

1987 No. 1098

SEEDS

The Seeds (Registration, Licensing and Enforcement)
(Amendment) Regulations 1987

<i>Made</i> - - - -	<i>24th June 1987</i>
<i>Laid before Parliament</i>	<i>6th July 1987</i>
<i>Coming into force</i>	<i>27th July 1987</i>

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), (3), (4) and (8), 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 in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:-

Title and commencement

1. These Regulations may be cited as the Seeds (Registration, Licensing and Enforcement) (Amendment) Regulations 1987 and shall come into force on 27th July 1987.

Amendment

2. The Seeds (Registration, Licensing and Enforcement) Regulations 1985(c) shall be amended as follows:-

(a) in regulation 9 (licensing of seed testing stations) after paragraph (1) there shall be inserted the following paragraph:-

“(1A) An establishment licensed under paragraph (1) above shall not derive any private gain in carrying out any tests on seeds for the purposes of seeds regulations (other than any fees payable under such regulations).”;

(b) in regulation 10 (licensing of seed samplers and crop inspectors) after paragraph (3) there shall be inserted the following paragraph:-

“(3A) A person licensed under paragraph (1) above to be a seed sampler or a crop inspector shall not derive any private gain (other than any fees payable under seeds regulations) in carrying out the functions of a seed sampler or a crop inspector, as the case may be, specified in the licence.”; and

(c) in Part II of Schedule 4 (certificates of the results of tests of seeds) after the table relating to the results of tests for varietal purity there shall be inserted the following-

“Result of test for *Pseudomonas syringae* p.v. *pisi* infection:”.

(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.

(b) In the case of the Secretary of State for Wales by virtue of S.I. 1978 272.

(c) S.I. 1985/980.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd June 1987.



John MacGregor
Minister of Agriculture, Fisheries and Food

24th June 1987

Sanderson of Bowden
Minister of State, Scottish Office

24th June 1987

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seeds (Registration, Licensing and Enforcement) Regulations 1985 by providing that (1) seed testing stations licensed to test seeds for the purposes of seeds regulations shall not derive any private gain in carrying out such tests (other than any fees payable under seeds regulations) and (2) licensed crop inspectors and seed samplers shall not derive any private gain in carrying out their functions (other than any fees payable under seeds regulations) (regulation 2(a) and (b)).

The Regulations implement in part Council Directive 66/401/EEC (as amended) (OJ No. 125, 11.7.66, p.2298/66) (OJ/SE 1965-66, p.132) on the marking of fodder plant seed, Council Directive 66/402/EEC (as amended) (OJ No. 125, 11.7.66, p.2309/66) (OJ/SE 1965-66, p.143) on the marketing of cereal seed, Council Directive 69/208/EEC (OJ No. L169, 10.7.69, p.3) (OJ/SE 1969 (ii), p.315) on the marketing of seeds of oil and fibre plants, Council Directive 70/458/EEC (OJ No. L225, 12.10.70, p.7) on the marketing of vegetable seeds and Council Directive 66/400/EEC (OJ No. L125, 11.7.66, p.2290/66) (OJ/SE 1965-66, p.143) on the marketing of beet seed, all of which Directives require that a person carrying out the testing, sampling and inspection of seeds for the purposes of those Directives shall not derive any private gain from such activities.

The Regulations also amend the form of certificate prescribed by the 1985 Regulations of the result of a test of a sample of seeds carried out for the enforcement of seeds regulations so as to include reference to the result of a test for pea bacterial blight infection (regulation 2(c)).