1995 No. 366

SEEDS

Cereal Seeds (Amendment) Regulations (Northern Ireland) 1995

Made . . . . . 18th September 1995

Coming into operation . . 24th October 1995

The Department of Agriculture in exercise of the powers conferred on it by sections 1(1), (2A)(**a**) and 2(**b**) of the Seeds Act (Northern Ireland) 1965(**c**) and of every other power enabling it in that behalf, after consultation 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 Cereal Seeds (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 24th October 1995.

Amendment of the Cereal Seeds Regulations (Northern Ireland) 1994

2.—(1) The Cereal Seeds Regulations (Northern Ireland) 1994(**d**) shall be amended in accordance with paragraphs (2) to (4).

(2) In regulation 3(2) (Interpretation) in the definition of "Certified Seed" for the words "and spelt wheat" in each place where they occur there shall be substituted, "spelt wheat and rye".

(3) In Part I of Schedule 4 (CONDITIONS RELATING TO CROPS FROM WHICH SEEDS ARE OBTAINED)—

(*a*) for paragraph 5 there shall be substituted the following paragraph:

"5.—(1) Subject to sub-paragraph (5), there shall be a physical barrier or at least two metres of fallow or non-cereal crops between the crop and another cereal crop.

(2) For rye other than hybrids the minimum distance from neighbouring crops of other varieties of rye or crops of the same variety of rye intended to produce seed of a lower category shall be—

(*a*) where crops are intended to produce Pre-basic Seed and Basic Seed.....300 metres

(*b*) where crops are intended to produce Certified Seed...250 metres

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(**a**) As inserted by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3
(**b**) As amended by 1970 c. 20 (N.I.) section 10(2)
(**c**) 1965 c. 22 (N.I.)
(**d**) S.R. 1994 No. 254

(3) For self-pollinating varieties of triticale the minimum distance from neighbouring crops or crops of other varieties of triticale intended to produce seed of a lower category shall be—

(*a*) where crops are intended to produce Pre-basic Seed and Basic Seed .....50 metres

(*b*) where crops are intended to produce Certified Seed.....20 metres

(4) For hybrids of rye the minimum distance from neighbouring crops of other varieties of rye shall be—

(*a*) where crops are intended to produce Basic Seed where male sterility is used.....1000 metres

(*b*) where crops are intended to produce Basic Seed where male sterility is not used .....600 metres

(*c*) where crops are intended to produce Certified Seed...500 metres

(5) With the approval of the Department the distances referred to in sub-paragraph (2), (3) or (4) may be reduced if there is adequate protection against undesirable pollen."

(*b*) After paragraph 8 there shall be inserted the following paragraph:

"*Special conditions for hybrids of rye*

9.—(1) The crop shall have sufficient varietal identity and varietal purity as regards the characteristics of the components, including male sterility.

(2) In particular, the crop shall conform to the following standards—

(*a*) the number of plants of the crop species that are recognisable as obviously not being true to the component shall not exceed one per 30 square metres for the production of Basic Seed and, in respect of official field inspections of the female component, one per 10 square metres for the production of Certified Seed; and

(*b*) in the case of Basic Seed where male sterility is used, the level of sterility of the male-sterile component shall be at least 98%.

(3) Where appropriate, Certified Seed shall be produced in mixed cultivation of a female male-sterile component with a male component which restores male fertility.".

(4) In Part II of Schedule 4 (CONDITIONS RELATING TO THE SEEDS) for paragraph 3(3) there shall be substituted the following sub-paragraph:

"(3) In relation to the percentage of germination and the percentage analytical purity, seeds of rye and hybrids of rye shall attain the following standard, that is to say—

Germination (% by number)	Basic Seed and Certified Seed	85
Analytical Purity (% by weight)	Basic Seed and Certified Seed	98