

SCHEDULE 1

Regulation 2(6) and Schedule 10

INTERPRETATION

**PART 1**

**Meaning of pre-basic seed and similar expressions**

**Pre-basic seed**

1.—(1) In these Regulations, other than in relation to a component that is used in the production of a listed hybrid variety, “pre-basic seed” means seed of a generation prior to basic seed—

- (a) that has been produced by or under the responsibility of the breeder according to accepted practices for the maintenance of the variety, and
- (b) that is intended to be used for the production of more pre-basic seed, basic seed, or, with the breeder’s written authority—
  - (i) in the case of rye or maize, CS seed;
  - (ii) except in the case of rye or maize, C1 seed; or
  - (iii) except in the case of rye or maize, C2 seed.

(2) In these Regulations, in relation to a component that is used in the production of a listed hybrid variety, “pre-basic seed” means seed of a generation prior to basic seed that is intended to be used for the production of—

- (a) more pre-basic seed of the component;
- (b) basic seed; or
- (c) with the breeder’s written authority, CS seed of a hybrid variety.

**UK officially certified pre-basic seed of a listed variety**

2.—(1) In these Regulations “UK officially certified pre-basic seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a listed variety officially certified as pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a previously listed variety officially certified as pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.

(3) This sub-paragraph applies to—

- (a) pre-basic seed of a listed variety—
  - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
  - (ii) that satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and

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- (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
  - (b) pre-basic seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force;
  - (c) pre-basic seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
  - (d) pre-basic seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) for which a marketing extension is in force; and
  - (e) pre-basic seed that—
    - (i) has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
    - (ii) complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,  
other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as pre-basic seed.

**EC officially certified pre-basic seed of a listed variety**

3. In these Regulations “EC officially certified pre-basic seed of a listed variety” means—
- (a) pre-basic seed of a listed variety officially certified as pre-basic seed by or on behalf of the competent seed certification authority in another member State, and
  - (b) pre-basic seed of a previously listed variety officially certified as pre-basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

**Third country officially certified pre-basic seed of a listed variety**

- 4.—(1) In these Regulations “third country officially certified pre-basic seed of a listed variety” means seed of an approved species to which sub-paragraph (2) or (4) applies.
- (2) This sub-paragraph applies to pre-basic seed of a listed variety—
- (a) that was harvested from a crop that was produced—
    - (i) in an equivalent third country; and

- (ii) from a preceding generation of seed that was produced in accordance with the provisions applicable to basic seed specified in paragraph 5 of Part B of Annex II to the Third Country Equivalence Decision;
  - (b) that has been officially certified as pre-basic seed by the approved seed certification authority in that country in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
    - (iii) in both cases, the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) that has been packed in packages that have been officially closed and marked in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (d) that has been imported into the United Kingdom accompanied by the appropriate documentation.
- (3) For the purposes of sub-paragraph (2)(d), the appropriate documentation is—
- (a) in a case where the seed has been certified in Canada or the United States of America, a Lot Inspection Certificate issued by the Official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions; and
  - (b) in all other cases—
    - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as pre-basic seed; and
    - (ii) an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for pre-basic seed other than those relating to varietal identity and varietal purity.
- (4) This sub-paragraph applies to pre-basic seed—
- (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force; and
  - (b) that complies with sub-paragraph (2)(a) to (d).

**Overseas tested officially certified pre-basic seed of a listed variety**

5. In these Regulations “overseas tested officially certified pre-basic seed of a listed variety” means pre-basic seed—

- (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for basic seed;
- (b) for which a seed test report has been issued—
  - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or

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- (ii) by a licensed EC seed testing station in either of the member States referred to in sub-paragraph (i), stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
- (c) that has been imported into the United Kingdom as pre-basic seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
- (d) that is accompanied by—
  - (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in paragraph (a), and
  - (ii) the seed test report referred to in sub-paragraph (b).

**UK officially certified early movement pre-basic seed of a listed variety**

6.—(1) In these Regulations “UK officially certified early movement pre-basic seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
  - (a) seed of a listed variety officially certified as early movement pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) seed of a previously listed variety officially certified as early movement pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.
- (3) This sub-paragraph applies to—
  - (a) pre-basic seed of a listed variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
    - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed;
    - (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
    - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out), to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed;
  - (b) pre-basic seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iv) and for which a marketing extension is in force;
  - (c) pre-basic seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (d) pre-basic seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and

(iii) for which a marketing extension is in force,

other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.

(4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement pre-basic seed.

#### **EC officially certified early movement pre-basic seed of a listed variety**

7. In these Regulations “EC officially certified early movement pre-basic seed of a listed variety” means—

- (a) pre-basic seed of a listed variety officially certified as early movement pre-basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) pre-basic seed of a previously listed variety officially certified as early movement pre-basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

#### **UK officially certified pre-basic seed of a component used in the production of a listed hybrid variety**

8.—(1) In these Regulations “UK officially certified pre-basic seed of a component used in the production of a listed hybrid variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a component used in the production of a listed hybrid variety officially certified as pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a component used in the production of a previously listed hybrid variety officially certified as pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force in respect of seed of the hybrid variety.

(3) This sub-paragraph applies to—

- (a) pre-basic seed of a component used in the production of a listed hybrid variety—
  - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
  - (ii) that satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and
  - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
- (b) pre-basic seed of a component used in the production of a previously listed hybrid variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force in respect of seed of the hybrid variety;

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- (c) pre-basic seed of a component used in the production of a listed hybrid variety—
  - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
- (d) pre-basic seed of a component used in the production of a previously listed hybrid variety—
  - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iii) for which a marketing extension is in force in respect of seed of the hybrid variety;
- (e) pre-basic seed—
  - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iii) that is a component used in the production of a listed hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,

other than seed to which sub-paragraph (2) applies and seed of a component used in the production of a listed hybrid variety for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.

(4) Seed of a component used in the production of a listed hybrid variety, or seed of a component used in the production of a previously listed hybrid variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as pre-basic seed.

**EC officially certified pre-basic seed of a component used in the production of a listed hybrid variety**

9. In these Regulations “EC officially certified pre-basic seed of a component used in the production of a listed hybrid variety” means—

- (a) pre-basic seed of a component used in the production of a listed hybrid variety officially certified as pre-basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) pre-basic seed of a component used in the production of a previously listed hybrid variety officially certified as pre-basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force in respect of seed of the hybrid variety.

**Third country officially certified pre-basic seed of a component used in the production of a listed hybrid variety**

10.—(1) In these Regulations “third country officially certified pre-basic seed of a component used in the production of a listed hybrid variety” means pre-basic seed of an approved species to which sub-paragraph (2) or (4) applies.

(2) This sub-paragraph applies to pre-basic seed of a component used in the production of a listed hybrid variety—

- (a) that was harvested from a crop that was produced—

- (i) in an equivalent third country; and
    - (ii) from a preceding generation of seed that was produced in accordance with the provisions applicable to basic seed specified in paragraph 5 of Part B of Annex II to the Third Country Equivalence Decision;
  - (b) that has been officially certified as pre-basic seed by the approved seed certification authority in that country in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
    - (iii) in both cases, the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) that has been packed in packages that have been officially closed and marked in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme, and as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (d) that has been imported into the United Kingdom accompanied by the appropriate documentation.
- (3) For the purposes of sub-paragraph (2)(d), the appropriate documentation is—
  - (a) in a case where the seed has been certified in Canada or the United States of America, a Lot Inspection Certificate issued by the Official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions; and
  - (b) in all other cases—
    - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as pre-basic seed; and
    - (ii) an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for pre-basic seed other than those relating to varietal identity and varietal purity.
- (4) This sub-paragraph applies to pre-basic seed of a component—
  - (a) of a previously listed hybrid variety that is on the OECD List and for which a marketing extension is in force; and
  - (b) that complies with sub-paragraph (2)(a) to (d).

**Overseas tested officially certified pre-basic seed of a component used in the production of a listed hybrid variety**

11. In these Regulations “overseas tested officially certified pre-basic seed of a component used in the production of a listed hybrid variety” means pre-basic seed of a component used in the production of a listed hybrid variety—

- (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for basic seed;
- (b) for which a seed test report has been issued—

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- (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
- (ii) by a licensed EC seed testing station in either of the member States referred to in sub-paragraph (i), stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
- (c) that has been imported into the United Kingdom as a component used in the production of a listed hybrid variety that was unlisted at the time when the seed was imported but has since been listed, and
- (d) that is accompanied by—
  - (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in sub-paragraph (a), and
  - (ii) the seed test report referred to in sub-paragraph (b).

**UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety**

12.—(1) In these Regulations “UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety” means seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
  - (a) seed of a component used in the production of a listed hybrid variety officially certified as early movement pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) seed of a component used in the production of a previously listed hybrid variety officially certified as early movement pre-basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force in respect of seed of the hybrid variety.
- (3) This sub-paragraph applies to—
  - (a) pre-basic seed of a component used in the production of a listed hybrid variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
    - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed;
    - (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
    - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed;
  - (b) pre-basic seed of a component used in the production of a previously listed hybrid variety that complies with the requirements of sub-paragraph (a)(i) to (iv) and for which a marketing extension is in force in respect of seed of the hybrid variety;



- (c) pre-basic seed of a component used in the production of a listed hybrid variety—
  - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and
  - (ii) complies with the requirements of sub-paragraph (a)(ii) to (iv); and
- (d) pre-basic seed of a component used in the production of a previously listed hybrid variety—
  - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (iii) for which a marketing extension is in force in respect of seed of the hybrid variety, other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.

(4) Seed of a component used in the production of a listed hybrid variety, or seed of a component used in the production of a previously listed hybrid variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement pre-basic seed.

**EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety**

13. In these Regulations “EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety” means—

- (a) pre-basic seed of a component used in the production of a listed hybrid variety officially certified as early movement pre-basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) pre-basic seed of a component used in the production of a previously listed hybrid variety officially certified as early movement pre-basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force in respect of seed of the hybrid variety.

**Officially certified pre-basic seed**

14. In these Regulations “officially certified pre-basic seed” means—

- (a) UK officially certified pre-basic seed of a listed variety;
- (b) EC officially certified pre-basic seed of a listed variety;
- (c) third country officially certified pre-basic seed of a listed variety;
- (d) overseas tested officially certified pre-basic seed of a listed variety;
- (e) UK officially certified early movement pre-basic seed of a listed variety;
- (f) EC officially certified early movement pre-basic seed of a listed variety;
- (g) UK officially certified pre-basic seed of a component used in the production of a listed hybrid variety;
- (h) EC officially certified pre-basic seed of a component used in the production of a listed hybrid variety;
- (i) third country officially certified pre-basic seed of a component used in the production of a listed hybrid variety;

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- (j) overseas tested officially certified pre-basic seed of a component used in the production of a listed hybrid variety;
- (k) UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety; and
- (l) EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety.

## PART 2

### Meaning of basic seed and similar expressions

#### **Basic seed**

15.—(1) In these Regulations, in relation to barley, durum wheat, oats, rye, self-pollinating triticale, spelt wheat, and wheat, other than a hybrid in each case, “basic seed” means seed—

- (a) that has been produced by or under the responsibility of the breeder according to accepted practices for the maintenance of the variety, and
- (b) that is intended to be used for the production of—
  - (i) in the case of rye, CS seed;
  - (ii) except in the case of rye, C1 seed; or
  - (iii) except in the case of rye, C2 seed.

(2) In these Regulations, in relation to an open-pollinated variety of maize, “basic seed” means seed—

- (a) that has been produced by or under the responsibility of the breeder according to accepted practices for the maintenance of the variety, and
- (b) that is intended to be used—
  - (i) for the production of CS seed of the same variety, or
  - (ii) as a component in the production of CS seed of a top cross or intervarietal hybrid variety.

(3) In these Regulations, in relation to a component of a hybrid variety of barley, durum wheat, oats, rye, self pollinating triticale, spelt wheat or wheat, or an inbred line of maize, “basic seed” means seed that is intended to be used for the production of CS seed of a hybrid variety.

(4) In these Regulations, in relation to a simple hybrid that is a component of a hybrid variety of maize, “basic seed” means seed that is intended to be used for the production of CS seed of a double, triple-cross or top cross hybrid variety.

#### **UK Officially certified basic seed of a listed variety**

16.—(1) In these Regulations “UK officially certified basic seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a listed variety officially certified as basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a previously listed variety officially certified as basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.

- (3) This sub-paragraph applies to—
- (a) basic seed of a listed variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
    - (ii) that satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and
    - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
  - (b) basic seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force;
  - (c) basic seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
  - (d) basic seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) for which a marketing extension is in force; and
  - (e) basic seed—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,

other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as basic seed.

#### **EC officially certified basic seed of a listed variety**

17. In these Regulations “EC officially certified basic seed of a listed variety” means—
- (a) basic seed of a listed variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State, and
  - (b) basic seed of a previously listed variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

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### **Third country officially certified basic seed of a listed variety**

18.—(1) In these Regulations “third country officially certified basic seed of a listed variety” means seed of an approved species to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed of a listed variety—
- (a) that was harvested from a crop that was produced—
    - (i) in an equivalent third country;
    - (ii) from a preceding generation of seed that was produced in accordance with the provisions specified in paragraph 5 of Part B of Annex II to the Third Country Equivalence Decision;
  - (b) that has been officially certified as basic seed by the approved seed certification authority in that country in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
    - (iii) in both cases, the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) that has been packed in packages that have been officially closed and marked in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme; or
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme;
 and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (d) that has been imported into the United Kingdom and was accompanied by—
    - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as basic seed; and
    - (ii) subject to sub-paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for basic seed other than those relating to varietal identity and varietal purity; or
    - (iii) in a case where the seed has been certified in Canada or the United States of America, a Lot Inspection Certificate issued by the official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in sub-paragraph (ii).
- (3) This sub-paragraph applies to basic seed—
- (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force, and
  - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

### **Overseas tested officially certified basic seed of a listed variety**

19.—(1) In these Regulations “overseas tested officially certified basic seed of a listed variety” means basic seed to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed—
- (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent

- seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for basic seed;
- (b) for which a seed test report has been issued—
    - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
    - (ii) by a licensed EC seed testing station in either of the member States referred to in sub-paragraph (i), stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
  - (c) that has been imported into the United Kingdom as basic seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
  - (d) that is accompanied by—
    - (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in sub-paragraph (a), and
    - (ii) the seed test report referred to in sub-paragraph (b).
- (3) This sub-paragraph applies to basic seed of an approved species—
- (a) that complies with the requirements of paragraph 18(2)(a) to (d), and
  - (b) that was imported into the United Kingdom as basic seed of a variety that was unlisted at the time when the seed was imported but has since been listed.

#### **UK officially certified early movement basic seed of a listed variety**

20.—(1) In these Regulations “UK officially certified early movement basic seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
- (a) seed of a listed variety officially certified as early movement basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) seed of a previously listed variety officially certified as early movement basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.
- (3) This sub-paragraph applies to—
- (a) basic seed of a listed variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
    - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed;
    - (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
    - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out), to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed;

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- (b) basic seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iv) and for which a marketing extension is in force;
  - (c) basic seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (d) basic seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
    - (iii) for which a marketing extension is in force,other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed hybrid variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement basic seed.

**EC officially certified early movement basic seed of a listed variety**

21. In these Regulations “EC officially certified early movement basic seed of a listed variety” means—

- (a) basic seed of a listed variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) basic seed of a previously listed variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

**UK officially certified basic seed of a component of a listed hybrid variety**

22.—(1) In these Regulations “UK officially certified basic seed of a component of a listed hybrid variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a component of a listed hybrid variety officially certified as basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a component of a previously listed hybrid variety officially certified as basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force in respect of seed of the hybrid variety.

(3) This sub-paragraph applies to—

- (a) basic seed of a component of a listed hybrid variety—
  - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;

- (ii) that satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and
  - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
- (b) basic seed of a component of a previously listed hybrid variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force in respect of seed of the hybrid variety;
- (c) basic seed of a component of a listed hybrid variety—
- (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
- (d) basic seed of a component of a previously listed hybrid variety—
- (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iii) for which a marketing extension is in force in respect of seed of the hybrid variety;
- (e) basic seed—
- (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iii) that is a component of a hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,
- other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a component of a listed hybrid variety, or seed of a component of a previously listed hybrid variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as basic seed.

#### **EC officially certified basic seed of a component of a listed hybrid variety**

23. In these Regulations “EC officially certified basic seed of a component of a listed hybrid variety” means—

- (a) basic seed of a component of a listed hybrid variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) basic seed of a component of a previously listed hybrid variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force in respect of seed of the hybrid variety.

#### **Third country officially certified basic seed of a component of a listed hybrid variety**

24.—(1) In these Regulations “third country officially certified basic seed of a component of a listed hybrid variety” means basic seed of an approved species to which sub-paragraph (2) or (3) applies.

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- (2) This sub-paragraph applies to basic seed of a component of a listed hybrid variety—
- (a) that was harvested from a crop that was produced—
    - (i) in an equivalent third country,
    - (ii) from a preceding generation of seed that was produced in accordance with the provisions specified in paragraph 5 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (b) that has been officially certified as basic seed by the approved seed certification authority in that country in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
    - (iii) in both cases, the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) that has been packed in packages that have been officially closed and marked in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
 as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (d) that has been imported into the United Kingdom and was accompanied by—
    - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as basic seed; and
    - (ii) subject to sub-paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for basic seed other than those relating to varietal identity and varietal purity; or
    - (iii) in a case where the seed has been certified in Canada or the United States of America, a Lot Inspection Certificate issued by the official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in sub-paragraph (ii).
- (3) This sub-paragraph applies to basic seed of a component—
- (a) of a previously listed hybrid variety that is on the OECD List and for which a marketing extension is in force, and
  - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

**Overseas tested officially certified basic seed of a component of a listed hybrid variety**

25.—(1) In these Regulations “overseas tested officially certified basic seed of a component of a listed hybrid variety” means basic seed to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed of a component of a listed hybrid variety—
- (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for basic seed;
  - (b) for which a seed test report has been issued—



- (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
- (ii) by a licensed EC seed testing station in either of the member States referred to in sub-paragraph (i), stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
- (c) that has been imported into the United Kingdom as a component of a hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed, and
- (d) that is accompanied by—
  - (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in sub-paragraph (a), and
  - (ii) the seed test report referred to in sub-paragraph (b).
- (3) This sub-paragraph applies to basic seed of a component of a listed hybrid variety—
  - (a) that complies with the requirements of sub-paragraph 24(2)(a) to (d), and
  - (b) that was imported into the United Kingdom as basic seed of a component of a hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed.

**UK officially certified early movement basic seed of a component of a listed hybrid variety**

26.—(1) In these Regulations “UK officially certified early movement basic seed of a component of a listed hybrid variety” means seed of which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
  - (a) seed of a component of a listed hybrid variety officially certified as early movement basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) seed of a component of a previously listed hybrid variety officially certified as early movement basic seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force in respect of seed of the hybrid variety.
- (3) This sub-paragraph applies to—
  - (a) basic seed of a component of a listed hybrid variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
    - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for basic seed;
    - (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
    - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed;

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- (b) basic seed of a component of a previously listed hybrid variety that complies with the requirements of sub-paragraph (a)(i) to (iv) and for which a marketing extension is in force in respect of seed of the hybrid variety;
  - (c) basic seed of a component of a listed hybrid variety—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (d) basic seed of a component of a previously listed hybrid variety—
    - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
    - (iii) for which a marketing extension is in force in respect of seed of the hybrid variety, other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a component of a listed hybrid variety, or seed of a component of a previously listed hybrid variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement basic seed.

**EC officially certified early movement basic seed of a component of a listed hybrid variety**

27. In these Regulations “EC officially certified early movement basic seed of a component of a listed hybrid variety” means—

- (a) basic seed of a component of a listed hybrid variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) basic seed of a component of a previously listed hybrid variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force in respect of seed of the hybrid variety.

**Officially certified basic seed**

28. In these Regulations “officially certified basic seed” means—

- (a) UK officially certified basic seed of a listed variety;
- (b) EC officially certified basic seed of a listed variety;
- (c) third country officially certified basic seed of a listed variety;
- (d) overseas tested officially certified basic seed of a listed variety;
- (e) UK officially certified early movement basic seed of a listed variety;
- (f) EC officially certified early movement basic seed of a listed variety;
- (g) UK officially certified basic seed of a component of a listed hybrid variety;
- (h) EC officially certified basic seed of a component of a listed hybrid variety;
- (i) third country officially certified basic seed of a component of a listed hybrid variety;
- (j) overseas tested officially certified basic seed of a component of a listed hybrid variety;

- (k) UK officially certified early movement basic seed of a component of a listed hybrid variety; and
- (l) EC officially certified early movement basic seed of a component of a listed hybrid variety.

## PART 3

### Meaning of CS, C1 and C2 seed and similar expressions

#### **CS seed (maize and rye, and hybrids of barley, durum wheat, oats, self-pollinating triticale, spelt wheat and wheat)**

29. In these Regulations in relation to maize and rye (including hybrids of maize and rye) and hybrids of barley, durum wheat, oats, self-pollinating triticale, spelt wheat and wheat “CS seed” means seed that—

- (a) has been produced directly from officially certified basic seed or, with the breeder’s written authority, from officially certified pre-basic seed, and
- (b) is intended for purposes other than the production of cereal seed.

#### **UK officially certified CS seed of a listed variety**

30.—(1) In these Regulations “UK officially certified CS seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a listed variety officially certified as CS seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a previously listed variety officially certified as CS seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.

(3) This sub-paragraph applies to—

- (a) CS seed of a listed variety—
  - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found, by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which CS seed is to be produced;
  - (ii) that satisfies the conditions laid down in Parts 2, 3 and 4 of Schedule 4 for CS seed; and
  - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for CS seed;
- (b) CS seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force;
- (c) CS seed of a listed variety—

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- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State, and
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
- (d) CS seed of a previously listed variety—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iii) for which a marketing extension is in force;
- (e) CS seed—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State or an equivalent third country;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed;
- (f) CS seed of a listed variety—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country, and
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
- (g) CS seed—
- (i) of a previously listed variety that is on the OECD list;
  - (ii) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country;
  - (iii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (iv) for which a marketing extension is in force,
- other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as CS seed.

#### **EC officially certified CS seed of a listed variety**

31. In these Regulations “EC officially certified CS seed of a listed variety” means—
- (a) CS seed of a listed variety officially certified as CS seed by or on behalf of the competent seed certification authority in another member State, and
  - (b) CS seed of a previously listed variety officially certified as CS seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

#### **Third country officially certified CS seed of a listed variety**

- 32.—(1) In these Regulations “third country officially certified CS seed of a listed variety” means seed of an approved species to which sub-paragraph (2) or (3) applies.
- (2) This sub-paragraph applies to CS seed of a listed variety—

- (a) that was harvested from a crop that was produced—
    - (i) in an equivalent third country;
    - (ii) from basic seed that was produced in accordance with the provisions of paragraph 6 of Part B of Annex II to the Third Country Equivalence Decision;
  - (b) that has been officially certified as CS seed by the approved seed certification authority in that country in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
    - (iii) in both cases, the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) that has been packed in packages that have been officially closed and marked in accordance with—
    - (i) in the case of seed other than maize, the OECD Cereal Seed Scheme;
    - (ii) in the case of maize, the OECD Maize and Sorghum Seed Scheme; and
- as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
- (d) that has been imported into the United Kingdom and was accompanied by—
    - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as CS seed; and
    - (ii) subject to sub-paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for CS seed other than those relating to varietal identity and varietal purity; or
    - (iii) in a case where the seed has been certified in Canada or the United States of America, a Lot Inspection Certificate issued by the official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in sub-paragraph (ii).
- (3) This sub-paragraph applies to CS seed—
    - (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force, and
    - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

**Overseas tested officially certified CS seed of a listed variety**

33.—(1) In these Regulations “overseas tested officially certified CS seed of a listed variety” means CS seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to CS seed—
  - (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop had been found to satisfy the relevant Directive crop conditions for CS seed;
  - (b) for which a seed test report has been issued—
    - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or

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- (ii) by a licensed EC seed testing station in either of the member States referred to in paragraph (i),
- stating that the seed has been found to satisfy the relevant Directive seed conditions for CS seed;
- (c) that has been imported into the United Kingdom as CS seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
  - (d) that is accompanied by—
    - (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in sub-paragraph (a), and
    - (ii) the seed test report referred to in sub-paragraph (b).
- (3) This sub-paragraph applies to CS seed of an approved species—
- (a) that was harvested from a crop produced in an equivalent third country for which a field inspection report was issued by the approved seed certification authority or a licensed third country crop inspector in that country, stating that the crop had been found to satisfy the relevant Directive crop conditions for CS seed;
  - (b) that was subsequently imported into a member State other than the United Kingdom and for which a seed test report has been issued by or on behalf of the competent seed certification authority or by a licensed EC seed testing station in that member State, stating that the seed has been found to satisfy the relevant Directive seed conditions for CS seed;
  - (c) that has been imported into the United Kingdom as CS seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
  - (d) that is accompanied by—
    - (i) an Annex II.A(3) official certificate relating to the crop from which the seed was harvested issued by the approved seed certification authority in the third country referred to in sub-paragraph (a) stating that the crop has been found to satisfy the relevant crop conditions for CS seed, and
    - (ii) the seed test report referred to in sub-paragraph (b).
- (4) This sub-paragraph applies to CS seed of an approved species—
- (a) that complies with the requirements of paragraph 32(2)(a) to (d), and
  - (b) that was imported into the United Kingdom as CS seed of a variety that was unlisted at the time when the seed was imported but has since been listed.

#### **UK officially certified early movement CS seed of a listed variety**

34.—(1) In these Regulations “UK officially certified early movement CS seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
  - (a) seed of a listed variety officially certified as early movement CS seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) seed of a previously listed variety officially certified as early movement CS seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.
- (3) This sub-paragraph applies to—
  - (a) CS seed of a listed variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) or, in the case of a crop that has

- been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which CS seed is to be produced;
- (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2, 3 and 4 of Schedule 4 for CS seed;
  - (iii) for which the results of a Schedule 4 germination test are awaited to determine whether the seed will satisfy the applicable germination standard for CS seed but for which a provisional analytical report has been obtained indicating that the seed is likely to meet that standard; and
  - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for CS seed;
- (b) CS seed of a previously listed variety that complies with the requirements of paragraph (a) (i) to (iv) and for which a marketing extension is in force;
- (c) CS seed of a listed variety—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State, and
  - (ii) complies with the requirements of sub-paragraph (a)(ii) to (iv);
- (d) CS seed of a previously listed variety—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State;
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (iii) for which a marketing extension is in force;
- (e) CS seed of a listed variety—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country, and
  - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv);
- (f) CS seed—
- (i) of a previously listed variety that is on the OECD list;
  - (ii) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country;
  - (iii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (iv) for which a marketing extension is in force,
- other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement CS seed.

**EC officially certified early movement CS seed of a listed variety**

35. In these Regulations “EC officially certified early movement CS seed of a listed variety” means—

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- (a) CS seed of a listed variety officially certified as early movement CS seed by or on behalf of the competent seed certification authority in another member State, and
- (b) CS seed of a previously listed variety officially certified as early movement CS seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

**Officially certified CS seed**

36. In these Regulations “officially certified CS seed” means—

- (a) UK officially certified CS seed of a listed variety;
- (b) EC officially certified CS seed of a listed variety;
- (c) third country officially certified CS seed of a listed variety;
- (d) overseas tested officially certified CS seed of a listed variety;
- (e) UK officially certified early movement CS seed of a listed variety; and
- (f) EC officially certified early movement CS seed of a listed variety.

**C1 seed**

37. In these Regulations, in relation to barley, durum wheat, oats, spelt wheat, triticale and wheat, other than a hybrid in each case, “C1 seed” means seed that—

- (a) has been produced directly from officially certified basic seed or, with the breeder’s written authority, from officially certified pre-basic seed, and
- (b) is intended—
  - (i) for production of C2 seed, or
  - (ii) for purposes other than the production of cereal seed.

**UK officially certified C1 seed of a listed variety**

38.—(1) In these Regulations “UK officially certified C1 seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a listed variety officially certified as C1 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a previously listed variety officially certified as C1 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.

(3) This sub-paragraph applies to—

- (a) C1 seed of a listed variety—
  - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found, by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which C1 seed is to be produced;
  - (ii) that satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for C1 seed; and



- (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for C1 seed;
  - (b) C1 seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force;
  - (c) C1 seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
  - (d) C1 seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) for which a marketing extension is in force;
  - (e) C1 seed—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in another member State or an equivalent third country;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed;
  - (f) C1 seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in an equivalent third country, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (g) C1 seed—
    - (i) of a previously listed variety that is on the OECD list;
    - (ii) that has been imported into the United Kingdom as not finally certified C1 seed harvested in an equivalent third country;
    - (iii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iv) for which a marketing extension is in force,

other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as C1 seed.

**EC officially certified C1 seed of a listed variety**

39. In these Regulations “EC officially certified C1 seed of a listed variety” means—

- (a) C1 seed of a listed variety officially certified as C1 seed by the competent seed certification authority in another member State, and

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- (b) C1 seed of a previously listed variety officially certified as C1 seed by the competent seed certification authority in another member State and for which a marketing extension is in force.

**Third country officially certified C1 seed of a listed variety**

40.—(1) In these Regulations “third country officially certified C1 seed of a listed variety” means C1 seed of an approved species to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to C1 seed of a listed variety—
  - (a) that was harvested from a crop that was produced—
    - (i) in an equivalent third country,
    - (ii) from basic seed that was produced in accordance with the provisions of paragraph 6 of Part B of Annex II to the Third Country Equivalence Decision;
  - (b) that has been officially certified as C1 seed by the approved seed certification authority in that country in accordance with the OECD Cereal Seed Scheme and the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) that has been packed in packages that have been officially closed and marked in accordance with the OECD Cereal Seed Scheme, and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (d) that has been imported into the United Kingdom and was accompanied by—
    - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as C1 seed; and
    - (ii) subject to paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for C1 seed other than those relating to varietal identity and varietal purity; or
    - (iii) in a case where the seed has been certified in Canada or the United States of America, a Lot Inspection Certificate issued by the Official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in sub-paragraph (ii).
- (3) This sub-paragraph applies to C1 seed—
  - (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force, and
  - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

**Overseas tested officially certified C1 seed of a listed variety**

41.—(1) In these Regulations “overseas tested officially certified C1 seed of a listed variety” means C1 seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to C1 seed—
  - (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for C1 seed;
  - (b) for which a seed test report has been issued—

- (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
    - (ii) by a licensed EC seed testing station in either of the member States referred to in sub-paragraph (i), stating that the seed has been found to satisfy the relevant Directive seed conditions for C1 seed;
  - (c) that has been imported into the United Kingdom as C1 seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
  - (d) that is accompanied by—
    - (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in sub-paragraph (a), and
    - (ii) the seed test report referred to in sub-paragraph (b).
- (3) This sub-paragraph applies to C1 seed of an approved species—
- (a) that was harvested from a crop produced in an equivalent third country for which a field inspection report was issued by the approved seed certification authority or a licensed third country crop inspector in that country stating that the crop had been found to satisfy the relevant Directive crop conditions for C1 seed;
  - (b) that was subsequently imported into a member State other than the United Kingdom and for which a seed test report has been issued by or on behalf of the competent seed certification authority or by a licensed EC seed testing station in that member State, stating that the seed has been found to satisfy the relevant Directive seed conditions for C1 seed;
  - (c) that has been imported into the United Kingdom as C1 seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
  - (d) that is accompanied by—
    - (i) an Annex II.A(3) official certificate relating to the crop from which the seed was harvested issued by the approved seed certification authority in the third country referred to in paragraph (a) stating that the crop has been found to satisfy the relevant crop conditions for C1 seed, and
    - (ii) the seed test report referred to in sub-paragraph (b).
- (4) This sub-paragraph applies to C1 seed of an approved species—
- (a) that complies with the requirements of sub-paragraph 38(2)(a) to (d), and
  - (b) that was imported into the United Kingdom as C1 seed of a variety that was unlisted at the time when the seed was imported but has since been listed.

#### **UK officially certified early movement C1 seed of a listed variety**

42.—(1) In these Regulations “UK officially certified early movement C1 seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
- (a) seed of a listed variety officially certified as early movement C1 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) seed of a previously listed variety officially certified as early movement C1 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.
- (3) This sub-paragraph applies to—
- (a) C1 seed of a listed variety—

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- (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which C1 seed is to be produced;
  - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for C1 seed;
  - (iii) for which the results of a Schedule 4 germination test are awaited to determine whether the seed will satisfy the applicable germination standard for C1 seed but for which a provisional analytical report has been obtained indicating that the seed is likely to meet that standard; and
  - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for C1 seed;
  - (b) C1 seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iv) and for which a marketing extension is in force;
  - (c) C1 seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in another member State, and
    - (ii) complies with the requirements of sub-paragraph (a)(ii) to (iv);
  - (d) C1 seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
    - (iii) for which a marketing extension is in force;
  - (e) C1 seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C1 seed harvested in an equivalent third country, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv);
  - (f) C1 seed—
    - (i) of a previously listed variety that is on the OECD list;
    - (ii) that has been imported into the United Kingdom as not finally certified C1 seed harvested in an equivalent third country;
    - (iii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
    - (iv) for which a marketing extension is in force,

other than seed to which sub-paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
- (4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement C1 seed.

### **EC officially certified early movement C1 seed of a listed variety**

43. In these Regulations “EC officially certified early movement C1 seed of a listed variety” means—

- (a) C1 seed of a listed variety officially certified as early movement C1 seed by the competent seed certification authority in another member State, and
- (b) C1 seed of a previously listed variety officially certified as early movement C1 seed by the competent seed certification authority in another member State and for which a marketing extension is in force.

### **Officially certified C1 seed**

44. In these Regulations “officially certified C1 seed” means—

- (a) UK officially certified C1 seed of a listed variety;
- (b) EC officially certified C1 seed of a listed variety;
- (c) third country officially certified C1 seed of a listed variety;
- (d) overseas tested officially certified C1 seed of a listed variety;
- (e) UK officially certified early movement C1 seed of a listed variety; and
- (f) EC officially certified early movement C1 seed of a listed variety.

### **C2 seed**

45. In these Regulations, in relation to barley, durum wheat, oats, spelt wheat, triticale and wheat, other than a hybrid in each case, “C2 seed” means seed that—

- (a) has been produced directly from—
  - (i) officially certified basic seed;
  - (ii) officially certified C1 seed; or
  - (iii) with the breeder’s written authority, from officially certified pre-basic seed; and
- (b) is intended for purposes other than the production of cereal seed.

### **UK officially certified C2 seed of a listed variety**

46.—(1) In these Regulations “UK officially certified C2 seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

(2) This sub-paragraph applies to—

- (a) seed of a listed variety officially certified as C2 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) seed of a previously listed variety officially certified as C2 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.

(3) This sub-paragraph applies to—

- (a) C2 seed of a listed variety—
  - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found, by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of

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- the variety, to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which C2 seed is to be produced;
- (ii) that satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for C2 seed; and
  - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for C2 seed;
- (b) C2 seed of a previously listed variety that complies with the requirements of sub-paragraph (a)(i) to (iii) and for which a marketing extension is in force;
  - (c) C2 seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C2 seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
  - (d) C2 seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C2 seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) for which a marketing extension is in force;
  - (e) C2 seed—
    - (i) that has been imported into the United Kingdom as not finally certified C2 seed harvested in another member State or an equivalent third country;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed, other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.
  - (f) C2 seed of a listed variety that—
    - (i) has been imported into the United Kingdom as not finally certified C2 seed harvested in an equivalent third country; and
    - (ii) complies with the requirements of sub-paragraph (a)(ii) and (iii); and
  - (g) C2 seed—
    - (i) of a previously listed variety that is on the OECD list;
    - (ii) that has been imported into the United Kingdom as not finally certified C2 seed harvested in an equivalent third country;
    - (iii) that complies with the requirements of sub-paragraph (a)(ii) and (iii); and
    - (iv) for which a marketing extension is in force,
- (4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as C2 seed.

**EC officially certified C2 seed of a listed variety**

47. In these Regulations “EC officially certified C2 seed of a listed variety” means—

- (a) C2 seed of a listed variety officially certified as C2 seed by the competent seed certification authority in another member State, and
- (b) C2 seed of a previously listed variety officially certified as C2 seed by the competent seed certification authority in another member State and for which a marketing extension is in force.

### **Third country officially certified C2 seed of a listed variety**

48.—(1) In these Regulations “third country officially certified C2 seed of a listed variety” means C2 seed of an approved species to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to C2 seed of a listed variety that—
  - (a) was harvested from a crop that was produced—
    - (i) in an equivalent third country,
    - (ii) from seed of a preceding generation that was produced in accordance with the provisions of paragraph 6 of Part B of Annex II to the Third Country Equivalence Decision;
  - (b) has been officially certified as C2 seed by the approved seed certification authority in that country in accordance with the OECD Cereal Seed Scheme and the conditions specified in paragraphs 1 and 2 of Part B of Annex II to the Third Country Equivalence Decision;
  - (c) has been packed in packages that have been officially closed and marked in accordance with the OECD Cereal Seed Scheme, and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 3 of Part B of Annex II to the Third Country Equivalence Decision; and
  - (d) has been imported into the United Kingdom and was accompanied—
    - (i) by an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as C2 seed; and
    - (ii) subject to sub-paragraph (iii), by an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for C2 seed other than those relating to varietal identity and varietal purity; or
    - (iii) in a case where the seed has been certified in Canada or the United States of America, instead of a certificate of the type referred to in paragraph (ii) by a Lot Inspection Certificate issued by the official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions.
- (3) This sub-paragraph applies to C2 seed—
  - (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force, and
  - (b) that complies with the requirements of paragraphs 2(a) to (d).

### **Overseas tested officially certified C2 seed of a listed variety**

49.—(1) In these Regulations “overseas tested officially certified C2 seed of a listed variety” means C2 seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to C2 seed—
  - (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued on behalf of the competent seed

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- certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for C2 seed;
- (b) for which a seed test report has been issued—
- (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
  - (ii) by a licensed EC seed testing station in either of the member States referred to in sub-paragraph (i)
- stating that the seed has been found to satisfy the relevant Directive seed conditions for C2 seed.
- (c) that has been imported into the United Kingdom as C2 seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
- (d) that is accompanied by—
- (i) an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in paragraph (a); and
  - (ii) the seed test report referred to in paragraph (b).
- (3) This sub-paragraph applies to C2 seed of an approved species that—
- (a) was harvested from a crop produced in an equivalent third country for which a field inspection report was issued by the approved seed certification authority or a licensed third country crop inspector in that country stating that the crop had been found to satisfy the relevant Directive crop conditions for C2 seed;
  - (b) was subsequently imported into a member State other than the United Kingdom and for which a seed test report has been issued by or on behalf of the competent seed certification authority or by a licensed EC seed testing station in that member State, stating that the seed has been found to satisfy the relevant Directive seed conditions for C2 seed;
  - (c) has been imported into the United Kingdom as C2 seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
  - (d) is accompanied by—
    - (i) an Annex II.A(3) official certificate relating to the crop from which the seed was harvested issued by the approved seed certification authority in the third country referred to in sub-paragraph (a) stating that the crop has been found to satisfy the relevant crop conditions for C2 seed; and
    - (ii) the seed test report referred to in sub-paragraph (b).
- (4) This sub-paragraph applies to C2 seed of an approved species that—
- (a) complies with the requirements of paragraph 48(2)(a) to (d); and
  - (b) was imported into the United Kingdom as C2 seed of a variety that was unlisted at the time when the seed was imported but has since been listed.

#### **UK officially certified early movement C2 seed of a listed variety**

50.—(1) In these Regulations “UK officially certified early movement C2 seed of a listed variety” means seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to—
- (a) seed of a listed variety officially certified as early movement C2 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and



- (b) seed of a previously listed variety officially certified as early movement C2 seed by or on behalf of the Secretary of State, the Scottish Ministers, or the National Assembly for Wales and for which a marketing extension is in force.
- (3) This sub-paragraph applies to—
- (a) C2 seed of a listed variety—
    - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which C2 seed is to be produced;
    - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts 2 and 4 of Schedule 4 for C2 seed;
    - (iii) for which the results of a Schedule 4 germination test are awaited to determine whether the seed will satisfy the applicable germination standard for C2 seed but for which a provisional analytical report has been obtained indicating that the seed is likely to meet that standard; and
    - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part 2 of Schedule 4 for C2 seed;
  - (b) C2 seed of a previously listed variety that complies with the requirements of paragraph (a) (i) to (iv) and for which a marketing extension is in force;
  - (c) C2 seed of a listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C2 seed harvested in another member State, and
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv);
  - (d) C2 seed of a previously listed variety—
    - (i) that has been imported into the United Kingdom as not finally certified C2 seed harvested in another member State;
    - (ii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
    - (iii) for which a marketing extension is in force,
  - (e) C2 seed of a listed variety that—
    - (i) has been imported into the United Kingdom as not finally certified C2 seed harvested in an equivalent third country; andcomplies with the requirements of sub-paragraph (a)(ii) to (iv); and
  - (f) C2 seed—
    - (i) of a previously listed variety that is on the OECD list;
    - (ii) that has been imported into the United Kingdom as not finally certified C2 seed harvested in an equivalent third country;
    - (iii) that complies with the requirements of sub-paragraph (a)(ii) to (iv); and
    - (iv) for which a marketing extension is in force;

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other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Secretary of State, the Scottish Ministers, or the National Assembly for Wales that has not been finally determined.

(4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Department under regulation 13 to re-grade it as early movement C2 seed.

#### **EC officially certified early movement C2 seed of a listed variety**

51. In these Regulations “EC officially certified early movement C2 seed of a listed variety” means—

- (a) C2 seed of a listed variety officially certified as early movement C2 seed by or on behalf of the competent seed certification authority in another member State, and
- (b) C2 seed of a previously listed variety officially certified as early movement C2 seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

#### **Officially certified C2 seed**

52. In these Regulations “officially certified C2 seed” means—

- (a) UK officially certified C2 seed of a listed variety;
- (b) EC officially certified C2 seed of a listed variety;
- (c) third country officially certified C2 seed of a listed variety;
- (d) overseas tested officially certified C2 seed of a listed variety;
- (e) UK officially certified early movement C2 seed of a listed variety; and
- (f) EC officially certified early movement C2 seed of a listed variety.

#### **Early multiplication**

53.—(1) The requirement contained in paragraph 29(a) (that CS seed be produced directly from officially certified basic seed, or, with the breeder’s written authority, from officially certified pre-basic seed) shall be treated as having been complied with in relation to CS seed in a case where—

- (a) the CS seed (in this paragraph called “the harvested CS seed”) was harvested from a crop produced from pre-basic seed to which sub-paragraph (4) or (5) applies or basic seed to which sub-paragraph (6) or (7) applies, and
- (b) the variety of the harvested CS seed was not listed at the time when the pre-basic or basic seed referred to in sub-paragraph (a) was sown but was subject to an application for listing at that time which was subsequently granted.

(2) The requirement contained in paragraph 37(a) (that C1 seed be produced directly from officially certified basic seed, or, with the breeder’s written authority, from officially certified pre-basic seed) shall be treated as having been complied with in relation to C1 seed in a case where—

- (a) the C1 seed (in this paragraph called “the harvested C1 seed”) was harvested from a crop produced from pre-basic seed to which sub-paragraph (4) applies or basic seed to which sub-paragraph (6) applies, and
- (b) the variety of the harvested C1 seed was not listed at the time when the pre-basic or basic seed referred to in sub-paragraph (a) was sown but was subject to an application for listing at that time which was subsequently granted.

(3) The requirement contained in paragraph 45(a) (that C2 seed be produced directly from officially certified basic seed, officially certified C1 seed or, with the breeder's written authority, from officially certified pre-basic seed) shall be treated as having been complied with in relation to C2 seed in a case where—

- (a) the C2 seed (in this paragraph called “the harvested C2 seed”) was harvested from a crop produced from pre-basic seed to which sub-paragraph (4) applies, basic seed to which sub-paragraph (6) applies or C1 seed to which sub-paragraph (8) applies, and
- (b) the variety of the harvested C2 seed was not listed at the time when the pre-basic, basic or C1 seed referred to in sub-paragraph (a) was sown but was subject to an application for listing at that time which was subsequently granted.

(4) This sub-paragraph applies to pre-basic seed—

- (a) that has been harvested from a crop—
  - (i) produced in the United Kingdom and found by an official UK field inspection to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced, or
  - (ii) produced in another member State and found by a field inspection of the crop carried out by or on behalf of the competent seed certification authority in that State to satisfy the Directive crop conditions for basic seed,
- (b) that—
  - (i) was found by an official UK seed test or a UK seed test carried out under official supervision to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed, or
  - (ii) was found by seed testing carried out by or on behalf of the competent seed certification authority or a licensed EC seed test station in another member State, to satisfy the Directive seed conditions for basic seed; and
- (c) that was of the same variety as the harvested CS, C1 or C2 seed (as the case may be).

(5) This sub-paragraph applies to pre-basic seed of a component used in the production of a listed hybrid variety—

- (a) that complied with the requirements of sub-paragraph (4)(a) and (b), and
- (b) that was used as a component in the production of the harvested CS seed.

(6) This sub-paragraph applies to basic seed—

- (a) that has been harvested from a crop—
  - (i) produced in the United Kingdom and found by an official UK field inspection to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which basic seed is to be produced;
  - (ii) produced in another member State and found by a field inspection of the crop carried out by or on behalf of the competent seed certification authority in that State to satisfy the Directive crop conditions for basic seed; or
  - (iii) produced in an equivalent third country and found by a field inspection of the crop carried out by the approved seed certification authority in that country to satisfy the Directive crop conditions for basic seed;
- (b) that—
  - (i) was found by an official UK seed test or a UK seed test carried out under official supervision to satisfy the conditions laid down in Part 2 of Schedule 4 for basic seed,

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- (ii) was found by seed testing carried out by or on behalf of the competent seed certification authority or a licensed EC seed testing station in another member State to satisfy the Directive seed conditions for basic seed; or
  - (iii) was found by seed testing carried out by the approved seed certification authority or a licensed third country seed testing station in an equivalent third country to satisfy the Directive seed conditions for basic seed; and
  - (iv) that was of the same variety as the harvested CS, C1 or C2 seed (as the case may be).
- (7) This sub-paragraph applies to basic seed of a component of a hybrid variety—
- (a) that complied with the requirements of sub-paragraph (6)(a) and (b), and
  - (b) that was a component of the harvested CS seed.
- (8) This sub-paragraph applies to C1 seed—
- (a) that has been harvested from a crop—
    - (i) produced in the United Kingdom and found by an official UK field inspection to satisfy the conditions laid down in Schedule 3 and Part 1 of Schedule 4 for a crop from which C1 seed is to be produced;
    - (ii) produced in another member State and found by a field inspection of the crop carried out by or on behalf of the competent seed certification authority or a licensed EC crop inspector in that State to satisfy the Directive crop conditions for C1 seed; or
    - (iii) produced in an equivalent third country and found by a field inspection of the crop carried out by the approved seed certification authority or a licensed third country crop inspector in that country to satisfy the Directive crop conditions for C1 seed;
  - (b) that—
    - (i) was found by an official UK seed test or a UK seed test carried out under official supervision to satisfy the conditions laid down in Part 2 of Schedule 4 for C1 seed, or
    - (ii) was found by seed testing carried out by or on behalf of the competent seed certification authority or a licensed EC seed testing station in another member State to satisfy the Directive seed conditions for C1 seed; or
    - (iii) was found by seed testing carried out by the approved seed certification authority or a licensed third country seed testing station in an equivalent third country to satisfy the Directive seed conditions for C1 seed; and
  - (c) that was of the same variety as the harvested C2 seed.

## PART 4

### Meaning of expressions relating to imported not finally certified seed

#### **Not finally certified pre-basic seed harvested in another member State**

54.—(1) In these Regulations “not finally certified pre-basic seed harvested in another member State” means pre-basic seed—

- (a) to which sub-paragraph (2) applies;
- (b) that has been harvested from a crop produced in another member State and has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State to satisfy the Directive crop conditions for basic seed;

- (c) that has been packed in a sealed package in accordance with the requirements of Article 9(1) of the Cereal Seed Directive and is labelled with a grey label;
  - (d) that has been imported into the United Kingdom as not finally certified seed; and
  - (e) that is accompanied by an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.
- (2) This sub-paragraph applies to pre-basic seed of—
- (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing that has not been withdrawn or finally determined has been made;
  - (c) a previously listed variety for which a marketing extension is in force;
  - (d) a component used in the production of a listed hybrid variety;
  - (e) a component used in the production of a listed hybrid variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
  - (f) a component used in the production of a previously listed hybrid variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” means, in relation to the seed contained in the package on which the label is affixed, a grey coloured label containing the following particulars—
- (a) the name of the authority responsible for the field inspection of the crop and the name of the member State or their commonly used initials;
  - (b) the species of the seed, indicated at least in Roman characters under its botanical name, which may be given in abridged form and without the author’s name;
  - (c) the variety of the seed, indicated at least in Roman characters;
  - (d) in the case of a component intended solely as a component to be used in the production of a listed hybrid variety, the word “component”;
  - (e) the category of the seed;
  - (f) the field or lot reference number of the seed;
  - (g) the declared net or gross weight of the seed; and
  - (h) the words “seed not finally certified”.

#### **Not finally certified basic seed harvested in another member State**

55.—(1) In these Regulations “not finally certified basic seed harvested in another member State” means basic seed—

- (a) to which sub-paragraph (2) applies;
- (b) that has been harvested from a crop produced in another member State and has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State to satisfy the Directive crop conditions for basic seed;
- (c) that has been packed in a sealed package in accordance with the requirements of Article 9(1) of the Cereal Seed Directive and is labelled with a grey label;
- (d) that has been imported into the United Kingdom as not finally certified seed; and

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- (e) that is accompanied by an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.
- (2) This sub-paragraph applies to basic seed of—
  - (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined;
  - (c) a previously listed variety for which a marketing extension is in force;
  - (d) a component of a listed hybrid variety;
  - (e) a component of a hybrid variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
  - (f) a component of a previously listed hybrid variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” shall have the same meaning as in paragraph 54(3).

**Not finally certified CS seed harvested in another member State**

56.—(1) In these Regulations “not finally certified CS seed harvested in another member State” means CS seed—

- (a) to which sub-paragraph (2) applies;
- (b) that has been harvested from a crop—
  - (i) that has been produced in another member State directly from officially certified basic seed, and, in the case of a crop from which CS seed of a hybrid variety is to be harvested, includes a crop that has been produced from crossing basic seed officially certified by or on behalf of a competent seed certification authority in a member State with basic seed officially certified by an approved seed certification authority in an equivalent third country; and
  - (ii) that has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State, or, in the case of seed that has been harvested from a crop that has been produced from seed that has undergone official post-control the results of which have been satisfactory, by a field examination of the crop carried out by a licensed EC crop inspector in that member State, to satisfy the Directive crop conditions for CS seed;
- (c) that has been packed in a sealed package in accordance with the requirements of Article 9(1) of the Cereal Seed Directive and is labelled with a grey label;
- (d) that has been imported into the United Kingdom as not finally certified seed; and
- (e) that is accompanied by an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.
- (2) This sub-paragraph applies to CS seed of—
  - (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; and
  - (c) a previously listed variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” shall have the same meaning as in paragraph 54(3).

### **Not finally certified C1 seed harvested in another member State**

57.—(1) In these Regulations “not finally certified C1 seed harvested in another member State” means C1 seed—

- (a) to which sub-paragraph (2) applies;
  - (b) that has been harvested from a crop—
    - (i) that has been produced in another member State directly from officially certified basic seed, and
    - (ii) that has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State, or, in the case of seed that has been harvested from a crop that has been produced from seed that has undergone official post-control the results of which have been satisfactory, by a field examination of the crop carried out by a licensed EC crop inspector in that member State, to satisfy the Directive crop conditions for C1 seed;
  - (c) that has been packed in a sealed package in accordance with the requirements of Article 9(1) of the Cereal Seed Directive and is labelled with a grey label;
  - (d) that has been imported into the United Kingdom as not finally certified seed; and
  - (e) that is accompanied by an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.
- (2) This sub-paragraph applies to C1 seed of—
- (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; and
  - (c) a previously listed variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” shall have the same meaning as in paragraph 54(3).

### **Not finally certified C2 seed harvested in another member State**

58.—(1) In these Regulations “not finally certified C2 seed harvested in another member State” means C2 seed—

- (a) to which sub-paragraph (2) applies;
- (b) that has been harvested from a crop—
  - (i) that has been produced in another member State directly from officially certified basic seed or C1 seed, and
  - (ii) that has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State, or, in the case of seed that has been harvested from a crop that has been produced from seed that has undergone official post-control the results of which have been satisfactory, by a field examination of the crop carried out by a licensed EC crop inspector in that member State, to satisfy the Directive crop conditions for C2 seed;
- (c) that has been packed in a sealed package in accordance with the requirements of Article 9(1) of the Cereal Seed Directive and is labelled with a grey label;
- (d) that has been imported into the United Kingdom as not finally certified seed; and
- (e) that is accompanied by an Annex V(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.

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- (2) This sub-paragraph applies to C2 seed of—
  - (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; and
  - (c) a previously listed variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” shall have the same meaning as in paragraph 54(3).

**Not finally certified CS seed harvested in an equivalent third country**

59.—(1) In these Regulations “not finally certified CS seed harvested in an equivalent third country” means CS seed—

- (a) to which sub-paragraph (2) applies;
  - (b) that has been harvested from a crop—
    - (i) that has been produced in an equivalent third country directly from officially certified basic seed, and, in the case of a crop from which CS seed of a hybrid variety is to be harvested, includes a crop that has been produced from crossing basic seed officially certified by or on behalf of a competent seed certification authority in a member State with basic seed officially certified by an approved seed certification authority in an equivalent third country, and
    - (ii) that has been found, by a field inspection of the crop carried out by the approved seed certification authority in the equivalent third country in which the crop was produced, or a licensed third country field inspector in that country, in accordance with the conditions specified in Part A of Annex II to the Third Country Equivalence Decision, to satisfy the Directive crop conditions for CS seed;
  - (c) that has been packed in a sealed package and labelled in accordance with the requirements specified in Part A of Annex II to the Third Country Equivalence Decision;
  - (d) that has been imported into the United Kingdom as not finally certified seed; and
  - (e) that is accompanied by an Annex II.A(3) official certificate relating to the seed issued by the approved seed certification authority in the equivalent third country in which the seed was harvested.
- (2) This sub-paragraph applies to CS seed of—
- (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
  - (c) a previously listed variety that is on the OECD List and for which a marketing extension is in force.

**Not finally certified C1 seed harvested in an equivalent third country**

60.—(1) In these Regulations “not finally certified C1 seed harvested in an equivalent third country” means C1 seed—

- (a) to which sub-paragraph (2) applies;
- (b) that has been harvested from a crop—
  - (i) that has been produced in an equivalent third country directly from officially certified basic seed, and
  - (ii) that has been found, by a field inspection of the crop carried out by the approved seed certification authority in the equivalent third country in which the crop was



- produced, or a licensed third country field inspector in that country, in accordance with the conditions specified in Part A of Annex II to the Third Country Equivalence Decision, to satisfy the Directive crop conditions for C1 seed;
- (c) that has been packed in a sealed package and labelled in accordance with the requirements specified in paragraph 2 of Part A of Annex II to the Third Country Equivalence Decision;
  - (d) that has been imported into the United Kingdom as not finally certified seed; and
  - (e) that is accompanied by an Annex II.A(3) official certificate relating to the seed issued by the approved seed certification authority in the equivalent third country in which the seed was harvested.
- (2) This sub-paragraph applies to C1 seed of—
- (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
  - (c) a previously listed variety that is on the OECD List and for which a marketing extension is in force.

**Not finally certified C2 seed harvested in an equivalent third country**

61.—(1) In these Regulations “not finally certified C2 seed harvested in an equivalent third country” means C2 seed—

- (a) to which sub-paragraph (2) applies;
  - (b) that has been harvested from a crop that—
    - (i) has been produced in an equivalent third country directly from officially certified basic seed or C1 seed; and
    - (ii) has been found, by a field inspection of the crop carried out by the approved seed certification authority in the equivalent third country in which the crop was produced, or a licensed third country field inspector in that country, in accordance with the conditions specified in Part A of Annex II to the Third Country Equivalence Decision, to satisfy the Directive crop conditions for C2 seed;
  - (c) that has been packed in a sealed package and labelled in accordance with the requirements specified in paragraph 2 of Part A of Annex II to the Third Country Equivalence Decision;
  - (d) that has been imported into the United Kingdom as not finally certified seed; and
  - (e) that is accompanied by an Annex II.A(3) official certificate relating to the seed issued by the approved seed certification authority in the equivalent third country in which the seed was harvested.
- (2) This sub-paragraph applies to C2 seed of—
- (a) a listed variety;
  - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
  - (c) a previously listed variety that is on the OECD List and for which a marketing extension is in force.

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SCHEDULE 2

Regulations 2(1) and 5(1)

SPECIES OF SEED TO WHICH THESE REGULATIONS APPLY

- 1) Barley.
- 2) Durum wheat.
- 3) Maize.
- 4) Oats.
- 5) Rye.
- 6) Spelt wheat.
- 7) Triticale.
- 8) Wheat.

SCHEDULE 3

Regulations 2(1), 8(8), (9),(11), (12), (13) (b), 15(c),(18)(a), 10(3)(a) and (b), 10(4) (a), (b) and (c), 11(15)(a),13(4)(f), 14(1) (b), 16(2)(a)and 3(a) and paragraphs 2(3) (a),5(3)(a), 7(3)(a), 10(3)(a),14(3)(a), 18(3)(a), 20(3)(a),24(3)(a), 28(3)(a), 32(3) (a),36(3)(a), 40(3)(a), 44(3)(a), 47(3)(a), 50(4)(a), (6)(a)and (8)(a) of Schedule 1and paragraphs 6, 9 and 10(2)of Schedule 4

CONDITIONS RELATING TO CROPS FROM WHICH SEED IS TO BE HARVESTED

1. The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop and the field shall be sufficiently free from plants which are volunteers from previous cropping.

2. Subject to paragraph 3, in the case of maize, rye, other than a hybrid of rye, and a self-pollinating variety of triticale, the crop shall conform to the following standards as regards the minimum distances from neighbouring sources of pollen which may result in undesirable foreign pollination—

(a)	<i>Crop</i>	<i>Minimum distance</i>
(b)	Maize, for the production of basic or CS seed	200 metres
	Rye (other than a hybrid)—	
(i)	for the production of basic seed	300 metres
(ii)	for the production of CS seed	250 metres
(c)	Self-pollinating variety of triticale—	
(i)	for the production of basic seed	50 metres
(ii)	for the production of C1 and C2 seed	20 metres

3. Paragraph 2 shall not apply if there is sufficient protection from any undesirable foreign pollination.

4. In the case of barley, durum wheat, oats, spelt wheat and wheat, the crop shall conform to the following standards as regards the minimum species purity—

<i>Crops to produce</i>	<i>Minimum standard</i>	<i>Higher Voluntary Standard</i>
	<i>(percentage by number)</i>	<i>(percentage by number)</i>
(a) Basic seed	No standard	99.99
(b) C1 seed	No standard	99.99
(c) C2 seed	No standard	99.99

5. Subject to paragraphs 6 and 7, the crop shall have sufficient varietal identity and varietal purity.

6. In the case of an inbred line, the crop shall have sufficient identity and purity as regards its characteristics.

7. For the production of seed of a hybrid variety, the requirement for sufficient identity and purity shall also apply to the characteristics of the components including male sterility or fertility restoration.

8. In the case of rye, other than a hybrid, the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed—

- (a) one per 30 square metres for the production of basic seed, and
- (b) one per 10 square metres for the production of CS seed.

9. In the case of maize, the percentage by number of plants which are recognisable as obviously not being true to the variety, the inbred line or the component shall not exceed—

- (a) for the production of basic seed—
  - (i) in the case of an inbred line, 0.1 per cent;
  - (ii) in the case of each component of a simple hybrid, 0.1 per cent; and
  - (iii) in the case of an open pollinated variety, 0.5 per cent;
- (b) for the production of CS seed—
  - (i) a component of a hybrid variety—
    - (aa) in the case of an inbred line, 0.2per cent;
    - (bb) in the case of a simple hybrid, 0.2 per cent;
    - (cc) in the case of an open pollinated variety, 1per cent; and
  - (ii) in the case of an open pollinated variety, 1per cent.

10.—(1) In the case of the production of seed of a hybrid variety of maize—

- (a) sufficient pollen shall be shed by the plants of the male component while the plants of the female component are in flower;
- (b) where appropriate, emasculation shall be carried out; and
- (c) where 5 per cent or more of the female component plants have receptive stigmas, the percentage of female component plants which have shed pollen or are shedding pollen shall not exceed—
  - (i) 1 per cent at any official UK field inspection or a UK field inspection carried out under official supervision, and

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(ii) 2 per cent at the total of the official UK field inspections or UK field inspections carried out under official supervision.

(2) For the purposes of sub-paragraph (1)(a) and (c) plants shall be considered as having shed pollen or to be shedding pollen where, on 50mm or more of the central axis or laterals of a panicle, the anthers have emerged from their glumes and have shed or are shedding pollen.

11.—(1) The provisions of this paragraph apply to a hybrid of rye.

(2) Subject to paragraph (3), the crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination—

(a) for the production of basic seed—

(i) where male sterility is used, a minimum distance of 1,000 metres;

(ii) where male sterility is not used, a minimum distance of 600 metres; and

(b) for the production of CS seed, a minimum distance of 500 metres.

(3) Sub-paragraph (2) shall not apply if there is sufficient protection from any undesirable foreign pollination.

(4) The crop shall have sufficient identity and purity as regards the characteristics of the components, including male sterility.

(5) The number of plants of the crop species which are recognisable as obviously not being true to the component shall not exceed—

(a) in the case of a crop for the production of basic seed, one per 30 square metres; and

(b) subject to sub-paragraph (6), in the case of a crop for the production of CS seed, 1 per 10 square metres.

(6) In an official UK field inspection or a UK field inspection carried out under official supervision the standard in sub-paragraph (5)(b) shall apply to the female component only.

(7) In the case of basic seed, where male sterility is used, the level of sterility of the male-sterile component shall be at least 98 per cent.

(8) Where appropriate, CS seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility.

12.—(1) The provisions of this paragraph apply to a crop to produce a hybrid of barley, durum wheat, oats, self-pollinating triticale, spelt wheat or wheat.

(2) Subject to sub-paragraph (3), the female component of the crop shall be at least 25 metres from a crop of any other variety of the same species except from a crop of the male component.

(3) Sub-paragraph (2) shall not apply if there is sufficient protection from any undesirable foreign pollination.

(4) The crop shall have sufficient identity and purity as regards the characteristics of the components.

(5) Where seed is produced using a chemical hybridisation agent, the crop shall conform to the following standards or other conditions—

(a) the minimum varietal purity of each component shall be—

(i) in the case of barley, durum wheat, oats, spelt wheat or wheat, 99.7 per cent;

(ii) in the case of self-pollinating triticale, 99.0 per cent; and

(b) the minimum hybridity shall be 95 per cent.

(6) In cases where the hybridity is determined during seed testing prior to certification, the determination of the hybridity during a field inspection need not be done.

13. Harmful organisms which reduce the usefulness of the seed, in particular loose smut infection, shall be at the lowest possible level.

14.—(1) A crop from which basic seed is to be produced shall be examined by an official UK field inspection to determine whether the crop meets the conditions set out in this Schedule and in Part 1 of Schedule 4.

(2) A crop from which CS, C1 or C2 seed is to be produced shall be examined by means of an official UK field inspection or a UK field inspection carried out under official supervision or an inspection carried out under official supervision to determine whether the crop meets the conditions set out in this Schedule and in Part 1 of Schedule 4.

(3) Field inspections shall be carried out at a time when the condition and stage of development of the crop permit an adequate examination.

(4) A crop from which HVS level basic, C1 or C2 seed is to be produced shall not be more than one third lodged at the time of inspection.

(5) Subject to sub-paragraphs (6) and (7), at least one field inspection of the crop shall be carried out.

(6) Subject to sub-paragraph (7), at least three field inspections shall be carried out in the case of an inbred line or hybrid of maize.

(7) In the case of maize, where the crop to be examined follows a maize crop in either the preceding or current year, at least one special field inspection shall be carried out to check that the condition contained in paragraph 1 has been complied with.

15. For the purpose of determining whether the crop from which pre-basic seed is to be produced meets the conditions laid down in this Schedule, the crop from which such seed is to be produced shall be treated in the same way as a crop from which basic seed is to be produced.

#### SCHEDULE 4

Regulations 2(1), 8(8)(a) and (b), (9), (10), (11), (12), (13)(b), (15)(c) and (18)(a), 10(3)(a) and (b), (4)(a), (b) and (c), 11 (6), (7), (8)(a), (9), (10), (11), (12), (13) and (15)(a), 13(3), (4) and (5)(f) and (g), 14(1) (b) and (c) and 16(2)(a) and (b) and (3)(a) and (b), paragraphs 2(3)(a), 5(3)(a) 7(3) (a), 10(3)(a), 14(3)(a), 18(3)(a), 20(3)(a), 24(3)(a), 28(3)(a), 32(3)(a), 36(3)(a), 40(3) (a), 44(3)(a), 47(3)(a), 50(4)(a), (6)(a) and (8)(a) of Schedule 1, paragraph 15(1) of Schedule 3 and Schedule 8

#### CONDITIONS TO BE SATISFIED BY THE SEED

#### PART 1

#### Conditions to be examined mainly by field inspections

1. The seed shall have sufficient varietal identity and varietal purity.
2. The seed of an in-bred line shall have sufficient identity and purity as regards its characteristics.

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3. In the case of seed of a hybrid variety, the requirement for sufficient identity and purity shall also apply to the characteristics of the components.

4. In the case of barley, durum wheat, oats, spelt wheat and wheat, other than a hybrid in each case, the minimum varietal purity shall conform to the following standards—

<i>Category</i>	<i>Minimum standard</i>	<i>Higher Voluntary Standard</i>
(a) Basic seed	99.9	99.95
(b) C1 seed	99.7	99.9
(c) C2 seed	99.0	99.7

5. In the case of a self-pollinating variety of triticale, other than a hybrid, the minimum varietal purity shall be—

- (a) 99.7 per cent in the case of basic seed;
- (b) 99.0 per cent in the case of C1 seed; and
- (c) 98.0 per cent in the case of C2 seed.

6. For the purposes of paragraphs 4 and 5, the minimum varietal purity of seed shall be examined mainly in field inspections carried out in accordance with the conditions laid down in paragraph 15 of Schedule 3.

7.—(1) Subject to sub-paragraph (2), in the case of a hybrid of barley, durum wheat, oats, self-pollinating triticale, spelt wheat and wheat, the minimum varietal purity shall be 90 per cent in the case of CS seed.

(2) For the purposes of sub-paragraph (1), the minimum varietal purity of seed shall be examined mainly in official post control tests on an appropriate proportion of samples.

8. Where a female male-sterile component and a male component which does not restore male fertility are used for the production of CS seed of a hybrid variety of maize, the seed shall be produced—

- (a) by blending seed lots in a proportion appropriate to the variety where, on the one hand a female male-sterile component has been used and, on the other, a female male-fertile component has been used, or
- (b) by growing the female male-sterile component and the female male-fertile component in a proportion appropriate to the variety.

9. In the case of seed produced in the manner specified in paragraph 8(b) the proportion of the female male-sterile and female male-fertile components shall be examined in field inspections carried out in accordance with the conditions laid down in paragraph 15 of Schedule 3.

10.—(1) Subject to sub-paragraphs (3) and (4), in the case of barley, durum wheat, spelt wheat and wheat, the maximum percentage by number of loose smut infection shall be as follows—

<i>Category</i>	<i>Minimum standard (maximum percentage by number)</i>	<i>Higher Voluntary Standard (maximum percentage by number)</i>
(a) Basic seed	0.5	0.1
(b) C1 seed	0.5	0.2
(c) C2 seed	0.5	0.2

(2) For the purposes of sub-paragraph (1), the incidence of loose smut infection of seed shall be examined mainly in field inspections carried out in accordance with the conditions laid down in paragraph 15 of Schedule 3.

(3) The provisions of sub-paragraph (1) shall not apply to seed which has failed to meet the standards laid down in that sub-paragraph if it has been adequately treated by any product approved by the Department for the control of loose smut under the Plant Protection Products Regulations (Northern Ireland) 2005(1).

(4) The provisions of sub-paragraph (1) shall not apply to seed which has failed to meet the standards laid down in that sub-paragraph (1) if an embryo test carried out by an official testing station or a licensed seed testing station on the sample submitted for seed testing shows that the seed meets the relevant standard.

## PART 2

### Conditions to be examined by seed testing

11. The seed shall conform to the following standards or other conditions as regards analytical purity—

<i>Species and category</i>	<i>Level applicable</i>	<i>(where applicable)</i>	<i>Minimum analytical purity (% by weight)</i>
Basic seed of barley, durum wheat, oats, spelt wheat and wheat	HVS		99
	Minimum		99
CS seed of hybrids of barley, durum wheat, oats, spelt wheat and wheat	—		98
C1 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS		99
	Minimum		98
C2 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS		99
	Minimum		98
Basic and CS seed of rye	—		98
Basic, CS, C1 and C2 seed of triticale and CS seed of hybrids of self-pollinating triticale	—		98
Basic and CS seed of maize	—		98

(1) [S.R. 2005 No. 526](#) as amended by [S.R. 2008 No.499](#)

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12.—(1) The seed shall conform to the following standards or other conditions as regards the content of seeds of other plant species—

<i>Species and category</i>	<i>Level (where applicable)</i>	<i>Maximum content of seeds of other plant species in a sample of the weight specified in column 6 of the table in Schedule 7</i>						
		All plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All other cereals	plant other than	Wild radish or corn cockle (except in HVS seed)	Wild corn sterile brome or couch HVS seed	oats, cockle, or in level
1	2	3	4	5	7	8		
Basic seed of components of hybrid varieties of barley, durum wheat, oats, spelt wheat and wheat	—	4	1 <sup>(1)</sup>	3	1	Not applicable	Not applicable	
Basic seed of barley, durum wheat, oats, spelt wheat and other than components of hybrid varieties	HVS	1	0	1	Not applicable	0 <sup>(2)</sup>		
	Minimum	4	1 <sup>(1)</sup>	3	1	Not applicable		
CS seed of hybrids of barley, durum wheat, oats, spelt wheat and wheat	—	10	7	7	3	Not applicable	Not applicable	
C1 seed of barley, durum wheat, oats,	HVS	2	1	1	Not applicable	1		
	Minimum	10	7	7	3	Not applicable		

(1) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.

(2) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle



<i>Species and category</i>	<i>Level (where applicable)</i>	<i>Maximum content of seeds of other plant species in a sample of the weight specified in column 6 of the table in Schedule 7</i>				
spelt wheat and wheat	HVS	4	3	2	Not applicable	1
C2 seed of barley, durum wheat, oats, spelt wheat and wheat	Minimum					
Basic seed of rye	—	10	7	7	3	Not applicable
Basic seed of triticale	—	4	1 <sup>(1)</sup>	3	1	Not applicable
CS seed of hybrids and self-pollinating triticale and C1 and C2 seed of triticale	—	10	7	7	3	Not applicable
Basic and CS seed of maize	—	0	Not applicable	Not applicable	Not applicable	Not applicable

(1) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.

(2) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle

(2) In the table set out in paragraph (1)—

“corn cockle” means plants of the species *Agrostemma githago*;

“couch” means plants of the species *Agropyron repens*;

“darnel” means plants of the species *Lolium temulentum*;

“sterile brome” means plants of the species *Bromus sterilis*; and

“wild radish” means plants of the species *Raphanus raphanistrum*.

13.—(1) Subject to sub-paragraph (2), it shall be determined, by way of a germination test, whether the seed attains the percentage of germination specified in column 2 of the following table for the appropriate category of seed—

<i>1</i>	<i>2</i>
<i>Species</i>	<i>Minimum germination (% of pure seed, expressed as an integer)</i>
(a) Basic, CS, C1 and C2 seed of—	85

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<i>1</i>	<i>2</i>
<i>Species</i>	<i>Minimum germination (% of pure seed, expressed as an integer)</i>
(i) barley	
(ii) durum wheat	
(iii) oats (other than CS, C1 and C2 seed of oats officially classified as being of a naked oat type)	
(iv) spelt wheat	
(v) wheat	
(b) CS, C1 and C2 seed of oats officially classified as being of a naked oat type	75
(c) Basic and CS seed of maize	90
(d) Basic and CS seed of rye	85
(e) Basic, CS, C1 and C2 seed of triticale	80

(2) Sub-paragraph (1) shall not apply to seed that has been subjected to a tetrazolium test carried out at an official testing station or a licensed seed testing station to establish the viability of the seed unless the result of the test casts doubt on whether it will satisfy the applicable germination standard set out in column 2 of the table set out in sub-paragraph (1).

14. Sclerotia, or fragments of sclerotia, of ergot, shall not exceed the following in a sample of the weight specified in column 6 of Schedule 7, other than a sample of a hybrid of rye—

<i>Category</i>	<i>Level (where applicable)</i>	<i>Sclerotia or fragments of sclerotia</i>
(a) Basic seed	(i) HVS level	0
	(ii) Minimum level	1
(b) CS seed	Not applicable	3
(c) C1 and C2 seed	(i) HVS level	1
	(ii) Minimum level	3

15.—(1) In a sample of a hybrid of rye of a weight specified in column 6 of Schedule 7 sclerotia or fragments of sclerotia of ergot shall not exceed—

- (a) 1 in the case of basic seed, and
- (b) subject to sub-paragraph (2) below, 4 in the case of CS seed.

(2) Notwithstanding the provisions of sub-paragraph (1)(b), the presence of 5 sclerotia or fragments of sclerotia of ergot in a sample shall be deemed to be in conformity with the requirements of sub-paragraph (1) where a second sample of the same weight contains not more than 4 sclerotia or fragments of sclerotia.

16.—(1) Subject to paragraph (2), the maximum moisture content of the seed shall not exceed 17 per cent by weight.

(2) A licensed seed testing station to which a regulation 11 application for the testing of an official sample of seed has been made (or the Department in a case where regulation 11(3) or (4) applies),

may decide not to carry out a moisture test to determine whether the condition in paragraph (1) has been complied with if—

- (a) the official sample of the seed to be tested has already been subjected to a moisture test carried out by the licensed seed sampler who drew the official sample, and
- (b) the results of that test indicate that the maximum moisture content of the seed does not exceed 17 per cent by weight.

### PART 3

#### Conditions to be examined mainly by inspections of control plots

17.—(1) In the case of a hybrid of barley, durum wheat, oats, spelt wheat, wheat and self-pollinating triticale, the minimum varietal purity shall be 90 per cent in the case of CS seed.

(2) For the purposes of sub-paragraph (1), the minimum varietal purity of seed shall be examined on an appropriate proportion of samples.

18. Seed of a hybrid of rye shall not be certified as CS seed unless due account has been taken of the results of an official post-control test on samples of basic seed taken officially and carried out during the growing season of the seed entered for certification as CS seed to ascertain whether the basic seed met the requirements for basic seed laid down in these Regulations in respect of identity and purity as regards the characters of the components, including male sterility.

### PART 4

#### Other conditions

19. Subject to paragraphs 10, 14 and 15, harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level that can be achieved.

### PART 5

#### General provisions

20. For the purpose of determining whether seed meets the conditions laid down in this Schedule, pre-basic seed shall be treated in the same way as basic seed.

## SCHEDULE 5

Regulation 13(1)

### RE-GRADING OF SEED

<i>Column (1)</i>	<i>Column (2)</i>
<i>Category</i>	<i>New category</i>
1. (a) UK, EC, third country or overseas tested officially certified pre-basic seed of a listed variety	(a) UK officially certified pre-basic seed of a listed variety

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<i>Column (1)</i>	<i>Column (2)</i>
<i>Category</i>	<i>New category</i>
(b) UK, EC, third country or overseas tested officially certified basic seed of a listed variety	(b) UK officially certified pre-basic seed of a listed variety
(c) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified basic seed of a listed variety	(c) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified basic seed of a listed variety
(d) In the case of maize or rye, UK, EC, third country or overseas tested officially certified CS seed of a listed variety	(d) In the case of maize or rye, UK officially certified CS seed of a listed variety
(e) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified C1 seed of a listed variety	(e) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified C1 seed of a listed variety
(f) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK, EC, third country or overseas tested officially certified C1 seed of a listed variety	(f) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK officially certified C1 seed of a listed variety
(g) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified C2 seed of a listed variety	(g) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified C2 seed of a listed variety
(h) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK, EC, third country or overseas tested officially certified C2 seed of a listed variety	(h) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK officially certified C2 seed of a listed variety
2. (a) UK and EC officially certified early movement pre-basic seed of a listed variety	(a) UK officially certified early movement pre-basic seed of a listed variety
(b) UK and EC officially certified early movement basic seed of a listed variety	(b) UK officially certified early movement basic seed of a listed variety
(c) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified early movement basic seed of a listed variety	(c) In the case of barley, durum wheat, oats, spelt wheat and wheat, HVS level UK officially certified early movement basic seed of a listed variety
(d) In the case of maize or rye, UK and EC officially certified early movement CS seed of a listed variety	(d) In the case of maize or rye, UK officially certified early movement CS seed of a listed variety
(e) In the case of barley, durum wheat, oats, spelt wheat and wheat, UK HVS level officially certified early movement C1 seed of a listed variety	(e) In the case of barley, durum wheat, oats, spelt wheat and wheat, UK officially certified early movement HVS level C1 seed of a listed variety

<i>Column (1)</i>	<i>Column (2)</i>
<i>Category</i>	<i>New category</i>
(f) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK and EC officially certified early movement C1 seed of a listed variety	(f) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK officially certified early movement C1 seed of a listed variety
(g) In the case of barley, durum wheat, oats, spelt wheat and wheat, UK HVS level officially certified early movement C2 seed of a listed variety	(g) In the case of barley, durum wheat, oats, spelt wheat and wheat, UK officially certified early movement HVS level C2 seed of a listed variety
(h) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK and EC officially certified early movement C2 seed of a listed variety	(h) In the case of barley, durum wheat, oats, spelt wheat, triticale and wheat, UK officially certified early movement C2 seed of a listed variety
3. (a) UK, EC, third country or overseas tested officially certified pre-basic seed of a component used in the production of a listed hybrid variety	(a) UK officially certified pre-basic seed of a component used in the production of a listed hybrid variety
(b) UK, EC, third country or overseas tested officially certified basic seed of a component of a listed hybrid variety	(b) UK officially certified basic seed of a component of a listed hybrid variety
4. (a) UK or EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety	(a) UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety
(b) UK or EC officially certified early movement basic seed of a component of a listed hybrid variety	(b) UK officially certified early movement basic seed of a component of a listed hybrid variety

## SCHEDULE 6

Regulations 15(1) and 27(17)

## CATEGORIES OF SEED THAT MAY BE MARKETED

**Breeders seed**

1. Breeders seed.

**Pre-basic seed of a listed variety**

2. UK officially certified pre-basic seed of a listed variety.
3. EC officially certified pre-basic seed of a listed variety.
4. Third country officially certified pre-basic seed of a listed variety.
5. Overseas tested officially certified pre-basic seed of a listed variety.

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**Basic seed of a listed variety**

6. UK officially certified basic seed of a listed variety.
7. EC officially certified basic seed of a listed variety.
8. Third country officially certified basic seed of a listed variety.
9. Overseas tested officially certified basic seed of a listed variety.

**CS seed of a listed variety**

10. UK officially certified CS seed of a listed variety.
11. EC officially certified CS seed of a listed variety.
12. Third country officially certified CS seed of a listed variety.
13. Overseas tested officially certified CS seed of a listed variety.

**C1 seed of a listed variety**

14. UK officially certified C1 seed of a listed variety.
15. EC officially certified C1 seed of a listed variety.
16. Third country officially certified C1 seed of a listed variety.
17. Overseas tested officially certified C1 seed of a listed variety.

**C2 seed of a listed variety**

18. UK officially certified C2 seed of a listed variety.
19. EC officially certified C2 seed of a listed variety.
20. Third country officially certified C2 seed of a listed variety.
21. Overseas tested officially certified C2 seed of a listed variety.

**Early movement pre-basic seed of a listed variety**

22. UK officially certified early movement pre-basic seed of a listed variety.
23. EC officially certified early movement pre-basic seed of a listed variety.

**Early movement basic seed of a listed variety**

24. UK officially certified early movement basic seed of a listed variety.
25. EC officially certified early movement basic seed of a listed variety.

**Early movement CS seed of a listed variety**

26. UK officially certified early movement CS seed of a listed variety.
27. EC officially certified early movement CS seed of a listed variety.

**Early movement C1 seed of a listed variety**

28. UK officially certified early movement C1 seed of a listed variety.

29. EC officially certified early movement C1 seed of a listed variety.

**Early movement C2 seed of a listed variety**

30. UK officially certified early movement C2 seed of a listed variety.

31. EC officially certified early movement C2 seed of a listed variety.

**Pre-basic seed of a component used in the production of a listed hybrid variety**

32. UK officially certified pre-basic seed of a component used in the production of a listed hybrid variety.

33. Third country officially certified pre-basic seed of a component used in the production of a listed hybrid variety.

34. EC officially certified pre-basic seed of a component used in the production of a listed hybrid variety.

35. Overseas tested officially certified pre-basic seed of a component used in the production of a listed hybrid variety.

**Basic seed of a component of a listed hybrid variety**

36. UK officially certified basic seed of a component of a listed hybrid variety.

37. EC officially certified basic seed of a component of a listed hybrid variety.

38. Third country officially certified basic seed of a component of a listed hybrid variety.

39. Overseas tested officially certified basic seed of a component of a listed hybrid variety.

**Early movement pre-basic seed of a component used in the production of a listed hybrid variety**

40. UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety.

41. EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety.

**Early movement basic seed of a component of a listed hybrid variety**

42. UK officially certified early movement basic seed of a component of a listed hybrid variety.

43. EC officially certified early movement basic seed of a component of a listed hybrid variety.

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SCHEDULE 7

Regulations 2(1), 23(3),(4) and (5) and 27(6)

LOT AND SAMPLE WEIGHTS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>
<i>Species</i>	<i>Level</i>	<i>Maximum weight of a lot (tonnes)</i>	<i>Minimum weight of a sample to be drawn from a lot (grams)</i>	<i>Minimum weight of a sample for a moisture test (grams)</i>	<i>Weight of the sample for determinations by number in accordance with paragraph 12 of schedule 4 (grams)</i>
Barley, Durum wheat, oats, rye, spelt wheat, triticale and wheat	Minimum HVS	30	1,000	100	500
		30	1,000	100	1,000
Maize, basic seed of inbred lines	Not applicable	40	250	100	250
Maize, basic seed other than inbred lines, CS seed	Not applicable	40	1,000	100	1,000
A mixture of seeds to which regulation 23 applies	Not applicable	30	Not applicable	Not applicable	Not applicable



## SCHEDULE 8

Regulations 26(4), (5), (6)(a),(7)(a), (8)(a),  
(9)(a),(10)(a), (11)(a)(ii) and(13)(a) and  
(b)

### LABELLING

#### PART 1

Particulars to be marked or displayed on the sale of unpackaged seed (loose sales)

##### **Particulars to be marked or displayed on the sale of unpackaged seed other than a mixture of seeds**

1. The following particulars shall be given—
  - (a) The words “complies with legal standards”;
  - (b) the species;
  - (c) the variety;
  - (d) in the case of a variety which is a hybrid, the word “hybrid”; and
  - (e) in the case of C1 and C2 seed of oats Officially classified as being of a naked oat type, the words “minimum germination capacity 75 per cent”.

##### **Particulars to be marked or displayed on the sale of an unpackaged mixture of seeds**

2. The following particulars shall be given—
  - (a) The words “complies with legal standards”; and
  - (b) the proprietary name of the mixture or the species and variety, and the proportion by weight, of the components in the mixture.

#### PART 2

##### Labelling of packages of breeder’s seed

3. The package shall be labelled, not later than the time of sealing, on the outside with a supplier’s label containing the following particulars—
  - (a) the name and address of the supplier responsible for affixing the labels or his registered number;
  - (b) the reference number of the lot;
  - (c) the species;
  - (d) the variety;
  - (e) the words “breeder’s seed”; and
  - (f) the declared net or gross weight or declared number of seeds.
4. The label referred to in paragraph 3 shall be coloured buff.

## PART 3

### Labelling of packages of officially certified pre-basic seed

#### **Official label for a package of officially certified pre-basic seed**

5. The package shall be labelled, not later than the time of sealing, on the outside with an official label which has not previously been used containing the following particulars—
- (a) the name of the certification authority and member State or their commonly used initials;
  - (b) the reference number of the lot;
  - (c) the month and year of sealing or the month and year of the last official sampling for the purposes of certification, expressed respectively as follows—
    - (i) by the word “Sealed” followed by the month and year of sealing, or
    - (ii) by the word “Sampled” followed by the month and year of last official sampling for the purposes of certification;
  - (d) the species, indicated at least under its botanical name, which may be given in abridged form and without the author’s name in Roman characters;
  - (e) the variety, indicated at least in Roman characters;
  - (f) the description “pre-basic seed”;
  - (g) the number of generations by which the seed precedes CS seed or C1 seed;
  - (h) the country of production;
    - (i) the declared net or gross weight or declared number of seeds; and
    - (ii) 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 pure seeds and the total weight.
6. The label referred to in paragraph 5 shall be coloured white with a diagonal violet line.
7. The minimum size of the label referred to in paragraph 5 shall be 110 mm x 67 mm.
8. The label referred to in paragraph 5—
- (a) shall be—
    - (i) an adhesive label, or
    - (ii) a label secured to the package by a sealing device approved by the Department, the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
  - (b) shall be fixed to the package by—
    - (i) an authorised officer or any person being supervised by such a person, or
    - (ii) a licensed seed sampler or any person being supervised by such a person.

## PART 4

### Labelling of packages of officially certified basic, CS, C1 and C2 seed

#### **Official label for a package of officially certified basic, CS, C1 or C2 seed**

9. The package shall be labelled, not later than the time of sealing, on the outside with an official label which has not previously been used containing the following particulars—

- (a) the words “EC rules and standards”;
  - (b) the name of the certifying authority and member State or their commonly used initials;
  - (c) the reference number of the lot;
  - (d) the month and year of sealing or the month and year of the last official sampling for the purposes of certification, expressed respectively as follows—
    - (i) by the word “Sealed” followed by the month and year of sealing, or
    - (ii) by the word “Sampled” followed by the month and year of last official sampling for the purposes of certification;
  - (e) the species, indicated at least under its botanical name, which may be given in abridged form and without the author’s name in Roman characters;
  - (f) the variety, indicated at least in Roman characters;
  - (g) in the case of a variety which is a hybrid or an inbred line—
    - (i) for basic seed where the hybrid or inbred line to which the seed belongs has been officially accepted on a National List or the Common Catalogue, the name under which it has been officially accepted, with or without a reference to the final variety, accompanied, in the case of a hybrid or inbred line which is intended solely as a component for a final variety, by the word “component”;
    - (ii) 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”; and
    - (iii) for CS seed, the name of the variety to which the seed belongs, accompanied by the word “hybrid”;
  - (h) the category;
  - (i) the country of production;
  - (j) the declared net or gross weight or declared number of seeds;
  - (k) 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 pure seeds and the total weight;
  - (l) in the case of C1 and C2 seed of oats officially classified as being of a naked oat type, the words “minimum germination capacity 75 per cent”.
10. Where at least germination has been retested, the word “retested” followed by the month and year of retesting and the authority responsible for such retesting may be indicated on the official label referred to in paragraph 9 or on an official sticker attached to the official label.
11. The minimum size of the label referred to in paragraph 9 shall be 110 mm x 67 mm.
12. The label referred to in paragraph 9 shall be coloured—
- (a) white for basic seed;
  - (b) blue for CS and C1 seed; and
  - (c) red for C2 seed.
13. The label referred to in paragraph 9—
- (a) shall be—
    - (i) an adhesive label, or

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- (ii) a label secured to the package by a sealing device approved by the Department, the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) shall be fixed to the package by—
  - (i) an authorised officer or any person being supervised by such a person, or
  - (ii) a licensed seed sampler or any person being supervised by such a person.

**Supplier’s label for a small package of officially certified pre-basic, basic, CS, C1 or C2 seed**

- 14. The package shall be labelled not later than the time of sealing—
  - (a) on the outside;
  - (b) subject to paragraph 15, with a supplier’s label containing the following particulars—
    - (i) the words “EC rules and standards”;
    - (ii) the name and address of the supplier responsible for marking or his registration number;
    - (iii) the reference number of the lot;
    - (iv) the species, indicated at least in Roman characters;
    - (v) the variety, indicated at least in Roman characters;
    - (vi) the category;
    - (vii) declared net weight or declared number of seeds;
    - (viii) for hybrid varieties of maize, the word “hybrid”; and
    - (ix) in the case of C1 and C2 seed of oats officially classified as being of a naked oat type, the words “minimum germination capacity 75 per cent”.
- 15. The label referred to in paragraph 14(b) shall not be required if the information specified in paragraph 14(b)(i) to (ix) is printed indelibly on the outside of the package.
- 16. The label referred to in paragraph 14(b) shall be coloured—
  - (a) white with a diagonal violet line for pre-basic seed;
  - (b) white for basic seed;
  - (c) blue for CS or C1 seed; and
  - (d) red for C2 seed.

## PART 5

### Labelling of packages of mixtures of seed

**Official label for a package of a mixture of seeds**

- 17. The package shall be labelled, not later than the time of sealing, on the outside with an official label which has not previously been used containing the following particulars—
  - (a) the words “Mixture of” followed by the species and varieties;
  - (b) the name of the authority responsible for sealing the package and the member State or their commonly used initials;
  - (c) the reference number of the lot;
  - (d) the word “sealed” followed by the month and year of sealing;

- (e) the species, variety, category, country of production and proportion by weight of each of the components, which, in the case of the name of the species and of the varieties, shall be indicated at least in Roman characters;
- (f) the declared net or gross weight or declared number of seeds; and
- (g) 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 the pure seeds and the total weight.

18. Where at least germination of all the components of a mixture have been retested, the word “retested” followed by the month and year of retesting and the service responsible for such retesting may be indicated on the official label referred to in paragraph 17 or on an official sticker attached to the official label.

19. The minimum size of the label referred to in paragraph 17 shall be 110 mm x 67 mm.

20. The label referred to in paragraph 17 shall be coloured green.

21. The label referred to in paragraph 17—

- (a) shall be—
  - (i) an adhesive label, or
  - (ii) a label secured to the package by a sealing device approved by the Department, the Secretary of State, the Scottish Ministers, or the National Assembly for Wales, and
- (b) shall be fixed to the package by—
  - (i) an authorised officer or any person being supervised by such a person, or
  - (ii) a licensed seed sampler or any person being supervised by such a person.

#### **Supplier’s label for a small package of a mixture of seeds**

22. The package shall be labelled not later than the time of sealing—

- (a) on the outside;
- (b) subject to paragraph 23, with a supplier’s label containing the following particulars—
  - (i) the words “Mixture of” followed by the species and varieties;
  - (ii) the name and address of the supplier responsible for marking or his registration number or identification mark;
  - (iii) the reference number of the seed lot;
  - (iv) the species and varieties indicated at least in Roman characters or the proprietary name of the mixture; and
  - (v) declared net weight or declared number of seeds.

23. The label referred to in paragraph 22(b) shall not be required if the information specified in paragraph 22(b)(i) to (v) is printed indelibly on the outside of the package.

24. The label referred to in paragraph 22(b) shall be coloured green.

## PART 6

### Printing of specified matters on packages (whole bag labelling)

#### **Seed which has not been imported**

25. The printing or stamping of the packages shall be under the supervision of the Department.
26. Each package shall have printed or stamped on it, or be perforated with, an individual serial number allocated by the Department, which shall appear in the same panel as the particulars of the matters specified in paragraph 9.
27. Arrangements shall be made with the printers for returns to be made to the Department of the number of packages printed or stamped pursuant to regulation 27(13) and of the individual serial numbers of such packages.
28. 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 an authorised officer or a licensed seed sampler at the time of sampling for official examination.
29. There shall be kept such records of seed packaged and marketed pursuant to regulation 27(13) as may be required by the Department.
30. Each package of seed marketed in accordance with regulation 27(13) shall be capable of having affixed to it, in a manner approved by the Department, a label containing a statement pursuant to regulation 17.

#### **Seed imported from another Member State**

31. Such requirements of the member State from which the seed has been imported as correspond to the requirements specified in this Part for seed which has not been imported shall, in the opinion of the Department, have been satisfied.

## PART 7

### Labelling of Packages of Test and Trial Seed

#### **Official label for a package of test and trial seed**

32. The package shall be labelled, not later than the time of sealing, on the outside with an official label which has not previously been used containing the following particulars—
- (a) the name of the certifying authority and member State or their distinguishing abbreviations;
  - (b) the reference number of the lot;
  - (c) the month and year of sealing;
  - (d) the species;
  - (e) the denomination of the variety under which the seed is to be marketed (which may be the breeder's reference, the proposed denomination or the approved denomination) and the official application number for listing the variety, if any;
  - (f) the statements "variety not yet officially listed" and "for tests and trials only";
  - (g) the declared net or gross weight or declared number of pure seeds or, where applicable, clusters; and

- (h) where 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 pure seeds or, where applicable, clusters and the total weight.
33. The label referred to in paragraph 32 shall be coloured orange.
34. The label referred to in paragraph 32 shall be—
- (a) adhesive; and
  - (b) affixed to the package by—
    - (i) an authorised officer or any person being supervised by such a person; or
    - (ii) a licensed seed sampler or any person being supervised by such a person.

## Part 8

### Labelling of packages of seed of a conservation variety

#### **Supplier's label or notice for a package of seed of a conservation variety**

- 35.—(1) The package must be labelled, not later than the time of sealing, on the outside with a supplier's label, or a printed or stamped notice, containing the following particulars—
- (a) the words “EC rules and standards”;
  - (b) the name and address, or the registration number, of the person responsible for affixing the label or notice;
  - (c) the year of sealing, or the year of last sampling for the purposes of the last testing of germination, expressed by the word “sealed” or “sampled” (as the case may be), followed by the year in question;
  - (d) the species;
  - (e) the denomination of the conservation variety;
  - (f) the words “conservation variety”;
  - (g) the region of origin;
  - (h) where the region of seed production is different from the region of origin, the indication of the region of seed production;
  - (i) the reference number of the lot given by the person responsible for affixing the label;
  - (j) the declared net or gross weight or declared number of seeds; and
  - (k) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the chemical treatment or additive and the approximate ratio between the weight of clusters of pure seeds and the total weight.
- (2) The label or notice must be coloured brown.

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## SCHEDULE 9

Regulation 27(2)

## LIMITS OF VARIATION

<b>GERMINATION</b>	
<i>Stated minimum percentage of germination</i>	<i>Limit of variation</i>
<i>(expressed as an integer)</i>	<i>Per cent</i>
99-100	2
97-98	3
94-96	4
91-93	5
87-90	6
82-86	7
76-81	8
69-75	9
65-68	10

<b>ANALYTICAL PURITY</b>	
<i>Stated minimum percentage of analytical purity (expressed to one decimal point)</i>	<i>Limit of variation</i>
	<i>Per cent</i>
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

<b>CONTENT OF SEEDS OF OTHER SPECIES</b>	
<i>Stated maximum number of seeds of other species (expressed as an integer)</i>	<i>Limit of variation</i>
	<i>number</i>
0	1
1	3



CONTENT OF SEEDS OF OTHER SPECIES	
<i>Stated maximum number of seeds of other species (expressed as an integer)</i>	<i>Limit of variation number</i>
2	4
3 and 4	5
5 and 6	6
7 and 8	7
9 to 11	8
12 to 14	9
15 to 17	10
18 to 20	11

## SCHEDULE 10

Regulation 31

## INDEX OF WORDS AND EXPRESSIONS USED IN THESE REGULATIONS

The expressions listed in the left-hand column of the following table are defined in the corresponding provisions listed in the right-hand column of the table—

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
the 2004 Commission Decision	Regulation 2(1)
the Act	Regulation 2(1)
Annex II.A(3) official certificate	Regulation 2(1)
Annex V(C) document	Regulation 2(1)
another member State	Regulation 2(1)
appropriate time	Regulation 6(4)
approved seed certification authority	Regulation 2(1)
approved species	Regulation 2(1)
authorised officer	Regulation 2(1)
barley	Regulation 3
basic seed	Paragraph 15 of Schedule 1
blended seed lot	Regulation 2(1)
breeder	Regulation 2(1)
breeder's seed	Regulation 2(1)
C1 seed	Paragraph 37 of Schedule 1
C2 seed	Paragraph 45 of Schedule 1
Cereal Seed Directive	Regulation 2(1)

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<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
CS seed	Paragraph 29 of Schedule 1
Common Catalogue	Regulation 2(1)
Common Catalogue Directive	Regulation 2(1)
component	Regulation 2(1)
control plot	Regulation 2(1)
corn cockle	Paragraph 12(2) of Schedule 4
couch	Paragraph 12(2) of Schedule 4
darnel	Paragraph 12(2) of Schedule 4
Deliberate Release Directive	Regulation 2(1)
Directive crop conditions	Regulation 2(1)
Directive seed conditions	Regulation 2(1)
durum wheat	Regulation 3
EEA State	Regulation 2(1)
EC minimum percentage of germination	Regulation 2(1)
EC officially certified basic seed of a component of a listed hybrid variety	Paragraph 23 of Schedule 1
EC officially certified basic seed of a listed variety	Paragraph 17 of Schedule 1
EC officially certified C1 seed of a listed variety	Paragraph 39 of Schedule 1
EC officially certified C2 seed of a listed variety	Paragraph 47 of Schedule 1
EC officially certified CS seed of a listed variety	Paragraph 31 of Schedule 1
EC officially certified early movement basic seed of a component of a listed hybrid variety	Paragraph 27 of Schedule 1
EC officially certified early movement basic seed of a listed variety	Paragraph 21 of Schedule 1
EC officially certified early movement C1 seed of a listed variety	Paragraph 43 of Schedule 1
EC officially certified early movement C2 seed of a listed variety	Paragraph 51 of Schedule 1
EC officially certified early movement CS seed of a listed variety	Paragraph 35 of Schedule 1
EC officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety	Paragraph 13 of Schedule 1
EC officially certified early movement pre-basic seed of a listed variety	Paragraph 7 of Schedule 1
EC officially certified pre-basic seed of a component used in the production of a listed hybrid variety	Paragraph 9 of Schedule 1

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
EC officially certified pre-basic seed of a listed variety	Paragraph 3 of Schedule 1
entered seed lot	Regulation 2(1)
Ergot	Regulation 2(1)
equivalent third country	Regulation 2(1)
final seed test report	Regulation 12(6)
Food and Feed Regulation	Regulation 2(1)
genetically modified	Regulation 2(1)
germination condition	Regulation 2(1)
Higher Voluntary Standards	Regulation 2(1)
homogeneous seed lot	Regulation 2(1)
HVS level basic seed	Regulation 2(1)
HVS level C1 seed	Regulation 2(1)
HVS level C2 seed	Regulation 2(1)
inbred line	Regulation 2(2)
intervarietal hybrid	Regulation 2(2)
ISTA	Regulation 2(1)
late entered seed lot	Regulation 2(1)
licensed crop inspector	Regulation 2(1)
licensed EC crop inspector	Regulation 2(1)
licensed EC seed testing station	Regulation 2(1)
licensed seed sampler	Regulation 2(1)
licensed seed testing station	Regulation 2(1)
licensed third country crop inspector	Regulation 2(1)
licensed third country seed testing station	Regulation 2(1)
listed variety	Regulation 2(1)
listing	Regulation 2(1)
loose smut infection	Regulation 2(1)
maintainer	Regulation 2(1)
maize	Regulation 3
marketing	Regulation 4
marketing extension	Regulation 2(1)
member State	Regulation 2(1)
minimum level basic seed	Regulation 2(1)
minimum level C1 seed	Regulation 2(1)

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<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
minimum level C2 seed	Regulation 2(1)
National List	Regulation 2(1)
not finally certified basic seed harvested in another member State	Paragraph 55 of Schedule 1
not finally certified C1 seed harvested in an equivalent third country	Paragraph 60 of Schedule 1
not finally certified C2 seed harvested in an equivalent third country	Paragraph 61 of Schedule 1
not finally certified CS seed harvested in an equivalent third country	Paragraph 59 of Schedule 1
not finally certified C1 seed harvested in another member State	Paragraph 57 of Schedule 1
not finally certified C2 seed harvested in another member State	Paragraph 58 of Schedule 1
not finally certified CS seed harvested in another member State	Paragraph 56 of Schedule 1
not finally certified pre-basic seed harvested in another member State	Paragraph 54 of Schedule 1
oats	Regulation 3
OECD	Regulation 2(1)
OECD Cereal Seed Scheme	Regulation 2(1)
OECD Certificate	Regulation 2(1)
OECD Decision	Regulation 2(1)
OECD List	Regulation 2(1)
OECD Maize and Sorghum Seed Scheme	Regulation 2(1)
official label	Regulation 2(1)
officially certified basic seed	Paragraph 28 of Schedule 1
officially certified C1 seed	Paragraph 44 of Schedule 1
officially certified C2 seed	Paragraph 52 of Schedule 1
officially certified CS seed	Paragraph 36 of Schedule 1
officially certified pre-basic seed	Paragraph 14 of Schedule 1
official measures	Regulation 2(1)
official sample	Regulation 2(1)
official UK field inspection	Regulation 2(1)
official UK seed test	Regulation 2(1)
open pollinated variety	Regulation 2(2)

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
overseas tested officially certified basic seed of a component of a listed hybrid variety	Paragraph 25 of Schedule 1
overseas tested officially certified basic seed of a listed variety	Paragraph 19 of Schedule 1
overseas tested officially certified C1 seed of a listed variety	Paragraph 41 of Schedule 1
overseas tested officially certified C2 seed of a listed variety	Paragraph 49 of Schedule 1
overseas tested officially certified CS seed of a listed variety	Paragraph 33 of Schedule 1
overseas tested officially certified pre-basic seed of a component used in the production of a listed hybrid variety	Paragraph 11 of Schedule 1
pre-basic seed	Paragraph 1 of Schedule 1
previously listed variety	Regulation 2(1)
qualifying seed lot	Regulation 11(15)
qualifying seed test report	Regulation 6(4)
registered person	Regulation 2(1)
regulation 19 authorisation	Regulation 2(1)
regulation 20 authorisation	Regulation 2(1)
rye	Regulation 3
Schedule 4 germination test	Regulation 2(1)
Department	Regulation 2(1)
seed industry activity	Regulation 2(1)
seed lot	Regulation 2(1)
seed that has been subject to satisfactory official post control	Regulation 2(1)
seed that is subject to official post control	Regulation 8(18)
simple hybrid	Regulation 2(2)
small package	Regulation 2(1)
spelt wheat	Regulation 3
sterile brome	Paragraph 12(2) of Schedule 4
test and trial seed	Regulation 2(1)
third country	Regulation 2(1)
the Third Country Equivalence Decision	Regulation 2(1)
third country officially certified basic seed of a component of a listed hybrid variety	Paragraph 24 of Schedule 1

**Status:** This is the original version (as it was originally made).

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
third country officially certified basic seed of a listed variety	Paragraph 18 of Schedule 1
third country officially certified C1 seed of a listed variety	Paragraph 40 of Schedule 1
third country officially certified C2 seed of a listed variety	Paragraph 48 of Schedule 1
third country officially certified CS seed of a listed variety	Paragraph 32 of Schedule 1
Third country officially certified pre-basic seed of a listed variety	Paragraph 5 of Schedule 1
top cross hybrid	Regulation 2(2)
triple cross hybrid	Regulation 2(2)
triticale	Regulation 3
UK field inspection carried out under official supervision	Regulation 2(1)
UK officially certified basic seed of a listed variety	Paragraph 16 of Schedule 1
UK officially certified basic seed of a component of a listed hybrid variety	Paragraph 22 of Schedule 1
UK officially certified C1 seed of a listed variety	Paragraph 38 of Schedule 1
UK officially certified C2 seed of a listed variety	Paragraph 46 of Schedule 1
UK officially certified CS seed of a listed variety	Paragraph 30 of Schedule 1
UK officially certified early movement basic seed of a component of a listed hybrid variety	Paragraph 26 of Schedule 1
UK officially certified early movement basic seed of a listed variety	Paragraph 20 of Schedule 1
UK officially certified early movement C1 seed of a listed variety	Paragraph 42 of Schedule 1
UK officially certified early movement C2 seed of a listed variety	Paragraph 50 of Schedule 1
UK officially certified early movement CS seed of a listed variety	Paragraph 34 of Schedule 1
UK officially certified early movement pre-basic seed of a component used in the production of a listed hybrid variety	Paragraph 12 of Schedule 1
UK officially certified early movement pre-basic seed of a listed variety	Paragraph 6 of Schedule 1
UK officially certified pre-basic seed of a component used in the production of a listed hybrid variety	Paragraph 8 of Schedule 1
UK officially certified pre-basic seed of a listed variety	Paragraph 2 of Schedule 1

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
a UK seed test carried out under official supervision	Regulation 2(1)
unlisted variety	Regulation 2(1)
wheat	Regulation 3
whenever carried out	Regulation 2(1)
wild oats	Regulation 3
wild radish	Paragraph 12(2) of Schedule 4
writing	Regulation 2(4)