

## SCHEDULE 4

### Exceptions

## PART 2

### Marketing seed that does not comply with Schedule 2

#### Marketing unlisted varieties of vegetable seed

**10.**—(1) For the purpose of gaining knowledge and practical experience of a variety during cultivation, the Secretary of State may authorise the marketing of vegetable seed not listed on the [<sup>F1</sup>GB Variety List provided an application has been made for entry into the GB Variety List or the NI Variety List].

(2) An authorisation is valid for one year and is renewable twice for a period not exceeding one year at each renewal.

(3) There are no quantitative restrictions on the amount that may be authorised.

(4) The authorisation may only be requested by the person who has submitted an application for entry of the varieties concerned on to the [<sup>F2</sup>GB Variety List, NI Variety List or an equivalent list of a country granted equivalence].

(5) The package must have an orange label and include the words “Variety not yet officially listed” in addition to the other labelling requirements of these Regulations (except that the name of the certifying authority and the country of origin need not appear).

(6) The person marketing the seed must—

(a) retain a sample of each seed lot marketed and keep it for at least two years;

(b) record for each sale the name and address of the buyer and keep the record for at least three years.

<sup>F3</sup>(7) .....

<sup>F3</sup>(8) .....

#### Textual Amendments

**F1** Words in Sch. 4 para. 10(1) substituted (31.12.2020) by S.I. 2019/131, regs. 1(b), **7(15)(f)(i)** (as substituted by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), **29(5)(k)(iv)**); 2020 c. 1, Sch. 5 para. 1(1)

**F2** Words in Sch. 4 para. 10(4) substituted (31.12.2020) by S.I. 2019/131, regs. 1(b), **7(15)(f)(ii)** (as substituted by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), **29(5)(k)(iv)**); 2020 c. 1, Sch. 5 para. 1(1)

**F3** Sch. 4 para. 10(7)(8) omitted (31.12.2020) by virtue of S.I. 2019/131, regs. 1(b), **7(15)(f)(iii)** (as substituted by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), **29(5)(k)(iv)**); 2020 c. 1, Sch. 5 para. 1(1)

**Status:**

Point in time view as at 31/12/2020. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Seed Marketing Regulations 2011, Paragraph 10.