STATUTORY RULES OF NORTHERN IRELAND

2003 No. 42

SEEDS

Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2003

Made - - - -	*28th January 2003*
Coming into operation	*31st January 2003*

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 Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2003 and shall come into operation on 31st January 2003.

Amendment of the Cereal Seeds Regulations (Northern Ireland) 1994

2.—(1) The Cereal Seeds Regulations (Northern Ireland) 1994(**3**) shall be amended as follows.

(2) In regulation 3(2) (interpretation) after the definition of "Certified Seed of the Second Generation" there shall be inserted the following definition –

> ""Excepted Seed Marketed in Bulk" means Certified Seed (other than seeds of maize), Certified Seed of the First Generation or Certified Seed of the Second Generation –
>
> (a) which is marketed in bulk direct to the final consumer in a container that is closed after filling; and
>
> (b) in respect of which a random sample has been taken in accordance with paragraph 8A of Schedule 5, by a person authorised in that behalf.".

(3) In regulation 8 (sealing of packages) –

(a) in paragraph (1) for the words "A person" substitute "Subject to paragraph (1A), a person"; and

(**1**) Formerly the Department of Agriculture: *see*S.I. 1999/283 (N.I. 1) Article 3(4)
(**2**) 1965 c. 22 (N.I.); sections 1 and 2 were amended by section 10 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1970 (1970 c. 20 (N.I.)), by S.R. & O. (N.I.) 1972 No. 351 and by S.R. 1977 No. 295
(**3**) S.R. 1994 No. 254 as amended by S.R. 1995 No. 366, S.R. 1997 No. 240, S.R. 2000 Nos. 53 and 128 and S.R. 2001 No. 330

(b) after paragraph (1) insert –

"(1A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk.".

(4) In regulation 9 (labelling of packages) –

(a) in paragraph (1) for the words "Subject to paragraph (12)" substitute "Subject to paragraphs (1C) and (12)"; and

(b) after paragraph (1B) insert –

"(1C) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk.".

(5) After regulation 9A insert –

"**Provision of information to the final consumer about Excepted Seed Marketed in Bulk**

9B. On delivery of Excepted Seed Marketed in Bulk to the final consumer, the supplier shall also deliver to the final consumer a note containing the information given on the official label on the container from which seed was taken.

Notification of Excepted Seed Marketed in Bulk

9C. A supplier of seed shall prior to 10th January 2004 and prior to 10th January in each year thereafter notify the Department in such manner as it may from time to time specify, of the quantities of Excepted Seed Marketed in Bulk by that supplier in the period from 1st January to 31st December in the immediately preceding year.".

(6) After paragraph 8 of Schedule 5 insert –

"**8A.** Random sampling of seed lots of seed which is intended to be Excepted Seed Marketed in Bulk shall be carried out in accordance with the requirements of this Schedule during the filling of the container, used by the final consumer, into which the seed is placed.".

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

3.—(1) The Fodder Plant Seeds Regulations (Northern Ireland) 1994(**4**) shall be amended as follows.

(2) In regulation 3(2) (interpretation) after the definition of "Commercial Seed" there shall be inserted the following definition –

""Excepted Seed Marketed in Bulk" means Certified Seed of the First Generation or Certified Seed of the Second Generation –

(a) which is marketed in bulk direct to the final consumer in a container that is closed after filling; and

(b) in respect of which a random sample has been taken in accordance with paragraph 8A of Schedule 5, by a person authorised in that behalf.".

(3) In regulation 8 (sealing of packages) –

(a) in paragraph (1) for the words "A person" substitute "Subject to paragraph (1A), a person"; and

(b) after paragraph (1) insert –

"(1A) Paragraph (1) shall not apply to Excepted Seed Marketed in Bulk.".

(4) In regulation 9 (labelling of packages) –

(**4**) S.R. 1994 No. 252 as amended by S.R. 1996 No. 311, S.R. 1997 No. 240, S.R. 2000 No. 54 and S.R. 2001 No. 329