

SCHEDULE 1

Regulation 2(5) and 23(13) and
Schedule 10

INTERPRETATION

PART I

Meaning of pre-basic seed and similar expressions

Pre-basic seed

1. In these Regulations “pre-basic seed” means seed of a generation prior to basic seed that—
- (a) has been produced by or under the responsibility of the breeder according to accepted practices for the maintenance of the variety, and
 - (b) is intended to be used for the production of more pre-basic seed or basic seed.

UK officially certified pre-basic seed of a listed variety

2.—(1) In these Regulations “UK officially certified pre-basic seed of a listed variety” means seed to which paragraph (2), (3) or (4) applies.

- (2) This paragraph applies to—
- (a) seed of a listed variety officially certified as pre-basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) seed of a previously listed variety officially certified as pre-basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.
- (3) This paragraph applies to—
- (a) pre-basic seed of a listed variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
 - (ii) that satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and
 - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
 - (b) pre-basic seed of a previously listed variety that complies with the requirements of paragraph (a)(i) to (iii) and for which a marketing extension is in force;
 - (c) pre-basic seed of a listed variety that—
 - (i) has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and
 - (ii) complies with the requirements of paragraph (a)(ii) and (iii);

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- (d) pre-basic seed of a previously listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) for which a marketing extension is in force; and
- (e) pre-basic seed—
 - (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) that is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,

other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.

(4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 12 to re-grade it as pre-basic seed.

EC officially certified pre-basic seed of a listed variety

3. In these Regulations “EC officially certified pre-basic seed of a listed variety” means—
- (a) pre-basic seed of a listed variety officially certified as pre-basic seed by or on behalf of the competent seed certification authority in another member State, and
 - (b) pre-basic seed of a previously listed variety officially certified as pre-basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

Overseas tested officially certified pre-basic seed of a listed variety

4. In these Regulations “overseas tested officially certified pre-basic seed of a listed variety” means pre-basic seed—
- (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for basic seed;
 - (b) for which a seed test report has been issued—
 - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
 - (ii) by a licensed EC seed testing station in either of the member States referred to in paragraph (i),

stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
 - (c) that has been imported into the United Kingdom as pre-basic seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
 - (d) that is accompanied by—

- (i) an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in paragraph (a), and
- (ii) the seed test report referred to in paragraph (b).

UK officially certified early movement pre-basic seed of a listed variety

5.—(1) In these Regulations “UK officially certified early movement pre-basic seed of a listed variety” means seed to which paragraph (2), (3) or (4) applies.

(2) This paragraph applies to—

- (a) seed of a listed variety officially certified as early movement pre-basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
- (b) seed of a previously listed variety officially certified as early movement pre-basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.

(3) This paragraph applies to—

(a) pre-basic seed of a listed variety—

- (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
- (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed;
- (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
- (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out), to satisfy the conditions laid down in Part II of Schedule 4 for basic seed;

(b) pre-basic seed of a previously listed variety that complies with the requirements of paragraph (a)(i) to (iv) and for which a marketing extension is in force;

(c) pre-basic seed of a listed variety—

- (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State, and
- (ii) that complies with the requirements of paragraph (a)(ii) to (iv); and

(d) pre-basic seed of a previously listed variety—

- (i) that has been imported into the United Kingdom as not finally certified pre-basic seed harvested in another member State;
- (ii) that complies with the requirements of paragraph (a)(ii) to (iv); and
- (iii) for which a marketing extension is in force,

other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for

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Wales or the Department of Agriculture and Rural Development that has not been finally determined.

(4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 12 to re-grade it as early movement pre-basic seed.

EC officially certified early movement pre-basic seed of a listed variety

6. In these Regulations “EC officially certified early movement pre-basic seed of a listed variety” means—

- (a) pre-basic seed of a listed variety officially certified as early movement pre-basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) pre-basic seed of a previously listed variety officially certified as early movement pre-basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

Officially certified pre-basic seed

7. In these Regulations “officially certified pre-basic seed” means —

- (a) UK officially certified pre-basic seed of a listed variety;
- (b) EC officially certified pre-basic seed of a listed variety;
- (c) overseas tested officially certified pre-basic seed of a listed variety;
- (d) UK officially certified early movement pre-basic seed of a listed variety; and
- (e) EC officially certified early movement pre-basic seed of a listed variety.

PART II

Meaning of basic seed and similar expressions

Basic seed

8.—(1) In these Regulations, other than in relation to a component of a hybrid, “basic seed” means seed—

- (a) that has been produced by or under the responsibility of the breeder according to accepted practices for the maintenance of the variety, and
- (b) that is intended to be used for the production of CS seed.

(2) In these Regulations, in relation to a component of a hybrid variety, “basic seed” means seed of the component—

- (a) that has been produced by or under the responsibility of the breeder, and
- (b) that is intended to be used for the production of CS seed of a hybrid variety.

UK officially certified basic seed of a listed variety

9.—(1) In these Regulations “UK officially certified basic seed of a listed variety” means seed to which paragraph (2), (3) or (4) applies.

(2) This paragraph applies to—

- (a) seed of a listed variety officially certified as basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) seed of a previously listed variety officially certified as basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.
- (3) This paragraph applies to—
- (a) basic seed of a listed variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
 - (ii) that satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and
 - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
 - (b) basic seed of a previously listed variety that complies with the requirements of paragraph (a)(i) to (iii) and for which a marketing extension is in force;
 - (c) basic seed of a listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii);
 - (d) basic seed of a previously listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) for which a marketing extension is in force; and
 - (e) basic seed—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) that is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,

other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.
- (4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 12 to re-grade it as basic seed.

EC officially certified basic seed of a listed variety

10. In these Regulations “EC officially certified basic seed of a listed variety” means—
- (a) basic seed of a listed variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State, and
 - (b) basic seed of a previously listed variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

Third country officially certified basic seed of a listed variety

11.—(1) In these Regulations “third country officially certified basic seed of a listed variety” means seed to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed of a listed variety—
- (a) that was harvested from a crop that was produced—
 - (i) in an equivalent third country,
 - (ii) from a preceding generation of seed that was produced in accordance with the provisions specified in paragraph 6 of Part II(B) of the Annex to the Third Country Equivalence Decision;
 - (b) that has been officially certified as basic seed by the approved seed certification authority in that country in accordance with OECD Beet Seed Scheme and the conditions specified in paragraphs 1 and 3 of Part II(B) of the Annex to the Third Country Equivalence Decision;
 - (c) that has been packed in packages that have been officially closed and marked in accordance with the OECD Beet Seed Scheme, and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 4 of Part II(B) of the Annex to the Third Country Equivalence Decision; and
 - (d) that has been imported into the United Kingdom and was accompanied by—
 - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as basic seed; and
 - (ii) subject to paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for basic seed other than those relating to varietal identity and varietal purity; or
 - (iii) in a case where the seed has been certified in the United States of America, a Lot Inspection Certificate issued by the Official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in paragraph (ii).
- (3) This sub-paragraph applies to basic seed—
- (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force, and
 - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

Overseas tested officially certified basic seed of a listed variety

12.—(1) In these Regulations “overseas tested officially certified basic seed of a listed variety” means basic seed to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed—
- (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report has been issued by or on behalf of the competent seed certification authority in the member State stating that the crop had been found to satisfy the relevant Directive crop conditions for basic seed;
 - (b) for which a seed test report has been issued—
 - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
 - (ii) by a licensed EC seed testing station in either of the member States referred to in paragraph (i),stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
 - (c) that was imported into the United Kingdom as basic seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
 - (d) that is accompanied by—
 - (i) an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in paragraph (a), and
 - (ii) the seed test report referred to in paragraph (b).
- (3) This sub-paragraph applies to basic seed—
- (a) that complies with the requirements of paragraph 11(2)(a) to (d), and
 - (b) that was imported into the United Kingdom as basic seed of a variety that was unlisted at the time when the seed was imported but has since been listed.

UK officially certified early movement basic seed of a listed variety

13.—(1) In these Regulations “UK officially certified early movement basic seed of a listed variety” means seed to which paragraph (2), (3) or (4) applies.

- (2) This paragraph applies to—
- (a) seed of a listed variety officially certified as early movement basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) seed of a previously listed variety officially certified as early movement basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.
- (3) This paragraph applies to—
- (a) basic seed of a listed variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
 - (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed;

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- (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and
 - (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out), to satisfy the conditions laid down in Part II of Schedule 4 for basic seed;
 - (b) basic seed of a previously listed variety that complies with the requirements of paragraph (a)(i) to (iv) and for which a marketing extension is in force;
 - (c) basic seed of a listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
 - (ii) that complies with the requirements of paragraph (a)(ii) to (iv); and
 - (d) basic seed of a previously listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) to (iv); and
 - (iii) for which a marketing extension is in force,other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.
- (4) Seed of a listed variety, or seed of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 12 to re-grade it as early movement basic seed.

EC officially certified early movement basic seed of a listed variety

14. In these Regulations “EC officially certified early movement basic seed of a listed variety” means—

- (a) basic seed of a listed variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) basic seed of a previously listed variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

UK officially certified basic seed of a component of a listed hybrid variety

15.—(1) In these Regulations “UK officially certified basic seed of a component of a listed hybrid variety” means seed to which paragraph (2) or (3) applies.

- (2) This paragraph applies to—
 - (a) seed of a component of a listed hybrid variety officially certified as basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) seed of a component of a previously listed hybrid variety officially certified as basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the

Department of Agriculture and Rural Development and for which a marketing extension is in force in respect of seed of the hybrid variety.

- (3) This paragraph applies to—
- (a) basic seed of a component of a listed hybrid variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
 - (ii) that satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed or satisfies all of those conditions except for the germination condition; and
 - (iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for basic seed or that it has been found by such a test to satisfy all of those conditions except for the germination condition;
 - (b) basic seed of a component of a previously listed hybrid variety that complies with the requirements of paragraph (a)(i) to (iii) and for which a marketing extension is in force in respect of seed of the hybrid variety;
 - (c) basic seed of a component of a listed hybrid variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
 - (ii) that complies with the requirements of sub-paragraph (a)(ii) and (iii);
 - (d) basic seed of a component of a previously listed hybrid variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) for which a marketing extension is in force in respect of seed of the hybrid variety;
 - (e) basic seed—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) that is a component of a hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed,other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.

EC officially certified basic seed of a component of a listed hybrid variety

16. In these Regulations “EC officially certified basic seed of a component of a listed hybrid variety” means—

- (a) basic seed of a component of a listed hybrid variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State, and

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- (b) basic seed of a component of a previously listed hybrid variety officially certified as basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force in respect of seed of the hybrid variety.

Third country officially certified basic seed of a component of a listed hybrid variety

17.—(1) In these Regulations “third country officially certified basic seed of a component of a listed hybrid variety” means basic seed to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed of a component of a listed hybrid variety—
 - (a) that was harvested from a crop that was produced—
 - (i) in an equivalent third country,
 - (ii) from a preceding generation of seed that was produced in accordance with the provisions specified in paragraph 6 of Part II(B) of the Annex to the Third Country Equivalence Decision;
 - (b) that has been officially certified as basic seed by the approved seed certification authority in that country in accordance with OECD Beet Seed Scheme and the conditions specified in paragraphs 1 and 3 of Part II(B) of the Annex to the Third Country Equivalence Decision;
 - (c) that has been packed in packages that have been officially closed and marked in accordance with the OECD Beet Seed Scheme, and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 4 of Part II(B) of the Annex to the Third Country Equivalence Decision; and
 - (d) that has been imported into the United Kingdom and was accompanied by—
 - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as basic seed; and
 - (ii) subject to paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for basic seed other than those relating to varietal identity and varietal purity; or
 - (iii) in a case where the seed has been certified in the United States of America, a Lot Inspection Certificate issued by the Official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in paragraph (ii).
- (3) This sub-paragraph applies to basic seed of a component—
 - (a) of a previously listed hybrid variety that is on the OECD List and for which a marketing extension is in force, and
 - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

Overseas tested officially certified basic seed of a component of a listed hybrid variety

18.—(1) In these Regulations “overseas tested officially certified basic seed of a component of a listed hybrid variety” means basic seed to which sub-paragraph (2) or (3) applies.

- (2) This sub-paragraph applies to basic seed of a component of a listed hybrid variety—
 - (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report was issued by or on behalf of the competent seed certification authority in the member State stating that the crop has been found to satisfy the relevant Directive crop conditions for basic seed;

- (b) for which a seed test report has been issued—
 - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
 - (ii) by a licensed EC seed testing station in either of the member States referred to in paragraph (i),
stating that the seed has been found to satisfy the relevant Directive seed conditions for basic seed;
- (c) that has been imported into the United Kingdom as a component of a hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed, and
- (d) that is accompanied by—
 - (i) an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in paragraph (a), and
 - (ii) the seed test report referred to in paragraph (b).
- (3) This sub-paragraph applies to basic seed of a component of a listed hybrid variety—
 - (a) that complies with the requirements of paragraph 17(2)(a), (b) and (d), and
 - (b) that was imported into the United Kingdom as basic seed of a component of a hybrid variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed.

UK officially certified early movement basic seed of a component of a listed hybrid variety

19.—(1) In these Regulations “UK officially certified early movement basic seed of a component of a listed hybrid variety” means seed of which paragraph (2) or (3) applies.

- (2) This paragraph applies to—
 - (a) seed of a component of a listed hybrid variety officially certified as early movement basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) seed of a component of a previously listed hybrid variety officially certified as early movement basic seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force in respect of seed of the hybrid variety.
- (3) This paragraph applies to—
 - (a) basic seed of a component of a listed hybrid variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
 - (ii) that, subject to paragraph (iii), satisfies the conditions laid down in Parts II and III of Schedule 4 for basic seed;
 - (iii) for which the results of a Schedule 4 germination test are awaited but for which a provisional analytical report has been obtained indicating what the percentage of germination of the seed is likely to be; and

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- (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for basic seed;
- (b) basic seed of a component of a previously listed hybrid variety that complies with the requirements of paragraph (a)(i) to (iv) and for which a marketing extension is in force in respect of seed of the hybrid variety;
- (c) basic seed of a component of a listed hybrid variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State, and
 - (ii) complies with the requirements of sub-paragraph (a)(ii) to (iv); and
- (d) basic seed of a component of a previously listed hybrid variety—
 - (i) that has been imported into the United Kingdom as not finally certified basic seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) to (iv); and
 - (iii) for which a marketing extension is in force in respect of seed of the hybrid variety, other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.

EC officially certified early movement basic seed of a component of a listed hybrid variety

20. In these Regulations “EC officially certified early movement basic seed of a component of a listed hybrid variety” means—

- (a) basic seed of a component of a listed hybrid variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State, and
- (b) basic seed of a component of a previously listed hybrid variety officially certified as early movement basic seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force in respect of seed of the hybrid variety.

Officially certified basic seed

21. In these Regulations “officially certified basic seed” means—

- (a) UK officially certified basic seed of a listed variety;
- (b) EC officially certified basic seed of a listed variety;
- (c) third country officially certified basic seed of a listed variety;
- (d) overseas tested officially certified basic seed of a listed variety;
- (e) UK officially certified early movement basic seed of a listed variety;
- (f) EC officially certified early movement basic seed of a listed variety;
- (g) UK officially certified basic seed of a component of a listed hybrid variety;
- (h) EC officially certified basic seed of a component of a listed hybrid variety;
- (i) third country officially certified basic seed of a component of a listed hybrid variety;
- (j) overseas tested officially certified basic seed of a component of a listed hybrid variety;

- (k) UK officially certified early movement basic seed of a component of a listed hybrid variety; and
- (l) EC officially certified early movement basic seed of a component of a listed hybrid variety.

PART III

Meaning of CS seed and similar expressions

CS seed

22. In these Regulations “CS seed” means seed that has been produced directly from officially certified basic seed and is intended for the production of beet.

UK officially certified CS seed of a listed variety

23.—(1) In these Regulations “UK officially certified CS seed of a listed variety” means seed to which paragraph (2), (3) or (4) applies.

(2) This paragraph applies to—

- (a) seed of a listed variety officially certified as CS seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
- (b) seed of a previously listed variety officially certified as CS seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.

(3) This paragraph applies to—

(a) CS seed of a listed variety—

- (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found, by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which CS seed is to be produced;

(ii) that satisfies the conditions laid down in Parts II and III of Schedule 4 for CS seed; and

(iii) for which a seed test report has been issued stating that it has been found by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for CS seed;

(b) CS seed of a previously listed variety that complies with the requirements of paragraph (a) (i) to (iii) and for which a marketing extension is in force;

(c) CS seed of a listed variety—

(i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State, and

(ii) that complies with the requirements of paragraph (a)(ii) and (iii);

(d) CS seed of a previously listed variety—

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- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) for which a marketing extension is in force;
- (e) CS seed—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State or an equivalent third country;
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iii) is of a variety that was unlisted at the time when the seed was imported into the United Kingdom but has since been listed;
- (f) CS seed of a listed variety—
- (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country, and
 - (ii) that complies with the requirements of paragraph (a)(ii) and (iii); and
- (g) CS seed—
- (i) of a previously listed variety that is on the OECD list;
 - (ii) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country;
 - (iii) that complies with the requirements of paragraph (a)(ii) and (iii); and
 - (iv) for which a marketing extension is in force,
- other than seed to which paragraph (2) applies and seed for which an application for official certification has been made to the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development that has not been finally determined.

(4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 12 to re-grade it as CS seed.

EC officially certified CS seed of a listed variety

24. In these Regulations “EC officially certified CS seed of a listed variety” means—

- (a) CS seed of a listed variety officially certified as CS seed by or on behalf of the competent seed certification authority in another member State, and
- (b) CS seed of a previously listed variety officially certified as CS seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

Third country officially certified CS seed of a listed variety

25.—(1) In these Regulations “third country officially certified CS seed of a listed variety” means CS seed to which sub-paragraph (2) or (3) applies.

(2) This sub-paragraph applies to CS seed of a listed variety—

- (a) that was harvested from a crop that was produced—
 - (i) in an equivalent third country, and

- (ii) from basic seed that was produced in accordance with the provisions of paragraph 7 of Part II(B) of the Annex to the Third Country Equivalence Decision;
- (b) that has been officially certified as CS seed by the approved seed certification authority in that country in accordance with OECD Beet Seed Scheme and the conditions specified in paragraphs 1 and 3 of Part II(B) of the Annex to the Third Country Equivalence Decision;
- (c) that has been packed in packages that have been officially closed and marked in accordance with the OECD Beet Seed Scheme, and, as regards the packaging, in accordance with the relevant conditions specified in paragraph 4 of Part II(B) of the Annex to the Third Country Equivalence Decision; and
- (d) that has been imported into the United Kingdom and was accompanied by—
 - (i) an OECD Certificate issued by the approved seed certification authority in respect of the seed lot from which the seed was taken approving the seed in that lot as CS seed; and
 - (ii) subject to paragraph (iii), an Orange or Green International Seed Lot Certificate issued under the Rules of ISTA showing that it has been found to satisfy the relevant Directive seed conditions for CS seed other than those relating to varietal identity and varietal purity; or
 - (iii) in a case where the seed has been certified in the United States of America, a Lot Inspection Certificate issued by the Official Seed Testing Laboratory under the authority of the State Seed Testing Agency showing that it has been found to satisfy those conditions instead of a certificate of the type referred to in paragraph (ii).
- (3) This sub-paragraph applies to CS seed—
 - (a) of a previously listed variety that is on the OECD List and for which a marketing extension is in force, and
 - (b) that complies with the requirements of sub-paragraph (2)(a) to (d).

Overseas tested officially certified CS seed of a listed variety

26.—(1) In these Regulations “overseas tested officially certified CS seed of a listed variety” means CS seed to which sub-paragraph (2), (3) or (4) applies.

- (2) This sub-paragraph applies to CS seed—
 - (a) that has been harvested from a crop produced in a member State (including the United Kingdom) for which a field inspection report has been issued by or on behalf of the competent seed certification authority in the member State stating that the crop had been found to satisfy the relevant Directive crop conditions for CS seed;
 - (b) for which a seed test report has been issued—
 - (i) by or on behalf of the competent seed certification authority in the member State, or in a member State, other than the United Kingdom, into which the seed was subsequently imported, or
 - (ii) by a licensed EC seed testing station in either of the member States referred to in paragraph (i),
stating that the seed has been found to satisfy the relevant Directive seed conditions for CS seed;
 - (c) that has been imported into the United Kingdom as CS seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
 - (d) that is accompanied by—

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- (i) an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State referred to in paragraph (a), and
 - (ii) the seed test report referred to in paragraph (b).
- (3) This sub-paragraph applies to CS seed—
 - (a) that was harvested from a crop produced in an equivalent third country for which a field inspection report was issued by the approved seed certification authority or a licensed third country crop inspector in that country stating that the crop had been found to satisfy the relevant Directive crop conditions for CS seed;
 - (b) that was subsequently imported into a member State other than the United Kingdom and for which a seed test report has been issued by or on behalf of the competent seed certification authority or by a licensed EC seed testing station in that member State, stating that the seed has been found to satisfy the relevant Directive seed conditions for CS seed;
 - (c) that has been imported into the United Kingdom as CS seed of a variety that was unlisted at the time when the seed was imported but has since been listed; and
 - (d) that is accompanied by—
 - (i) a Part II.A(3) official certificate relating to the crop from which the seed was harvested issued by the approved seed certification authority in the third country referred to in paragraph (a) stating that the crop had been found to satisfy the relevant crop conditions for CS seed, and
 - (ii) the seed test report referred to in paragraph (b).
- (4) This sub-paragraph applies to CS seed that—
 - (a) complies with the requirements of paragraph 25(2)(a) to (d), and
 - (b) that was imported into the United Kingdom as CS seed of a variety that was unlisted at the time when the seed was imported but has since been listed.

UK officially certified early movement CS seed of a listed variety

27.—(1) In these Regulations “UK officially certified early movement CS seed of a listed variety” means seed to which paragraph (2), (3) or (4) applies.

- (2) This paragraph applies to—
 - (a) seed of a listed variety officially certified as early movement CS seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) seed of a previously listed variety officially certified as early movement CS seed by or on behalf of the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development and for which a marketing extension is in force.
- (3) This paragraph applies to—
 - (a) CS seed of a listed variety—
 - (i) that has been harvested from a crop produced in the United Kingdom for which a field inspection report has been issued stating that the crop has been found by an official UK field inspection (whenever carried out) or, in the case of a crop that has been produced from seed that has been subject to satisfactory official post control, by a UK field inspection carried out under official supervision following the listing of the variety, to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which CS seed is to be produced;

- (ii) that, subject to sub-paragraph (iii), satisfies the conditions laid down in Parts II and III of Schedule 4 for CS seed;
- (iii) for which the results of a Schedule 4 germination test are awaited to determine whether the seed will satisfy the applicable germination standard for CS seed but for which a provisional analytical report has been obtained indicating that the seed is likely to meet that standard; and
- (iv) for which a seed test report has been issued stating that it has been found, subject to the results of the awaited Schedule 4 germination test, by an official UK seed test or by a UK seed test carried out under official supervision (in either case whenever carried out) to satisfy the conditions laid down in Part II of Schedule 4 for CS seed;
- (b) CS seed of a previously listed variety that complies with the requirements of paragraph (a) (i) to (iv) and for which a marketing extension is in force;
- (c) CS seed of a listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State, and
 - (ii) complies with the requirements of paragraph (a)(ii) to (iv);
- (d) CS seed of a previously listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in another member State;
 - (ii) that complies with the requirements of paragraph (a)(ii) to (iv); and
 - (iii) for which a marketing extension is in force;
- (e) CS seed of a listed variety—
 - (i) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country, and
 - (ii) that complies with the requirements of paragraph (a)(ii) to (iv);
- (f) CS seed—
 - (i) of a previously listed variety that is on the OECD list;
 - (ii) that has been imported into the United Kingdom as not finally certified CS seed harvested in an equivalent third country;
 - (iii) that complies with the requirements of paragraph (a)(ii) to (iv); and
 - (iv) for which a marketing extension is in force.

(4) Seed of a listed variety, or of a previously listed variety for which a marketing extension is in force, in respect of which a successful application has been made to the Secretary of State under regulation 12 to re-grade it as early movement CS seed.

EC officially certified early movement CS seed of a listed variety

28. In these Regulations “EC officially certified early movement CS seed of a listed variety” means—

- (a) CS seed of a listed variety officially certified as early movement CS seed by or on behalf of the competent seed certification authority in another member State, and
- (b) CS seed of a previously listed variety officially certified as early movement CS seed by or on behalf of the competent seed certification authority in another member State and for which a marketing extension is in force.

Officially certified CS seed

29. In these Regulations “officially certified CS seed” means—

- (a) UK officially certified CS seed of a listed variety;
- (b) EC officially certified CS seed of a listed variety;
- (c) third country officially certified CS seed of a listed variety;
- (d) overseas tested officially certified CS seed of a listed variety;
- (e) UK officially certified early movement CS seed of a listed variety; and
- (f) EC officially certified early movement CS seed of a listed variety.

Early multiplication

30.—(1) The requirement contained in paragraph 22 (that CS seed be produced directly from officially certified basic seed) shall be treated as having been complied with in relation to CS seed in a case where—

- (a) the CS seed (in this paragraph called “the harvested CS seed”) has been harvested from a crop produced from basic seed to which sub-paragraph (2) or (3) applies, and
 - (b) the variety of the harvested CS seed was not listed at the time when the basic seed referred to in paragraph (a) was sown but was subject to an application for listing at that time which was subsequently granted.
- (2) This sub-paragraph applies to basic seed—
- (a) that was harvested from a crop—
 - (i) that was produced in the United Kingdom and found by an official UK field inspection to satisfy the conditions laid down in Schedule 3 and Part I of Schedule 4 for a crop from which basic seed is to be produced;
 - (ii) that was produced in another member State and found by a field inspection of the crop carried out by or on behalf of the competent seed certification authority in that State to satisfy the Directive crop conditions for basic seed; or
 - (iii) that was produced in an equivalent third country and found by a field inspection of the crop carried out by the approved seed certification authority in that country to satisfy the Directive crop conditions for basic seed;
 - (b) that—
 - (i) was found by official UK seed test or UK seed testing carried out under official supervision to satisfy the conditions laid down in Part II of Schedule 4 for basic seed,
 - (ii) was found by seed testing carried out by or on behalf of the competent seed certification authority, or an authorised seed testing laboratory, in another member State to satisfy the Directive seed conditions for basic seed; or
 - (iii) was found by seed testing carried out by the approved seed certification authority or a licensed third country seed testing station in an equivalent third country to satisfy the Directive seed conditions for basic seed; and
 - (c) that was of the same variety as the harvested CS seed.
- (3) This sub-paragraph applies to basic seed of a component of a hybrid variety—
- (a) that complied with the requirements of sub-paragraph (2)(a) and (b), and
 - (b) that was a component in the production of the harvested CS seed.

PART IV

Meaning of expressions relating to imported not finally certified seed

Not finally certified pre-basic seed harvested in another member State

31.—(1) In these Regulations “not finally certified pre-basic seed harvested in another member State” means pre-basic seed—

- (a) to which sub-paragraph (2) applies;
- (b) that has been harvested from a crop produced in another member State and has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State to satisfy the Directive crop conditions for basic seed;
- (c) that has been packed in a sealed package in accordance with the requirements of Article 11(1) of the Beet Seed Directive and is labelled with a grey label;
- (d) that has been imported into the United Kingdom as not finally certified seed; and
- (e) that is accompanied by an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.

(2) This sub-paragraph applies to pre-basic seed of—

- (a) a listed variety;
- (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
- (c) a previously listed variety for which a marketing extension is in force.

(3) In this paragraph “grey label” means, in relation to the seed contained in the package on which the label is affixed, a grey coloured label containing the following particulars—

- (a) the authority responsible for the field inspection of the crop and the member State or their commonly used initials;
- (b) the species of the seed, indicated at least in Roman characters—
 - (i) under its botanical name, which may be given in abridged form and without the author’s name; or
 - (ii) under its common name; or
 - (iii) under both;
- (c) for sugar beet the words “sugar beet” and for fodder beet the words “fodder beet”;
- (d) the variety of the seed, indicated at least in Roman characters;
- (e) the category of the seed;
- (f) the field or lot reference number of the seed;
- (g) the declared net or gross weight of the seed; and
- (h) the words “seed not finally certified”.

Not finally certified basic seed harvested in another member State

32.—(1) In these Regulations “not finally certified basic seed harvested in another member State” means basic seed—

- (a) to which sub-paragraph (2) applies;

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- (b) that has been harvested from a crop produced in another member State and has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State to satisfy the Directive crop conditions for basic seed;
 - (c) that is packed in a sealed package in accordance with the requirements of Article 11(1) of the Beet Seed Directive that is labelled with a grey label;
 - (d) that is imported into the United Kingdom as not finally certified seed; and
 - (e) that is accompanied by an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.
- (2) This sub-paragraph applies to basic seed of—
- (a) a listed variety;
 - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined;
 - (c) a previously listed variety for which a marketing extension is in force;
 - (d) a component of a listed hybrid variety;
 - (e) a component of a hybrid variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
 - (f) a component of a previously listed hybrid variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” shall have the same meaning as in paragraph 31(3).

Not finally certified CS seed harvested in another member State

33.—(1) In these Regulations “not finally certified CS seed harvested in another member State” means CS seed—

- (a) to which sub-paragraph (2) applies;
 - (b) that has been harvested from a crop—
 - (i) that has been produced in another member State directly from officially certified basic seed, and, in the case of a crop from which CS seed of a hybrid variety is to be harvested, includes a crop that has been produced from crossing basic seed officially certified by or on behalf of a competent seed certification authority in a member State with basic seed officially certified by an approved seed certification authority in an equivalent third country; and
 - (ii) that has been found by a field examination of the crop carried out by or on behalf of the competent seed certification authority in the member State, or, in the case of seed that has been harvested from a crop that has been produced from seed that has undergone official post-control the results of which have been satisfactory, by a field examination of the crop carried out by a licensed EC crop inspector in that member State, to satisfy the Directive crop conditions for CS seed;
 - (c) that has been packed in a sealed package in accordance with the requirements of Article 11(1) of the Beet Seed Directive that is labelled with a grey label;
 - (d) that has been imported into the United Kingdom as not finally certified seed; and
 - (e) that is accompanied by an Annex IV(C) document relating to the seed issued by or on behalf of the competent seed certification authority in the member State in which the seed was harvested.
- (2) This sub-paragraph applies to CS seed of—

- (a) listed variety;
 - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
 - (c) a previously listed variety for which a marketing extension is in force.
- (3) In this paragraph “grey label” shall have the same meaning as in paragraph 31(3).

Not finally certified CS seed harvested in an equivalent third country

34.—(1) In these Regulations “not finally certified CS seed harvested in an equivalent third country” means CS seed—

- (a) to which sub-paragraph (2) applies;
 - (b) that has been harvested from a crop—
 - (i) that has been produced in an equivalent third country directly from officially certified basic seed, and, in the case of a crop from which CS seed of a hybrid variety is to be harvested, includes a crop that has been produced from crossing basic seed officially certified by or on behalf of a competent seed certification authority in a member State with basic seed officially certified by an approved seed certification authority in an equivalent third country; and
 - (ii) that has been found, by a field inspection of the crop carried out by the approved seed certification authority in the equivalent third country in which the crop was produced, or a licensed third country field inspector in that country, in accordance with the conditions specified in Part II.A of the Annex to the Third Country Equivalence Decision, to satisfy the Directive crop conditions for CS seed;
 - (c) that has been packed in a sealed package and labelled in accordance with the requirements specified in paragraph 2 of Part II.A of the Annex to the Third Country Equivalence Decision;
 - (d) that has been imported into the United Kingdom as not finally certified seed; and
 - (e) that is accompanied by a Part II.A(3) official certificate relating to the seed issued by the approved seed certification authority in the equivalent third country in which the seed was harvested.
- (2) This sub-paragraph applies to CS seed of—
- (a) a listed variety;
 - (b) a variety that is unlisted but in respect of which an application for listing has been made that has not been withdrawn or finally determined; or
 - (c) a previously listed variety that is on the OECD List and for which a marketing extension is in force.

SCHEDULE 2

Regulation 4(1)

SPECIES OF SEED TO WHICH THESE REGULATIONS APPLY

1. Sugar beet.
2. Fodder beet.

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SCHEDULE 3

Regulations 2(1), 7(8) to (10), (11), (12), (13)(b), (15)(c) and (18)(a), 9(3), 4(c) and 9(5)(c), 10(15)(a), 12(4)(f), 13(1)(b) and paragraphs 2(3)(a), 5(3)(a), 9(3)(a), 13(3)(a), 15(3)(a), 19(3)(a), 23(3)(a), 27(3)(a) and 30(2)(a) of Schedule 1.

CONDITIONS RELATING TO CROPS FROM WHICH SEED IS TO BE HARVESTED

1. The previous cropping of the field shall not have been incompatible with the production of seeds of *Beta vulgaris* of the variety of the crop and the field shall be sufficiently free from volunteers of such plants from previous cropping.
2. The crop shall have sufficient varietal identity and varietal purity.
3. The seed from which the crop has been produced and all previous multiplications of the seed shall have been examined—
 - (a) by or on behalf of the Secretary of State, the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development or by a licensed seed testing station;
 - (b) by or on behalf of a competent seed certification authority in another member State or by a licensed EC seed testing station; or
 - (c) by an approved seed certification authority in an equivalent third country or by a licensed third country seed testing station.
4. Subject to paragraphs 5 to 8, the crop shall conform to the following standards as regards distances from neighbouring sources of pollen.

	<i>Crop</i> 1	<i>Minimum distance</i> 2
(1)	For the production of basic seed— — from any pollen source of the genus <i>Beta</i>	1,000 metres
(2)	For the production of CS seed of sugar beet—	
(a)	(a) from any pollen sources of the genus <i>Beta</i> not included below	1,000 metres
	(b) (b) the intended pollinator or one of the intended pollinators being diploid, from tetraploid sugar beet pollen sources	600 metres
	(c) (c) the intended pollinator being exclusively tetraploid, from	600 metres

<i>Crop</i>	<i>Minimum distance</i>
<i>1</i>	<i>2</i>
	diploid sugar beet pollen sources
(d)	(d) from sugar beet pollen sources, the ploidy of which is unknown 600 metres
(e)	(e) the intended pollinator or one of the intended pollinators being diploid, from diploid sugar beet pollen sources 300 metres
(f)	(f) the intended pollinator being exclusively tetraploid, from tetraploid sugar beet pollen sources 300 metres
(g)	(g) between two sugar beet seed production fields in which male sterility is not used 300 metres
(3)	For the production of CS seed of fodder beet—
(a)	(a) from any pollen sources of the genus Beta not included below 1,000 metres
(b)	(b) the intended pollinator or one of the intended pollinators being diploid, from tetraploid fodder beet pollen sources 600 metres
(c)	(c) the intended pollinator being exclusively tetraploid, from diploid fodder beet pollen sources 600 metres
(d)	(d) from fodder beet pollen sources, 600 metres

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<i>Crop</i> 1	<i>Minimum distance</i> 2
	the ploidy of which is unknown
(e)	(e) the intended pollinator or one of the intended pollinators being diploid, from fodder beet pollen sources 300 metres
(f)	(f) the intended pollinator being exclusively tetraploid, from tetraploid fodder beet pollen sources 300 metres
(g)	(g) between two fodder beet seed production fields in which male sterility is not used 300 metres

5. The distances specified in paragraph 4 can be disregarded if there is sufficient protection from any undesirable foreign pollinator.

6. Paragraph 4 shall not apply in the case of seed crops using the same pollinator.

7. Subject to paragraph 8, for the purpose of paragraph 4 the ploidy of both seed-bearing and pollen shedding components of a seed-producing crop is to be established by reference to the Common Catalogue or a National List.

8. If information relating to the ploidy of the seed-bearing or pollen shedding components of a seed-producing crop is not included in the Common Catalogue or a National List, the ploidy of the components shall be regarded as unknown.

9.—(1) A crop from which basic seed is to be produced shall be examined by at least two official UK field inspections, one of stecklings and the other of the seed producing plants, to determine whether the crop meets the conditions laid down in this Schedule and in Part I of Schedule 4.

(2) A crop from which CS seed is to be produced shall be examined by means of at least one official UK field inspection or a UK field inspection carried out under official supervision to determine whether the crop meets the conditions laid down in this Schedule and in Part I of Schedule 4.

(3) The field inspections shall be carried out at a time when the cultural condition of the field and the stage of development of the crop permit identity and varietal purity to be adequately checked.

10. For the purpose of determining whether the crop from which pre-basic seed is to be produced meets the conditions laid down in this Schedule and Part I of Schedule 4, the crop from which such seed is to be produced shall be treated in the same way as a crop from which basic seed is to be produced.

Regulations 2(1), 7(8) to (12), (13)(b), (15)(c) and (18)(b), 9(3), (4)(c) and (5)(c), 10(5)(c), (6) to (13), (15)(a), 12(3) and 12(4)(f) to (h), 13(1)(b) and (c), paragraphs 2(3)(a), 5(3)(a), 9(3)(a), 13(3)

(a), 15(3)(a), 19(3)(a), 23(3)(a), 27(3)(a) and 30(2)(a) of Schedule 1 and paragraphs 3, 9(1) and (2) and 10 of Schedule 3.

SCHEDULE 4

CONDITIONS TO BE SATISFIED BY THE SEED

PART I

Conditions to be examined mainly by field inspections

1. The seed shall have sufficient varietal identity and varietal purity.

PART II

Conditions to be examined by seed testing

2. The minimum analytical purity of the seed shall be 97 per cent by weight excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.

3. The maximum moisture content of the seed shall be 15 per cent by weight excluding, where appropriate, granulated pesticides, pelleting substances or other solid additives.

4. The percentage by weight of other seeds shall not exceed 0.3.

5. It shall be determined, by way of a germination test—

- (a) in the case of basic seed, whether the seed attains the applicable percentage of germination set out in column 2 of the table below, and
- (b) in the case of CS seed, whether the seed attains the applicable minimum percentage of germination set out in column 2 of the table below—

<i>Species and category</i>	<i>Germination standard for basic seed/ minimum germination for CS seed (% of clusters or pure seed)</i>
1	2
<hr/>	
Sugar beet—	
(i) monogerm seed	80
(ii) precision seed	75
(iii) multigerm seed of a variety with more than 85% diploids	73
(iv) other seed	68
Fodder beet—	
(i) multigerm seed of a variety with more than 85% diploids, monogerm seed and precision seed	73
(ii) other seed	68

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6. In the case of monogerm seed—
 - (a) at least 90 per cent of the germinated clusters shall give single seedlings, and
 - (b) clusters giving three or more seedlings shall not exceed 5 per cent of the germinated clusters.
7. In the case of precision seed of sugar beet—
 - (a) at least 70 per cent of the germinated clusters shall give single seedlings, and
 - (b) clusters giving three or more seedlings shall not exceed 5 per cent of the germinated clusters.
- 8.—(1) In the case of precision seed of fodder beet—
 - (a) in the case of a variety with a percentage of diploids exceeding 85, at least 58 per cent of the germinated clusters shall give single seedlings, and
 - (b) in the case of any other variety, at least 63 per cent of the germinated clusters shall give single seedlings.

(2) In the case of precision seed of fodder beet, clusters giving three or more seedlings shall not exceed 5 per cent of the germinated clusters.
9. Subject to paragraph 10, in the case of monogerm and precision seed, the weight of inert matter shall not exceed—
 - (a) 1.0 per cent in the case of basic seed, and
 - (b) 0.5 per cent in the case of CS seed.
10. For the purpose of determining whether the pelleted seed of basic or CS seed will satisfy the condition laid down in paragraph 9, an official sample of seed drawn from processed seed which has undergone partial decortication (rubbing or grinding) but has not yet been pelleted shall be examined.

PART III

Other conditions

11. Diseases which reduce the usefulness of the seed shall be at the lowest possible level that can be achieved.

PART IV

General provisions

12. For the purpose of determining whether seed meets the conditions laid down in this Schedule, pre-basic seed shall be treated in the same way as basic seed.

SCHEDULE 5

Regulation 12(1) and 20(1)(b)

RE-GRADING OF SEED

<i>Column (1)</i>	<i>Column (2)</i>
1. UK, EC or overseas tested officially certified pre-basic seed of a listed variety	UK officially certified basic seed of a listed variety
2. UK, EC, third country or overseas tested officially certified basic seed of a listed variety	UK officially certified pre-basic seed of a listed variety
3. UK or EC officially certified early movement pre-basic seed of a listed variety	UK officially certified early movement basic seed of a listed variety
4. UK or EC officially certified early movement basic seed of a listed variety	UK officially certified early movement pre-basic seed of a listed variety
5. UK, EC, third country or overseas tested CS seed of a listed variety	UK officially certified pre-basic or basic seed of a listed variety

SCHEDULE 6

Regulation 14(1)

CATEGORIES OF SEED THAT MAY BE MARKETED

Breeder's seed

1. Breeder's seed.

Pre-basic seed of a listed variety

2. UK officially certified pre-basic seed of a listed variety.
3. EC officially certified pre-basic seed of a listed variety.
4. Overseas tested officially certified pre-basic seed of a listed variety.

Basic seed of a listed variety

5. UK officially certified basic seed of a listed variety.
6. EC officially certified basic seed of a listed variety.
7. Third country officially certified basic seed of a listed variety.
8. Overseas tested officially certified basic seed of a listed variety.

CS seed of a listed variety

9. UK officially certified CS seed of a listed variety.
10. EC officially certified CS seed of a listed variety.
11. Third country officially certified CS seed of a listed variety.
12. Overseas tested officially certified CS seed of a listed variety.

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Early movement pre-basic seed of a listed variety

- 13. UK officially certified early movement pre-basic seed of a listed variety.
- 14. EC officially certified early movement pre-basic seed of a listed variety.

Early movement basic seed of a listed variety

- 15. UK officially certified early movement basic seed of a listed variety.
- 16. EC officially certified early movement basic seed of a listed variety.

Early movement CS seed of a listed variety

- 17. UK officially certified early movement CS seed of a listed variety.
- 18. EC officially certified early movement CS seed of a listed variety.

Basic seed of a component of a listed hybrid variety

- 19. UK officially certified basic seed of a component of a listed hybrid variety.
- 20. EC officially certified basic seed of a component of a listed hybrid variety.
- 21. Third country officially certified basic seed of a component of a listed hybrid variety.
- 22. Overseas tested officially certified basic seed of a component of a listed hybrid variety.

Early movement basic seed of a component of a listed hybrid variety

- 23. UK officially certified early movement basic seed of a component of a listed hybrid variety.
- 24. EC officially certified early movement basic seed of a component of a listed hybrid variety.

SCHEDULE 7

Regulations 2(1), 20(2),(3), (4) and (5) and
24(6)

LOT AND SAMPLE WEIGHTS

PART I

Maximum weight of a seed lot

20 metric tonnes

PART II

Minimum weight of a sample

500 grammes or 7,500 pelleted seeds

PART III

Minimum weight of a sample for a moisture test

50 grammes

SCHEDULE 8

Regulation 23(3)(b), (4),(5)(a), (6)(a), (7)
(a) and (8)(b)

LABELLING

PART I

Particulars to be marked or displayed on the sale of unpackaged seed (loose sales)

1. The following particulars shall be given—
 - (a) “complies with legal standards”;
 - (b) for sugar beet the words “sugar beet” and for fodder beet the words “fodder beet”;
 - (c) the variety;
 - (d) for monogerm seed, the word “monogerm”; and
 - (e) for precision seed, the word “precision”.

PART II

Labelling of packages of breeder’s seed

2. A package of breeder’s seed shall be labelled, not later than the time of sealing, on the outside with a supplier’s label containing the following particulars—
 - (a) the name and address of the supplier responsible for affixing the labels or his registration number;
 - (b) the reference number of the lot;
 - (c) for sugar beet the words “sugar beet” and for fodder beet the words “fodder beet”;
 - (d) the variety;
 - (e) the words “breeder’s seed”; and
 - (f) the declared net or gross weight or declared number of clusters or pure seed.
3. The label referred to in paragraph 2 shall be coloured buff.

PART III

Labelling of packages of officially certified pre-basic seed

4. A package of officially certified pre-basic seed shall be labelled, not later than the time of sealing, on the outside with an official label which has not previously been used containing the following particulars—

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- (a) the name of the certification authority and member State or their commonly used initials;
 - (b) the reference number of the lot;
 - (c) the month and year of sealing or the month and year of the last official sampling for the purposes of certification, expressed respectively as follows—
 - (i) by the word “Sealed” followed by the month and year of sealing, or
 - (ii) by the word “Sampled” followed by the month and year of last official sampling for the purposes of certification;
 - (d) the species, indicated at least in Roman characters—
 - (i) under its botanical name, which may be given in abridged form and without the author’s name; or
 - (ii) under its common name; or
 - (iii) under both;
 - (e) for sugar beet the words “sugar beet” and for fodder beet the words “fodder beet”;
 - (f) the variety, indicated at least in Roman characters;
 - (g) the description “pre-basic seed”;
 - (h) the number of generations by which the seed precedes CS seed;
 - (i) the country of production;
 - (j) the declared net or gross weight or declared number of clusters or pure seeds; and
 - (k) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of pure seeds and the total weight.
5. The label referred to in paragraph 4 shall be coloured white with a diagonal violet line.
6. The minimum size of the label referred to in paragraph 4 shall be 110 mm x 67 mm.
7. The label referred to in paragraph 4—
- (a) shall be—
 - (i) an adhesive label, or
 - (ii) a label secured to the package by a sealing device approved by the Secretary of State, the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
 - (b) shall be fixed to the package by—
 - (i) an authorised officer or any person being supervised by such a person, or
 - (ii) a licensed seed sampler or any person being supervised by such a person.

PART IV

Labelling of packages of officially certified basic and CS seed

Official label for a package of officially certified basic or CS seed

8. A package of officially certified basic or CS seed, other than a small EC package of basic or CS seed, shall be labelled, not later than the time of sealing, on the outside with an official label which has not previously been used containing the following particulars—

- (a) the words “EC rules and standards”;

- (b) the name of the certifying authority and member State or their commonly used initials;
- (c) the reference number of the lot;
- (d) the month and year of sealing or the month and year of the last official sampling for the purposes of certification, expressed respectively as follows—
 - (i) by the word “Sealed” followed by the month and year of sealing, or
 - (ii) by the word “Sampled” followed by the month and year of last official sampling for the purposes of certification;
- (e) the species, indicated at least in Roman characters—
 - (i) under its botanical name, which may be given in abridged form and without the author’s name; or
 - (ii) under its common name; or
 - (iii) under both;
- (f) for sugar beet the words “sugar beet” and for fodder beet the words “fodder beet”;
- (g) the variety, indicated at least in Roman characters;
- (h) the category;
- (i) the country of production;
- (j) the declared net or gross weight or declared number of clusters or pure seed;
- (k) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight;
- (l) for monogerm seed, the word “monogerm”; and
- (m) for precision seed, the word “precision”.

9. Where at least germination of the seed referred to in paragraph 8 has been retested, the words “retested” followed by the month and year of retesting and the authority responsible for such retesting may be indicated on the official label referred to in paragraph 8 or on an official sticker attached to the official label.

10. The minimum size of the label referred to in paragraph 8 shall be 110 mm x 67 mm.

11. The label referred to in paragraph 8 shall be coloured -

- (a) white for basic seed, and
- (b) blue for CS seed.

12. The label referred to in paragraph 8—

- (a) shall be—
 - (i) an adhesive label, or
 - (ii) a label secured to the package by a sealing device approved by the Secretary of State, the Scottish Ministers, the National Assembly for Wales or the Department of Agriculture and Rural Development, and
- (b) shall be fixed to the package by—
 - (i) an authorised officer or any person being supervised by such a person, or
 - (ii) a licensed seed sampler or any person being supervised by such a person.

Supplier’s label for a small EC package of basic or CS seed

13. A small EC package of basic or CS seed shall be labelled—

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- (a) not later than the time of sealing;
- (b) subject to paragraph 14, on the outside; and
- (c) with a label, a printed notice or stamp containing the following information—
 - (i) “small EC package”;
 - (ii) the name and address of the supplier responsible for marking or his identification mark;
 - (iii) the officially assigned serial number;
 - (iv) the service which assigned the serial number and the name of the member State or their commonly used initials;
 - (v) the reference number of the lot;
 - (vi) the species, indicated at least in Roman characters;
 - (vii) for sugar beet the words “sugar beet” and for fodder beet the words “fodder beet”;
 - (viii) the variety, indicated at least in Roman characters;
 - (ix) the category;
 - (x) the net or gross weight or number of clusters or pure seeds;
 - (xi) where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of clusters or pure seeds and the total weight;
 - (xii) for monogerm seed, the word “monogerm”; and
 - (xiii) for precision seed, the word “precision”.

14. If the packaging material is transparent the label, notice or stamp referred to in paragraph 13 may be placed inside the package provided it can be read through the packaging.

15. The label, notice or stamp referred to in paragraph 13 shall be coloured -

- (a) white for basic seed, and
- (b) blue for CS seed.

SCHEDULE 9

Regulation 24(2)

LIMITS OF VARIATION

FOR GERMINATION OR FOR CLUSTERS WITH A SINGLE SEEDLING

<i>Stated minimum percentage of germination or clusters with a single seedling (expressed as an integer)</i>	<i>Limit of variation Per cent</i>
99-100	2
97-98	3
94-96	4
91-93	5
87-90	6
82-86	7

<i>Stated minimum percentage of germination or clusters with a single seedling (expressed as an integer)</i>	<i>Limit of variation Per cent</i>
76-81	8
69-75	9
60-68	10
50-59	11

ANALYTICAL PURITY

<i>Stated minimum percentage of analytical purity (expressed to one decimal point)</i>	<i>Limit of variation Per cent</i>
99.9-100	0.2
99.8	0.3
99.6-99.7	0.4
99.3-99.5	0.5
99.0-99.2	0.6
98.5-98.9	0.7
98.3-98.4	0.8
97.5-98.2	0.9
97.0-97.4	1.0
96.5-96.9	1.1
95.5-96.4	1.2
95.0-95.4	1.3

CONTENT OF SEEDS OF OTHER SPECIES

<i>Stated maximum percentage of seeds of other species (expressed to one decimal point)</i>	<i>Limit of variation Per cent</i>
0.0	0.1
0.1-0.2	0.3
0.3-0.4	0.4
0.5	0.5

CLUSTERS WITH THREE OR MORE SEEDLINGS

<i>Stated maximum percentage of clusters with three or more seedlings (expressed as an integer)</i>	<i>Limit of variation Per cent</i>
0-2	2
3-4	3

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<i>Stated maximum percentage of clusters with three or more seedlings (expressed as an integer)</i>	<i>Limit of variation Per cent</i>
5-6	4
7-9	5
10	6

SCHEDULE 10

Regulation 28

INDEX OF WORDS AND EXPRESSIONS USED IN THESE REGULATIONS

The expressions listed in the left-hand column of the following table are defined in the corresponding provisions listed in the right-hand column of the table—

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
the Act	Regulation 2(1)
Annex IV(C) document	Regulation 2(1)
another member State	Regulation 2(1)
appropriate time	Regulation 5(4)
approved seed certification authority	Regulation 2(1)
authorised officer	Regulation 2(1)
basic seed	Paragraph 8 of Schedule 1
the Beet Seed Directive	Regulation 2(1)
blended seed lot	Regulation 2(1)
breeder	Regulation 2(1)
breeder's seed	Regulation 2(1)
Common Catalogue	Regulation 2(1)
Common Catalogue Directive	Regulation 2(1)
component	Regulation 2(1)
control plot	Regulation 2(1)
CS seed	Paragraph 22 of Schedule 1
Department of Agriculture and Rural Development	Regulation 2(1)
Directive crop conditions	Regulation 2(1)
Directive seed conditions	Regulation 2(1)
EEA State	Regulation 2(1)
EC minimum percentage of germination	Regulation 2(1)

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
EC officially certified basic seed of a component of a listed hybrid variety	Paragraph 16 of Schedule 1
EC officially certified basic seed of a listed variety	Paragraph 10 of Schedule 1
EC officially certified CS seed of a listed variety	Paragraph 24 of Schedule 1
EC officially certified early movement basic seed of a component of a listed hybrid variety	Paragraph 20 of Schedule 1
EC officially certified early movement basic seed of a listed variety	Paragraph 14 of Schedule 1
EC officially certified early movement CS seed of a listed variety	Paragraph 28 of Schedule 1
EC officially certified early movement pre-basic seed of a listed variety	Paragraph 6 of Schedule 1
EC officially certified pre-basic seed of a listed variety	Paragraph 3 of Schedule 1
entered seed lot	Regulation 2(1)
equivalent third country	Regulation 2(1)
final seed test report	Regulation 11(6)
fodder beet	Regulation 2(1)
genetically modified	Regulation 2(1)
germination condition	Regulation 2(1)
grey label	Paragraph 31(3) of Schedule 1
homogeneous seed lot	Regulation 2(1)
ISTA	Regulation 2(1)
late entered seed lot	Regulation 2(1)
licensed crop inspector	Regulation 2(1)
licensed EC crop inspector	Regulation 2(1)
licensed EC seed testing station	Regulation 2(1)
licensed seed sampler	Regulation 2(1)
licensed seed testing station	Regulation 2(1)
licensed third country crop inspector	Regulation 2(1)
licensed third country seed testing station	Regulation 2(1)
listed variety	Regulation 2(1)
listing	Regulation 2(1)
maintainer	Regulation 2(1)

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<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
marketing	Regulation 3
marketing extension	Regulation 2(1)
member State	Regulation 2(1)
monogerm seed	Regulation 2(1)
a National List	Regulation 2(1)
not finally certified basic seed harvested in another member State	Paragraph 32 of Schedule 1
not finally certified CS seed harvested in an equivalent third country	Paragraph 34 of Schedule 1
not finally certified CS seed harvested in another member State	Paragraph 33 of Schedule 1
not finally certified pre-basic seed harvested in another member State	Paragraph 31 of Schedule 1
OECD	Regulation 2(1)
OECD Beet Seed Scheme	Regulation 2(1)
OECD Certificate	Regulation 2(1)
OECD Decision	Regulation 2(1)
OECD List	Regulation 2(1)
official label	Regulation 2(1)
officially certified basic seed	Paragraph 21 of Schedule 1
officially certified CS seed	Paragraph 29 of Schedule 1
officially certified pre-basic seed	Paragraph 7 of Schedule 1
official measures	Regulation 2(1)
official sample	Regulation 2(1)
official UK field inspection	Regulation 2(1)
official UK seed test	Regulation 2(1)
overseas tested officially certified basic seed of a listed variety	Paragraph 12 of Schedule 1
overseas tested officially certified basic seed of a component of a listed hybrid variety	Paragraph 18 of Schedule 1
overseas tested officially certified CS seed of a listed variety	Paragraph 26 of Schedule 1
overseas tested officially certified pre-basic seed of a listed variety	Paragraph 4 of Schedule 1
Part II.A(3) official certificate	Regulation 2(1)
pre-basic seed	Paragraph 1 of Schedule 1

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
precision seed	Regulation 2(1)
previously listed variety	Regulation 2(1)
qualifying seed lot	Regulation 10(15)
qualifying seed test report	Regulation 5(4)
registered person	Regulation 2(1)
regulation 17 authorisation	Regulation 2(1)
regulation 18 authorisation	Regulation 2(1)
Schedule 4 germination test	Regulation 2(1)
Secretary of State	Regulation 2(1)
seed industry activity	Regulation 2(1)
seed lot	Regulation 2(1)
seed that has been subject to satisfactory official post control	Regulation 2(1)
seed that is subject to official post-control	Regulation 7(18)
small EC package	Regulation 2(1)
sugar beet	Regulation 2(1)
third country	Regulation 2(1)
the Third Country Equivalence Decision	Regulation 2(1)
third country officially certified basic seed of a component of a listed hybrid variety	Paragraph 17 of Schedule 1
third country officially certified basic seed of a listed variety	Paragraph 11 of Schedule 1
third country officially certified CS seed of a listed variety	Paragraph 25 of Schedule 1
UK field inspection carried out under official supervision	Regulation 2(1)
UK officially certified basic seed of a component of a listed hybrid variety	Paragraph 15 of Schedule 1
UK officially certified basic seed of a listed variety	Paragraph 9 of Schedule 1
UK officially certified CS seed of a listed variety	Paragraph 23 of Schedule 1
UK officially certified early movement basic seed of a component of a listed hybrid variety	Paragraph 19 of Schedule 1
UK officially certified early movement basic seed of a listed variety	Paragraph 13 of Schedule 1

Status: This is the original version (as it was originally made).

<i>Expression</i>	<i>Provision of these Regulations in which the expression is defined</i>
UK officially certified early movement CS seed of listed variety	Paragraph 27 of Schedule 1
UK officially certified early movement pre-basic seed of a listed variety	Paragraph 5 of Schedule 1
UK officially certified pre-basic seed of a listed variety	Paragraph 2 of Schedule 1
UK seed test carried out under official supervision	Regulation 2(1)
unlisted variety	Regulation 2(1)
whenever carried out	Regulation 2(1)
writing	Regulation 2(3)