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STATUTORY INSTRUMENTS

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**2021 No. 393**

**The Vegetable and Ornamental Plant Propagating Material  
and Fodder Plant Seed (Amendment) Regulations 2021**

**Commission Regulation 217/2006**

4.—(1) Commission Regulation 217/2006 laying down rules for the application of Council Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#), [2002/55/EC](#) and [2002/57/EC](#) as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination<sup>(1)</sup> is amended as follows.

(2) In Article A1(1)—

(a) in the definition of “responsible authority”—

(i) omit point (a);

(ii) in point (b), omit “other than fodder seed”;

(b) in the definition of “the Seeds Marketing Regulations”, omit point (d).

(3) In Article 2—

(a) in paragraph (1)—

(i) omit “of fodder seed in the United Kingdom, or of seed other than fodder seed”;

(ii) after “the other responsible authorities” insert “and the Department of Agriculture”;

(b) for paragraph (2) substitute—

“2. Within 15 days after the communication provided for in paragraph 1—

(a) the other responsible authorities may notify the authority to whom the request was made of—

(i) an offer of available seed which can overcome the temporary difficulties in supply; or

(ii) their objections to the marketing of seed which does not satisfy the requirements of the Seeds Marketing Regulations;

(b) the Department of Agriculture may notify the authority to whom the request was made and the other responsible authorities of an offer of available seeds which can overcome the temporary difficulties in supply.”;

(c) in paragraph (3), in the first sub-paragraph, in the words before point (a), for “of the authority” substitute “for which the authority to whom the request was made is responsible”.

(4) In Article 3, in point (e), for “in the United Kingdom” substitute “of Great Britain”.