

1979 No. 1004

SEEDS

The Beet Seeds (Amendment) Regulations 1979

Made - - - - - 3rd August 1979

Laid before Parliament - - 14th August 1979

Coming into Operation - - 10th September 1979

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 16(1), (1A), (2), (3), (4), (5) and (8), 17(1), (2), (3) and (4), 24(5), 26(2) and (3) and 36 of the Plant Varieties and Seeds Act 1964(a) and now vested in them, (b) and of all other powers enabling them in that behalf, after consultation with representatives of such interests as appear to them to be concerned, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Beet Seeds (Amendment) Regulations 1979, and shall come into operation on 10th September 1979.

Amendment

2. The Beet Seeds Regulations 1976(c) are hereby amended in the manner and to the extent prescribed in the Schedule to these regulations.

(a) 1964 c.14; section 16 was amended by the European Communities Act 1972(c.68), section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4.
(c) S.I. 1976/1068.

(b) By the Transfer of Functions (Wales) (No 1) Order 1978: S.I. 1978/272.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th July 1979.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food

26th July 1979.

George Younger,
Secretary of State for Scotland

3rd August 1979.

Nicholas Edwards,
Secretary of State for Wales

SCHEDULE

AMENDMENTS TO THE BEET SEEDS REGULATIONS 1976

1. In regulation 3(2) –
for the definition of “maintainer” there shall be substituted:
“maintainer” means a person who is indicated in a National List or in the Common Catalogue as responsible for maintaining the plant variety with the morphological, physiological or other characteristics to which regard was had when the plant variety was entered in the List or the Common Catalogue;
for the definition of “the Minister” and “the Ministers” there shall be substituted:
“the Minister” means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Scotland or Wales, the Secretary of State, and “the Ministers” means the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales acting jointly;
in the definition of “National List”, for “1973” there shall be substituted “1979”;
in the definition of “small package” there shall be inserted in the first line the word “basic” after “of” and before “seeds”;
and for the footnote (a) at the foot of page 2 there shall be substituted “(a) S.I. 1979/133”.
2. In regulation 5(2), for “1974” there shall be substituted “1976”, and for the footnote referring to the regulations there cited there shall be substituted “(a) S.I. 1976/1283”.
3. In regulation 5(3) for the words from “taking effect” to “by the licence” there shall be substituted:
“which may impose conditions and shall have effect during the period specified in it unless the Minister earlier revokes it.”.
4. In regulations 6(1) and 11(5) for the word “procedure” there shall be substituted “rules”.
5. At the end of regulation 6 a further paragraph shall be added as follows:
“(4) If a sample of seeds taken for the purposes of an official examination is found to have been taken from an insufficiently homogeneous seed lot, or otherwise not to have been taken in accordance with the rules set out in Schedule 3, no or no further official examination shall be made of that sample, and any findings or results obtained in the course of any such examination thereof already made shall be deemed null and void.”
6. In regulation 9(5)(b) the reference to Part II of Schedule 5 shall be corrected to refer to Part III of the said Schedule.
7. Paragraphs (a) and (c) of regulation 9(5) shall be deleted, and paragraphs (b) and (d) of the said regulation re-lettered (a) and (b) respectively.

8. In Schedule 2, for paragraph 1 of Part I there shall be substituted:
 “1. So far as the Minister can ascertain them, by the use of methods which shall include inspection of the crop and may include examination of a plot sown with a sample from the seed lot sown in the field and the consideration of any other relevant information available to him, the varietal characteristics shall be those recognised as those of the variety for the purposes of the National List or the Common Catalogue”.
9. In Schedule 3, the heading and paragraph 1 of Part I shall be amended to read:

“RULES FOR THE TAKING OF SAMPLES

1. Before sampling a seed lot shall be well mixed so as to be as homogeneous as is practicable”.

10. In Schedule 4 –
 the headings of Part I and Part II shall be amended by the addition of “(as amended)” after “THE BEET SEEDS REGULATIONS 1976”;
 in Part II, for that part of the form of certificate specified between and including the words “Result of Test” and the words “Weed seeds” there shall be substituted:

“Result of Test

% Pure seeds	% Inert matter	% Other seeds

Inert matter

Other seeds”

11. In Schedule 5 –
 in the lists of prescribed contents in Part IA a new item shall be inserted between items 3 and 4 as follows:
 “4. Month and year when officially sealed.”
 and items 4 to 11 shall be re-numbered 5 to 12 respectively;
 in the lists of prescribed contents in Part IB a new item shall be inserted between items 2 and 3 as follows:
 “3. Month and year when officially sealed.”
 and items 3 to 7 shall be re-numbered 4 to 8 respectively;
 the heading of Part IIIA shall be amended to read:
 “SUPPLIER’S LABEL FOR A SMALL PACKAGE OF BASIC SEEDS”
 and in the list of prescribed contents in Part IIIA, for “6. Category” there shall be substituted “6. “Basic seeds”.” and in paragraph (b) of Part IIIA the words “for basic seeds and blue for certified seeds” shall be deleted.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Beet Seeds Regulations 1976 (S.I. 1976/1068), which give effect to Directive 66/400/EEC of the Council of the European Economic Community (OJ No. 125, 11.7.1966) on the marketing of beet seed.

The amendments, which give effect to Directive 78/692/EEC of the Council (OJ No. L 236, 26.8.1978) requiring certain alterations in labelling requirements, also make changes to definitions, to references to other statutory instruments and to provisions relating to general licences and the sampling and testing of seeds.

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