

SCHEDULE 4

Regulations 2(1), 8(8)(a) and (b), (9), (10), (11), (12), (13)(b), (15)(c) and (18)(a), 10(3)(a) and (b), (4)(a), (b) and (c), 11 (6), (7), (8)(a), (9), (10), (11), (12), (13) and (15)(a), 13(3), (4) and (5)(f) and (g), 14(1) (b) and (c) and 16(2)(a) and (b) and (3)(a) and (b), paragraphs 2(3)(a), 5(3)(a) 7(3) (a), 10(3)(a), 14(3)(a), 18(3)(a), 20(3)(a), 24(3)(a), 28(3)(a), 32(3)(a), 36(3)(a), 40(3) (a), 44(3)(a), 47(3)(a), 50(4)(a), (6)(a) and (8)(a) of Schedule 1, paragraph 15 (1) of Schedule 3 and Schedule 8

CONDITIONS TO BE SATISFIED BY THE SEED

PART I

*Conditions to be examined mainly by field inspections*

1. The seed shall have sufficient varietal identity and varietal purity.
2. The seed of an in-bred line shall have sufficient identity and purity as regards its characteristics.
3. In the case of seed of a hybrid variety, the requirement for sufficient identity and purity shall also apply to the characteristics of the components.
4. In the case of barley, durum wheat, oats, spelt wheat and wheat, other than a hybrid in each case, the minimum varietal purity shall conform to the following standards—

<i>Category</i>	<i>Minimum standard</i>	<i>Higher Voluntary Standard</i>
(a) (a) Basic seed	99.9	99.95
(b) (b) C1 seed	99.7	99.9
(c) (c) C2 seed	99.0	99.7

5. In the case of a self-pollinating variety of triticale, other than a hybrid, the minimum varietal purity shall be—
  - (a) 99.7% in the case of basic seed;
  - (b) 99.0% in the case of C1 seed; and
  - (c) 98.0% in the case of C2 seed.
6. For the purposes of paragraphs 4 and 5, the minimum varietal purity of seed shall be examined mainly in field inspections carried out in accordance with the conditions laid down in paragraph 15 of Schedule 3.
- 7.—(1) Subject to sub-paragraph (2), in the case of a hybrid of barley, durum wheat, oats, self-pollinating triticale, spelt wheat and wheat, the minimum varietal purity shall be 90% in the case of CS seed.
  - (2) For the purposes of sub-paragraph (1), the minimum varietal purity of seed shall be examined mainly in official post control tests on an appropriate proportion of samples.

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8. Where a female male-sterile component and a male component which does not restore male fertility are used for the production of CS seed of a hybrid variety of maize, the seed shall be produced—

- (a) by blending seed lots in a proportion appropriate to the variety where, on the one hand a female male-sterile component has been used and, on the other, a female male-fertile component has been used, or
- (b) by growing the female male-sterile component and the female male-fertile component in a proportion appropriate to the variety.

9. In the case of seed produced in the manner specified in paragraph 8(b) the proportion of the female male-sterile and female male-fertile components shall be examined in field inspections carried out in accordance with the conditions laid down in paragraph 15 of Schedule 3.

10.—(1) Subject to sub-paragraphs (3) and (4), in the case of barley, durum wheat, spelt wheat and wheat, the maximum percentage by number of loose smut infection shall be as follows—

<i>Category</i>	<i>Minimum standard (maximum percentage by number)</i>	<i>Higher Voluntary Standard (maximum percentage by number)</i>
(a) (a) Basic seed	0.5	0.1
(b) (b) C1 seed	0.5	0.2
(c) (c) C2 seed	0.5	0.2

(2) For the purposes of sub-paragraph (1), the incidence of loose smut infection of seed shall be examined mainly in field inspections carried out in accordance with the conditions laid down in paragraph 15 of Schedule 3.

(3) The provisions of sub-paragraph (1) shall not apply to seed which has failed to meet the standards laid down in that sub-paragraph if it has been adequately treated by any product approved by the Secretary of State for the control of loose smut under the Control of Pesticides Regulations 1986(1).

(4) The provisions of sub-paragraph (1) shall not apply to seed which has failed to meet the standards laid down in that sub-paragraph (1) if an embryo test carried out by an official testing station or a licensed seed testing station on the sample submitted for seed testing shows that the seed meets the relevant standard.

## PART II

### *Conditions to be examined by Seed Testing*

11. The seed shall conform to the following standards or other conditions as regards analytical purity—

(1) S.I.1986/1510; amended by S.I. 1997/188.

<i>Species and category</i>	<i>Level (where applicable)</i>	<i>Minimum analytical purity (% by weight)</i>
<i>1</i>	<i>2</i>	<i>3</i>
Basic seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	99
	Minimum	99
CS seed of hybrids of barley, durum wheat, oats, spelt wheat and wheat	—	98
C1 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	99
	Minimum	98
C2 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	99
	Minimum	98
Basic and CS seed of rye	—	98
Basic, CS, C1 and C2 seed of triticale and CS seed of hybrids of self-pollinating triticale	—	98
Basic and CS seed of maize	—	98

**12.—(1)** The seed shall conform to the following standards or other conditions as regards the content of seeds of other plant species—

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Species and category	Level (where applicable)	Maximum content by number of seeds of other plants species in a sample of the weight specified in column 6 of the table in Schedule 7					
		All other plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All plant species other than cereals	Wild oats or darnel	Wild radish or corn cockle (except in HVS level seed)	Wild radish, corn cockle, sterile brome or couch in HVS level seed
1	2	3	4	5	6	7	8
Basic seed of components of hybrid varieties of barley, durum wheat, oats, spelt wheat and wheat	—	4	1 <sup>(a)</sup>	3	0 <sup>(b)</sup>	1	Not applicable
Basic seed of barley, durum wheat, oats, spelt wheat and wheat other than components of hybrid varieties	HVS	1	0	1	0	Not applicable	0 <sup>(c)</sup>
	Minimum	4	1 <sup>(a)</sup>	3	0 <sup>(b)</sup>	1	Not applicable
CS seed of hybrids of barley, durum wheat, oats, spelt	—	10	7	7	0 <sup>(b)</sup>	3	Not applicable

(a) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.

(b) The presence of one seed of wild oats or darnel in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seed of either of these species.

(c) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle.

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Species and category	Level (where applicable)	Maximum content by number of seeds of other plants species in a sample of the weight specified in column 6 of the table in Schedule 7					
		All other plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All plant species other than cereals	Wild oats or darnel	Wild radish or corn cockle (except in HVS level seed)	Wild radish, corn cockle, sterile brome or couch in HVS level seed
1	2	3	4	5	6	7	8
wheat and wheat							
C1 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	2	1	1	0	Not applicable	1
	Minimum	10	7	7	0 <sup>(b)</sup>	3	Not applicable
C2 seed of barley, durum wheat, oats, spelt wheat and wheat	HVS	4	3	2	0	Not applicable	1
	Minimum	10	7	7	0 <sup>(b)</sup>	3	Not applicable
Basic seed of rye	—	4	1 <sup>(a)</sup>	3	0 <sup>(b)</sup>	1	Not applicable
CS seed of rye	—	10	7	7	0 <sup>(b)</sup>	3	Not applicable
Basic seed of triticale	—	4	1 <sup>(a)</sup>	3	0 <sup>(b)</sup>	1	Not applicable
CS seed of hybrids	—	10	7	7	0 <sup>(b)</sup>	3	Not applicable

(a) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.

(b) The presence of one seed of wild oats or darnel in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seed of either of these species.

(c) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle.

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Species and category	Level (where applicable)	Maximum content by number of seeds of other plants species in a sample of the weight specified in column 6 of the table in Schedule 7					
		All other plant species (including seeds of the species specified in columns 4 to 8)	Other cereal species	All plant species other than cereals	Wild oats or darnel	Wild radish or corn cockle (except in HVS level seed)	Wild radish, corn cockle, sterile brome or couch in HVS level seed
1	2	3	4	5	6	7	8
and self-pollinating triticale and C1 and C2 seed of triticale							
Basic and CS seed of maize	—	0	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

- (a) As regards seeds of other cereal species, a second seed shall not be regarded as an impurity if a second sample of the same weight is free from any seeds of other cereal species.
- (b) The presence of one seed of wild oats or darnel in a sample of the prescribed weight shall not be regarded as an impurity where a second sample of the same weight is free from any seed of either of these species.
- (c) In basic seed, the nil standard shall apply only in respect of wild radish and corn cockle.

(2) In the table set out in paragraph (1)—

- “corn cockle” means plants of the species *Agrostemma githago*;
- “couch” means plants of the species *Agropyron repens*;
- “darnel” means plants of the species *Lolium temulentum*;
- “sterile brome” means plants of the species *Bromus sterilis*; and
- “wild radish” means plants of the species *Raphanus raphanistrum*.

13.—(1) Subject to sub-paragraph (2), it shall be determined, by way of a germination test, whether the seed attains the percentage of germination specified in column 2 of the following table for the appropriate category of seed—

Species	Minumum germination (% of pure seed, expressed as an integer)
1	2
(a) (a) Basic, CS, C1 and C2 seed of—	85
(i) barley	
(ii) durum wheat	

Species	Minumum germination (% of pure seed, expressed as an integer)
1	2
(iii) oats (other than CS, C1 and C2 seed of oats officially classified as being of a naked oat type)	
(iv) spelt wheat	
(v) wheat	
(b) (b) CS, C1 and C2 seed of oats officially classified as being of a naked oat type	75
(c) (c) Basic and CS seed of maize	90
(d) (d) Basic and CS seed of rye	85
(e) (e) Basic, CS, C1 and C2 seed of triticale	80

(2) Sub-paragraph (1) shall not apply to seed that has been subjected to a tetrazolium test carried out at an official testing station or a licensed seed testing station to establish the viability of the seed unless the result of the test casts doubt on whether it will satisfy the applicable germination standard set out in column 2 of the table set out in sub-paragraph (1).

**14.** Sclerotia, or fragments of sclerotia, of ergot, shall not exceed the following in a sample of the weight specified in column 4 of Schedule 7, other than a sample of a hybrid of rye—

Category	Level (where applicable)	Sclerotia or fragments of sclerotia
(a) (a) Basic seed	(i) HVS level	0
	(ii) Minimum level	1
(b) (b) CS seed	Not applicable	3
(c) (c) C1 and C2 seed	(i) HVS level	1
	(ii) minimum level	3

**15.—(1)** In a sample of a hybrid of rye of a weight specified in column 4 of Schedule 7 sclerotia or fragments of sclerotia of ergot shall not exceed—

- (a) 1 in the case of basic seed, and
- (b) subject to sub-paragraph (2) below, 4 in the case of CS seed.

(2) Notwithstanding the provisions of sub-paragraph (1)(b), the presence of 5 sclerotia or fragments of sclerotia of ergot in a sample shall be deemed to be in conformity with the requirements of sub-paragraph (1) where a second sample of the same weight contains not more than 4 sclerotia or fragments of sclerotia.

**16.—(1)** Subject to paragraph (2), the maximum moisture content of the seed shall not exceed 17% by weight.

(2) A licensed seed testing station to which a regulation 11 application for the testing of an official sample of seed has been made (or the Secretary of State in a case where regulation 11(3)

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or (4) applies), may decide not to carry out a moisture test to determine whether the condition in paragraph (1) has been complied with if—

- (a) the official sample of the seed to be tested has already been subjected to a moisture test carried out by the licensed seed sampler who drew the official sample, and
- (b) the results of that test indicate that the maximum moisture content of the seed does not exceed 17% by weight.

### PART III

#### *Conditions to be Examined Mainly by Inspections of Control Plots*

**17.—(1)** In the case of a hybrid of barley, durum wheat, oats, spelt wheat, wheat and self-pollinating triticale, the minimum varietal purity shall be 90% in the case of CS seed.

(2) For the purposes of sub-paragraph (1), the minimum varietal purity of seed shall be examined on an appropriate proportion of samples.

**18.** Seed of a hybrid of rye shall not be certified as CS seed unless due account has been taken of the results of an official post-control test on samples of basic seed taken officially and carried out during the growing season of the seed entered for certification as CS seed to ascertain whether the basic seed met the requirements for basic seed laid down in these Regulations in respect of identity and purity as regards the characters of the components, including male sterility.

### PART IV

#### *Other Conditions*

**19.** Subject to paragraphs 10, 14 and 15, harmful organisms which reduce the usefulness of the seed shall be at the lowest possible level that can be achieved.

### PART V

#### *General Provisions*

**20.** For the purpose of determining whether seed meets the conditions laid down in this Schedule, pre-basic seed shall be treated in the same way as basic seed.