
STATUTORY INSTRUMENTS

1995 No. 1482

SEEDS

The Cereal Seeds (Amendment) Regulations 1995

<i>Made</i>	- - - -	<i>7th June 1995</i>
<i>Laid before Parliament</i>		<i>9th June 1995</i>
<i>Coming into force</i>	- -	<i>30th June 1995</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) and (8) and 36 of the Plant Varieties and Seeds Act 1964(1) and now vested in them(2) 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 Cereal Seeds (Amendment) Regulations 1995 and shall come into force on 30th June 1995.

Amendment of the Cereal Seeds Regulations 1993

2.—(1) The Cereal Seeds Regulations 1993(3) shall be amended in accordance with the provisions of this regulation.

(2) In regulation 3(3) (interpretation) in the definition of “Certified Seed” for the words “and spelt wheat” each time they appear there shall be substituted the words “, spelt wheat and rye”.

(3) In paragraph 5 (isolation distances) of Part I of Schedule 4 (conditions relating to crops from which seeds are obtained)—

(a) in sub-paragraph (b) after the first occurrence of the word “rye” there shall be inserted the words “other than hybrids”;

(b) after sub-paragraph (c) there shall be inserted the following sub-paragraph—

“(d) For hybrids of rye the minimum distance from neighbouring crops of other varieties of rye shall be—

(1) 1964 c. 14; section 16 was amended by section 4(1) of and paragraph 5(1), (2) and (3) of Schedule 4 to the European Communities Act 1972 (c. 68). See section 38(1) for a definition of “the Ministers”.

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

(3) S.I. 1993/2005.

- (i) Crops to produce Basic Seed where male sterility is used 1,000 metres
- (ii) Crops to produce Basic Seed where male sterility is not used 600 metres
- (iii) Crops to produce Certified Seed500 metres.”.

(4) After paragraph 8 (special conditions for maize) of Part I of Schedule 4 there shall be inserted the following paragraph—

“Special conditions for hybrids of rye

- (a) The crop shall have sufficient varietal identity and varietal purity as regards the characteristics of the components, including male sterility.
- (b) In particular, the crop shall conform to the following standards—
 - (i) the number of plants of the crop species that are recognisable as obviously not being true to the component shall not exceed one per 30 square metres for the production of Basic Seed and, in respect of official field inspections of the female component, one per 10 square metres for the production of Certified Seed; and
 - (ii) in the case of Basic Seed where male sterility is used, the level of sterility of the male-sterile component shall be at least 98%.
- (c) Where appropriate, Certified Seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility.”.

(5) In paragraph 3(a) of Part II of Schedule 4 (conditions relating to the seeds) for the words “and spelt wheat” there shall be substituted the words “, spelt wheat and triticale”.

(6) For paragraph 3(b) of Part II of Schedule 4 there shall be substituted the following sub-paragraph—

- “(b) Rye and hybrids of rye
 - Germination (% by number) Basic and Certified Seed 85
 - Analytical Purity (% by weight) Basic and Certified Seed 98

Sample Purity Standards

Maximum number of seeds in 500 g.

Category	Seeds of Other Plant Species					Ergot (Pieces)
	All other species	Other cultivated cereal species	All species other than cultivated cereals	<i>Avena fatua</i> , <i>Avena sterilis</i> , <i>Avena ludoviciana</i> or <i>Lolium temulentum</i>	<i>Raphanus raphanistrum</i> or <i>Argrostemma githago</i>	
Basic Seed	4	1*	3	0 [†]	1	1
Certified Seed	10	7	7	0!	3	3(4 [†])

! Concerning the maximum content of seed of the species *Avena fatua*, *Avena sterilis*, *Avena ludoviciana* or *Lolium temulentum*. The presence of one seed of one of these species in 500 g shall not be considered an impurity if a search of a further 500 g from the same submitted sample is free.

* Concerning the maximum content of seeds of other cereal species. When the maximum content is fixed at one seed, a second seed shall not be regarded as an impurity if a search of a further 500 g from the same submitted sample is free.

† For hybrids of rye. The presence of five ergots or fragments in a sample of seed of a hybrid of rye of the prescribed weight shall be deemed to be in conformity with required purity standards, where a second sample of the same weight contains not more than four ergots or fragments of ergot.

Seed of hybrids of rye shall not be certified as Certified Seed unless due account has been taken of the results of an official post-control test on samples of Basic Seed taken officially and carried out during the growing season of the seed entered for certification as Certified Seed to ascertain whether the Basic Seed has met the requirements for Basic Seed laid down in these Regulations in respect of identity and purity as regards the characters of the components, including male sterility.”.

7th June 1995

Howe
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

30th May 1995

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Wales

26th May 1995

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Commission Directive [95/6/EC](#) (OJNo. L67, 25.3.95, p. 30) amending Annexes I and II to Council Directive [66/402/EEC](#) (OJ No. L125, 11.7.66, p. 2309/66) (OJ/SE 1965—66, p. 143) on the marketing of cereal seed as amended.

These Regulations, which come into force on 30 June 1995, amend the Cereal Seeds Regulations 1993 to permit the marketing of seeds of hybrids of rye as Certified Seed. They establish conditions to be met both by the crops from which seeds of hybrids of rye are obtained and by the seeds themselves.

Regulation 2(5) also corrects a drafting error in the first line of paragraph 3(a) of Part II of Schedule 4 to the Cereal Seeds Regulations 1993.