

SCHEDULE 2

Certification requirements

PART 3

Fodder plants

CHAPTER 1

Basic standards

Scope of Part 3

20. This Part regulates the types of fodder plants in Schedule 1.

Permitted types of fodder seed

21.—(1) Fodder seed must be—

- (a) pre-basic seed;
- (b) basic seed;
- (c) certified seed;
- (d) certified seed, first generation;
- (e) certified seed, second generation;
- (f) commercial seed; or
- (g) seed of a higher voluntary standard.

(2) The seed may be a mixture of fodder species of different varieties provided that each variety in the mixture is certified.

Meaning of “pre-basic seed”

22. Pre-basic seed is seed—

- (a) produced from a generation prior to pre-basic seed by or under the responsibility of the breeder according to well-defined practices for the maintenance of the variety; and
- (b) intended for the production of—
 - (i) more pre-basic seed;
 - (ii) basic seed; or
 - (iii) with the breeder’s written authority, certified seed CS, C1 or C2.

Meaning of “basic seed”

23.—(1) Basic seed is seed of—

- (a) bred varieties; or
- (b) local varieties.

(2) Seed of bred varieties is seed—

- (a) produced under the responsibility of the breeder according to well-defined practices for the maintenance of the variety;

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- (b) intended for the production of certified seed.
- (3) Seed of local varieties is seed—
 - (a) produced under official control from material officially accepted as being of the local variety on one or more holdings situated within a clearly demarcated region of origin;
 - (b) intended for the production of certified seed.

Meaning of “certified seed”

24. Certified seed is seed (other than of field beans, field peas, lucerne (*Medicago sativa*), lupins and vetches)—

- (a) produced directly from basic seed or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
- (b) intended for purposes other than the production of seed.

Meaning of “certified seed, first generation”

25. Certified seed, first generation in relation to field beans, field peas, lucerne (*Medicago sativa*), lupins and vetches is seed—

- (a) produced directly from basic seed or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
- (b) intended for—
 - (i) the production of certified seed, second generation (in the case of field beans and field peas only); or
 - (ii) purposes other than the production of seed (in all cases).

Meaning of “certified seed, second generation”

26. Certified seed, second generation in relation to field beans, field peas, lucerne (*Medicago sativa*), lupins and vetches is seed—

- (a) produced directly from basic seed, from certified seed, first generation (C1) or, if the breeder so requests, from pre-basic seed that satisfies the conditions for basic seed; and
- (b) intended for purposes other than the production of seed of fodder plants.

Meaning of “commercial seed”

27. Commercial seed is seed of annual meadowgrass, Hungarian vetch or sainfoin that is identifiable as belonging to a species.

Crop and seed requirements

28.—(1) Crop inspections by official or licensed crop inspectors must be carried out in accordance with Article 2(3)(A) of, and Annex I to, Council Directive [66/401/EEC](#) on the marketing of fodder plant seed⁽¹⁾, and the crop must satisfy the conditions in that Annex.

(2) The seed produced by the crop must be sampled in accordance with Annex III to that Directive, and must satisfy the conditions in Annex II to that Directive.

(3) Diseases and harmful organisms that reduce the usefulness of the seed must be at the lowest possible level.

(1) OJ No L 125, 11.7.1966, p. 2298, as last amended by Commission Directive [2009/74/EC](#) (OJ No L 166, 27.6.2009, p. 40).

CHAPTER 2

Higher voluntary standards

Higher voluntary standards for fodder seed

29. In the case of cocksfoot, festulolium, hybrid ryegrass, Italian ryegrass, Lucerne, meadow fescue, perennial ryegrass, red clover, red fescue, sainfoin, small timothy, timothy, smooth stalked meadow grass, tall fescue and white clover, certified seed (CS) may be marketed as certified seed of a higher voluntary standard.

Minimum standards for purity and other species of seed in the sample

30. The sample taken under paragraph 28(2) for the purpose of Council Directive 66/401/EEC must have the minimum standards set out in the following table.

<i>Column header</i>	<i>Minimum analytical purity (% by weight)</i>	<i>Total weight of all other species (% by weight)</i>	<i>Total weight of a single other species (% by weight)</i>	<i>Seed of Rumex spp excluding R acetosella and R maritimus</i>	<i>Seed of couch</i>	<i>Seed of blackgrass</i>	<i>Limits of other specific species</i>
Fine grasses							
festulolium	98	1.5	0	0	10	0	
red fescue	95	1.5	0.5	5	10	10	The sample must have no more than four seeds ryegrass, cocksfoot, meadow fescue and 0.3% rough stalked meadow grass
smooth-stalked meadowgrass	90	1.5	0.5	2	3	3	Maximum of 0.4% by weight of seed of other meadow grass
Fodder grasses							
cocksfoot	90	1.5	0.5	5	10	10	

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<i>Column header</i>	<i>Minimum analytical purity (% by weight)</i>	<i>Total weight of all other species (% by weight)</i>	<i>Total weight of a single other species (% by weight)</i>	<i>Seed of Rumex spp excluding R acetosella and R maritimus</i>	<i>Seed of couch</i>	<i>Seed of blackgrass</i>	<i>Limits of other specific species</i>
meadow fescue, tall fescue	98	1.5	0.5	5	10	10	0.3% rough stalked meadow grass, 0.3% ryegrass
hybrid ryegrass, Italian ryegrass, perennial ryegrass	98	1.5	0.5	5	10	10	0.4% annual meadowgrass, 0.3% rough stalked meadow grass
small timothy, timothy	98	1.5	0.5	4	10	10	0.3% <i>Agrostis spp</i>
Small seeded legumes							
lucerne, red clover, white clover	98	1.5	0.5	10	10	10	0.3% <i>Melilotus spp</i>
sainfoin	98	1.5	0.5	5	10	10	0.3% <i>Melilotus spp</i>