
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 326

**The Seed (Scotland) (Miscellaneous
Amendments) Regulations 2013**

PART 3

**AMENDMENT OF THE FODDER PLANT
SEED (SCOTLAND) REGULATIONS 2005**

Amendment of the Fodder Plant Seed (Scotland) Regulations 2005

3. The Fodder Plant Seed (Scotland) Regulations 2005(1) are amended in accordance with regulations 4 to 7.

Amendment of regulation 2

4. In regulation 2(1) (interpretation), for the definition of “the Fodder Plant Seed Directive” substitute—

““the Fodder Plant Seed Directive” means Council [Directive 66/401/EEC](#) on the marketing of fodder plant seed(2);”.

Amendment of Schedule 5

5. In Part II of Schedule 5 (maximum weight of a seed lot and minimum weight of a submitted sample)—

- (a) in paragraph 23 (maximum weight of a seed lot), after “paragraphs” insert “23A,”;
- (b) after paragraph 23 insert—

“Increase to maximum weight of a seed lot of grasses

23A.—(1) Any person registered by the Scottish Ministers under regulation 5(1) (registrations) of the Seed (Registration, Licensing and Enforcement) (Scotland) Regulations 2006(3) or by another National Authority under any equivalent provision extending to any other part of the United Kingdom may apply to the Scottish Ministers for approval to increase to 25 tonnes the maximum weight of a seed lot of any of the grasses set out in column 1 of the table in paragraph 26.

(2) An application under sub-paragraph (1) shall contain such information as the Scottish Ministers may require.

(1) [S.S.I. 2005/329](#); as amended by [S.S.I. 2006/313](#), [S.S.I. 2006/448](#), [S.S.I. 2007/224](#), [S.S.I. 2007/536](#), [S.S.I. 2009/223](#), [S.S.I. 2009/330](#), [S.S.I. 2010/219](#) and [S.S.I. 2012/5](#).
(2) OJ 125, 11.7.1966, p.2298, as last amended by Commission Implementing Directive 2012/37/EU (OJ L 325, 23.11.2012, p.13).
(3) [S.S.I. 2006/313](#) to which there are amendments not relevant to these Regulations.

(3) The Scottish Ministers shall not approve an application under sub-paragraph (1) unless they are satisfied that the applicant has complied with the guidance booklet titled “Scottish Government Guide to Large Herbage Seed Lot Approval and Check Sampling Programme 2013(4)” produced by the Scottish Ministers.

(4) An approval may be made subject to such conditions as the Scottish Ministers think are necessary.

(5) The Scottish Ministers may revoke an approval under sub-paragraph (4) where they are satisfied that there has been a breach of any condition to which the approval is subject.”; and

(c) for paragraph 24 (margin by which seed lots can exceed maximum weight) substitute—

“Margin by which seed lots can exceed maximum weight

24.—(1) Subject to sub-paragraph (2), a seed lot may exceed the maximum weight for a seed lot set out in column 2 of the table in paragraph 26 by not more than 5%.

(2) Where a person referred to in paragraph 23A(1) has approval to increase the maximum weight of a seed lot of grasses to 25 tonnes, the weight of such a seed lot may exceed 25 tonnes by not more than 5%.”.

Amendment to Schedule 6

6. In Schedule 6, in Part II (labels), in paragraph 8A(2)(5), after “relevant” insert “,”.

Revocations

7. Schedule 9 (definition of the Fodder Plant Seed Directive) is revoked.

(4) The guidance booklet is published on the Science and Advice for Scottish Agriculture website ([sasa.gov.uk](https://www.sasa.gov.uk)).

(5) Regulation 8A was inserted by [S.S.I. 2012/5](#).