of Agriculture, Fisheries and Food and the Secretary of State, 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), 24(5), 26(2) and (3) and 36 of the Plant Varieties and Seeds Act 1964**(a)** as amended by section 4(1) of and paragraph 5(1), (2) and (3) of Schedule 4 to the European Communities Act 1972**(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:—

Application, citation and commencement

1. These regulations, which apply to Great Britain, may be cited as the Vegetable Seeds Regulations 1975 and shall come into operation on the 21st November 1975.

Revocation of previous regulations

2. The Vegetable Seeds Regulations 1973**(c)** are hereby revoked.

Interpretation

3.—(1) A reference in these regulations to a numbered Regulation or Schedule shall be construed as a reference to the Regulation or Schedule bearing that number in these Regulations.

(2) 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;

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

(a) 1964 c. 14.
(b) 1972 c. 68.
(c) S.I. 1973/1049 (1973 II, p. 3142).

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

"the Minister" means, in relation to England and Wales, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland, the Secretary of State, and "the Ministers" means the said two Ministers acting jointly;

"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 Minister, subject to the payment of any fee imposed by regulations made under the Act, an examination carried out by or on behalf of the Department of Agriculture for Northern Ireland or, in relation to seeds harvested elsewhere than in the United Kingdom, an examination approved by the Minister.

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

"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, asparagus, spinach beet or leaf beet or chard, red beet or beetroot, turnip, marrow, carrot and radish and 100 grams as regards other kinds of vegetables.

(3) In these regulations, in relation to the categories of seeds referred to therein—

"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,

(*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

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

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

"basic seeds" means seeds—

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

(*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—

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

(*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 satisfy the requirements for certified seeds set out in Schedule 2 and which have on an official examination been found to satisfy these 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.

(4) 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 hereby revoked were Acts of Parliament.

Seeds to which the regulations apply

4.—(1) Subject to paragraphs (2) and (3) of this regulation, these regulations apply to vegetable seeds of the kinds set out in Schedule 1 being seeds intended to be used only for the production of agricultural or horticultural crops.

(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, and

(*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.

(3) Where a person makes arrangements under which some other person uses seeds under the control of the first-mentioned person for the purpose of increasing the first-mentioned person's stock of seeds for sowing or of carrying out tests or trials and under which the whole of the material produced, directly or indirectly, from the seeds, and any unused seeds, become or remain the property of the first-mentioned person these regulations shall not apply to the

(a) 1889 c. 63.

marketing of the seeds by the first-mentioned person to the other person as part of the arrangements or to the marketing by that other person to the first-mentioned person of seeds produced, directly or indirectly from these seeds.

Marketing of Seeds

5.—(1) 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 standard seeds.

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

(*a*) standard seeds, or

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

(3) (*a*) Except as provided in 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, mixtures of varieties of standard seeds of lettuce or of radish may be marketed in packages containing no more than 50 grams of seeds.

(4) The Minister may, by a general licence taking effect during a period specified in the licence and subject to any conditions imposed by the licence,

(*a*) authorise any person to market as pre-basic seeds, basic seeds, certified seeds or standard seeds, seeds which fail in some respect to satisfy the requirements for such seeds set out in Schedule 2,

(*b*) modify the requirements of Schedule 5, or

(*c*) authorise any person 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) Any person may market in relation to a sale or 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 notwithstanding that such marketing would otherwise be prohibited by virtue of paragraph (2) of this regulation.

(6) Notwithstanding the requirement in Schedule 2 that basic seeds shall attain the minimum standards of germination specified in the said Schedule any person may, subject to the requirements of paragraph (6) 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.

(7) In a case where the official examination in respect of the germination of a proposed consignment of pre-basic seeds, basic seeds or certified seeds has not been completed but a provisional germination test has shown that the seeds attain the appropriate minimum standard of germination specified in Schedule 2 and the seeds in other respects satisfy the appropriate requirements of Schedule 2 the seeds may, subject to the requirements of Regulations 9(6) and 10(3), be sold to the first consignee.

(8) Paragraphs (6) and (7) of this regulation shall apply to seeds which have been imported from a country other than a Member State if they were produced directly from pre-basic seeds or basic seeds certified in a Member State.

(9) Notwithstanding the requirements of Regulation 31(1) and (2) of the Seeds (National Lists of Varieties) Regulations 1973 certified seeds and standard seeds of asparagus and of chicory 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) of this regulation, for the enforcement of these regulations shall be taken in accordance with the procedure set out in Schedule 3.

(2) A sample of seeds taken for the enforcement of these regulations shall be divided into three parts of which 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 26(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 or sent to the last seller of the seeds or to his representative in place of the owner of the seeds or his representative.

(3) Subject to paragraph (4) of this regulation the weight of a sample taken for the enforcement of these regulations shall be such as to ensure that 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.

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

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, adapted as appropriate for use either in England and Wales or in Scotland, is hereby prescribed in accordance with section 26(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, adapted as appropriate for use either in England and Wales or in Scotland, is hereby prescribed in accordance with section 24(5) of the Act.

Sealing of packages

8.—(1) No person shall market a package of pre-basic seeds or of basic seeds or a package, other than a small package, of certified seeds unless it has been, not later than at the time of sampling, sealed by a person authorised by the Minister 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 re-sealed or further re-sealed by a person authorised by the Minister in that behalf.

(3) No person shall market a package of uncertified pre-basic seeds or of standard seeds or a small package of certified seeds unless it has been sealed with a sealing device approved by the Minister 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 (10) of this regulation 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*) Subject to the exception in sub-paragraph (*b*) of this paragraph a package of pre-basic seeds or of basic seeds or a package, other than a small package, of certified seeds, shall have affixed on the outside an official label, as appropriate to the seeds, which shall be of the minimum size and of the colour specified in Part I of Schedule 5, and shall contain particulars of the matters also specified in the said Part I, such label being either an adhesive label or a label secured to the package by an alternative sealing device, the label being affixed in either case by a person authorised by the Minister in that behalf.

(*b*) The official label referred to in sub paragraph (*a*) of this paragraph shall not be required when all of the particulars to be included therein are included in the official notice placed in the package in accordance with paragraph (3) of this regulation and the package is sufficiently transparent to enable such particulars to be readily legible through it.

(3) A package of pre-basic seeds or of basic seeds or a package, other than a small package, of certified seeds shall contain an official notice, which shall be of the same colour as the official label and shall contain particulars of the reference number of the lot, the kind and the variety of the seeds:

Provided that if such particulars are indelibly printed 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.

(4) A package of uncertified pre-basic seeds or a package, other than a small package, of standard seeds shall have affixed on the outside a label, as appropriate to the seeds, which shall be of the minimum size and of the colour specified in Part II of Schedule 5 and shall contain particulars of the matters also specified in the said Part II:

Provided that if all such particulars are indelibly printed on the outside of the package the said label shall not be required and if some of such particulars are so printed they may be omitted from the said label.

(5) A small package of certified seeds or a small package of standard seeds shall have affixed on the outside a label, as appropriate to the seeds, which shall be of the minimum size and of the colour specified in Part III of Schedule 5 and shall contain particulars of the matters also specified in the said Part III:

Provided that if all such particulars are indelibly printed on the outside of the package the said label shall not be required and if some of such particulars are so printed they may be omitted from the said label.

(6) If a person shall market pre-basic seeds or basic seeds in accordance with Regulations 5(6) or 5(7) a supplier's label affixed to the outside of the package shall, where the seeds are marketed in accordance with Regulation 5(6), contain a statement of the germination of the seeds and, where the seeds are marketed in accordance with Regulation 5(7), contain a statement of the germination of the seeds as ascertained on the provisional germination test, together in either case with the name and address of the seller and the reference number of the lot.

(7) If a package of pre-basic seeds, of basic seeds or of 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).

(8) 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) 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 supplier's label

and also (except where the label referred to in the said 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.

(9) 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.

(10) A person may sell any seeds otherwise than in a package which is labelled, inscribed or otherwise dealt with in accordance with this regulation 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 IV of Schedule 5.

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

(12) Subject to the provisions of the Act and of these regulations no person shall, in the course of the marketing or the preparation for the marketing of any seeds by himself or by some other person, 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.

Records of transactions

10.—(1) A person who in the course of marketing any standard seeds affixes or causes to be affixed, in accordance with Regulation 9(4), 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(4) shall maintain and keep available for inspection by an officer duly authorised by the Minister 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 Minister, furnish him 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 and, if so required by the Minister, or by an officer duly authorised by the Minister, shall produce such record or deliver any such sample to him.

(3) A person who sells any pre-basic seeds, basic seeds or certified seeds in accordance with Regulation 5(7) shall make and, during a period of six months following the delivery of the seeds, keep available for inspection by an officer duly authorised by the Minister a record of the date of such delivery and of the name and address of the first consignee.

Civil liabilities of sellers of seeds

11.—(1) The particulars given to a purchaser by the seller of pre-basic seeds, 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 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 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, of which one part shall be sent to the Chief Officer of an 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 17th October 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

21st October 1975.

William Ross,
Secretary of State for Scotland.

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
Apium graveolens L.	Celery, 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, 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
Brassica oleracea L. var. *capitata* L.f. *rubra* (L.) Thell.	Red cabbage
Brassica oleracea L. var. *gongylodes* L.	Kohl rabi
Brassica rapa L. var. *rapa* (L.) Thell.	Turnip
Cichorium endivia L.	Endive
Cichorium intybus L. var. *foliosum* Bisch.	Chicory
Cucumis melo L.	Melon
Cucumis sativus L.	Cucumber, 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
Pisum sativum L. (excluding *P. arvense* L.)	Pea
Raphanus sativus L.	Radish
Solanum lycopersicum L. (*Lycopersicum esculentum* Mill.)	Tomato
Spinacia oleracea L.	Spinach
Vicia faba L. var. *major*	Broad bean

Regulations 3(3), 5(4), (6) and (7)

SCHEDULE 2

REQUIREMENTS FOR BASIC SEEDS, CERTIFIED SEEDS AND STANDARD SEEDS

PART I

BASIC SEEDS AND CERTIFIED SEEDS

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, supplemented where appropriate by examination of a plot sown by the Minister with a sample from the seed lot sown in the field, the plants shall conform to the characteristics of the variety established when the variety was included in the National List or the Common Catalogue. For hybrids the plants shall conform to the known characteristics of the parental lines.

2. For crops to produce basic seeds, at least one official field inspection shall be carried out. For crops to produce certified seeds, at least one field inspection shall be carried out at which at least 20 per cent 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 as to permit a sufficient check of varietal identity, varietal purity and state of health.

4. The minimum distances from neighbouring plants which might cause undesirable foreign pollination shall be:—

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 need not be observed 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

BASIC SEEDS, CERTIFIED SEEDS AND STANDARD SEEDS

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 National List or the Common Catalogue.

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 of lettuce the number of seeds infected with lettuce mosaic virus must not exceed 0·1%.

The seeds shall 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)
Asparagus	96	0·5	70
Beet (except Cheltenham) ...	97	0·5	70 (clusters)
Beet (Cheltenham) ...	97	0·5	50 (clusters)
Broad bean	98	0·1	80
Brussels sprout	97	1	75
Cabbage	97	1	75
Calabrese	97	1	70
Carrot	95	1	65
Cauliflower	97	1	70
Celeriac	97	1	70
Celery	97	1	70
Chicory	95	1·5	65
Cucumber	98	0·1	80
Curly kale or borecole ...	97	1	75
Endive	95	1	65
French bean	98	0·1	75
Gherkin	98	0·1	80
Kohl rabi	97	1	75
Leek	97	0·5	65
Lettuce	95	0·5	75
Marrow	98	0·1	75
Melon	98	0·1	75
Onion	97	0·5	70
Parsley	97	1	65
Pea	98	0·1	80
Radish	97	1	70
Red Cabbage	97	1	75
Runner bean	98	0·1	80
Savoy cabbage	97	1	75
Spinach	97	1	75
Sprouting broccoli ...	97	1	70
Tomato	97	0·5	75
Turnip	97	1	80

(*b*) Additional requirements

(i) Seeds of pulses must not be contaminated by the following live 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 (3), 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(2) 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 the top, middle or bottom, but not necessarily from more than one position, 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, 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 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	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 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	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.

SCHEDULE 3

PART II

MINIMUM WEIGHTS OF SAMPLES AND MAXIMUM WEIGHTS OF LOTS SAMPLED

Kind	Minimum Sample Weight	Maximum Lot Weight	Kind	Minimum Sample Weight	Maximum Lot Weight
	grams	tonnes		grams	tonnes
Asparagus	100	10	Leek	25	10
Beet (all kinds) ...	100	20	*Lettuce	30	10
*Brassica (all kinds)	50	10	Marrow	150	20
Broad bean ...	1000	20	Melon	100	20
Carrot	25	10	Onion	25	10
Celeriac	25	10	Parsley	25	10
Celery	25	10	Pea	500	20
Chicory	25	10	Radish	50	10
Cucumber	25	20	Runner bean ...	1000	20
Endive	25	10	Spinach	75	10
French bean ...	700	20	Tomato	25	10
Gherkin	150	20	*Turnip	50	10

*For samples of the standard category of these kinds the minimum sample weight will be 25 grams only.

In the case of F1 hybrid varieties of the above kinds and their inbred parent lines, the minimum weight of the sample may be reduced to a quarter of the weight specified for the variety subject to the sample consisting of at least 400 seeds.

Regulation 7(1) and (2)

SCHEDULE 4

PART I

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD/
DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

PLANT VARIETIES AND SEEDS ACT 1964

THE VEGETABLE SEEDS REGULATIONS 1975

CERTIFICATE OF THE TAKING OF A SAMPLE OF SEEDS TAKEN UNDER SECTION 25(5) OF THE ACT on the premises of

Name .....

Address .....

.....

.....

Kind .....

Variety .....

Category .....
Certificate or
reference number .....

Date of sampling.....

Ministry's/Department's reference number.....

I certify that in taking the sample referred to above I used the method of sampling prescribed in Schedule 3 to The Vegetable Seeds Regulations 1975.

(Signed) .....
Authorised by the Minister of Agriculture, Fisheries and Food/Secretary of State for the execution of the Act.

Date .....

PART II

CERTIFICATE OF THE RESULT OF A TEST OF SEEDS

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD/
DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

PLANT VARIETIES AND SEEDS ACT 1964 — Official Station Sample No.....

THE VEGETABLE SEEDS REGULATIONS 1975 — Control Sample No.....

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 and Address)

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

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

Description

Kind		Variety	
Category		Ref. No.	

Result of test	% Pure seeds	% Inert matter	% Other crop seeds	% Weed seeds

Inert matter

Other crop seeds

Weeds seeds

Germination % | | Fresh seeds % | |

REMARKS .

Date

CHIEF OFFICER

Regulations 5(3) and 9(2), (3), (4), (5) and (10)

SCHEDULE 5

PART I

A. OFFICIAL LABEL FOR A PACKAGE OF BASIC SEEDS OR FOR A PACKAGE (OTHER THAN A SMALL PACKAGE) OF CERTIFIED SEEDS

(*a*) PRESCRIBED CONTENTS

1. "EEC rules and standards"
2. Certification Authority and Member State or their mark
3. Month and year when officially sealed or re-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 × 67 mm

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

B. OFFICIAL LABEL FOR A PACKAGE OF PRE-BASIC SEEDS

(*a*) PRESCRIBED CONTENTS

1. Certification Authority and Member State or their mark
2. Reference number of the lot
3. Kind
4. Variety
5. "Pre-basic seed"
6. Number of generations preceding seeds of the certified seeds category.

(*b*) The label shall be white with a diagonal violet line.

PART II

A. SUPPLIER'S LABEL FOR A PACKAGE OF STANDARD SEEDS, OTHER THAN A SMALL PACKAGE

(*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 or re-sealed
4. Kind
5. Variety
6. "Standard seeds"
7. Lot reference number given by the supplier responsible for affixing the labels
8. Declared net or gross weight or declared number of seeds

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

(*c*) The label shall be dark yellow.

B. SUPPLIER'S LABEL FOR A PACKAGE OF UNCERTIFIED PRE-BASIC SEEDS

(*a*) PRESCRIBED CONTENTS

1. Name and address of supplier responsible for affixing the labels or his identification mark
2. Kind
3. Variety or identification number
4. "Uncertified pre-basic seeds"
5. Lot reference number given by the supplier responsible for affixing the labels.
6. Number of generations preceding seeds of the certified seeds category.

(*b*) The label shall be buff.

PART III

SMALL PACKAGES

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. "EEC rules and 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(10)

SCHEDULE 6

MAXIMUM WEIGHTS FOR RETAIL SALES OF UNPACKETED SEEDS

Asparagus Beet (all kinds) Brassica (all kinds) Carrot Celeriac Celery Chicory Cucumber Endive Gherkin Leek Lettuce Marrow Melon Onion Parsley Radish Spinach Tomato Turnip	1 kg
Broad bean French bean Pea Runner bean	3 kg

Regulation 11(2)

SCHEDULE 7

LIMITS OF VARIATION

PART I

PURITY

Minimum Percentage of Analytical Purity Per cent	Limit of Variation 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

PART II

CONTENT OF SEEDS OF OTHER PLANT SPECIES

Maximum Content of Seeds of Other Plant Species Per cent	Limit of Variation Per cent
0·0	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	0·8

PART III

GERMINATION

Minimum Percentage of Germination Per cent	Limit of Variation Per cent
99–100	2
97–98	3
94–96	4
91–93	5
87–90	6
82–86	7
76–81	8
69–75	9
60–68	10
50–59	11

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations re-enact, with modifications, the Vegetable Seeds Regulations 1973 which are revoked.

The 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 1972. They restrict the marketing of vegetable seeds to specified grades as defined in the regulations and require them to be sold in sealed packages which are to be labelled or marked with prescribed particulars.

Provision is made for the taking of samples for the enforcement of the obligations imposed by the regulations and of the civil rights of a purchaser. A contravention of any of the provisions of the regulations is an offence under the Plant Varieties and Seeds Act 1964.

The Regulations have been prepared to as to correspond more closely, both in form and content, with the existing marketing regulations concerned with other agricultural and horticultural crops. New provision is made for an additional grade of seeds, "uncertified pre-basic seeds", and for the labelling of packages of these and of basic seeds and there are a number of minor and drafting amendments.

The Regulations give effect to Directive 70/458/EEC of the Council of the European Economic Community (OJ No. L 225, 12. 10. 1970, p. 7) on the marketing of vegetable seeds.

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