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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 165**

**The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020**

**Amendment of the Cereal Seed (Scotland) Regulations 2005**

6.—(1) The Cereal Seed (Scotland) Regulations 2005(1) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “Equivalence Decision” insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives [69/464/EEC](#), [74/647/EEC](#), [93/85/EEC](#), [98/57/EC](#), [2000/29/EC](#), [2006/91/EC](#) and [2007/33/EC\(2\)](#)”;

(b) after the definition of “professional seed operator” insert—

““protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation”;

(c) after the definition of “registered or licensed number” insert—

““RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation”;

(d) after the definition of “UK National List” insert—

““Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation”.

(3) In schedule 4 (requirements for certain types of seed)—

(a) in Part 1 (conditions relating to crops from which seed is obtained), for paragraph 4 substitute—

**“Pests in the crop**

4.—(1) The crop must be practically free from any pests which reduce the usefulness and quality of the seed.

(2) The crop must also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation.”;

(b) in Part 2 (conditions relating to certain types of seed), for paragraph 17 substitute—

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(1) [S.S.I. 2005/328](#), to which there are amendments not relevant to these Regulations.

(2) [OJ L 317](#), 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 ([OJ L 95](#), 7.4.2017, p.1) with effect from 14 December 2019.

**“Pests in the seed**

17.—(1) The seed must be practically free from any pests which reduce the usefulness and quality of the seed.

(2) The seed must also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation.”.