

## SCHEDULE 3

Regulations 16 and 17

### Labelling and loose sales

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## PART 1

### Introduction

#### **Types of label**

- 1.—(1) There are two types of label for seed, official labels and supplier's labels.
- (2) A supplier's label must be used on a package of breeder's seed, and may be used on a small package of seed specified in Part 4 of this Schedule and on a package of standard vegetable seed of any size.
- (3) An official label must be used on any other package of seed.

#### **Time of labelling**

2. A package must be labelled at the time of sealing.

#### **Genetically modified varieties**

3. If a variety has been genetically modified, this must be stated on the label.

#### **Chemical treatment of seed**

4. If seed has been subjected to any chemical treatment, this fact and the nature of the treatment or the proprietary name of the chemical used must be stated on the label.

## PART 2

### Official labels

#### **Official labels: general requirements**

- 5.—(1) An official label is a label supplied by the Welsh Ministers.
- (2) It must be on the outside of the package.
- (3) It must not have been previously used.
- (4) It must be adhesive, or secured by a sealing device approved by the Welsh Ministers.
- (5) It must be in one of the official languages of the European Union.
- (6) It must be at least 110 mm x 67 mm.
- (7) It must have a unique number.
- (8) It must be fixed to the package by an authorised officer of the Welsh Ministers, a licensed seed sampler or any person being supervised by such a person.

(9) By way of derogation from the above, in the case of cereal seed, fodder seed and oil and fibre seed, classified in each case as CS, C1, C2 or C3, the whole bag may be used as the label, provided that this is done with the approval of the Welsh Ministers and the bag is the same colour as is required for the label.

#### **Official labels for pre-basic seed**

- 6.—(1) The following must appear on an official label on pre-basic seed—
- (a) the name of the certification authority;
  - (b) the name or initials of the member State;
  - (c) the reference number of the seed lot;
  - (d) the country of production;
  - (e) the month and year of sealing expressed as “sealed ...” (month and year);
  - (f) the species (this must be the botanical name, which may be given in abridged form and without the authorities' names, except that, in the case of beet or vegetable seed, the common name may be used);
  - (g) the variety;
  - (h) the description “pre-basic” or “PB”;
  - (i) the declared net or gross weight or number of seeds (or, in the case of beet, the declared number of clusters or pure seed);
  - (j) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of the seed and the total weight (or, in the case of beet, the ratio between the weight of pure seed and the total weight);
  - (k) the number of generations preceding the category “certified seed (CS)” or “certified first generation (C1) seed”.
- (2) The label must be white with a diagonal violet stripe.

#### **Official labels for basic seed and certified seed**

- 7.—(1) The following must appear on an official label on certified seed—
- (a) the words “EU Rules and standards”;
  - (b) the name of the certification authority;
  - (c) the name or initials of the member State;
  - (d) the reference number of the seed lot;
  - (e) either—
    - (i) the month and year of sealing expressed as “sealed ...” (month and year); or
    - (ii) the month and year of the last official sampling for the purposes of certification expressed as “sampled ...” (month and year);
  - (f) the species (this must be the botanical name, either in full or in abridged form except that, in the case of beet or vegetable seed, the common name may be used);
  - (g) the variety;
  - (h) the category;
  - (i) the country of production;

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- (j) the declared net or gross weight or number of seeds or in the case of beet the declared number of clusters of pure seed;
  - (k) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of the seed and the total weight (or, in the case of beet, the ratio between the weight of pure seed and the total weight);
  - (l) where the germination has been retested the word “retested” followed by the month and year of re-testing.
- (2) The label must be coloured—
- (a) white for basic seed;
  - (b) blue for certified seed and certified seed of the first generation;
  - (c) red for certified seed of the second and third generation.

#### **Official labels for commercial seed not certified as to variety**

**8.—**(1) The following must appear on an official label on commercial seed not certified as to variety—

- (a) the words “EU Rules and standards”;
  - (b) the name of the certification authority;
  - (c) the name or initials of the member State;
  - (d) the reference number of the seed lot;
  - (e) either—
    - (i) the month and year of sealing expressed as “sealed ...” (month and year); or
    - (ii) the month and year of the last official sampling for the purposes of certification expressed as “sampled ...” (month and year);
  - (f) the species (this must be the botanical name, either in full or in abridged form except that, in the case of beet or vegetable seed, the common name may be used);
  - (g) the words “commercial seed not certified as to variety”;
  - (h) the country or region of production;
  - (i) the declared net or gross weight or number of seeds;
  - (j) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of the seed and the total weight;
  - (k) where the germination has been retested the word “retested” followed by the month and year of re-testing.
- (2) The label must be coloured brown.

#### **Labelling mixtures**

**9.—**(1) The following must appear on an official label on a mixture of seed—

- (a) the authority responsible for sealing the package;
- (b) the name or initials of the member State;
- (c) the reference number of the seed lot;
- (d) the month and year of sealing expressed as “sealed . . . .” (month and year);

- (e) the species, category, variety, country of production and proportion by weight of each of the components;
  - (f) the declared net or gross weight, or declared number of seeds;
  - (g) where the weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ratio between the weight of the pure seed and the total weight;
  - (h) where the germination of all the components of the mixture has been retested, the word “retested” followed by the month and year of re-testing;
  - (i) in the case of cereals the words “mixture of” followed by the species and varieties and a qualifying statement that the mixture is effective against the propagation of a harmful organism;
  - (j) in the case of fodder plants the words “mixture of seeds for” followed by an indication of the intended use.
- (2) But for fodder mixtures registered with the Welsh Ministers, provided the label shows the registered name of the mixture, the percentage by weight of each of the components may be omitted provided that—
- (a) this information is supplied to the customer on request, and
  - (b) customers are informed that they can request these details.
- (3) The label must be coloured green.

## **PART 3**

### **Additional requirements for official labels for specific species**

#### **Introduction**

**10.** The following requirements for specific species are in addition to the requirements in Part 2.

#### **Additional requirements for beet seed**

- 11.** An official label for beet seed must specify—
- (a) “monogerm” or “precision” as appropriate;
  - (b) “fodder beet” or “sugar beet” as appropriate.

#### **Additional requirements for cereal seed**

**12.—(1)** An official label for C1 and C2 naked barley must include the words “minimum germination capacity 75%”.

(2) An official label for basic cereal seed of varieties that are hybrids or inbred lines must include—

- (a) for basic seed where the hybrid or inbred line to which the seed belongs has been accepted on to the United Kingdom National List or the Common Catalogue, the name under which it has been officially accepted, with or without reference to the final variety, and if the seed is intended solely as a component for final varieties the word “component”;
- (b) for basic seed in other cases the name of the component to which the basic seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its function (male or female) and accompanied by the word “component”.

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(3) An official label for certified cereal seed (CS, C1 or C2) of varieties that are hybrids or inbred lines must include the word “hybrid” after the variety.

(4) Where seed is marketed as being of the higher voluntary standard the label must contain the letters “HVS”.

#### **Additional requirements for fodder seed**

**13.** An official label for fodder seed must include—

- (a) for certified seed, second and subsequent generations, the number of generations after basic seed;
- (b) in the case of seed of grass varieties in respect of which no official examination of their value for cultivation and use has been carried out the words “Not intended for fodder production”;
- (c) where seed is marketed at the higher voluntary standard the letters “HVS”.

#### **Additional requirements for oil and fibre seed**

**14.—**(1) An official label for basic oil and fibre seed of varieties that are hybrids or inbred lines must include—

- (a) for basic seed where the hybrid or inbred line to which the seed belongs has been officially accepted on to the United Kingdom National List or the Common Catalogue, the name under which it has been officially accepted, with or without reference to the final variety, and if the seed is intended solely as a component for final varieties the word “component”;
- (b) for basic seed in other cases the name of the component to which the basic seed belongs, which may be given in code form, accompanied by a reference to the final variety, with or without reference to its function (male or female) and accompanied by the word “component”.

(2) An official label for certified oil and fibre seed (CS, C1 or C2) of varieties that are hybrids or inbred lines must include the word “hybrid” after the variety.

(3) An official label for certified seed of a varietal association must be blue with a diagonal green line.

## **PART 4**

### **Supplier’s labels**

#### **Meaning of “supplier’s label”**

**15.** A supplier’s label is a label that has not been provided by the Welsh Ministers.

#### **Labelling a package**

**16.** A supplier’s label must either be attached to the package in the same way as an official label or printed indelibly on the package.

#### **References to weights in this Part**

**17.** In this Part references to the weight exclude any granulated pesticides, pelleting substances or other solid additives.

### **Breeder's seed: supplier's labels**

- 18.—(1) The following must appear on a supplier's label on a package of breeder's seed—
- (a) the name, address and registration number of the supplier responsible for attaching the label;
  - (b) the reference number of the seed lot;
  - (c) the species;
  - (d) the variety;
  - (e) the words "breeder's seed";
  - (f) the declared net or gross weight or number of seeds.
- (2) The label must be buff-coloured.

### **Beet seed: supplier's labels**

- 19.—(1) A supplier's label may be used on a small package of beet seed.
- (2) A small package of beet seed (known as a "small EU package" ("*pecyn UE bach*") is a package that—
- (a) in the case of basic and certified beet seed of precision or monogerm varieties, either weighs not more than 2.5 kg or consists of not more than 100,000 clusters;
  - (b) for all other beet seed weighs not more than 10kg.
- (3) The label must be the same colour as the official label for that category of seed.
- (4) The following must appear on the label—
- (a) the words "Small EU package";
  - (b) the name, address and identification number of the person affixing the label;
  - (c) the serial number;
  - (d) the service that assigned the serial number;
  - (e) the name or initials of the member State;
  - (f) the reference number if the official serial number does not enable the lot to be identified;
  - (g) the species;
  - (h) either "sugar beet" or "fodder beet" as appropriate;
  - (i) the variety;
  - (j) the category;
  - (k) the net or gross weight or number of clusters or pure seeds;
  - (l) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight;
  - (m) either "monogerm" or "precision" as appropriate.

### **Cereal seed: supplier's labels**

- 20.—(1) A supplier's label may be used on a small package of cereal seed.
- (2) A small package of cereal seed is a package of any certified seed, or any mixture of certified seed, not exceeding 15kg.
- (3) The label must be the same colour as the official label for that category of seed.

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- (4) The following must appear on the label—
- (a) the words “EU rules and standards”;
  - (b) the name, address and registration number of the supplier responsible for affixing the label;
  - (c) the reference number of the seed lot;
  - (d) the species;
  - (e) the variety;
  - (f) the category;
  - (g) the declared net weight or declared number of seeds;
  - (h) for hybrid varieties of maize, the word “hybrid”;
  - (i) in the case of C1 and C2 seed of naked barley, the words “minimum germination capacity 75%”.

**Fodder seed (agricultural or amenity): packages that may be labelled with a supplier’s label**

**21.**—(1) A supplier’s label may be used on a small package of fodder seed, either agricultural or amenity (including a mixture of fodder seed).

(2) A small package of fodder seed is either a small EU 'A' package or a small EU 'B' package.

(3) A small EU 'A' package is a package containing a mixture of seed not intended for the production of fodder plants, with a net weight not exceeding 2 kg.

(4) A small EU 'B' package is a package containing—

- (a) basic seed,
- (b) certified seed (CS, C1 or C2),
- (c) commercial seed, or
- (d) (unless the package is a small EU 'A' package) a mixture of seed,

with a net weight not exceeding 10 kg.

**Fodder seed other than a mixture: labelling requirements**

**22.**—(1) A supplier’s label on a small package of fodder seed (other than a preservation mixture, for which see paragraph 23) must be the same colour as the official label for that category of seed.

(2) The following must appear on the label—

- (a) the words “small EU 'B' package”;
- (b) the name, address and identification number of the person affixing the label;
- (c) the serial number;
- (d) the reference number if the serial number does not enable the seed lot to be identified;
- (e) the species;
- (f) the net or gross weight of pure seed or the number of pure seeds;
- (g) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the seed and the total weight;
- (h) in the case of certified seed—
  - (i) the variety;
  - (ii) the category;



- (iii) for grass seed of a variety for which an examination of its value for cultivation and use is not required the words “not intended for the production of fodder plants”;
- (i) in the case of commercial seed the words “commercial seed”.

#### **Fodder seed mixture: labelling requirements**

**23.**—(1) A supplier’s label on small package of a mixture of fodder seed must be the same colour as the official label for that category of seed.

(2) The following must appear on the label—

- (a) words “small EU 'A' package” or “small EU 'B' package” as appropriate;
- (b) the name, address and identification number of the person affixing the label;
- (c) for a small EU 'A' package—
  - (i) the reference number enabling the seed lots used in the mixture to be identified;
  - (ii) the name or initials of the member State;
- (d) for a small EU 'B' package—
  - (i) the officially assigned serial number;
  - (ii) the person that assigned the serial number;
  - (iii) the name or initials of the member State;
  - (iv) the reference number if the official serial number does not enable the used seed lots to be identified;
- (e) the words “Seed-mixture for ... (intended use)”;
- (f) the net or gross weight or number of pure seeds;
- (g) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the seed and the total weight;
- (h) the percentage by weight of the various components shown by species and, where appropriate, by variety.

(3) But for mixtures registered with the Welsh Ministers, provided the label shows the registered name of the mixture, the percentage by weight of each of the components may be omitted provided that—

- (a) this information is supplied to the customer on request; and
- (b) customers are informed that they can request these details.

#### **Oil and fibre seed: supplier’s labels**

**24.**—(1) A supplier’s label may be used on a small package of oil and fibre seed.

(2) A small package of oil and fibre seed is a package of any certified or commercial oil and fibre seed that does not weigh more than 15 kg.

(3) The label must be the same colour as the official label for that category of seed.

(4) The following must appear on the label—

- (a) the words “EU Rules and standards”;
- (b) the name, address and registration number of the supplier responsible for affixing the label;
- (c) the reference number of the seed lot;
- (d) the species (this must be the botanical name, either in full or in abridged form);

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- (e) the variety;
- (f) for certified seed, the category;
- (g) for commercial seed the words “commercial seed (not certified as to variety)”;
- (h) the declared net or gross weight of clusters of pure seeds (except for packages not exceeding 500 grams);
- (i) where granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of the seed and the total weight.

### **Vegetable seed: supplier’s labels**

- 25.**—(1) A supplier’s label may be used on—
- (a) a package of standard vegetable seed, no matter what the weight;
  - (b) a small package of certified (CS) vegetable seed; and
  - (c) a small package of mixtures of standard vegetable seed of different varieties of the same species.
- (2) A small package is a package of seed that weighs no more than—
- (a) for legumes, 5 kg;
  - (b) for asparagus, beetroot, carrot, chard or spinach beet, gourd, marrow, onion, radish, spinach or turnip, 500 grams;
  - (c) for any other vegetable species, 100 grams.
- (3) The label must be coloured dark yellow for standard seed or blue for certified seed.
- (4) The following must appear on the label on a package of standard seed (other than a mixture of different varieties of standard seed of the same species) and certified seed—
- (a) the words “EU rules and standards”;
  - (b) the name, address and identification number of the person affixing the label;
  - (c) the marketing year of the sealing or of the last examination of germination (the end of the marketing year may be indicated);
  - (d) the species;
  - (e) the variety;
  - (f) the category: in the case of small packages, certified seed may be marked with the letter 'C' or 'Z' and standard seed with the letters 'ST';
  - (g) in the case of standard seed, the reference number given by the person responsible for affixing the labels;
  - (h) in the case of certified seed the reference number enabling the certified lot to be identified;
  - (i) the declared net or gross weight or declared number of seeds, except for small packages of up to 500 grams;
  - (j) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight.
- (5) The following must appear on the label on a package of a mixture of different varieties of standard seed of the same species—
- (a) the words “EU rules and standards”;
  - (b) the name, address and identification number of the person affixing the label;

- (c) the year of sealing expressed as “sealed...[year]” or the year of the last sampling for the purposes of the last testing of germination expressed as “sampled...[year]” (the words “use before...[date]” may be added);
- (d) the words “mixture of varieties of...[name of the species]”;
- (e) the varieties;
- (f) the proportion of the varieties, expressed as net weight or as the number of seeds;
- (g) the reference number given by the person responsible for affixing the labels;
- (h) the net or gross weight or the number of seeds;
- (i) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight.

## **PART 5**

### Sales of loose seed

#### **Sales of loose seed**

- 26.**—(1) Loose (unpackaged) seed may be sold in accordance with this paragraph.
- (2) The maximum quantity that may be sold is—
- (a) for fodder seed—
    - (i) 3 kg in the case of field beans and field peas;
    - (ii) 2 kg in the case of all other fodder seed;
    - (iii) 7 kg in the case of a mixture of seed;
  - (b) for cereal seed, 5 kg;
  - (c) for beet seed, 2.5 kg;
  - (d) for oil and fibre seed, 5 kg;
  - (e) for vegetable seed—
    - (i) 3 kg in the case of legumes;
    - (ii) 1 kg in the case of all other vegetable seed.
- (3) The sale must be to the final consumer, and the information that would have been required on a package of that seed must be displayed near the point of sale.