1961. No. 165 **[C]**

MARKETING OF RYEGRASS SEED

REGULATIONS, DATED 11TH JULY, 1961, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTIONS 7 AND 13 OF THE HERBAGE SEEDS ACT (NORTHERN IRELAND), 1955(a).

The Minister of Agriculture for Northern Ireland (in these Regulations called "the Minister") in pursuance of the provisions of the Herbage Seeds Act (Northern Ireland), 1955, after consultation with such organisations as appear to him to represent the interests of growers and of persons engaged in the ryegrass seed trade and with the approval of the Ministry of Finance hereby makes the following Regulations, that is to say:—

Commencement and Termination

1. These Regulations shall take effect on the first day of August, 1961, and shall, unless previously revoked, cease to have effect after the thirty-first day of July, 1962, but without prejudice to any proceedings in respect of any contravention thereof.

Interpretation

2. In these Regulations:—

"The Act" means the Herbage Seeds Act (Northern Ireland), 1955.

The expressions "the Ministry" and "the grower" have the meanings assigned to them in the said Act.

"Seed" means ryegrass seed.

Terms of Purchase

3. The Minister hereby prescribes that:—

(*a*) the grades and descriptions of ryegrass seed to be bought by or on behalf of the Ministry and the methods of ascertaining the grade of any ryegrass seed;

(*b*) the methods by which any disputes arising out of the grading of ryegrass seed are to be determined;

(*c*) the prices at which, the terms on which and the persons through whose agency, ryegrass seed or any grade or description thereof may be bought by or on behalf of the Ministry

shall be as set out in that behalf in the Schedule to these Regulations.

Recovery of Monies

4. If the Ministry, after having made a payment under these Regulations, finds that such payment ought not to have been made in whole or in part or that the payment was in excess of the amount properly payable, it may recover from the person to whom such payment has been made the whole or any part of the sum already paid or may withhold or cause to be withheld any subsequent payment which might otherwise be made to that person under these or subsequent Regulations or under any Scheme under which grant may be paid by the Ministry. The Ministry may also recover from any person by way of set off out of a payment which might otherwise be made to him under these Regulations any monies due to the Ministry by that person.

(a) 1955. c. 4.

Short Title

5. These Regulations may be cited as the Marketing of Ryegrass Seed Regulations (No. 2) (Northern Ireland), 1961.

H. W. West,
Minister of Agriculture.

The Ministry of Finance hereby approves of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 11th day of July, nineteen hundred and sixty-one, in the presence of

(L.S.) *K. R. Shimeld,*
Assistant Secretary.

SCHEDULE

HERBAGE SEEDS ACT (NORTHERN IRELAND), 1955

Terms of Purchase

1. Save as provided in Section 4(3) of the Act the Ministry shall purchase all seed tendered to it in accordance with paragraph 3 of this Schedule provided that it shall not be required to purchase any seed offered later than 31st December, 1961, but the Minister may in his discretion fix a later day.

2. On seed being offered, the Ministry's agent or sub-agent shall examine it and, if satisfied that it is of suitable quality and that it is not damp or showing evidence of having been heated, shall accept delivery on behalf of the Ministry and furnish to the grower or his representative a receipt showing the weight of seed delivered, but if he be not so satisfied he shall reject it.

3. Seed shall be delivered by the grower free of freight charges at his local grass seed market (or such other centre as may in exceptional circumstances be approved by the Ministry) or, alternatively, at the warehouse of a duly appointed agent of the Ministry provided that, in the latter case, no greater transport costs are incurred by the Ministry than would have been incurred if the seed had been delivered by the grower at his local market.

4. Seed brought to grass seed markets for sale shall be brought between the hours of 9 a.m. and 3 p.m. on the recognised grass seed market days. If accepted, it shall be weighed over a public weighbridge, or, if a public weighbridge is not available, over a weighbridge approved for the purpose by the Ministry. It may not be brought direct to or accepted at the stores of sub-agents employed by the Ministry's agents, save with the prior approval of the Ministry which will be granted only in exceptional circumstances.

5. Seed delivered direct to an agent's warehouse shall be weighed over the agent's approved weighbridge. Seed may be accepted at such warehouses on such days and between such hours as may be determined by the Ministry.

6. The weight of the seed, as disclosed by the market or other approved weighbridge, shall be final and conclusive, but there shall be a uniform deduction for tare on bags of 2½ lbs. per bag which shall be shown on the purchase docket.

7. A grower whose seed has been accepted shall not be at liberty to withdraw it.

8. As soon as may be after the seed has been weighed a sample shall be drawn from the bulk by one of the Ministry's official sampling officers who will attend at markets and at the agents' warehouses for this purpose. The sample shall be

divided into two portions, one of which, duly sealed, which shall be known as the "Grower's Sample" shall be handed to the grower or his representative; the other portion, which shall also be sealed, and which shall be known as the "Ministry's Sample" shall be labelled with the grower's name and immediately sent to the Ministry at its Headquarters, for the purpose of grading.

9. **Standard Grades and Descriptions of Ryegrass Seed**

Description of Seed	Grade A Plus		Grade A		Grade B	
	Minimum Purity (P) and Germination (G) Percentages	Awned Seed Content Percentage	Minimum Purity (P) and Germination (G) Percentages	Awned Seed Content Percentage	Minimum Purity (P) and Germination (G) Percentages	Awned Seed Content Percentage
Perennial	P.95 G.85	Nil	P.90 G.85	Nil	P.85 G.85	Nil
Italian	P.95 G.85	Minimum 70	P.90 G.85	Minimum 70	P.85 G.85	Minimum 70

In these standards the expression "purity percentage" means the quantity of Ryegrass Seed (either Perennial or Italian or a mixture of Perennial and Italian) expressed as a percentage by weight of the whole sample. "Awned Seed Content percentage" means the quantity of Ryegrass Seeds bearing awns expressed as a percentage by weight of the total Ryegrass Seeds present in the sample. "Germination percentage" means the percentage by number of Ryegrass Seeds which germinate during a test. To qualify for a particular grade, seed must comply fully with ALL the requirements in regard to purity, germination and awned seed content (where specified) laid down for that grade.

Unclassified Seed: The description "Unclassified" will be applied to seed marketed as either Italian or Perennial which fails to satisfy the requirements in regard to awned seed content.

All seed having a purity of less than 85 per cent. or a germination of less than 85 per cent. will be graded "Sub-Standard".

Grading

10. The grade of any ryegrass seed purchased by or on behalf of the Ministry shall be determined by a panel of graders consisting of three members of whom one member shall be nominated by the Ulster Farmers' Union, one member by the Irish Wholesale Ryegrass Machiners' Association and one member shall be an officer of the Ministry, and thereafter, as soon as may be, the Ministry shall send by post to the grower a Payable Order for the amount due to him for the seed together with the particulars giving the quantity supplied and the grade so ascertained. Provided that the panel may arrange to have the seed tested for purity and germination at the official Seed Testing Station for Northern Ireland, and determine the grade of seed so tested by reference to the results of such tests.

Appeals

11. Where any grower is dissatisfied with the grade in which his seed has been placed by the panel of graders, he may, subject to the provisions of this Schedule, appeal to the Ministry.

12. Notice of appeal shall be given in writing to the Ryegrass Seed Branch of the Ministry within 21 days from the date of the Ministry's Payable Order pertaining to the seed in question.

13. Each notice of appeal shall be accompanied by an appeal fee of one pound (20s.) together with the "Grower's Sample" given to him or his representative when his seed was delivered.

14. On receipt of an appeal, the Ministry shall submit the "Ministry's Sample" to the official Seed Testing Station for Northern Ireland for testing as to purity, and if as the result of such test the appellant grower's seed shall be found to be of a purity appropriate to a higher grade than that originally applied to it, the Ministry shall, as soon as may be, return the appeal fee to the grower together with such additional sum for purchase price, as he shall be found to be entitled to as a result of the said test.

15. If the said test does not show that the seed is of a purity appropriate to a superior grade than that originally applied to it, then a test shall also be made of the "Grower's Sample" at the said Seed Testing Station, and the appeal shall be determined on the average of the results obtained from the testing of both said samples, and this determination shall be binding on the Ministry and the grower and proper adjustment (if any) to price and appeal fee shall be made as provided in paragraph 14.

16. Notwithstanding the provisions of paragraphs 14 and 15 the Ministry reserves the right to take germination into account in determining appeals in those cases in which the seed has been graded as Sub-Standard by the panel of graders because of low germination ascertained as the result of a test.

17. Seed delivered as Italian may, if necessary, be submitted to a fluorescence test and if it be found that not more than 10 per cent. of the seedlings tested react negatively to that test it shall be classified as Italian.

18. If the appeal be not successful the appeal fee shall be retained by the Ministry.

Prices

19. (Delivered to nearest market)

Kind of Seed	Grade			
	A Plus	A	B	Sub-Standard
	per cwt.	per cwt.	per cwt.	per cwt.
Perennial	50/-	44/6	33/6	10/-
Italian	55/-	49/-	36/9	10/-

Seed to which the description "Unclassified" has been applied will be purchased at the following prices:—

Grade A. Minimum purity 90%—Minimum Germination 85%—40/- per cwt.
Grade B. „ „ 85%— „ „ 85%—35/- „ „
Sub-Standard—Purity less than 85% or Germination less than 85%—10/- „ „

20. Registered growers who harvest in 1961, crops grown under the Elite Perennial Ryegrass Seed Scheme, 1960, will be eligible for an additional payment at the rate of 5/- per cwt. provided that the conditions of the Scheme are complied with.

21. The prices quoted above for Perennial and Italian seed (Grades A Plus, A and B) are basic prices, and if a sufficient profit is realised on the year's trading