
STATUTORY INSTRUMENTS

2019 No. 211

**The Marketing of Seeds and Plant Propagating Material
(Amendment) (Northern Ireland) (EU Exit) Regulations 2019**

PART 4

The Forest Reproductive Material Regulations (Northern Ireland) 2002

Amendment of Schedule 13

38. In Schedule 13—

- (a) in paragraph 1, for “an EU-approved”, substitute “a member State, an approved non-EU”;
- (b) in paragraph 2—
 - (i) before the definition of “OECD Certificate of Provenance”, insert—

““OECD Certificate of Identity” means a certificate of identity issued in accordance with the rules of the OECD Scheme;”;
 - (ii) in the definition of “permitted material”—
 - (aa) before paragraph (a), insert—

“(za) in the case of forest reproductive material produced in a member State, forest reproductive material which has been certified by the relevant official body in accordance with Article 12 of the Directive or the OECD Scheme;”;
 - (bb) in sub-paragraph (a), for “EU-approved”, substitute “approved non-EU”;
- (c) after Part 1, insert—

“PART 1A

Approved non-EU third countries

Approved non-EU third countries

1. Canada.
2. Norway
3. Serbia
4. Switzerland
5. Turkey
6. United States of America

PART 1B

Scope of Part 1B

2A. This Part applies to consignments of permitted material produced in a member State.

General requirements

2B. A consignment of permitted material must be accompanied by—

- (a) a copy of the Master Certificate issued by the relevant official body under Article 12 of the Directive;
- (b) a label or document which complies with the requirements in Article 14 of the Directive;
- (c) an OECD Certificate of Provenance or OECD Certificate of Identity issued in relation to the permitted material; or
- (d) a label or document completed by the supplier of the consignment containing—
 - (i) the supplier's name;
 - (ii) all of the information contained in the OECD Certificate of Provenance or OECD Certificate of Identity; and
 - (iii) in relation to any seed lot which is accompanied by an OECD Certificate of Provenance or an OECD Certificate of Identity, the information specified in paragraph 2D.

2C. Where the permitted material is accompanied by an OECD Certificate of Provenance or OECD Certificate of Identity, or a label or document referred to in paragraph 2B(d), an OECD label must be attached to each seed lot and to each consignment of planting stock.

2D. The OECD label attached to the seed lot and any supplier's document accompanying the seed lot must contain the following additional information in relation to the seed lot assessed, so far as is practical in all the circumstances, using internationally accepted techniques—

- (a) the percentage by weight of pure seed, other seed and inert matter;
- (b) the germination percentage of pure seed, or where it is impossible or impractical to assess the germination percentage, the viability percentage assessed by reference to a method which must be described;
- (c) the weight of 1000 pure seeds;
- (d) the number of germinable seeds per kilogram of the seed, or where it is impossible or impractical to assess the number of germinable seeds, the number of viable seeds per kilogram;
- (e) in the case of a seed lot of closely related species which does not reach a minimum species purity of 99%, the species purity.

2E. But the OECD label and supplier's document may omit the following information—

- (a) any information mentioned in paragraph 2(D)(a) to (e) which is yet to be ascertained by testing the seed using internationally accepted techniques;

- (b) in the case of a seed lot containing seed which has been harvested from the current season's crop, any information mentioned in paragraph 2(D)(b) or (d) which is not yet available;
- (c) in the case of seed which is to be marketed in quantities no greater than those specified for the species or artificial hybrid of the seed in Schedule 11, the information mentioned in paragraph 2(D)(b) or (d).

2F. All seed must be consigned in sealed packages.”.