

1990 No. 1352

SEEDS

The Fodder Plant Seeds (Amendment) Regulations 1990

<i>Made</i> - - - -	<i>3rd July 1990</i>
<i>Laid before Parliament</i>	<i>11th July 1990</i>
<i>Coming into force</i> -	<i>1st August 1990</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 16(1), (1A), (3) and (8), 36 and 38(1) of the Plant Varieties and Seeds Act 1964(a) and of all other powers enabling them in that behalf, after consultation in accordance with the said section 16(1) with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Fodder Plant Seeds (Amendment) Regulations 1990 and shall come into force on 1st August 1990.

**Amendment**

2.—(1) The Fodder Plant Seeds Regulations 1985(b) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 3 (interpretation)—

in paragraph (3) in the definition of “Commercial Seed”—

—under the heading “Grasses”, the entry “Brown top” shall be deleted;

—under the heading “Legumes”, the entries “Birdsfoot trefoil”, “Trefoil, Black medick” and “Alsike clover” shall be deleted.

(3) In Schedule 4, Part II (conditions relating to the seeds)—

(a) for paragraph 4 there shall be substituted the following paragraph—

“4. For each seed lot of Pre-basic Seed or Basic Seed of field beans, a minimum of 1,000 seeds and, for each seed lot of Certified Seed of the First Generation of field beans, a minimum of 500 seeds shall be officially examined for *Ascochyta fabae* and the level of infection shall not exceed 1 seed in 1,000 for Pre-basic Seed, 2 seeds in 1,000 for Basic Seed and 2 seeds in 500 for Certified Seed of the First Generation.”

(b) in the second table in paragraph 5—

(i) above the entry for “Red top”, under the appropriate columns (1) to (7) there shall be added—

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(a) 1964 c.14; section 16 was amended by the European Communities Act 1972 (c.68), section 4(1) and paragraph 5(1), (2) and (3) of Schedule 4; section 38(1) (as amended by S.I. 1978/272) contains a definition of “the Ministers” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) S.I. 1985/975; relevant amending instruments are S.I. 1987/1092, 1989/1312.

- “Brown top 75 - 90 0.3 2.0 e”;
- (ii) in column (7) “e” shall be substituted for the entries for “Birdsfoot trefoil”, “Trefoil” and “Alsike clover”;
- (c) in the second table in paragraph 6-
- (i) for “Red top” in column (1) there shall be substituted “Red top and brown top”;
  - (ii) in column (15) “t” shall be substituted for the entries for “Birdsfoot trefoil”, “Trefoil” and “Alsike clover”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd July 1990.



*John Selwyn Gummer*  
Minister of Agriculture, Fisheries and Food

29th June 1990

*Sanderson of Bowden*  
Minister of State, Scottish Office

2nd July 1990

*David Hunt*  
Secretary of State for Wales

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations which further amend the Fodder Plant Seeds Regulations 1985 implement Article 2a of Commission Directive 86/109/EEC (OJ No. L93, 8.4.86, p. 21) as amended by Commission Directive 89/424/EEC (OJ No. L196, 12.7.89, p. 50) to the extent that Brown top, Birdsfoot trefoil, Trefoil, Black medick and Alsike clover are deleted from the list of seeds to which the “Commercial Seed” category applies (regulation 2(2) and (3)(b)).

These Regulations also amend the disease standard for *Ascochyta fabae* in field beans. They introduce a standard for Pre-basic Seed and relax the standard for Basic Seed and for Certified seed of the First Generation (regulation 2(3)(a)).

55p net

ISBN 0 11 004352 9

Printed in the United Kingdom for HMSO

845 WO1283 C12 7/90 452/3 4235 46378 902082