STATUTORY INSTRUMENTS

1984 No. 1873

SEEDS

The Oil and Fibre Plant Seeds (Amendment) (No. 2) Regulations 1984

Made - - - -	*29th November* 1984
Laid before Parliament	*13th December* 1984
Coming into Operation	*4th January* 1985

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) and (8), and 36 of the Plant Varieties and Seeds Act 1964 (**a**) and now vested in them (**b**) and of all 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 Oil and Fibre Plant Seeds (Amendment) (No. 2) Regulations 1984 and shall come into operation on 4th January 1985.

Amendment of principal regulations

2. For paragraph 8 of Part I of Schedule 2 to the Oil and Fibre Plant Seeds Regulations 1979 (**c**) (which sets out required standards for varietal purity) there shall be substituted the following paragraph—

"Standards for varietal purity

8. The crop shall have sufficient varietal identity and varietal purity. In particular—

(a) for crops of swede rape (other than varieties to be used solely for fodder purposes), turnip rape (other than varieties to be used solely for fodder purposes), soya bean, flax, linseed, sunflower (other than hybrid varieties including their components) and white mustard, the minimum varietal purity standards shall be:

(**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.
(**b**) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.
(**c**) S.I. 1979/1005, amended by S.I. 1984/199.

Minimum varietal purity (percentage by number)	Basic seeds	Certified seeds or certified seeds of the first generation	Certified seeds of the second or third generation
Swede rape and Turnip rape‡	99.9	99.7	—
Soya bean	97	95	95
Flax and Linseed	99.7	98	97.5
Sunflower and White mustard	99.7	99	—

‡ For swede rape and turnip rape varieties to be used solely for fodder purposes the minimum varietal purity standards shall be 99.7 per cent for basic seeds and 99 per cent for certified seeds.

(b) In crops of brown mustard and black mustard the number of plants of the crop species which are recognisable as obviously not being true to the variety shall not exceed—

(a) one plant in 30 sq m for the production of basic seeds, and

(b) one plant in 10 sq m for the production of certified seeds."

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th November 1984.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

27th November 1984.

Nicholas Edwards,
Secretary of State for Wales.

29th November 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which amend the Oil and Fibre Plant Seeds Regulations 1979, give effect to Articles 3 and 4 of Commission Directive 82/287/EEC (O.J. No. L131, 13.5.82, p.24), and Article 1 of Commission Directive 82/859/EEC (O.J. No. L357, 18.12.82, p.31), which amended Council Directive 69/208/EEC (O.J. No. L169, 10.7.69, p.3) on the marketing of seeds of oil and fibre plants.

The regulations lay down revised varietal purity standards which must be achieved by crops grown to produce seeds of oil and fibre plants (other than commercial seeds) for marketing (Regulation 2). The principal changes made are to the varietal purity standards for turnip rape, swede rape, sunflower and white mustard (which are defined in percentages instead of by reference to the number of plants in an area) and for black mustard and brown mustard.

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