

SCHEDULE 3

Regulations 2(1), 8(8) to (12), (13)(b), (15)(c), and (18)(a), 10(3)(a) and (b), (4)(a), (b) and (c), 11(16)(a) and (b), 13(5)(d), and 14(1)(b), paragraphs 2(3)(a), 6(3)(a), 10(3)(a), 14(3)(a), 16(3)(a), 20(3)(a), 24(3)(a), 28(3)(a), 32(3)(a), 36(3)(a), 40(3)(a), 44(3)(a), 53(4)(a), (5)(a) and (7)(a) of Schedule 1 and paragraph 3 of Schedule 4

CONDITIONS RELATING TO CROPS FROM WHICH SEED IS TO BE HARVESTED

1. The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop and the field shall be sufficiently free from plants which are volunteers from previous cropping.

2. Subject to paragraph 3, the crop shall conform to the following standards as regards the minimum distances from neighbouring sources of pollen which may result in undesirable foreign pollination—

<i>Crop</i> 1	<i>Minimum distance</i> 2
(a) Fodder kale and swede—	
(i) for the production of basic seed	400 metres
(ii) for the production of CS seed	200 metres
(b) Crops of a species specified in Schedule 2 other than field peas, fodder kale, apomictic uniclinal varieties of smooth stalked meadow grass and swede—	
(i) for the production of seed intended for multiplication, fields up to 2 hectares	200 metres
(ii) for the production of seed intended for multiplication, fields over 2 hectares	100 metres
(iii) for the production of seed intended for the production of fodder plants, fields up to 2 hectares	100 metres
(iv) for the production of seed intended for the production of fodder plants, fields over 2 hectares	50 metres

3. Paragraph 2 shall not apply if there is sufficient protection from any undesirable foreign pollination.

4. Subject to paragraphs 5 and 6, the crop shall have sufficient varietal identity and varietal purity.

5.—(1) In the case of seed of a species to which sub-paragraph (2) applies, the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed—

- (a) one per 30 square metres for the production of basic seed, and
- (b) one per 10 square metres for the production of CS seed.

(2) This sub-paragraph applies to—

- (a) all grasses except smooth stalked meadowgrass;
- (b) Alsike clover;

*Status: This is the original version (as it was originally made).*

- (c) birdsfoot trefoil;
  - (d) fodder radish;
  - (e) lucerne;
  - (f) lupins;
  - (g) red clover;
  - (h) sainfoin;
  - (i) trefoil, black medick;
  - (j) vetches; and
  - (k) white clover.
6. In the case of smooth stalked meadowgrass, the number of plants which are recognisable as obviously not being true to the variety shall not exceed—
- (a) for the production of basic seed, one plant per 20 square metres, and
  - (b) for the production of CS seed—
    - (i) except in the case of an apomictic uniclinal variety, four plants per 10 square metres, and
    - (ii) in the case of an apomictic uniclinal variety, six plants per 10 square metres.
7. Subject to paragraph 8, plants of other species, the seeds of which are difficult to distinguish from the crop seeds in a laboratory test, shall be at a low level.
8. In the case of festulolium and hybrid, Italian and perennial ryegrass, the number of plants of a *Lolium* species or festulolium, other than the crop species itself, shall not exceed—
- (a) one per 50 square metres for the production of basic seed, and
  - (b) one per 10 square metres for the production of CS seed.
9. A crop to produce pre-basic, basic or CS seed of hybrid or Italian ryegrass shall not be used to produce a crop in the second harvest year unless—
- (a) pre-basic seed was produced in the first harvest year in which case basic seed may be produced in the second harvest year;
  - (b) basic seed was produced in the first harvest year from a crop grown from officially certified pre-basic seed, in which case CS seed may be produced in the second harvest year; or
  - (c) for a tetraploid variety of hybrid ryegrass, CS seed was produced in the first harvest year from a crop grown from officially certified basic seed, in which case CS seed may be produced in the second harvest year.
10. Harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level.
- 11.—(1) A crop from which basic seed is to be produced shall be examined by an official field inspection to determine whether the crop meets the conditions set out in this Schedule and in Part 1 of Schedule 4.
- (2) A crop from which CS, C1 or C2 seed is to be produced shall be examined by means of an official field inspection or an inspection carried out under official supervision to determine whether the crop meets the conditions set out in this Schedule and in Part 1 of Schedule 4.
- (3) Field inspections shall be carried out at a time when the condition and stage of development of the crop permit an adequate examination.
- (4) At least one field inspection of the crop shall be carried out.

12. For the purpose of determining whether a crop from which pre-basic seed is to be produced meets the conditions laid down in this Schedule, the crop from which such seed is to be produced shall be treated in the same way as a crop from which basic seed is to be produced.