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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 193**

**The Cereal Seed (Scotland) Amendment Regulations 2023**

**Amendments to schedule 4**

3.—(1) In schedule 4 (requirements for pre basic seed, basic seed, certified seed, certified seed of the first generation and certified seed of the second generation)—

(a) in paragraph 7(1) (isolation distances — minimum distances)—

(i) after “barley” (where it appears first), insert “, durum wheat, spelt wheat and wheat”;  
and

(ii) in the table, after head (e) insert—

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“(f)	Hybrids of durum wheat, spelt wheat and wheat produced by means of cytoplasmic male sterility—  (i) for the production of Basic 300 metres Seed  (ii) for the production of 25 metres” Certified Seed
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(b) In paragraph 8 (standards for varietal purity)—

(i) in sub-paragraph (5) for “In crops of hybrids of durum wheat, oats, self-pollinating triticale, spelt wheat or wheat or hybrids of barley other than hybrids of barley produced by means of cytoplasmic male sterility—” substitute “In crops of hybrids of barley, durum wheat, oats, self-pollinating triticale, spelt wheat or wheat other than hybrids of barley, durum wheat, spelt wheat or wheat produced by means of cytoplasmic male sterility—”; and

(ii) for sub-paragraph (6)(a)(ii)(bb) substitute—

“(bb) 0.3% for the restorer and 0.5% for the cytoplasmic male sterility female component, where the cytoplasmic male sterility component is a simple hybrid;”; and

(iii) after sub-paragraph (6) insert—

“(7) In crops of hybrids of durum wheat, spelt wheat and wheat produced by means of cytoplasmic male sterility—

(a) the percentage by number of plants which are recognisable as obviously not being true to the variety shall not exceed—

(i) where the crop is used for the production of Basic Seed—

(aa) 0.1% for the maintainer and the restorer line and 0.3% for the cytoplasmic male sterility female component; and

(ii) where the crop is used for the production of Certified Seed—

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- (aa) 0.3% for the restorer line and 0.6% for the cytoplasmic male sterility female component; or
- (bb) 0.3% for the restorer line and 1% for the cytoplasmic male sterility female component, where the cytoplasmic male sterility female component is a simple hybrid;
- (b) the level of sterility of the female component shall be at least—
  - (i) where the crop is used for the production of Basic Seed, 99.7%; and
  - (ii) where the crop is used for the production of Certified Seed, 99%; and
- (c) in the case of Certified Seed, the crop may be produced in mixed cultivation of a female male-sterile component with a male component which restores fertility.”.
- (c) In paragraph 13 (standards for varietal purity)—
  - (i) in the table in sub-paragraph (3)—
    - (aa) for head (b) substitute—

“(b) Hybrids of barley, durum wheat, oats, self-pollinating varieties of triticale, spelt wheat or wheat other than hybrids of barley, durum wheat, spelt wheat and wheat produced by means of cytoplasmic male sterility—		
(i) Certified Seed		90.00%”

- (bb) in head (ba) after “barley” insert “, durum wheat, spelt wheat and wheat”.
- (d) in paragraph 15 (Standards for varietal purity for hybrid varieties of rye and cytoplasmic male sterility hybrid varieties of barley)—
  - (i) for the heading substitute—
 

*“Standards for varietal purity for hybrid varieties of rye and cytoplasmic male sterility hybrid varieties of barley, durum wheat, spelt wheat and wheat”;* and
  - (ii) after “barley” insert “, durum wheat, spelt wheat or wheat”.