STATUTORY RULES OF NORTHERN IRELAND

2004 No. 237

SEEDS

Oil and Fibre Plant Seeds (Amendment) Regulations (Northern Ireland) 2004

Made - - - -	*24th May 2004*
Coming into operation	*9th July 2004*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by sections 1(1) and (2A) and 2 of the Seeds Act (Northern Ireland) 1965(**2**) and of every other power enabling it in that behalf, after consultation, in accordance with section 1(1) of that Act, with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Oil and Fibre Plant Seeds (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 9th July 2004.

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

2.—(1) The Oil and Fibre Plant Seeds Regulations (Northern Ireland) 1994(**3**) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3(2) (interpretation) –

(a) in the definition of "Pre-basic Seed" –

(i) in paragraph (a) –

(aa) after the words "a hybrid variety" the words "of sunflower, swede rape or turnip rape" shall be deleted;

(bb) in sub-paragraph (ii)(aa) after the words "brown mustard," there shall be inserted the words "dioecious hemp,";

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

(**2**) 1965 c. 22 (N.I.); section 1 was amended by section 10 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1970, 1970 c. 20 (N.I.) and by S.R. & O. (N.I.) 1972 No. 351; section 2 was amended by section 10 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1970 and by S.R. 1977 No. 295

(**3**) 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 and S.R. 2003 No. 384

(cc) in sub-paragraph (ii)(bb) and (cc) after the word "linseed" there shall be inserted the words ", monoecious hemp";

(ii) in paragraph (b) after the words "a hybrid variety" the words "of sunflower, swede rape or turnip rape," shall be deleted;

(b) in the definition of "Basic Seed" –

(i) in paragraph (a) –

(aa) after the word "flax," there shall be inserted the word "hemp," and after the words "a hybrid" the words "of sunflower, swede rape or turnip rape" shall be deleted;

(bb) in sub-paragraph (ii)(aa) after the words "brown mustard," there shall be inserted the words "dioecious hemp,";

(cc) in sub-paragraph (ii)(bb) and (cc) after the word "linseed" there shall be inserted the words ", monoecious hemp";

(ii) in paragraph (b) after the words "a hybrid variety" the words "of swede rape or turnip rape," shall be deleted and after the words "inbred line" the words "of sunflower" shall be deleted;

(iii) in paragraph (c) after the words "a hybrid variety" the words "of sunflower" shall be deleted;

(c) in the definition of "Certified Seed" after the words "brown mustard," there shall be inserted the words "dioecious hemp," and after the word "hybrids" the words "of sunflower, swede rape and turnip rape" shall be deleted;

(d) in the definition of "Certified Seed of the First Generation" for the words "means seeds of soya bean, flax or linseed which" there shall be substituted the following words "means seeds of flax, linseed, monoecious hemp and soya bean which";

(e) in the definition of "Certified Seed of the Second Generation" for the words "means seeds of soya bean, flax or linseed which" there shall be substituted the following words "means seeds of flax, linseed, monoecious hemp and soya bean which";

(3) In Schedule 1 (kinds of seeds to which the Regulations apply) under the title (*Latin Name*) after the entry for "*Brassica rapa* (L.) var *silvestris* (Lam) Briggs" insert the entry "*Cannabis sativa* L." and under the title (*Common Name*) after the entry "Turnip rape" insert the entry "Hemp".

(4) In Schedule 4 (requirements for Basic Seed, Certified Seed, Certified Seed of the First, Second and Third Generations and Commercial Seed) –

(a) in Part I (conditions relating to crops from which seeds other than Commercial Seed are obtained) –

(i) in paragraphs (3A) and (5A) after the words "of swede rape" the words "or turnip rape" shall be deleted;

(ii) in paragraph 7(1) after the words "(2), for" there shall be inserted the words "dioecious hemp,";

(iii) in paragraph 7(1)(d)(i) and (ii) after the words "of swede rape" the words "and turnip rape" shall be deleted;

(iv) in paragraph 7 after sub-paragraph (d) insert –

"(e) crops to produce –

(i) Basic seed of monoecious hemp, 5,000 metres;

(ii) Certified Seed of monoecious hemp, 1,000 metres,";

(v) in paragraph 8(a)(i) after the words "of swede rape" the words "or turnip rape" shall be deleted;

(vi) for the table in paragraph 8(a)(ii) there shall be substituted the following table:

"Column (1) *Species and category*	Column (2) *Minimum varietal purity (percentage)*
(a) Flax –	
(i) Basic seed	99.7
(ii) Certified seed or Certified seed of the first generation	98.0
(iii) Certified seed of the second generation	97.5
(iv) Certified seed of the third generation	97.5
(b) Linseed –	
(i) Basic seed	99.7
(ii) Certified seed or Certified seed of the first generation	98.0
(iii) Certified seed of the second generation	97.5
(c) Soya bean –	
(i) Basic seed	99.5
(ii) Certified seed or Certified seed of the first generation	99.0
(iii) Certified seed of the second generation	99.0
(d) Sunflower except hybrid varieties and components of hybrid varieties –	
(i) Basic seed	99.7
(ii) Certified Seed	99.0
(e) Swede rape and turnip rape except hybrid varieties, components of hybrid varieties and varieties to be used solely for fodder purposes –	
(i) Basic seed	99.9
(ii) Certified Seed	99.7
(f) Swede rape and turnip rape varieties to be used solely for fodder purposes except hybrid varieties and components of hybrid varieties –	