
STATUTORY INSTRUMENTS

1993 No. 2005

The Cereal Seeds Regulations 1993

Labelling of packages

9.—(1) Subject to paragraph (12) below, no person shall market any seeds in accordance with regulation 5(1)(a) or (2) except in a package which, not later than at the time of sealing, is labelled, inscribed or otherwise dealt with in accordance with this regulation.

(2) A package (other than a small package) of Breeder's Seeds, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or a mixture of seeds shall have affixed on the outside an official label containing, as appropriate to the seeds, particulars of the matters specified, and being of at least the size and of the colour also specified in Part I of Schedule 6, which shall be either an adhesive label or a label secured to the package by a sealing device approved by the Minister and shall be affixed (in either case) by or under the supervision of a person authorised by the Minister in that behalf.

(3) If in accordance with regulation 5(5) a person shall market any Breeder's Seed, Pre-basic Seed or Basic Seed of a lower percentage of germination than that specified in Schedule 4 the fact be stated on the official label, or included in the particulars printed or stamped on the package in accordance with paragraph (5) of this regulation and a supplier's label affixed to the outside of the package shall contain a statement of the germination of the seeds together with the name and address of the seller and the reference number of the lot.

(4) A person who markets a package (other than a small package) containing a mixture of seeds shall, with the seeds or not later than 14 days after the sale or delivery (whichever is the later) of the seeds, give to the purchaser a statement in writing on a label attached to the package, or on the package itself or on an invoice or other document associated with the seeds, containing particulars, as appropriate to the seeds, of the matter specified in Part I E of Schedule 6.

(5) Notwithstanding paragraphs (2), (3) and (4) above, a package (other than a small package) of Basic Seed, Certified Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation may be marked if—

- (a) the appropriate particulars of the matters specified in Part I of Schedule 6 are printed or stamped indelibly on the package in a panel of at least the size and of the colour so specified, and
- (b) the requirements of Part V of that Schedule are satisfied.

(6) A package (other than a small package) of Breeder's Seed, Pre-basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or a mixture of seeds all shall contain an official inner label which shall be of the same colour as, and in addition to, the official label affixed to the outside of the package in accordance with paragraph (2) above. The official inner label shall contain particulars of the reference number of the lot and of the kind or, in any case of a mixture of the proprietary name of the mixture or of the kinds of the constituents and, in case of Breeder's Seed, Pre-basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation, of the variety; except that if such particulars are printed indelibly on the outside of the package or if the official label is an adhesive or a tear-resistant label the official inner label referred to in this paragraph shall not be required.

(7) A package of Uncertified Pre-basic Seed shall have affixed on the outside a label containing, as appropriate to the seeds, particulars of the matters specified and being of the colour also specified in Part II of Schedule 6; except that if such particulars are printed indelibly on the outside of the package, the said label shall not be required.

(8) A small package of seeds shall have affixed on the outside a label containing, as appropriate to the seeds, particulars of the matters specified and being of the colour also specified in Part III of Schedule 6; except that if such particulars are printed indelibly on the outside of the package, the said label shall not be required.

(9) A person who markets a small package containing a mixture of seeds shall, with the seeds or no later than 14 days after the sale or delivery (whichever is the later) of the seeds, give to the purchaser a statement in writing, on a label attached to the package, on the package itself or on an invoice or other document associated with the seeds, containing particulars as appropriate to the seeds of the matters specified in Part IE of Schedule 6.

(10) If a package of seeds shall have been re-sealed in accordance with regulation 8(2) above this fact shall be stated on the official label, together with the month and year of re-sealing and the name of the authority responsible for the re-sealing.

(11) If any seeds have been subjected to any chemical treatment this fact and the nature of the treatment or the proprietary name of the chemical used in the treatment shall be stated either—

- (a) on a separate supplier's label, or
- (b) on the label referred to in paragraph (2), (3), (4), (5), (7), (8) or (9) above or, where such a label is not required, with the particulars otherwise given in accordance with those paragraphs,

and also, except where the label referred to in paragraph (2), (3), (4), (7), (8) or (9) above is not required or where the information prescribed by this paragraph is given on an adhesive or tear-resistant label, either on the outside of the package or in a statement enclosed in the package.

(12) A person may sell any seeds otherwise than in a package which is labelled, inscribed or otherwise dealt with in accordance with this regulation where—

- (a) the seeds are sold by way of retail sale in a quantity not exceeding 5 kilograms, and
- (b) the seeds are taken, in the presence of the purchaser, from a container on which there is clearly and visibly marked or near which there is clearly and visibly displayed a statement containing particulars of the matter specified in Part IV of Schedule 6.

(13) The particulars and information given in accordance with this regulation shall be given in one of the official languages of the Community.

(14) Subject to the provisions of the Act and of these Regulations, no person shall, in the course of the marketing or the preparation for the marketing of any seeds by himself or by any other person, wilfully reproduce, remove, alter, deface, conceal or misuse in any way any label affixed to, contained in or marked on any package of seeds or which is to be so affixed, contained or marked.