
STATUTORY INSTRUMENTS

1997 No. 616

SEEDS

The Seeds (Miscellaneous Amendments) Regulations 1997

<i>Made</i>	- - - -	<i>4th March 1997</i>
<i>Laid before Parliament</i>		<i>6th March 1997</i>
<i>Coming into force</i>	- -	<i>1st July 1997</i>

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 sections 16(1), (1A), (2), (3) and (8) and 36 of the Plant Varieties and Seeds Act 1964⁽¹⁾ and now vested in them⁽²⁾ and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Seeds (Miscellaneous Amendments) Regulations 1997, shall apply to Great Britain and shall come into force on 1st July 1997.

Amendment of the Oil and Fibre Plant Seeds Regulations 1993

2.—(1) The Oil and Fibre Plant Seeds Regulations 1993⁽³⁾ shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 5, paragraph (12), for the words “Schedule 6 Part IG” there shall be substituted the words “Schedule 6 Part IE”.

(3) In regulation 9, after paragraph (4) there shall be inserted the following paragraph:

“(4A) Notwithstanding paragraphs (2) and (3) above, a package (other than a small package) of Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation may be marketed if—

(1) 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. *See* section 38(1) for a definition of “the Ministers”.

(2) In the case of the Secretary of State for Wales by virtue of S.I.1978/272.

(3) S.I. 1993/2007 to which there are amendments not relevant to these Regulations.

- (a) the appropriate particulars of the matters specified in Part I of Schedule 6 are printed or stamped indelibly on the package in a panel of at least the size and of the colour so specified, and
 - (b) the requirements of Part IV of that Schedule are satisfied.”.
- (4) In Schedule 6, after Part III there shall be inserted the following Part:

“PART IV
PRINTING OF SPECIFIED MATTERS ON PACKAGES
(whole-bag labelling)

A. Seeds which have not been imported

1. The printing or stamping of the packages shall be under the supervision, and in accordance with the instructions, of the Minister.
2. Each package shall have printed or stamped on it, or be perforated with, an individual serial number allocated by the Minister, which shall appear in the same panel as the particulars of the matters specified in Part I of this Schedule.
3. Arrangements shall be made with the printer for returns to be made to the Minister of the number of packages printed or stamped pursuant to regulation 9(4A) and of the individual serial numbers of such packages.
4. The reference number of the seed lot and the month and year in which the package was officially sealed shall be printed or stamped under the supervision of the Minister at the time of sampling for official examination.
5. Each package of seed marketed in accordance with regulation 5(5) shall be capable of having affixed to it a supplier’s label containing a statement pursuant to regulation 9(3).

B. Seeds imported from another Member State

Such requirements of the Member State from which the seeds have been imported as correspond to the requirements specified in this Part for seeds which have not been imported shall have been satisfied.

A. Seeds which have not been imported

1. The printing or stamping of the packages shall be under the supervision, and in accordance with the instructions, of the Minister.
2. Each package shall have printed or stamped on it, or be perforated with, an individual serial number allocated by the Minister, which shall appear in the same panel as the particulars of the matters specified in Part I of this Schedule.
3. Arrangements shall be made with the printer for returns to be made to the Minister of the number of packages printed or stamped pursuant to regulation 9(4A) and of the individual serial numbers of such packages.
4. The reference number of the seed lot and the month and year in which the package was officially sealed shall be printed or stamped under the supervision of the Minister at the time of sampling for official examination.

5. Each package of seed marketed in accordance with regulation 5(5) shall be capable of having affixed to it a supplier's label containing a statement pursuant to regulation 9(3).

B. Seeds imported from another Member State

Such requirements of the Member State from which the seeds have been imported as correspond to the requirements specified in this Part for seeds which have not been imported shall have been satisfied.”.

Amendment of the Fodder Plant Seeds Regulations 1993

3.—(1) The Fodder Plant Seeds Regulations 1993(4) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 9, paragraph (6), the words “of field beans or field peas” shall be omitted.

(3) In Schedule 6 Part IV, paragraph A2, for the words “Part II” there shall be substituted the words “Part I”.

Miscellaneous amendments

4.—(1) The Regulations referred to in paragraph (2) below shall be amended in accordance with that paragraph.

(2) For the letters “EEC”, in each place where they occur in the undernoted provisions, there shall be substituted the letters “EC”—

the Cereal Seeds Regulations 1993(5), Schedule 6;

the Beet Seeds Regulations 1993(6), regulations 3, 5, 8 and 9 and Schedule 6;

the Oil and Fibre Plant Seeds Regulations 1993, regulation 5 and Schedule 6;

the Vegetable Seeds Regulations 1993(7), Schedule 6; and

the Fodder Plant Seeds Regulations 1993, regulations 3, 5, 8 and 9 and Schedule 6.

(3) Labels printed prior to the coming into force of these Regulations which contain particulars which have been amended by this regulation may continue to be used until 31st December 2001.

4th March 1997

Tim Boswell
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

4th March 1997

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

(4) S.I. 1993/2009 to which there are amendments not relevant to these Regulations.

(5) S.I. 1993/2005 to which there is an amendment not relevant to these Regulations.

(6) S.I. 1993/2006.

(7) S.I. 1993/2008 to which there is an amendment not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Wales

4th March 1997

Jonathan Evans
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement—

- (a) Commission Decision [97/125/EC](#) (OJNo. L48, 19.2.97, p35) authorising the indelible printing of prescribed information on packages of seed of oil and fibre plants and amending Decision [87/309/EEC](#) authorising the indelible printing of prescribed information on packages of certain fodder plant species; and
- (b) Council Directive [96/72/EC](#) (OJ No. L304, 27.11.96, p.10) amending Directives [66/400/EEC](#), [66/401/EEC](#), [66/402/EEC](#), [66/403/EEC](#), [69/208/EEC](#) and [70/458/EEC](#) on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed, save insofar as it amends Directive [66/403/EEC](#) (seed potatoes) in relation to which it is to be implemented separately.

These Regulations amend the Oil and Fibre Plant Seeds Regulations (as amended) to provide that certain particulars may be printed or stamped on a package of seeds rather than on a label secured to that package (regulation 2(3) and (4)). These Regulations also amend those regulations to correct a defective cross reference (regulation 2(2)).

These Regulations also amend the Fodder Plant Seeds Regulations (as amended) so that the provision that certain particulars may be printed or stamped on a package of seeds rather than on a label secured to that package is no longer limited to field beans and field peas (regulation 3(2)). These Regulations also amend those regulations to correct a defective cross reference (regulation 3(3)).

These Regulations also provide for the substitution of the letters “EC” for the letters “EEC” in the provisions set out in regulation 4(2). They provide that remaining stocks of labels bearing the abbreviation “EEC” may continue to be used until 31st December 2001 (regulation 4(3)).

A Compliance Cost Assessment has been prepared and a copy has been placed in the library of both Houses of Parliament. Copies can be obtained from the Plant Variety Rights Office and Seeds Division of the Ministry of Agriculture, Fisheries and Food, White House Lane, Huntingdon Road, Cambridge CB3 0LF.