STATUTORY RULES OF NORTHERN IRELAND

2008 No. 114

SEEDS

Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2008

Made - - - -	*12th March 2008*
Coming into operation	*30th April 2008*

The Department of Agriculture and Rural Development(**1**) makes the following Regulations in exercise of the powers conferred by sections 1(1) and (2A) and 2 of the Seeds Act (Northern Ireland) 1965(**2**).

In accordance with section 1(1) of that Act it has consulted with representatives of such interests as appear to it to be concerned.

Title and commencement

1. These Regulations may be cited as the Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2008 and shall come into operation on 30th April 2008.

Amendment of the Beet Seeds Regulations (Northern Ireland) 1994

2.—(1) The Beet Seeds Regulations (Northern Ireland) 1994(**3**) are amended in accordance with paragraph (2).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of "the Department" insert—

""EEA State" means—

(a) a State which is a member of the European Communities; and

(b) Iceland, Liechtenstein and Norway;";

(b) for the definition of "member State" substitute—

""member State" means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;";

(c) for the definition of "official examination" substitute—

(**1**) Formerly the Department of Agriculture for Northern Ireland: *see*S.I. 1999/283 (N.I. 1) Article 3(4)

(**2**) 1965 c. 22 (N.I.); section 1 was amended by 1970 c. 20 (N.I.), section 10(1) and S.R. & O. (N.I.) 1972 No. 351Art. 3 and Schedule 3; section 2 was amended by 1970 c. 20 (N.I.), section 10(2) and S.R. 1977 No. 295 Art. 2

(**3**) S.R. 1994 No. 251 as amended by S.R. 1997 No. 240, S.R. 2000 No. 52, S.R. 2001 No. 331 and S.I. 2001/3510

""official examination" means—

(a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;

(b) in relation to Certified Seed produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and

(c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;"; and

(d) for the definition of "official label" substitute—

""official label" means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;".

Amendment of the Cereal Seeds Regulations (Northern Ireland) 1994

3.—(1) The Cereal Seeds Regulations (Northern Ireland) 1994(**4**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of "the Department" insert—

""EEA State" means—

(a) a State which is a member of the European Communities; and

(b) Iceland, Liechtenstein and Norway;";

(b) for the definition of "member State" substitute—

""member State" means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;";

(c) for the definition of "official examination" substitute—

""official examination" means—

(a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—

(**4**) S.R. 1994 No. 254 as amended by S.R. 1995 No. 366, S.R. 1997 No. 240, S.R. 2000 No. 53, S.R. 2000 No. 128, S.R. 2001 No. 330, S.I. 2001/3510, S.R. 2003 No. 42 and S.R. 2004 No. 460

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;

(b) in relation to Certified Seed, Certified Seed of the First Generation or Certified Seed of the Second Generation produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and

(c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;"; and

(d) for the definition of "official label" substitute—

""official label" means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;".

(3) In Schedule 5, in Part II (maximum weight of a seed lot and minimum weight of a submitted sample), for the number "25" each time it occurs substitute "30".

Amendment of the Fodder Plant Seeds Regulations (Northern Ireland) 1994

4.—(1) The Fodder Plant Seeds Regulations (Northern Ireland) 1994(**5**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of "the Department" insert—

""EEA State" means—

(a) a State which is a member of the European Communities; and

(b) Iceland, Liechtenstein and Norway;";

(b) for the definition to "member State" substitute—

""member State" means, in addition to a State which is a member of the European Communities, any other EEA State and Switzerland;";

(c) for the definition of "official examination" substitute—

""official examination" means—

(a) in relation to Basic Seed and seed of generations prior to Basic Seed produced in the United Kingdom—

(**5**) S.R. 1994 No. 252 as amended by S.R. 1996 No. 311, S.R. 1997 No. 240, S.R. 2000 No. 54, S.R. 2001 No. 329, S.I. 2001/3510, S.R. 2003 No. 42 and S.R. 2004 No. 460

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers and a seed test carried out under official supervision by an establishment licensed as a seed testing station;

(b) in relation to Certified seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Commercial Seed produced in the United Kingdom—

(i) an examination of the crop in the field and a seed test carried out by or on behalf of the Department or by or on behalf of the Scottish Ministers, the Secretary of State or the Welsh Ministers under provisions equivalent to these Regulations; or

(ii) an examination of the crop in the field carried out under official supervision by a licensed crop inspector and a seed test carried out under official supervision by an establishment licensed as a seed testing station; and

(c) in relation to any description of seed produced elsewhere than in the United Kingdom, an examination or a test approved by the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;"; and

(d) for the definition of "official label" substitute—

""official label" means a label issued or authorised by or on behalf of the Department, the Scottish Ministers, the Secretary of State or the Welsh Ministers;".

(3) For sub-paragraph (c) of Part II of Schedule 5 (maximum weight of a seed lot and minimum weight of a submitted sample) substitute—

"(c) The maximum weight of a seed lot of a mixture of seeds shall be 10 tonnes, except that, where more than 50% of the mixture consists of kinds of seeds for which the maximum weight of the seed lot prescribed in seeds Regulations is more than 10 tonnes, the maximum weight shall be as prescribed for the kinds of that type that appear in the larger or largest proportion.".

Amendment of the Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994

5.—(1) The Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994(**6**) are amended in accordance with paragraph (2).

(2) In regulation 3(1) (interpretation)—

(a) after the definition of "the Department" insert—

""EEA State" means—

(a) a State which is a member of the European Communities; and

(b) Iceland, Liechtenstein and Norway;";

(b) for the definition of "member State" substitute—

(**6**) S.R. 1994 No. 255 as amended by S.R. 1996 No. 312, S.R. 1997 No. 240, S.R. 2000 No. 55, S.R. 2001 No. 328, S.I. 2001/3510, S.R. 2003 No. 384 and S.R. 2004 No. 237