

2004 No. 460

SEEDS

**Seeds (Miscellaneous Amendments) Regulations
(Northern Ireland) 2004**

Made - - - - - *3rd November 2004*

Coming into operation *17th December 2004*

The Department of Agriculture and Rural Development(a), in exercise of the powers conferred upon it by sections 1(1) and (2A), and 2 of the Seeds Act (Northern Ireland) 1965(b) 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) 2004 and shall come into operation on 17th December 2004.

Amendment of the Cereal Seeds Regulations (Northern Ireland) 1994

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

(2) In regulation 3(2) (interpretation) in the definition of “Certified Seed of the Second Generation” for the words “and spelt wheat” there shall be substituted the words “, spelt wheat and triticale”.

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

3.—(1) The Fodder Plant Seeds Regulations (Northern Ireland) 1994(d) shall be amended in accordance with the following provisions.

(2) In Schedule 1 (kinds of seeds to which the Regulations apply), in paragraph (A) (*Gramineae* (Grasses)) –

- (a) in the first column (Latin Name) for the entry “*Festuca pratensis* Huds. x *Lolium multiflorum* Lam.” there shall be substituted the entry “*Festuca* spp. x *Lolium* spp.”;
- (b) in the second column (Common Name) for the entry “Festulolium” there shall be substituted the entry “Hybrids resulting from the crossing of a species of the genus *Festuca* with a species of the genus *Lolium* (x *Festulolium*)”.

(a) Formerly the Department of Agriculture: see S.I. 1999/283 (N.I. 1) Article 3(4)
(b) 1965 c. 22 (N.I.); section 1 was amended by 1970 c. 20 (N.I.), section 10 and S.R. & O. (N.I.) 1972 No. 351; section 2 was amended by 1970 c. 20 (N.I.), section 10 and S.R. 1977 No. 295
(c) 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, S.R. 2001 No. 330 and S.R. 2003 No. 42
(d) 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 and S.R. 2003 No. 42

(3) In Schedule 4, Part II, paragraph 5, in column (2) (minimum germination) opposite the entry for “Field bean” for the number “85” there shall be substituted the number “80”.

(4) In Schedule 6, Part I –

- (a) (i) at Section A(a) item 4;
- (ii) at Section B(a) item 4;
- (iii) at Section C(a) item 5 and;
- (iv) at Section F item 1;

after the word “Kind” insert the words “(In the case of x *Festulolium* the names of the species within the genus *Festuca* and *Lolium* shall be indicated)”;

(b) at Section E paragraph (a) after item 5 insert the words “5a. Where the kinds of constituents are given and this includes x *Festulolium* the names of the species within the genus *Festuca* and *Lolium* shall be indicated”; and

(c) at Section F in the heading after the words “FOR AGRICULTURAL PURPOSES” insert the words “WHERE SAID MIXTURES CONTAIN FESTULOLIUM”.

(5) In Schedule 6, Part III –

(a) at Section A item 2 after the word “Kind” insert the words “(In the case of x *Festulolium* the names of the species within the genus *Festuca* and *Lolium* shall be indicated)”;

(b) at Section B after item 1 insert the words “1a. Where the kinds of constituents are given and this includes x *Festulolium* the names of the species within the genus *Festuca* and *Lolium*.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 3rd November 2004.

(L.S.)

D. Small

A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Cereal Seeds Regulations (Northern Ireland) 1994 and the Fodder Plant Seeds Regulations (Northern Ireland) 1994.

The Cereal Seeds Regulations (Northern Ireland) 1994 are amended so that triticale seeds are included within the definition of Certified Seed of the Second Generation (Regulation 2(2)).

The Fodder Plant Seeds Regulations (Northern Ireland) 1994 are amended to give effect in Northern Ireland to Commission Directive 2004/55/EC (O.J. No. L114, 21.4.2004, p. 18) which amends Council Directive 66/401/EEC (O.J. No. L125, 11.7.1966, p. 2298/66) on the marketing of fodder plant seed.

The effect is that the definition of *Festulolium* is amended to provide for a wider range of crosses of the species *Festuca* and *Lolium* falling within the scope of Council Directive 66/401/EEC (Regulation 3(2), (4) and (5)); and the minimum germination standard for seed of field beans (*Vicia faba* L.) is lowered from 85% to 80% (regulation 3(3)).

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