

Guide to Seed Certification Procedures in Northern Ireland

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1. **Introduction**

This guide explains the procedures for making an application for seed certification in Northern Ireland.

All seed certification forms are available by contacting Environmental Farming Branch.

The day to day technical operation of seed certification is undertaken by the Department in conjunction with the Agri-Food and Biosciences Institute (AFBI). Contact details are as follows:-

**Department of Agriculture, Environment and Rural Affairs**

|  |  |
| --- | --- |
| Certification AuthorityEnvironmental Farming Branch Clare House303 Airport Road WestBelfastAntrimBT3 9ED | Tel: 02890525582Email: seed.cert@daera-ni.gov.uk  |

**AFBI**

|  |  |
| --- | --- |
| Official Seed Testing Station AFBI50 Houston Road Crossnacreevy Belfast BT6 9SH | Tel: 02890 548000Fax: 02890 548001Email: info@afbini.gov.uk  |

1.1There are separate certification authorities for England and Wales and Scotland. If you wish to apply for certification in England and Wales or Scotland you should contact the authorities directly. Contact details are as follows:-

**Scotland**

|  |  |
| --- | --- |
| Certification AuthorityScottish GovernmentSaughton HouseBroomhouse DriveEdinburghEH11 3XD | Tel: 0131 556 8400Fax: 0300 244 6777[www.scotland.gov.uk](http://www.scotland.gov.uk)  |

|  |  |
| --- | --- |
| Official Seed Testing StationScience and Advice for Scottish Agriculture1 Roddinglaw RoadEdinburgh EH12 9FJ | Tel: 0131 244 8891Fax: 0131 244 8940 [www.sasa.gov.uk](http://www.sasa.gov.uk/) |

**England and Wales**

|  |  |
| --- | --- |
| Certification Authority Varieties and Seeds Animal and Plant Health AgencyEastbrookShaftesbury RoadCambridgeCB2 8DR | Tel: +44(0) 300 060 0497 Fax: +44(0) 300 060 2115 Email: seed.cert@apha.gsi.gov.uk |

|  |  |
| --- | --- |
| **NIAB**Agricultural Crop Characterisation Huntingdon Road Cambridge CB3 OLEOfficial Seed Testing StationNIABHuntingdon Road Cambridge CB3 OLE | Tel: 01223 342200 Fax: 01223 277707 Web: [www.niab.com](http://www.niab.com) Tel: 01223 342200 Fax: 01223 342244  |

1.2 **Current legislation** – see Appendix 5

EU Seed Marketing Directives

The Seed Marketing Regulations (Northern Ireland) 2016

The EU Seed Marketing Directives fall within the scope of Annex II of the Northern Ireland Protocol for the UKs exit from the EU, and as such EU law will continue to apply in Northern Ireland.

As a result of the terms of the Protocol, England, Scotland and Wales (GB) are deemed to be third countries in relation to Northern Ireland for the purposes of marketing seed

**What is seed certification?**

1.3The EU Directives require that seed of the main agricultural and vegetable species must be officially certified as having met certain quality standards before it is marketed. Seed certification concerns the process of ensuring that these quality standards are met.

**When is seed certified?**

1.4The Seed Regulations adopt a building block approach to seed certification. The three conditions which must be met for certification are:

**Listing stage**

1.5 The seed must be of a variety which is on the Northern Ireland Variety List or the EU Common Catalogue (i.e. listed). The exception is for Pre-basic or Basic seed of components of hybrid varieties, where the hybrid variety must be listed before the components are certified.

**Crop stage**

1.6 The seed crop must have been inspected and a crop inspection report issued stating that it met prescribed crop standards.

**Seed stage**

1.7 A sample of the seed must have been tested and a seed test report issued stating that it met prescribed seed standards.

 **Early multiplication of seed**

1.8 A crop/seed lot may be entered for early multiplication See Annex 2 of the Technical Supplements for further details.

**Harmful Organisms**

1.9 It is also a condition of certification that the seed shall be practically free from pests which reduce the usefulness and quality of the seed. It is the responsibility of the person or company entering seed for certification to confirm that this requirement is met at the seed stage.

**Who can enter seed crops or seed for certification?**

1.10Applications can only be accepted from persons or companies licensed under the Seed Marketing Regulations. For information about licensing, please contact Environmental Farming Branch in DAERA.

**What Fees are applied for seed certification?**

1.11All seed certification fees must be paid at the following points of the process:-

* Entry of crops (see section 4);
* Official crop inspections (see sections 4 and 5);
* Lodging of seed test reports (see section 10).

Details of current fee rates are available from the Department.

**Data Protection Act 2018 – Fair Processing Notice**

1.12 The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 2018. The Department is the data controller in respect of any personal data that you provide when you complete seed certification forms.

Applicants should note that the Department’s technical contractor, AFBI, acting on the Department’s behalf, will use your personal data supplied on the seed certification forms primarily for the purposes of: determining eligibility of your application for seed certification, for monitoring purposes and for statistical purposes.

**Legislation**

1.13

The Seeds Act (Northern Ireland) 1965.

[The Seed Marketing Regulations (Northern Ireland) 2016](http://www.legislation.gov.uk/nisr/2016/244/contents/made).

Council Directives:

* [66/401/EEC](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01966L0401-20121130&from=EN) Marketing of Fodder Plant Seed;
* [66/402/EEC](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01966L0402-20160701&qid=1475837718517&from=EN) Marketing of Cereal Seed;
* [2002/54/EC](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02002L0054-20050125&from=EN) Marketing of Beet Seed;
* [2002/55/EC](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02002L0055-20130828&from=EN) Marketing of Vegetable; and
* [2002/57/EC](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02002L0057-20090704&from=EN) Marketing of Oil and Fibre Plant Seed

Under the legislation listed above, the data provided to the Department/AFBI is used to compile statistics about certified seed. Published information relates only to the hectares of seed crops entered for certification and the tonnage harvested by variety. Personal data is not included in the statistics.

Seed Certification data for the British Society of Plant Breeders (BSPB) sub-licence holders is released under a legal agreement between BSPB and the Department for the purposes of royalty collection.

***Certification Data is only released to a third party in the following two areas***

1. The Directives/Regulations require that we collect details of Imports over 2kg from outside of European Single Market States into Northern Ireland. This information is collected for the Commission. We do pass this data onto the GM team but only if the individual companies supplying the data sign a form of consent that the Department can do so.
2. Certification data relating to varieties certified is released to BSPB for royalty purposes. Data is only released under a specific legal agreement signed with BSPB and for those companies for which BSPB acts as licensee.

The Department may also be required to release information, including personal data and commercial information, on request under the Environmental Information Regulations or the Freedom of Information Act 2000. However, the Department will not permit any unwarranted breach of confidentiality nor will we act in contravention of our obligations under the Data Protection Act 2018.

The Department or its appointed agents may use the name, address and other details on your application form to contact you in connection with occasional customer surveys or research aimed at improving the services that the Department and its contractors provides.

If you believe that any of the information we hold concerning you is incorrect or out of date, please provide us with the accurate information in writing together with supporting evidence (if appropriate). Correspondence should be forwarded to Environmental Farming Branch in Clare House.

For further information about freedom of information please see the “Information Access” link on the Department’s homepage.

 **Guides**

1.14 All guides relating to seed certification are on the Department’s [website](https://www.daera-ni.gov.uk/). This includes this guide and

* Instructions to licensed and official crop inspectors
* Instructions to licensed and official seed samplers

**2. Glossary of Terms**

Some of the terms used in this guide are explained below.

**Applicant**

The person or company entering seed crops or seed for certification.

**Blended seed lot**

This is a combination of seed of the same variety that has come from different sources. The constituent seed can either:-

have been officially certified; or

have not been certified but come from a crop for which a crop inspection report has been issued showing standards have been met; or

be a combination of above.

**Breeder**

In practical terms, for unlisted varieties, the breeder will normally be the person or company entering the variety for Listing, though the term also includes any person lawfully multiplying, on his own account, seed bred by another. The term "breeder" also includes maintainers for listed varieties.

**Bulked seed lot**

This is a combination of seed from crops of the same variety and grown by the same grower bulked on the farm at the discretion and under the responsibility of the crop applicant.

**Category**

These are the categories at which seed may be certified, as follows:

* Pre – basic (PB)
* Basic (B)
* Certified Seed (CS)
* Certified Seed, first generation (C1)
* Certified Seed, second generation (C2)
* Certified Seed, third generation (C3) (applies only to flax or linseed)
* Commercial Seed (applies only to annual meadowgrass, Hungarian vetch, sainfoin and black mustard)

All species may be certified at Pre-basic or Basic.

**Commercial seed**

A category of seed not certified as to variety. This only applies to the species annual meadowgrass, Hungarian vetch, sainfoin and black mustard. There is no crop stage for Commercial Seed.

**Common Catalogue**

Means, either the EU Common Catalogue of varieties of species of agricultural plants or the EU Common Catalogue of varieties of species of vegetables, both published in the Official Journal of the European Communities

**Control plots**

Control plots are small plots sown with samples of seed lots which are entered for multiplication. They provide evidence about whether the sown seed is satisfactory for the purpose of producing a further seed crop. The main features examined in control plots vary between species, but include e.g. varietal purity, species purity, male sterility in hybrids etc.

In normal circumstances seed crops are approved on the basis of the crop inspection result. However, exceptionally, seed crops may be rejected on evidence from control plots which indicates that the sown seed lot is unsatisfactory for the purpose of producing seed at the category, and level where appropriate, at which the corresponding crop is entered.

Control plots are also used as a post control check on final generation seed.

**Crop identity number**

A unique number used to identify a specific seed crop. It must be constructed by the applicant when crops are entered (see Appendix 1 on how to construct crop identity numbers).

**Declared Germination**

The regulations prescribe a minimum germination standard for seed lots. For example, the minimum germination standard for wheat is 85%. However, Pre - basic and Basic seed of any species which does not meet the prescribed minimum standard may nevertheless be officially certified and marketed on the basis of its actual germination. This is called declared germination. The germination achieved must be stated on the official seed label.

**Early movement**

Except for seed moving to NI from a third country, seed of any species and category may be officially certified for early movement and marketed before the results of the official germination test are available. Seed which has been officially certified for early movement must be finally certified once the results of the official germination test are known.

**Early multiplication**

Early multiplication allows for seed to progress through the multiplication chain before listing. This enables seed stocks to be built up in advance of listing.

**Equivalent third country**

A country that has been granted equivalence under Council Decision 2003/17/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries. In relation to Northern Ireland, this definition includes Great Britain.

**European Single Market State**

Includes an EEA state, Switzerland or Northern Ireland

**Higher Voluntary Standards (HVS)**

These are statutory standards, which are higher than minimum EC standards, applicable to:

* Basic, C1 and C2 seed crops and seed of barley, oats, wheat, durum wheat and spelt wheat (except for hybrids or components of hybrids); and
* CS seed of some fodder species.
* Seed crops (cereals only) and seed (cereals and fodder) which meet these higher standards may be officially verified at HVS.

**Licensed company**

This is a company licensed under the Seed Marketing Regulations to carry out activities such as marketing, packing, sealing or labelling of seed etc.

**Licensed crop inspector**

A person licensed under the terms of the Seed Marketing Regulations to carry out crop inspections, under official supervision, of the species and categories specified in the licence.

**Licence number**

This is the licence number allocated by the Department to a seed sampler, crop inspector, seed testing station or a seed company as required by the Seed Marketing Regulations.

**Licensed seed sampler**

A person licensed under the terms of the Seed Marketing Regulations to carry out seed sampling, under official supervision (except for vegetable seed). Licensed seed samplers also have other responsibilities, e.g. for supervision of sealing and labelling of seed lots.

**Maintainer**

This is the person or organisation indicated in the Northern Ireland Variety List or in the EU Common Catalogue as responsible for maintaining a variety.

**NI Variety List**

Any list of varieties of species of agricultural plants and varieties of species of vegetables, prepared and published in accordance with regulation 3 of The Seeds (Variety Lists) Regulations (Northern Ireland) 2020

**Nominated contact**

This is the person or persons nominated within a licensed company as the point of contact within the organisation for all communications relating to the Seed Marketing Regulations. They are expected to ensure the correct operation of seed certification regulations and procedures within the company.

**OECD Third Country**

A third country that is a participant of a relevant seed scheme operated by the Organisation for Economic Co-operation and Development.

**Official seed sampler**

A person authorised by the Certifying Authority to carry out official seed sampling.

**Official crop inspector**

A person authorised by the Certifying Authority to carry out official inspections.

**OSTS**

The Official Seed Testing Station (OSTS) is authorised to carry out official tests on all species and categories of seed. The OSTS in Northern Ireland is located at AFBI, Crossnacreevy.

**Post control**

Tests carried out after certification by or on behalf of the certifying authority to check that seed meets the standards for the category (and level if HVS applicable) at which it was certified.

**Third Country**

A country other than a European Single Market State (this includes Great Britain)

**Qualifying seed lot**

A qualifying seed lot is a seed lot, not yet certified, obtained from a crop:-

1. produced in Northern Ireland, for which a crop inspection report has been issued; or
2. produced in a European Single Market State or an equivalent third country and imported under grey labels as 'not finally certified', for which a copy of the crop inspection results has been lodged with the Department.

stating that the crop standards have been met for the category/level at which the seed lot is to be certified.

**Seed lot reference number (SLRN)**

A unique number which identifies an individual seed lot. See Appendix 1 for details on how to construct a seed lot reference number.

**Seed directives**

EU Directives on certification and marketing of seed (these are listed at Appendix 5).

**Seed regulations**

Regulations implementing EU Seed Directives in Northern Ireland.

**Statutory Tetrazolium Test (STZ)**

All categories of cereal seed species may be officially certified on the basis of a Statutory Tetrazolium Test (STZ), as an alternative to a germination test. The STZ must be carried out on an official sample drawn from a seed lot by a licensed seed sampler. The test may be done at the OSTS. It is essential to note that if a germination test is done in addition to a STZ, the result of the full germination test always takes precedence. Early movement does not apply to seed officially certified on the basis of an STZ.

**3. Seed Lot Entry, Sampling and Testing**

(Instructions for completing form CERT 5 are at section 9 of this guide)

The purpose of seed lot entry is to ensure official samples of all seed lots which are being, or are intended to be multiplied, are sent to AFBI for sowing in control plots (and for laboratory examination for varietal identity and varietal purity where appropriate). Seed lot entries should be sent to AFBI.

Seed lots are entered for multiplication using form SDG1. Where officially certified seed produced in Northern Ireland is being multiplied, the seed lot reference number of the certified seed must be entered on the SDG1 and for officially certified seed which has been imported, a seed test report relating to the seed entered is required.

An official sample of the seed to be multiplied and a CERT 5 (Request for Sampling and Testing and to Enter a Seed Lot), which is attached to the sample must be submitted to AFBI, by the closing dates shown at Appendix 2

**Procedures for entering seed lots: submission of samples and seed test reports**

3.1 Each lot of seed intended to be sown to produce seed under the certification scheme must be notified, on form SDG1, to the Department by the closing date shown in Appendix 2.

3.2 A separate form SDG1 must be used for each category of seed and for each kind of seed intended to be sown.

3.3 Official samples of seed intended for multiplication must be drawn by an official seed sampler. The procedures for submission of official samples and seed test reports are as follows:

1. Where seed of multiplication categories has been entered for certification, the sample should be the residue of the official sample tested by the OSTS.
2. For linseed and flax, seed from the residue of the official sample tested is used, by the OSTS, for disease tests. The results of the test are reported on a SDG10.
3. Seed officially certified in a European Single Market State or equivalent third country, and imported for further multiplication, must be sampled by an official seed sampler. The sample must be submitted direct to AFBI with form CERT 5 attached. The CERT 5 should be marked 'For verification only, no tests required'.
4. Breeder's seed entering the multiplication cycle must be sampled by an official seed sampler. The sample must be submitted direct to AFBI with form CERT 5 attached. The sample must be taken from a consignment of seed identified by a seed lot reference number constructed in the same way as for officially certified seed and labelled with a buff coloured supplier's label stating the following:-
5. Name and address or registered number of person labelling the seed
6. Seed lot reference number
7. Species and Variety
8. The words 'breeder's seed'
9. Declared net or gross weight or declared number of seeds

A seed test report is not required for uncertified breeder's seed.

(e) Samples of end generation seed lots should not be routinely sent to the OSTS. If they are required for post-control, they will be requested by the OSTS.

**Procedures for late entry of seed lots**

3.4If a seed lot is not entered in time for a control plot to be sown, it may be accepted as a late entered seed lot on application to the Department or to AFBI, acting on behalf of the Department. **Acceptance is discretionary – the Department is not obliged to accept late entries.** Crops sown with accepted late entered seed lots (where a control plot could not be sown) must be officially inspected regardless of category and will incur a charge for official inspection. See Annex 4 in the Technical Supplements for further details.

For all rye crops entered for further multiplication where no standard sample exists, the crops are subject to an official inspection.

For hybrid crops where no standard sample exists the crops are subject to an official inspection.

**4. Entry of Crops (Form SDG2 and SDG2a)**

The purpose of crop entry is to give notification required by the Seed Regulations that seed has been sown and to provide details of crops, including, for example, category of seed to be produced, area sown, crop location, etc. Crop entries (including fees for crop entry and for
official crop inspection if applicable) should be sent to the Department.

**Procedures for entry of crops**

4.1 Crops are entered for seed production using form SDG2 (crop entry notification) and SDG2A (payment for crop entry notification). Closing dates by which crop entries and fees must be sent to the Department are in Appendix 2. The Department, or the OSTS on behalf of the Department, has discretion to accept crop entries made after the closing date **but is** **not compelled to do so.** Each case will be considered on its merits.

4.2 The Department will inform applicants that official crop inspections will be carried out in respect of seed lots that have been entered for multiplication (Pre-basic/Basic, unlisted varieties, crops sown with late entered seed lots and species covered by the vegetable regulations). The Department will not individually acknowledge each crop entry notification, unless specifically requested to do so by the applicant.

**Notes on SDG2 (crop entry notification - all species)**

**General**

4.3(a) The form should be completed by the applicant and be sent to the Department by the closing date shown in Appendix 2. It **must** be accompanied by the appropriate fees and a SDG2A

(b) A separate form must be used for each sown seed lot or combination of seed lots. Where a combination of seed lots is sown, all crops entered on the form must be sown with all the seed lots in the combination.

**Notes on completion**

4.4 (a) **Kind**

Enter species e.g. wheat.

(b) **Variety**

Enter the variety, e.g. Dandy, Westminster

(c) **Category and level to be produced**

Enter the category of seed it is intended to produce, e.g. Pre-basic, CS, C1. For crops to produce Basic, C1 or C2 seed of barley, oats, wheat, durum wheat or spelt wheat, enter the level of seed it is intended to produce (HVS or minimum).

(d) **Seed Lot Reference Number(s)**

Enter the seed lot reference number or numbers of the sown seed. Where more than one seed lot reference number is shown, all crops entered on the form must be sown with all of the stated seed lots. Applicants must ensure the accuracy of information concerning sown seed, so pedigree records and link information from crops and control plots can be maintained.

(e) **Crop Identity Number**

Enter the crop identity number. This number is unique and crucial to the identity of the crop (see Appendix 1 for explanation of how to construct crop identity numbers).

(f) **Farm Holding Number of Crop**

Enter the complete farm holding number of the farm on which the crop is located**.** This is made up of the county code (2 digits), parish number (3 digits) and holding number (4 digits).

(g) **Address of Crop**

The full address at which the cropis located, including the county, should be entered.

(h) **Grower's name and telephone number**

Enter the grower's name, telephone number and mobile telephone number.

(i) **IACS number**

The IACS number of the field **must** be given. Additionally identifying information such as field names may also be given.

(j) **Crop Area**

This entry must contain the actual areaof the crop, in hectares, completed to **one** decimal point.

(k) **Actual Tonnage**

Enter the total actual weight, in kilograms, to one decimal point.

(l) **Date of Sowing (herbage and herbage legumes only)**

Please include the month and year of sowing.

4.5 **Previous 2 Years Cropping**

Applications must also include details of the previous cropping for the field. See Annex 1 in the Technical Supplements for further details.

4.6 Please note the following when entering details of previous cropping:

1. Previous cropping details must always be quoted for **years prior to sowing date,** not date of harvest.
2. When entering **herbage** crops for second and subsequent years of harvest the same requirements for information on previous cropping apply.
3. For **autumn sown** crops, please quote the spring crop sown for that year as first year's previous cropping.
4. For **spring sown** crops, the first year's previous cropping will be the year prior to the year of sowing and **must not include cover crops.**

**Notes on completion of SDG2A (payment for crop entry notification - all species)**

**General**

4.7(a) **No action can be taken on crop entry notification until payment has been received by the Department**.

(b) Form SDG2A **must** be attached to one or more relevant SDG2s (crop entry notifications) giving details of the individual crops. All crops entered with form SDG2A must be for the same category. The attached SDG2 forms must all be for crops which are intended to produce the same category of seed and should be annotated with consecutive numbers.

(c) The appropriate fee for the application must accompany the form and the correct amount(s) must be entered box 6. If you send more than one application to the Department at the same time, payment may be combined (e.g. one cheque for the total of the amounts on several SDG2A forms).

4.8 Details of current fee rates can be obtained from the Department.

**Notes on completion**

4.9(a) **Category to be produced**

 Enter the seed category to be produced in box 3

(b) **Sheet numbers of attached crop entry notifications**

Enter the first and last sheet numbers of the attached crop entry notifications in box 4. Sheet numbers should continue from the sheet numbers used for entry of winter crops, e.g. if sheet numbers 1 – 3 were used for winter crops the spring sheet number will commence at 4.

(c) **Total area of crops entered on the crop entry notifications**

 Official crop inspection is compulsory for crops entered to produce:-

1. Pre-basic Seed;
2. Basic Seed;
3. CS, C1, C2 or C3 (flax/linseed only) seed of unlisted varieties in early multiplication;
4. CS, C1, C2 or C3 (flax/linseed only) seed from late entered seed lots, where no control plot has been sown; or
5. CS seed of varieties covered by the vegetable regulations

 In box 5 enter the area on the attached Crop Entry Notifications (SDG2) to be inspected by officials - in hectares to one decimal place.

**5. Field Inspection of Crops (Form SDG3)**

5.1The purpose of crop inspection is to examine the crop to assess if it meets the appropriate requirements in the Seed Regulations for, e.g. isolation, lodging, species purity, varietal purity, freedom from wild oats and to ensure the crop is practically free from any pests which reduce the usefulness and quality of the propagating material. Crops entered will be inspected either by official or licensed inspectors.

**Procedures for applying for crop inspection**

5.2The submission of form SDG2 to the Department constitutes an application for crop inspection as required by the Seed Regulations.

**Arranging official inspections**

5.3The Department will arrange official inspection of crops entered to produce the following:-

1. Pre-basic Seed;
2. Basic Seed;
3. CS, C1, C2 or C3 (flax /linseed only) seed of unlisted varieties in early multiplication;
4. CS, C1, C2 or C3 (flax/linseed only) seed from late entered seed lots, where no control plot has been sown (provided the sown seed has been accepted as a late entered seed lot); or
5. CS seed of varieties covered by the vegetable regulations

The Department will provide the official inspector with the appropriate crop inspection report for completion (see section 5.5).

**Arranging licensed inspections**

5.4It is the applicant's responsibility to arrange licensed inspection of crops entered to produce CS, C1, C2 or C3 (flax only) seed of listed varieties. The applicant will provide the licensed inspector with the appropriate crop inspection report for completion (see section 5.5).

**Doing the inspection**

5.5Crop inspections must be carried out in accordance with Instructions to Crop Inspectors issued by the Department. At the appropriate time the official or licensed crop inspector will inspect the crop in accordance with these instructions and complete a crop inspection form as follows:

1. SDG3 - crop inspection report for cereals;
2. SDG3H - crop inspection report for herbage;
3. SDG3M - crop inspection report for fodder, oil and fibre, fodder beet and vegetables;
4. SDG3P - crop inspection report for field beans and field peas;
5. SDG3S - crop inspection report for sugar beet

5.6 The crop inspector will sign the form and state whether the crop meets the standards (and level for barley, oats and wheat and some fodder species where HVS applies) at which it was entered, as well as the standards (and level where appropriate) of any lower generations for which it is eligible, or whether it fails outright for all seed production.

5.7 Where crops are inspected by officials (see section 5.3) the inspector will send the original report to the Department who will copy this to the applicant. This report will be held by the Department as a lodged report unless the applicant instructs the Department not to lodge the report (see section 6).

5.8 The applicant can either accept the results of the official inspection, or where appropriate, within a specified number of days, request the Department to arrange a second or subsequent official inspection. A fee may be charged for a second or subsequent inspection. The Department will invoice applicants for any additional crop inspection fees.

5.9 Applicants may request a subsequent official inspection of each Pre-basic or Basic crop that fails on first inspection. Such instruction means there is agreement to pay a further official inspection fee on demand.

5.10 For crops inspected by a licensed inspector (see section 5.4) the licensed inspector sends the results to the applicant, who arranges second (and subsequent) licensed inspections if necessary.

**Control plot results - crops inspected by officials**

5.11For Pre-basic and Basic crops, crops of unlisted varieties in early multiplication and vegetable species, (i.e. officially inspected crops), the OSTS issues control plot reports where these show the sown seed fails varietal identity and/or varietal purity. Plot reports are issued to:

1. the applicant who has entered the crop;
2. the applicant who entered the sown seed for certification;
3. the official inspector; and
4. the Department.

The official inspector will use the plot report as a guide, with crop approval determined by the result of the crop inspection. Where necessary, the inspector may defer a decision pending further investigation and consultation.

5.12If a plot report is issued after the inspection has been completed, the Department may, at its discretion, organise a second inspection. This will only be done where the problem is severe and the inspector did not have a reasonable opportunity to assess the impurities, for example because they would have been difficult to see at the time of the original inspection. The result of this inspection may revise the earlier decision. The applicant will be kept informed at all stages if a decision is made to re-inspect a crop and will receive a copy of the inspection report.

**Control plot results - crops inspected by licensed inspectors**

5.13For CS/C1/C2/C3 (flax/linseed only) seed crops (i.e. crops inspected by a licensed inspector), OSTS issues control plot reports where these show the sown seed fails varietal identity and/or varietal purity. Plot reports are issued to:

1. the applicant who has entered the crop; and
2. the applicant who entered the sown seed for certification.

5.14Where an unsatisfactory plot report is issued, further information will be sought from the field and the applicant will be informed of the category (and level, if appropriate) of approval of crops sown with the seed lot as soon as possible. Representative crops subject to unsatisfactory control plot reports may be officially inspected. If the control plot result is confirmed in representative crops, the Department may declare post-control of the seed lot is unsatisfactory. Where this happens, the result may be applied to all crops sown with seed from the lot, whether or not they have been officially inspected. The Department will inform applicants of the decision.

**Check inspections of crops inspected by licensed inspectors**

5.15A proportion of crops inspected by licensed inspectors are checked by official inspectors. The Department arranges check inspections. Reports issued by licensed inspectors may be overturned for reasons unrelated to plot reports (e.g. wild oat contamination), where an official check inspection shows that the crop did not meet the prescribed standards for the category (and level where appropriate) at which it was entered and the applicant has not given satisfactory confirmation to the Department that remedial action has been taken to correct the non conformity. The Department will inform applicants of the decision.

**Decisions on crops**

5.16At the end of the crop stage, the applicant will have a crop inspection report (SDG3) which shows that:

1. the crop passes at the category and level entered and lower categories/levels for which it is eligible;
2. the crop does not pass at the category/level entered, but passes at a lower category/level and is eligible for seed production at that lower category/level; or
3. the crop fails for all seed production purposes.

5.17 The applicant also has a control plot report, if one has been issued, and where appropriate, a decision from the Department on whether or not post control of the sown seed is satisfactory.

5.18 Crops are accepted for seed production where a crop inspection report (including the report of a check inspection, where appropriate) has been issued stating that:

1. the crop passes at the category and level entered and lower categories/levels for which it is eligible; or
2. the crop does not pass at the category/level entered, but passes at a lower category/level and is eligible for seed production at that lower category/level.

Also for crops inspected by licensed inspectors, post control of the sown seed is satisfactory.

**6. Lodging of Crop Inspection Reports (Form SDG3 or SDG3(Summ))**

6.1Applicants must lodge their crop inspection reports with the Department. The purpose of this is to ensure that the Department have all the necessary information on crop status to support seed certification.

**Procedures for lodging reports on crops inspected by officials**

6.2For crops inspected by officials the crop inspection report (SDG3) is automatically lodged once it has been sent by the official inspector to the Department.

**Procedures for lodging reports on crops inspected by licensed inspectors**

6.4For crops inspected by licensed inspectors, summary details of crop inspections may be lodged with the Department using form SDG3 (SUMM) instead of the full inspection report. Summaries should be signed by the nominated contact, or their deputy, from the company. The full crop inspection report must be retained by the applicant for audit purposes for 3 years. The Department or the OSTS may require full crop inspection reports to be submitted e.g. for checking.

**Procedures for lodging reports on crops produced in a European Single Market State**

6.5Seed of any category produced in a European Single Market State may be imported as field approved for final certification in Northern Ireland, (“seed not finally certified”). An official document relating to the crop issued by, or on behalf of the competent authority in the relevant State should accompany all seed produced in European Single Market States and imported for final certification in Northern Ireland. The document is required by seed Directives, which also state the information which must be included on it. It should be sent to the Department with a written request to lodge it.

**Procedures for lodging reports on crops produced in an equivalent 3rd country**

6.6CS, C1, C2 or C3 (flax/linseed only) seed crops produced in an equivalent 3rd country may be imported as field approved for final certification in Northern Ireland, (“seed not finally certified”). An official certificate relating to the crop issued by, or on behalf of, the approved seed certification authority in that country should accompany all seed produced in equivalent 3rd countries and imported for final certification in Northern Ireland. The official certificate is required by the OECD schemes for the varietal certification of seed moving in international trade and state the information which must be included. The certificate should be sent to the Department for lodging.

**Timing of lodging reports**

6.7Crop inspection reports or summaries must be lodged by the dates in Appendix 2. Failure to lodge crop inspection reports at the appropriate time may result in rejection of seed for certification.

**Trade in as grown or partly processed seed**

6.8It is the applicant’s responsibility to lodge the crop inspection report, or summary report, with the Department. Those selling or buying as grown or partly processed seed for certification should ensure that correct information about the crop status is provided to them. Seed can only be officially certified if it has been harvested from an eligible crop. Companies buying as grown or partly processed seed for certification are advised to ensure that it is eligible for certification at the category/level at which they intend to enter it for certification.

**Notes on SDG3 (SUMM) (summary for licensed crop inspections - all species)**

**General**

6.9 (a) Form SDG 3 (SUMM) is used to summarise crop inspection results for all licensed inspections and to lodge these results with the Department.

 (b) The form should be completed by the applicant and be sent to the Department by the closing date shown in Appendix 2.

 (c) Only one species should be entered per form.

 (d) The original crop inspection report must be retained by the applicant for audit purposes for 3 years. The Department or the OSTS, can require submission of this, e.g. for audit purposes or to resolve queries.

**Notes on completion**

6.10

(a) **Species**

 Enter species e.g. wheat

(b) **Crop Identity Number**

 These should be listed in numerical order.

(c) **Area PASSED**

 This should be completed with the total area of crops, in hectares (to one decimal place), which was approved by the licensed inspector

(d) **Area REJ/WD**

 This should be completed with the total area of crops, in hectares (to one decimal place), which was rejected by the licensed inspector or withdrawn

(e) **Crop results**

Enter a 'Y' against all categories/levels at which the crop passes on field inspection

(f) **Inspectors Licence Numbers**

The inspectors licence numbers should be entered for **all** inspectors involved with **each** inspection.

**7. Re-Grading of Crops**

7.1The purpose of re-grading is to allow flexibility in seed production. It allows a crop to be used to produce seed of a different (usually lower) category, and/or level where appropriate, to that at which it was originally entered. The crop must, however, be eligible to produce seed of the category to which it is to be re-graded. For example, a crop entered to produce Pre-basic seed from breeder's seed is NOT eligible to produce CS, C1 or C2. It must also meet the prescribed crop standards for production of seed at the new category/level and a crop inspection report stating this must have been issued.

**Decisions on re-grading**

7.2For a crop produced in Northern Ireland:

1. A decision to re-grade to a lower category/level for which it is eligible may normally be taken by the applicant, providedthe crop inspection report confirms that the crop meets the standards for the lower category/level.\*
2. A decision to re-grade a Basic seed crop to Pre-basic may normally be taken by the applicant, providedthe crop inspection report confirms that the crop meets the standards for Basic seed (if the applicant is not the maintainer, the maintainer must give permission for the applicant to up-grade to Pre-basic).\*
3. Up-grades to a higher category/level require a specific application to the Department.

\*See Appendix 3 for a full list, by species, where decisions may normally be taken by applicants.

7.3 Crops produced in a European Single Market State or an equivalent third country and imported field approved for final certification in Northern Ireland (“seed not finally certified”) may also be re-graded. Barley, oats and wheat may also be verified as meeting HVS. In all cases, specific applications to re-grade, or to verify seed at HVS, must be made to the Department.

**Procedures for re-grading where decisions may be made by applicants (automatic re-grading)**

7.4 Re-grading decisions which may be made by applicants (see section 7.2) are called automatic re-grades, for ease of reference (the terms "automatic re-grades" or "automatic re-grading" are not part of the regulations). A list, by species, of permitted automatic re-grades is at Appendix 3.

7.5 The crop inspection report will indicate whether the crop meets the standards for the category, and level where appropriate, at which it was entered. The crop inspection report will also normally indicate whether the crop meets the standards for any lower category/level for which it is eligible. Seed from the crop is eligible for certification at any of the categories and levels approved on the crop inspection report.

7.6 Where a crop fails at the category/level entered but meets standards for a lower category/level (and is eligible to produce seed for certification at the lower category/level), the applicant may, if he wishes, make the decision to re-grade the crop to the lower category/level.

7.8 For crops entered to produce Basic seed, the crop inspection report will automatically state whether the crop meets the standards for Pre-basic seed. Provided it does, the applicant may decide to up-grade the crop (if the applicant is not the maintainer, the maintainer must give permission for the applicant to up-grade to Pre-basic).

7.9 It is the applicant's responsibility to ensure that a crop is eligible for automatic re-grading and that the crop inspection report states that the standards for the new category/level are met. Failure to do this may result in seed from the crop being rejected for certification. Companies buying as grown or partly processed seed for certification are advised to ensure that the seed is eligible for certification at the category/level at which they intend to enter it for certification (see also section 6.8).

7.10 The applicant must notify the Department where crops are automatically re-graded. This is normally done when the application to lodge the seed test report is submitted for the seed harvested from the crop (see section 10). The application to lodge the seed test report must state the identity of the crop from which the seed was harvested and this is sufficient notification of automatic re-grading. Where seed is entered for certification by a different company to that which entered the crop, the applicant for seed certification is advised to confirm with the person who entered the crop that the crop inspection report, or summary, has been lodged with the Department and the crop was eligible to produce seed of the category/level at which it is to be entered for certification (see also section 6 on lodging reports).

**Applications to up-grade to a higher category/level**

7.11In limited circumstances it may be possible to up-grade a crop to a higher category, or level where appropriate, than it was originally entered. In such cases a specific application must be made to the Department. This must include supporting evidence to show that the sown seed lot and the crop is eligible to produce the higher category/level and the crop met the appropriate crop standards. Crops can only be up-graded to Pre-basic or Basic if they have been inspected by officials and there must be sufficient time to organise official inspection if appropriate (if the applicant is not the maintainer, the maintainer must give permission for the applicant to up-grade to Pre-basic or Basic).

7.12 There is no specific form for applications. These can be made by letter, fax or email and should include the following information:-

1. species;
2. variety;
3. crop ID;
4. original Category;
5. what category/level to be re-graded to and why; and
6. a copy of the crop inspection report unless this has previously been lodged with the Department.

7.13 The Department will check that the requirements for the higher category/level have been or can be met and will inform the applicant whether the crop can be up-graded to a higher category and/or level. If a crop is accepted for re-grading, fees for the higher category will be payable.

**8. Bulking of Crops (Form SDG4a)**

8.1 Seed from crops of the same variety, grown by the same grower to be bulked on the farm at the discretion and under the responsibility of the applicant.

8.2 A bulk of seed from crops which have passed crop inspection at different categories and/or levels will assume the category and level of the lowest constituent. It is essential that, for each crop in the bulk:

1. it is eligible to produce seed at the category/level at which the seed in the bulk is to be certified;
2. a crop inspection report has been issued;
3. the report states that the crop met the standards for the category/level at which seed in the bulk is to be certified;

Seed in the bulk cannot be certified unless these conditions are met.

**Procedures when seed is bulked**

8.3 The applicant must inform the Department when seed crops are bulked. Failure to do so could result in seed in the bulk not being eligible for certification, because the identity of the seed and its link to the crops from which it was produced, is not preserved.

8.4 Notification of bulking should be made to the Department on form SDG4a. This should be submitted as soon as bulking on the farm takes place, or the final crop inspection results are known for the crops concerned, whichever is the later.

8.5 The crop identity number of the bulk will be the numerically lowest crop identity number of the components. When the bulk is ready for certification it should be treated in the same way as seed obtained from a single seed crop.

**Notes on SDG4a (notification of bulking of crops)**

**General notes**

8.6(a) This form should be completed only in respect of the bulking of seed from crops of the same variety grown by the same growerwhich have passed crop inspection at the category/level at which the seed in the bulk is to be certified.

(b) The form should be completed by the applicant. It should be sent to the Department as soon as bulking on the farm takes place, or the final crop inspection results are known for the crops concerned, whichever is the later.

**Notes on completion of form**

8.7

(a) **Category and level**

1. Enter the category and level (if appropriate) of seed which the bulked crop is intended to produce.
2. Level applies only to Basic, C1 or C2 crops of barley, oats and wheat, durum wheat and spelt wheat, which may be verified at HVS. Seed crops of different levels may be bulked but the resulting bulk must assume the minimum standard (e.g. a bulk of C1 HVS and C1 minimum would result in C1 minimum).
3. Seed of different categories may be bulked. However, the resulting bulk must assume the lower category (e.g. a bulk of C1 and C2 would result in C2) and all the crops in the bulk must be eligible to produce seed of the lower category.

(b) **Crop identity number of bulk (key crop)**

Enter in the first crop box the lowest crop identity number of the crops to be bulked. This is the key crop and the crop identity number that should be quoted for the produce in the future. The crop identity numbers of the other crops should be entered in the remaining boxes. This is essential to ensure the identity is preserved.

**9. Seed Sampling and Seed Testing (Form Cert 5)**

9.1Once seed is processed, divided into seed lots, sealed and labelled it must be sampled and tested to establish whether it meets the prescribed seed standards for certification. Seed cannot be certified (and therefore marketed) until it has completed this process and a seed test report has been issued stating that requirements have been met. Sampling should normally be done by a licensed seed sampler and testing by the OSTS.

**Procedures for applying for sampling and testing of a qualifying seed lot**

9.2The applicant should complete a CERT 5 (request for sampling and testing of a seed lot), which is passed to the licensed sampler. The CERT 5 is an application for sampling and for testing an official sample of a 'qualifying seed lot'.

**What is a "qualifying seed lot"?**

9.3A qualifying seed lot is one which is not yet certified, but has been obtained from a seed crop which has met crop standards, for which a crop inspection report or equivalent documentation has been issued (and for imported seed, lodged) as follows:

1. Seed harvested from a crop produced in Northern Ireland - a crop inspection report has been issued.
2. Seed harvested from a crop produced in a European Single Market State - an official document relating to the crop issued by, or on behalf of, the competent authority in the relevant State, which should accompany all seed produced in other European Single Market States and imported for final certification in Northern Ireland, must have been lodged with the Department (see section 6.5).
3. Seed harvested from a crop produced in an equivalent thirdcountry - an official certificate, relating to the crop, as required by the OECD schemes for the varietal certification of seed moving in international trade, which should accompany all seed produced in an equivalent third country and imported for final certification in Northern Ireland, must have been lodged with the Department (see section 6.6).

**Responsibilities**

9.4 It is the applicant's responsibility to establish that a seed lot is a 'qualifying seed lot’ that the seed was harvested from a crop which was eligible to produce seed of the intended certification category/level and the crop was approved at that level. In particular, please note that the OSTS is not responsible for checking these matters.

**Procedures carried out by the licensed seed sampler**

9.5The licensed seed sampler samples the seed lot and sends the sample to the OSTS to be tested. For cereals only the licensed seed sampler may also test the moisture content and report the result on the CERT 5. For more details of the licensed seed sampler's role, including sampling methodology, sealing and labelling, see "Instructions to licensed and official seed samplers" on the Department’s website.

**Procedures carried out by the OSTS**

9.6The OSTS will test the seed for analytical purity, other seed content, germination and, for beet, moisture content and to make sure that the seed is practically free from any pests which reduce the usefulness and quality of the propagating material. These are the conditions laid down in EU Directives and the technical supplements of this Guide. The testing laboratory will also test cereal seed samples for moisture content where this has not been done by the licensed seed sampler.

**Issue of final seed test report (SDG10)**

9.7 When tests are complete, the OSTS will issue a final SDG10 seed test report to the applicant, with a copy to the Department stating the results of the tests. The OSTS will note on the SDG10 whether the seed meets the prescribed standards for the category/level entered and whether it meets the standards at a lower category/level. However, the OSTS will not test seed entered at minimum level to HVS standards, unless specifically instructed to do so by the applicant.

9.8 For cereal seed only, seed can be certified by the use of a Statutory Tetrazolium test (STZ) rather than a germination test. Please contact OSTS for more details. Cereal seed which is certified on the basis of an STZ cannot be early moved (see section 9. 10).

**Declared germination**

9.9Pre-basic or Basic seed which does not meet the minimum germination standards prescribed by regulations may nevertheless be officially certified and marketed, at any germination level, provided the actual germination is notified to the seed buyer. This is called "declared germination". The germination achieved must be stated on the label. The SDG10 will show the germination achieved.

**Seed testing - interim reports for early movement**

9.10 Seed of listed varieties may be officially certified for early movement, before the germination test result is obtained. Where seed is to be early moved, the OSTS will test an official sample for analytical purity and other seed content at the category and (where appropriate) level at which the seed is entered for certification. Where the sample meets the prescribed standards, the OSTS will issue a SDG10 interim seed test report of analytical purity and other seed content. The interim report will state whether the seed passes or fails at the category/level entered.

9.11 A preliminary assessment of germination must also be carried out. There is no prescribed methodology for making a preliminary assessment of germination. It may be done by the applicant, who should then enter the result on the CERT 5. The OSTS will then transfer the result to the SDG10. Alternatively, the applicant may request the OSTS to do the preliminary assessment of germination. If the OSTS does the preliminary assessment, the result will be entered on the interim SDG10.

9.12 The person marketing the seed must, on the basis of the preliminary germination, guarantee to the buyer that the seed meets certain minimum standards of germination, and the buyer must be told if the results of the germination test show the seed did not meet these guaranteed minimum standards. The guaranteed minimum standards are:

* 1. for Pre-basic or Basic seed, that the seed either:
1. meets the minimum germination standard prescribed in EU Directives and the technical supplements to this Guide; or
2. meets a specific lower minimum germination standard, where the seed is to be officially certified on the basis of declared germination (see section 9.9).
	1. for CS, C1, C2 or C3 (flax/linseed only) seed, that the seed meets the minimum germination standard prescribed in EU Directives and the technical supplements to this Guide.

9.13It is not necessary to quote the specific percentage germination achieved in the preliminary test, where this is at, or above, the minimum prescribed by seeds regulations. Where Pre-basic or Basic seed is to be marketed on declared germination, however, a specific minimum percentage obtained in the preliminary germination test must be given - this is the guaranteed minimum percentage of germination and buyers must be told if the germination test shows the seed does not meet this minimum standard.

9.14Seed of a listed variety is officially certified for early movement when the following are in place:

1. a SDG10 interim report stating that the seed meets analytical purity and other seed content standards at the category/level entered; and
2. the results of the preliminary germination test showing germination is satisfactory are available.

9.15 Early movement does not apply to:

1. cereal seed which is to be certified on the basis of an STZ test (see section 9.8); and
2. seed of any species in early multiplication (early multiplied seed may not be marketed).

**Issue of final seed test report**

Following the completion of the germination test the OSTS will issue a final seed test report for the purposes of final certification of seed which was officially certified for early movement.

**Refusal to issue a seed test report**

9.16If it is found that a seed lot has not been sampled in accordance with the methods specified in the Seed Regulations, or has not been taken from a homogeneous seed lot, then the Department or the OSTS can refuse to issue a seed test report.

**Notes on CERT 5 (request for sampling and testing and request to enter a seed lot)**

**General notes**

9.17(a) The CERT 5 should be completed by the applicant and must be passed to a Licensed or Official Seed Sampler as the official request to sample a seed lot.

(b) A separate CERT 5 must be completed in respect of each seed lot.

**Notes on completion**

9.18 (a) **Applicant's name**

Enter the name and address of the applicant on whose behalf the seed is being sampled. This will normally be the processor of the seed, but if not the processor's address should be entered at the bottom of the form.

(b) **Seed Testing Station No.**

Enter the testing station number where the seed test will be carried out

(c) **Seed lot reference number**

Enter the seed lot reference number. This number is unique and crucial to the identity of the seed (see Appendix 1 for explanation of how to construct seed lot reference numbers).

(d) **Category (imported seed only)**

For imported seed only, sampled for control plots and marked 'For verification only, no tests required', enter the category and level of the seed lot. These samples should be sent to the OSTS.

(e) **Net Weight of Seed Lot**

Enter the accurate weight of the seed lot at the time of sampling in tonnes, kilos and if appropriate grams.

(f) **Seed treatment**

Enter the full proprietary name of any chemical seed treatment on the seed at the time of sampling. If no treatment has been applied, enter 'Untreated' or 'Nil'.

(g) **Label Numbers**

Enter the highest and lowest serial numbers of the labels used in a consecutive run. If labels in more than one sequence are used, the highest and lowest numbers in each sequence must be given.

(h) **Additional Tests Required**

For most seed lots the sample will require only tests for analytical purity, other seed content, pests and germination. However, there may be circumstances where seed needs to be retested (e.g. after re-cleaning), or when additional or alternative tests are required. These should be indicated in the Additional Tests Required box as follows:-

|  |  |
| --- | --- |
| **Test Required** | **Entry in Additional Tests Box** |
| Preliminary germination test for early movement | Preliminary germination |
| Resample and retest of a failed seed lot | 'Resample' |
| Verification test after loose smut treatment and repacking | For verification purposes only - no further tests required |
| Embryo test on a cereal seed lot | Embryo test at LSTS or OSTS |
| Statutory Tetrazolium test on a cereal seed lot | STZ |
| Dual sampling of either a whole cereal seed lot or part of a cereal seed lot | Either “Dual sample resample” or “PDS resample” |
| Statutory disease test for linseed and flax | Linseed/flax disease test  |
| Verification test (control plot) for an imported multiplication category seed lot (no tests required for purity, germination and other seeds) | For verification only no further tests required |
| Wild oat test for imported seed to be marketed in Northern Ireland | Wild oat test only |

(i) **A preliminary indication of germination was satisfactory?**

Where seed is to be early moved then an indication of preliminary germination is required. Where the applicant does the preliminary germination test the ‘yes/no’ box should be completed by the applicant to confirm whether preliminary germination was satisfactory. The % box only needs to be completed for Pre-basic and Basic seed where an actual % must be stated if this is to be sold on declared germination (i.e. germination level lower than the minimum germination standards prescribed by the regulations).

This box should not be completed where the OSTS is asked to do a preliminary germination test.

**If the no box is ticked then seed should not be early moved**.

(j) **Moisture test to be done by Seed Testing Station**

Moisture tests for cereals may be carried out by the licensed seed sampler or the OSTS. Where they are done by the licensed seed sampler the result should be reported by the sampler to one decimal place in the "for sampler's use only" box. If the applicant wants the OSTS to test for moisture content, he should tick the "Yes" box on the CERT 5.

**10. Lodging of Seed Test Reports and Certification of Seed (SDG7)**

10.1A copy of all seed test reports (interim and final) issued by the OSTS will be copied to the Department to be lodged. The purpose of this is to maintain integrity of the system, the pedigree of seed lots and for monitoring purposes.

**Procedures for certification of seed following lodging of final seed test reports**

10.2 The applicant must submit applications to certify seed lots when the final seed test report has been lodged with the Department. Form SDG7, should be used for seed lots other than a bulked or blended seed lot. Form SDG8 should be used for bulked or blended seed lots. Submission of the SDG7 or SDG8 to the Department constitutes an application to certify the seed lot as required by Seed Regulations. The OSTS automatically send copies of all final seed test reports to the Department. In normal circumstances, therefore, a copy of the final seed test report does not need to accompany the certification application, since this will already have been received by the Department.

10.3 A fee is payable on submission of an application for certification of a seed lot. **Form SDG7a along with the appropriate fee must be sent to the Department with the SDG7 application for certification**.

**Procedures for notification of early multiplied seed lots**

10.4Seed test reports on early multiplied seed are sent to the Department in the same way as reports on listed varieties. These reports cannot be formally lodged unless and until the variety is finally listed.

**Timing of applications for certification of seed lots**

10.5Applications for certification of seed lots (form SDG7) along with the appropriate fee (SDG7a) **must** be sent to the Department within 21 days of the issue of the final seed test report.

**Certification of seed lots**

10.6On receipt of the SDG7 and SDG7a, the Department will, if the standards laid down in EU Directives in respect of crops and seed are satisfied, certify the seed lot and notify the applicant that the seed lot has been certified.

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**Notes on SDG7 (Application for certification of a seed lot - except bulked or blended seed lots)**

**General notes**

10.7

(a) Form SDG7 should be used for all seed lots from a single source (i.e. if the seed comes from one crop).

(b) Each seed lot must be entered on a SDG7 and sent together with form SDG7a and the appropriate fee to the Department.

(c) The form should be completed by the applicant.

(d) Only one species should be entered on each form.

**Notes on completion**

10.8

(a) **Crop Identity number or original seed lot reference number**

Enter the crop identity number or if the seed is being downgraded, up-graded, a retest etc. enter the original seed lot reference number (this should be the same number as was entered on the SDG2).

(b) **Seed lot reference number**

Enter the unique seed lot reference number (for details of how to construct seed lot reference numbers, see Appendix 1). A new seed lot reference number must be given for seed which is being, e.g. re-graded, retested or has been re-cleaned.

(c) **Original seed lot reference number**

Where seed is being re-graded, retested or re-cleaned enter the seed lot reference number under which the seed had been entered on the SDG2).

(d) **Weight of seed lot**

Enter the weight of the seed lot in tonnes and kilos.

(e) **Category and level**

Enter the category and level of the seed to be certified. Where an application to up-grade seed is being made the Department will check to see if the seed is eligible to be up-graded and will inform the applicant of their decision. Seed cannot be marketed at the higher category/level until the Department has made a decision.

**Notes on SDG8 (Application for certification of a bulked or blended seed lot)**

**General notes**

10.9

(a) Form SDG8 must be used for bulked or blended seed lots.

(b) Each seed lot must be entered on a separate form and sent together with form SDG7a and the appropriate fee to The Department.

(c) The form should be completed by the applicant.

**Notes on completion**

10.10

(a) **Seed lot reference number/Crop Identity number**

Enter the unique seed lot reference number and/or Crop ID number (for details of how to construct seed lot reference numbers and Crop ID numbers see Appendix 1).

(b) **Category and level**

The category and level of the bulked or blended seed lot must be entered. Where different categories and/or levels are blended the blend will assume the category and level of the lowest constituent. It should be noted that Pre-basic or Basic seed produced directly from breeders seed may only be blended with other Pre-basic or Basic seed.

(c) **Net weight of seed lot**

Enter the weight of the seed lot in tonnes and kilos.

(d) **Constituents of blend**

Enter the seed lot reference number or the crop identity number for each constituent of the blend.

(e) **Net weight of constituents**

Enter the weight of each constituent in the bulk or blend and the total weight in the total box.

**11. Re-Grading of Seed**

11.1Re-grading allows flexibility in seed production. It allows seed to be re-graded (usually to a lower category/level). To be eligible for re-grading, however, seed must have been harvested from a crop which was eligible to produce seed of the new category/level, and for which a crop inspection report has been issued stating that the crop met the standards for the new category/level. The seed must also have been tested and a seed test report SDG10 issued stating that the seed met prescribed standards for the new category/level.

**Decisions on re-grading**

11.2For seed produced in Northern Ireland:

(a) A decision to re-grade to a lower category/level may normally be taken by the applicant, provided:-

1. the seed was harvested from a crop which was eligible to produce seed of the new category/level;
2. a crop inspection report has been issued which states that the crop met the standards for the new category/level; and
3. a seed test report has been issued which states that the seed meets the standards for the new category/level. \*

(b) A decision to re-grade Basic seed to Pre-basic may normally be taken by the applicant. \*

(c) Up-grades to a higher category/level require a specific application to the Department.

\* See Appendix 4 for a full list, by species, where decisions may normally be taken by applicants.

11.3 Seed certified in Scotland and England and Wales must normally be re-graded in accordance with arrangements operated by the appropriate Certifying Authority.

11.4 Seed certified in a European Single Market State or an equivalent third country may also be re-graded. Barley, oats, wheat and fodder plant seed may also be verified at HVS. In all cases, applications to re-grade or verify at HVS must be made to the Department.

**Procedures for re-grading where decisions may be made by applicants (automatic re-grading)**

11.5Re-grading decisions which may be made by applicants (see section 11.2) are called automatic re-grades, for ease of reference. A list, by species, of permitted automatic re-grades is at Appendix 4.

11.6 Seed can only be re-graded if:

1. the crop from which the seed was harvested is eligible to produce seed of the new category/level; and
2. a crop inspection report has been issued stating that the crop meets the standards for the new category, and where appropriate, level.

It is the applicant's responsibility to ensure these conditions are met.

11.7 The seed test report (SDG10) will normally indicate whether the seed met the prescribed standards for the category and level entered as well as any lower categories/levels. Where the seed is to be re-graded to a lower category and/or level and the seed test report shows that the seed has met the required standards for this lower category and/or level, then the applicant may re-grade seed to the lower category/level provided the crop conditions (section 11.6) were met. The applicant will need to create a new seed lot reference number (see Appendix 1) for the lower category/level and submit this with the application for certification to the Department. Seed which is re-graded must also be re-labelled.

11.8 Where seed fails at the category/level entered but the seed test report SDG10 states that it meets standards for a lower category/level (and the seed is eligible for certification at a lower category/level the applicant may, if he wishes enter the seed at that lower category/level. The applicant must create a new seed lot reference number for the lower category/level (see Appendix 1) and enter this on his application for certification. Seed which is re-graded must also be re-labelled.

11.9 Where seed is re-graded, the applicant must complete a SDG7 form and submit this to the Department within 28 days of marketing the seed at the new category/level. The form must indicate the original seed lot reference number of the seed and the new seed lot reference number which must be created for the lower category/level. This is essential to preserve the identity of the seed.

11.10 It is the applicant's responsibility to ensure that seed qualifies for re-grading. Failure to do so will result in seed being rejected for certification. Companies buying as grown or partly processed seed for certification are advised to ensure that the seed is eligible for certification at the category/level at which they intend to enter it for certification (see also section 6.8 and 7.8).

11.11 The downgrading of seed lots which were originally blends notified on form SDG8, should be applied for on form SDG7 as explained above, except that it will not be possible to enter crop identity numbers. The original labels must either be destroyed, or where adhesive labels have been used, new adhesive labels may be superimposed. Records of original labels must be kept.

**Applications to up-grade to a higher category/level**

11.12 Specific applications must be made to the Department to up-grade seed to a higher category/level. These must be made on a SDG7.

11.13 Seed cannot be marketed at the higher category/level until a decision on the application to up-grade has been made and acknowledged by the Department.

11.14 The Department will check all the requirements for the higher category have been or can be met. For example, Pre-basic or Basic seed must have been produced from a crop which has undergone official crop inspection and the seed must have produced by or under the responsibility of the breeder according to accepted practices for the maintenance of the variety.

**Re-grading of imported seed**

11.15Please contact the Department for information about re-grading imported seed or verifying imported seed at HVS.

**12. Withdrawal of Certification**

12.1 The Department may withdraw certification from a seed lot or part seed lot in certain circumstances, if it is satisfied that:-

1. the seed, or the seed from which the crop producing the seed was grown, was incorrectly sampled;
2. the crop from which the seed was harvested did not meet the conditions laid down in the relevant EU Directive; or
3. the seed: -
* did not meet the conditions in the relevant EU Directive when it was tested; or
* no longer meets those conditions.

12.2 Where certification is withdrawn the Department will notify the person who entered the seed for certification;

12.3 Where certification is withdrawn, any person notified of withdrawal must inform anyone else to whom he has supplied or sold the seed of the withdrawal within 7 days of being told that certification is withdrawn.

**13 Standard Seed of Vegetables**

**Standard Seed of Vegetables (other than in small packages)**

13.1 Standard Seed of vegetables is not officially certified. Nevertheless, it does have to meet minimum standards of purity and germination, which are laid down in The Seed Marketing Regulations. It is up to the seller to ensure that these standards are met, as well as making sure the seed is practically free from any pests which reduce the usefulness and quality of the propagating material. The Regulations also state that Standard Seed must be sold in lots or part lots. Maximum lot weights are the same as for certified categories of vegetable seed. The person in charge is responsible for allocating the reference number(s) to lots of Standard Seed. These must be constructed in such a way that each one is unique to a lot, so the lot can be identified.

**Records of Transactions in Standard Seed**

13.2 A person who labels packages of Standard Seed (other than small packages) must keep records for a period of three years of the seed lots of Standard Seed marketed by them. They must also keep records of:

1. The dates on which labels were affixed to packages.
2. The packages on which they were affixed.

**Legislative requirements:**

13.3 The Seed Marketing Regulations require that:

1. A representative sample of appropriate weight from any seed lots of Standard seed must be taken by the company and must be retained by the company for a period of at least two years. This does not require a LSS.
2. The company shall keep and retain for a period of at least three years a record of the seed lots of standard seed marketed by them. These records and any samples must be made available, on request, to an officer authorised by the Certifying Authority.

**14 Plant Passports**

Plant passports are an official document to move regulated plants and plant products (including some seeds) within European Single Market States.

This guidance must be followed when moving plants or plant products within Northern Ireland and between Northern Ireland and European Single Market States.

For movement of seed from Great Britain to Northern Ireland a Phytosanitary Certificate will need to be issued by the relevant GB authority, as is the case for movement of seed between Northern Ireland and the rest of the world. Please click [here](https://www.daera-ni.gov.uk/articles/phytosanitary-export-certificate-online-pecol) for more information.

Plant passports can be issued by registered official operators who must be authorised by DAERA.

Passports issued before 14 December 2019 are valid until 14 December 2023.

**14.1 When you need a plant passport**

When selling directly to retailers, authorisation will be needed to issue plant passports for any plants which fall under plant passport requirements.

A plant passport is required even when moving plants or plant products, including seeds, by means of distance supply. An example of this would be selling seeds online and posting them out to the consumer.

From 14 December 2019, a plant passport is needed to move regulated plants and plant products within and between European Single Market States, including within Northern Ireland.

A plant passport is required for some seed being marketed in Northern Ireland.

A list of seed for which a plant passport is required can be found [here](https://www.legislation.gov.uk/eur/2019/2072/annex/XIII).

**14.2 Plant passports and certification labels**

Some certified seeds also require a plant passport under the EU Plant Health Regulation 2016/ 2031 and there is provision for the passport to be merged with the existing certification label.

**14.3 Apply for authorisation to issue plant passports**

To register as an official operator and to apply for authorisation to issue plant passports please email planthealth@daera-ni.gov.uk for more information.

**14.4 How to make and attach a plant passport**

For details on what information is required for a plant passport, and how to attach the label, please click [here](https://www.daera-ni.gov.uk/sites/default/files/publications/daera/Plant%20Passport%20Guide.pdf).

**14.5 How to replace a plant passport**

A new plant passport must be issued if a trade unit of passported plants is split and being sent on to someone else. A new plant passport is not needed if you:

1. do not split a consignment
2. traceability for the plants or plant products is maintained
3. the plants, plant products or other objects concerned continue to comply with requirements regarding the presence of pests and disease
4. the characteristics of the plants, plant products or other objects concerned have not changed

If all of these points are not followed then a meticulous examination must take place for a new plant passport to be issued.

**14.6 Renew authorisation**

Authorisation must be renewed each year by contacting DAERA.

**14.7 Records**

Records must be kept to allow DAERA to investigate any pest or disease outbreaks.

If a supplier sends a plant passport in the form of a label, this may be stored physically or digitally. Supplier documents do not have to be kept.

The following must be kept for 3 years: If you have issued a plant passport you must record:

1. if you have been supplied with a plant passport, the professional operator who supplied the trade unit concerned
2. the professional operator to whom the trade unit concerned was supplied
3. the information within the plant passport (this does not have to be a physical copy of the plant passport or an exact digital copy of the plant passport)

A professional operator that has received a plant passport must:

1. insist that the supplier provides any passports that are missing if they refuse to do this, contact DAERA to report them
2. record who supplied any passport received

A professional operator that has supplied a plant passport must record who they supplied that plant passport to.

A professional operator is any person involved professionally in, and legally responsible for, one or more of the following activities concerning plants, plant products and other objects:

1. planting
2. breeding
3. production, including growing, multiplying and maintaining

iv. introduction into, and movement within and out of European Single Market States,

1. making available on the market
2. storage, collection, dispatching and processing

14.9 Telling DAERA about pests or diseases

DAERA must be contacted if quarantine or non-indigenous pests or diseases are suspected to have been found.

**APPENDIX 1 - Construction of crop identity numbers and seed lot reference numbers**

These numbers are essential to preserving the identity and pedigree of seed crops and seed lots. It is most important that applicants and processors construct the numbers carefully, note them and use them at all times. Failure to do so may jeopardise eligibility for certification.

1. **Crop identity number (Crop ID no.)**

This number is crucial to the identity of the crop. Every seed crop must have a unique identity number. It must be constructed by the applicant when the crop details are entered on the crop entry notification form (SDG2). It must be used at all times to identify the growing crop, the produce of that crop before processing and when lodging seed test reports, to identify the crop from which the seed was obtained.

2. **How to construct the crop identity number**

The crop identity number is constructed on the crop entry notification (SDG2) as follows:-

1. Last two digits of harvest year;
2. applicant's licensed number;
3. crop data sheet (SDG2) number (see paragraph 4.9(b) concerning sheet numbers);
4. line number\*

\*The line number is the line on the crop data sheet (SDG2) at which the crop is listed.

Example

Applicant number 9999 submits four crop data sheets (SDG2s) for crops of wheat to produce C1 seed for the harvest of 2011. The top right-hand corner of the fourth form would be recorded as follows:-

Year to be harvested 16

Applicant's number 9999

Sheet number 4

The first crop on sheet four will bear the crop identity number 16/9999/4/1

The second crop will bear the crop identity number 16/9999/4/2

And so on for all crops on the sheet.

3. **Seed lot reference number (SLRN)**

This number is crucial to the identity and origin of the seed. Every seed lot must have a unique identity number, which must be used at all times. This number must be constructed by the applicant for certification of a seed lot and be used to identify the processed seed before and after marketing.

4. **How to construct the seed lot reference number (except blends and mixtures)**

The seed lot reference number is constructed as follows:-

1. Last two digits of harvest year
2. Category code (e.g. 2H)
3. Licensed number of the processor
4. Sequential number of the lot produced from that harvest year by the processor. (This must be a unique number in the UK and not duplicated between species or certifying authority.)

5. **How to construct a seed lot reference number for bulks and blends**

1. Cereals - make up the reference number in the same way as above BUT
2. where the harvest year of all the constituents is the same (e.g. 2016) use that year's prefix (e.g. 15). Where seed from different harvest years is blended (e.g. 2015, 2016) use the most recent year's prefix (e.g. 16);
3. use sequential numbers as appropriate for the harvest year prefix applied to the blend.

 Use the harvest year period in which the bulk is made, e.g. 2015 for bulks made between 1 August 2015 and 31 July 2016.

1. Herbage, fodder, oil, beet and vegetable blends
2. the harvest year number used is that appropriate for the period in which the blend is made (e.g. for blends made between 1 August 2015 and 31 July 2016 the year prefix will be 15);
3. the sequential lot number will be as appropriate for seed being processed in the period August to July with the same harvest year prefix.

6. **Examples of how to construct seed lot reference numbers**

In the course of a day in November 2010 the following seed lots are produced (in this order), by the processor whose registered number is 9999.

1. A lot of C1 minimum standard winter wheat (2016 harvest).
2. A lot of C1 HVS winter wheat (2016 harvest).
3. One lot of Pre-basic field beans (2016 harvest).
4. One blended lot of C2 HVS spring barley (2015 and 2016 harvests).
5. One blended lot of Basic Seed white clover (2014 and 2015 harvests).

The last sequential lot numbers used for the 2016 harvest was 200.

The seed lot reference numbers allocated would be as follows:-

1. C1 minimum winter wheat 16/1L/9999/201
2. C1 HVS winter wheat 16/1H/9999/202
3. Pre-basic field beans 16/PB/9999/203
4. C2 HVS blended spring barley 15/2H/9999/204
5. BS blended white clover: 16/BS/9999/205

Alternatively, seed lot reference numbers may be allocated in batches, for example by species or category, provided each number is unique.

7. **How to construct seed lot reference numbers – mixtures**

1. The reference number required on official labels for mixtures must be obtained from the Department.
2. Reference numbers for small packages of mixtures seed may be constructed in any way provided it contains the packer's licensed number as a suffix, e.g. packer number 9999 would insert his number as .../9999.

**APPENDIX 2 – Closing dates for seed certification**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Entry of seed****lots****(sample for****control plot) \*** | **Entry of crops** | **Lodging of****crop****inspection****reports** |
| **Cereal seeds** |  |  |  |
| Cereals - winter sown | 7 November | 31 January | 15 August |
| Cereals - spring sown | 7 April | 15 May | 15 August |
| **Fodder plant seeds** |  |  |  |
| Field Peas and Field Beans - winter sown | 7 November | 31 January | 15 August |
| Field Peas and Field Beans - spring sown | 15 March | 15 April | 15 August |
| **Grasses and herbage legumes** |  |  |  |
| All lots for sowing in the spring of that year including clover and minor grass species sown for harvesting the next year | 15 March | 31 January | 15 August |
| All lots of minor grass species (i.e. all species except ryegrasses) and perennial herbage legumes where applicants were unable to submit a sample by 15 March  | 15 August | 31 January | 15 August |
| All lots of ryegrass species for sowing in the autumn of that year | 15 September | 31 January | 15 July |
| Spring Lupins and spring sown vetches | 15 March | 15 April | 15 August |
| All crops traditionally managed and local varieties:- clovers- grasses | 15 March 15 March/15 September | 30 May 30 May | 15 August 15 August |
| Fodder crucifers |  |  |  |
| Biennial seed crops (swede and fodder kale) | 31 August | 15 October | 15 August |
| Annual seed crops (Fodder Radish) | 15 March | 15 April | 15 August |
|  | **Entry of seed****lots****(sample for****control plot) \*** | **Entry of crops** | **Lodging of****crop****inspection****reports** |
| **Oil and fibre plant seeds** |  |  |  |
| Annual seed crops sown in spring: white mustard, brown mustard, flax, linseed, oilseed rape, sunflower and turnip rape | 15 March | 15 April | 15 August |
| Biennial seed crops sown in autumn: oilseed rape, fodder rape and turnip rape | 31 August | 15 October | 15 July |
| Winter hardy linseed | 15 September | 31 January | 15 August |
| Soya bean | 21 April | 15 May | 15 August |
| **Beet seeds** |  |  |  |
| Sugar beet, fodder beet and mangels |  |  |  |
| Biennial seed crops | 31 August | 15 October | 15 August |
| Transplanted seed crops | 15 October | 15 April | 15 August |
| **Vegetable seeds** |  |  |  |
| Autumn sown biennial seed crops | 31 August | 15 October | 15 August |
| Spring sown biennial seed crops | 15 March | 15 April | 15 August |
| Spring sown annual seed crops | 15 March | 15 April | 15 August |

\* Please notify the OSTS in advance of samples which will not arrive until on or just before the closing date. The OSTS must be able to obtain a standard sample from the listing (or DUS testing) authority by the closing date. Applicants should be aware that for varieties listed in other Member States, there may be a delay in obtaining a standard sample.

**APPENDIX 3 – Automatic re-grading of crops**

**Beet**

The directives require CS seed of beet to be produced directly from Basic seed, i.e. it cannot be produced from an earlier generation of Pre-basic seed. Also, components of hybrid varieties are only certified as Basic seed. The effect of this is that the circumstances in which beet seed crops may be "automatically" re-graded are limited, as follows:

|  |  |
| --- | --- |
| **Crops entered to produce:** | **Eligible for "automatic" re-grading to:** |
| Pre-basic seed | Basic seed |
| Basic seed, except components of hybrid varieties | Pre-basic seed |

**Cereals**

|  |  |
| --- | --- |
| **Crops entered to produce:** | **Eligible for automatic re-grading to:** |
| Pre-basic seed from breeder's seed (see note (i)) | Basic seed |
| Pre-basic seed from an earlier generation of Pre-basic seed (see note (i)) | Basic, CS, C1 or C2 seed (see note (ii)) |
| Basic seed of a component of a hybrid (except Basic seed of maize where the Basic seed is hybrid) | Pre-basic seed |
| Basic seed from breeder's seed | Pre-basic seed |
| Basic seed from Pre-basic seed | Pre-basic, CS, C1 or C2 seed, (see note (ii)) |
| C1 seed | C2 seed (see note (ii)) |

Notes:

1. The directives require a minimum of two multiplications to produce seed sold to the farmer for commercial crop production. The first, to Pre-basic or Basic, must be by, or under the responsibility of, the breeder. The second, to CS, C1 or C2 is not restricted. The re-grading principles reflect this. For example, a Pre-basic seed crop produced from breeder's seed cannot be downgraded beyond Basic. But a Pre-basic seed crop produced from an earlier generation of Pre-basic seed can be downgraded to Basic, CS, C1 or C2 (depending on species), except for hybrid varieties where a Pre-basic crop can only be downgraded to Basic.
2. Basic, C1 and C2 seed crops of barley, oats and wheat (including durum wheat and spelt wheat) may be accepted at minimum level or, except for hybrids, verified at HVS. A seed crop accepted at minimum level is eligible for "automatic" re-grading to HVS at the same category, or any other category to which it may be re-graded. A seed crop verified at HVS is eligible for "automatic" re-grading to minimum level at the same category, or any other category to which it may be re-graded. For example, a crop entered to produce Basic minimum from an earlier generation of Pre-basic seed may be re-graded to Basic HVS, C1 HVS or C2 HVS, provided it meets HVS standards for the category. A crop entered to produce Basic HVS may be re-graded to Basic minimum, C1 HVS or minimum or C2 HVS or minimum.

**Fodder**

|  |  |
| --- | --- |
| **Crops entered to produce: (see note (i) & (ii))** | **Eligible for automatic re-grading to: (see note (i) & (ii))** |
| Pre-basic seed from breeder's seed | Basic seed (see note (iii)) |
| Pre-basic seed from an earlier generation of Pre-basic seed | Basic, CS, C1 or C2 seed (see note (iii)) |
| Basic seed from breeder's seed | Pre-basic seed (see note (iii)) |
| Basic seed from Pre-basic seed | Pre-basic, CS, C1 or C2 seed (see note (iii)) |
| C1 seed | C2 seed |

Notes:

1. Category depends on species.
2. Components of hybrid varieties of fodder kale can only be certified as Basic seed. Re-grading provisions are not therefore relevant.
3. The directives require a minimum of two multiplications to produce seed sold to the farmer for commercial crop production. The first, to Pre-basic or Basic, must be by or under the responsibility of the breeder. The second, to CS, C1 or C2 is not restricted. The re-grading principles reflect this. For example, Pre-basic seed crop produced from breeder's seed cannot be downgraded beyond Basic. But a Pre-basic seed crop produced from an earlier generation of Pre-basic seed can be downgraded to Basic, CS, C1 or C2, depending on species.

**Oil & Fibre**

|  |  |
| --- | --- |
| **Crops entered to produce: (see note (i))** | **Eligible for automatic re-grading to: (see note (i))** |
| Pre-basic seed from breeder's seed, except components of hybrid varieties | Basic seed (see note (ii) |
| Pre-basic seed from an earlier generation of Pre-basic seed, except components of hybrid varieties | Basic, CS, C1, C2 or C3 seed (see note (ii)) |
| Pre-basic seed of a component of a hybrid variety, produced from breeder's or Pre-basic seed | Basic seed (see note (iii)) |
| Basic seed from breeder's seed (except components of hybrid varieties) | Pre-basic seed (see note (ii)) |
| Basic seed from Pre-basic seed (except components of hybrid varieties) | Pre-basic, CS, C1, C2 or C3 seed, (see note (ii)) |
| Basic seed of a component of a hybrid variety, produced from breeder's or Pre-basic seed | Pre-basic seed (see note (iii)) |
| C1 seed | C2 or C3 seed |
| C2 seed | C3 seed (flax/linseed only) |

Notes:

1. Category depends on species. There is no HVS category for seed of Oil and Fibre crops.
2. The directives require a minimum of two multiplications to produce seed sold to the farmer for commercial crop production. The first, to Pre-basic or Basic, must be by, or under the responsibility of, the breeder. The second, to CS, C1, C2 or C3 (flax/linseed only) is not restricted. The re-grading principles reflect this. For example, Pre-basic seed crop produced from breeder's seed cannot be downgraded beyond Basic. But a Pre-basic seed crop produced from an earlier generation of Pre-basic seed can be downgraded to Basic, CS, C1, C2 or C3 (flax/linseed only), depending on species.
3. Pre-basic and Basic seed of components of hybrid varieties cannot be downgraded beyond Basic. Basic seed of components of hybrid varieties cannot be up-graded to Pre-basic if the component itself is a hybrid.

**Vegetable**

|  |  |
| --- | --- |
| **Crops entered to produce:** **(see note (i))** | **Eligible for "automatic" re-grading to: (see note (i))** |
| Pre-basic seed from breeder's seed | Basic seed |
| Pre-basic seed from an earlier generation of Pre-basic seed | Basic or CS seed |
| Basic seed from breeder's seed | Pre-basic seed |
| Basic seed from Pre-basic seed | Pre-basic or CS seed |

Notes:

1. The directives require a minimum of two multiplications to produce seed sold to the farmer for commercial crop production. The first, to Pre-basic or Basic, must be by or under the responsibility of the breeder. The second, to CS, is not restricted. The re-grading principles reflect this. For example, Pre-basic seed crop produced from breeder's seed cannot be downgraded beyond Basic. But a Pre-basic seed crop produced from an earlier generation of Pre-basic seed can be downgraded to Basic or CS seed.

**APPENDIX 4 – Automatic Re-grading of seed**

**Beet**

The directive requires CS seed of beet to be produced directly from Basic seed, i.e. it cannot be produced from an earlier generation of Pre-basic seed. Also, components of hybrid varieties are only certified as Basic seed. The effect of this is that the circumstances in which beet seed may be "automatically" re-graded are limited, as follows:

|  |  |
| --- | --- |
| **Seed entered for certification/officially certified as:** | **Eligible for "automatic" re-grading to:** |
| Pre-basic seed | Basic seed |
| Basic seed, except components of hybrid varieties | Pre-basic seed |

**Cereals**

|  |  |
| --- | --- |
| **Seed entered for certification/officially certified as: (see note (i))** | **Eligible for automatic re-grading to:** **(see note (i))** |
| Pre-basic (see note (ii)) | Basic, Basic HVS, Basic minimum, CS, C1 HVS, C1 minimum, C2 HVS, C2 minimum. |
| Basic, Basic HVS, Basic minimum (see note (ii)) | Pre-basic, CS, C1 HVS, C1 minimum, C2 HVS, C2 minimum (Basic HVS may also be downgraded to Basic minimum) |
| C1, C1 HVS, C1 minimum | C2, C2 HVS, C2 minimum (C1 HVS may also be downgraded to C1 minimum) |
| C2 HVS | C2 minimum |

Notes:

1. Category depends on species.
2. Pre-basic and Basic seed of components of hybrids cannot be downgraded beyond Basic. Pre-basic seed produced from breeder's seed cannot be downgraded beyond Basic. Basic seed produced from breeder's seed cannot be downgraded.

**Fodder**

|  |  |
| --- | --- |
| **Seed entered for certification/officially certified as: (see note (i)&(ii))** | **Eligible for "automatic" re-grading to: (see note (i) & (ii))** |
| Pre-basic seed | Basic, CS HVS, CS minimum, C1 or C2 seed |
| Basic seed | Pre-basic, CS HVS, CS minimum, C1 or C2 seed |
| CS HVS seed | CS minimum seed |
| C1 seed | C2 seed |

Notes:

1. Category depends on species.
2. Components of hybrid varieties of fodder kale can only be certified as Basic seed. Re-grading provisions are not therefore relevant. Pre-basic seed produced from breeder's seed cannot be downgraded beyond Basic. Basic seed produced from breeder's seed cannot be downgraded.

**Oil & Fibre**

|  |  |
| --- | --- |
| **Seed entered for certification/officially certified as: (see note (i))** | **Eligible for "automatic" re-grading to: (see note (i))** |
| Pre-basic seed (see note (ii)) | Basic, CS, C1, C2 or C3 seed (flax/linseed only) |
| Basic seed (see note (ii)) | Pre-basic, CS, C1, C2 or C3 seed (flax/linseed only) |
| C1 seed | C2 or C3 seed (flax/linseed only) |
| C2 seed | C3 seed (flax/linseed only) |

Notes:

1. Category depends on species.
2. Pre-basic and Basic seed of components of hybrid varieties cannot be downgraded beyond Basic. Pre-basic seed produced from breeder's seed cannot be downgraded beyond Basic. Basic seed produced from breeder's seed cannot be downgraded.

**Vegetables**

|  |  |
| --- | --- |
| Seed entered for certification/officially certified as: | Eligible for "automatic" re-grading to: (see note (i)) |
| Pre-basic seed | Basic or CS seed |
| Basic seed | Pre-basic or CS seed |

Note:

1. Pre-basic seed produced from breeder's seed cannot be downgraded beyond Basic. Basic seed produced from breeder's seed cannot be downgraded.

**APPENDIX 5 – Current legislation governing seed certification in Northern Ireland**

**European legislation**

(Copies can be found on website <http://europa.eu.int/eur-lex/en/index.html>)

Council Directive 66/401/EEC on the marketing of fodder plants

Council Directive 66/402/EEC on the marketing of cereal seed

Council Directive 2002/54/EC on the marketing of beet seed

Council Directive 2002/55/EC on the marketing of vegetable seed

Council Directive 2002/57/EC on the marketing of seed of oil and fibre plants

**UK legislation**

Primary legislation

The Seeds Act (Northern Ireland) 1965 (as amended)

Secondary legislation

**The Seed Marketing Regulations (Northern Ireland) 2016 (**Statutory Rule no. 2016/244)

(Copies of all UK legislation can be found on website [*http://www.legislation.gov.uk/*](http://www.legislation.gov.uk/)

**Annex 1 -** Guidance on previous cropping

**NOTE**: Where year (yr) or years (yrs) are mentioned this refers to seeds year (1 July – 30 June)

|  |  |  |
| --- | --- | --- |
| **Species and category** | **Good practice\*** | **Minimum compatibility** |
|  |  |  |
| Wheat, barley, oats, PB/Btriticale | No other variety of same species in previous 2 yrsNo other cereal species in previous 2 yrs | No other variety of same species in previous year |
|  |  |  |
| C1 & C2 | No other variety of same species in previous 2 yrsNo other cereal species in previous year | No other variety of same species in previous year |
|  |  |  |
| Rye  | No other variety of rye or triticale in previous year | No other variety of same species in previous year |
|  |  |  |
| Field peas  | No *Pisum sativum* or *Vicia faba* (or dredge corn containing these species) in previous 2 yrs | No crop containing the same speciesin previous year |
|  |  |  |
| Field beans  | No *Pisum sativum* or *Vicia faba* (or dredge corn containing these species) in previous 2 yrs | No crop containing the same species in previous year |
|  |  |  |
| Ryegrass (perennial, Italian and hybrid)  | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B)No other ryegrass species in previous 4 yrs No cocksfoot, meadow or tall fescue in previous 3 yrsNo other grass in previous 2 yrs | No other variety of same species in previous 4 yrsNo other ryegrass species in previous 4 yrsNo other grass in previous 2 yrs |
|  |  |  |
| Cocksfoot  | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B)No ryegrass in previous 4 yrsNo meadow or tall fescue in previous 3 yrsNo other grass in previous 2 yrs | No other variety of same species in previous 4 yrsNo other grass in previous 2 yrs |
| **Species and category** | **Good practice\*** | **Minimum compatibility** |
|  |  |  |
| Meadow fescue | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B)No ryegrass in previous 4 yrsNo cocksfoot or tall fescue in previous 3 yrsNo other grass in previous 2 yrs | No other variety of same species in previous 4 yrsNo other grass in previous 2 yrs |
|  |  |  |
| Tall fescue | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B)No ryegrass in previous 4 yrsNo cocksfoot or meadow fescue in previous 3 yrsNo other grass in previous 2 yrs | No other variety of same species in previous 4 yrsNo other grass in previous 2 yrs |
|  |  |  |
| Red fescue | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B)No ryegrass in previous 4 yrsNo cocksfoot, meadow or tall fescue in previous 3 yrs | No other variety of same species in previous 4 yrs  |
|  |  |  |
| Timothy and any other grass species  | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B) | No other variety of same species in previous 4 yrs |
|  |  |  |
| Red clover, white clover, lucerne, sainfoin and other small seeded legumes | No crop of same variety in previous yearNo other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B) | No other variety of same species in previous 4 yrs  |
|  |  |  |
| Crucifers, oilseed rape except hybrids, fodder rape, turnip rape, brown mustard, black mustard, white mustard | No cruciferous crop in previous 5 yrs | No seed bearing cruciferous crop in previous 2 yrs. Soil sterilisation, soil replacement and transplanted crops will be considered on case by case basis. |
|  |  |  |
| **Species and category** | **Good practice\*** | **Minimum compatibility** |
|  |  |  |
| Hybrid oilseed rape | Statutory requirement for no cruciferous crop in previous 5 yrs | Statutory requirement for no cruciferous crop in previous 5 yrs |
|  |  |  |
| Flax and linseed | No flax or linseed crop in previous 5 yrs | No flax or linseed crop in previous 2 yrs |
|  |  |  |
| Soya bean | No peas or beans in previous 2 yrsNo soya bean in previous 5 yrs | No crop of same species in previous year |
|  |  |  |
| Beet | No beet seed crop in previous 5 yrsNo beet crop in previous 2 yrs | No crop of same species in previous 2 yrs. Soil sterilisation, soil replacement and transplanted crops will be considered on case by case basis |
|  |  |  |
| Turnips | No cruciferous crop in previous 5 yrs or for transplanted crops in previous 3 yrs | No cruciferous crop in previous 2 yrs. Soil sterilisation, soil replacement and transplanted crops will be considered on case by case basis |
|  |  |  |
| Broad bean  | No bean (*Vicia faba* or *Phaseolus* spp), pea, lucerne, red clover, white clover, alsike or sainfoin crop in previous 4 yrs | No crop of same species in previous year |
|  |  |  |
| French bean | No pea or bean (*Vicia faba* or *Phaseolus* spp) crop in previous 4 yrs | No crop of same species in previous year |
|  |  |  |
| Lupins | No lupins in previous 2 yrs | No crop of lupins in previous year |
|  |  |  |
| Hemp | No hemp in previous 2 yrs | No crop of same species in previous 2 yrs |
|  |  |  |

**\*** Applies to all categories unless stated PB/B = pre-basic/basic

# Annex 2 – Early Multiplication of seed

1. Early multiplication allows for seed to progress through the multiplication categories beforethe variety is added to the Northern Ireland Variety List or the Common Catalogue. This enables seed stocks to be built up in advance of a variety being listed.

* The variety must be entered for Listing in the Northern Ireland Variety List or the Common Catalogue.
* If the variety fails or is withdrawn from List testing, it ceases to be eligible for early multiplication.
* **No marketing can take place until the variety is listed**.

2. The same certification application procedure is followed as that for a variety already on the Northern Ireland Variety List or the EU Common Catalogue:

* Entry of the seed lot for multiplication and control plot (CERT 5)
* Entry of a seed crop and application for official inspection (CERT 2)
* Crop inspection and report (CERT 3)
* Sampling and Testing (CERT 5)
* Seed testing and report (CERT 10)
* Notification of early multiplication (CERT 7/7Summ)

3. Marketing cannot take place until the variety is added to the Northern Ireland Variety List or the Common Catalogue.

## SEED LOT ENTRIES

4. A sample from the seed lot is submitted to the OSTS accompanied by a CERT 5. This is to ensure that official samples of all seed lots, which are intended to be multiplied, are sent to the OSTS for sowing in control plots.

## CROP ENTRIES

5. Crops are entered for seed production using form CERT 2 (notification) and CERT 2A (payment). All crops entered for early multiplication are subject to official inspection.

# CROP INSPECTION CERT 3

6. The Department will arrange for **official** inspection of crops of varieties in early multiplication to produce CS, C1, C2 and C3 (where applicable). Earlier generation pre-basic and basic are always officially inspected.

**CROP INSPECTION REPORTS CERT 3**

7. Crop inspection reports are lodged with the Department on completion of the official inspection. Reports are copied to the applicant.

# SEED SAMPLING AND SEED TESTING

8. Once seed is processed, divided into seed lots, sealed and labelled it must be sampled and tested to establish whether it meets the prescribed seed standards. An application for sampling and testing of a seed lot (CERT 5) must be completed.

9. The seed lot status is not confirmed until a seed test report CERT 10 has been issued detailing the test results.

**COMPLETION OF SEED STAGE (CERT 7/7SUMM)**

10.The seed stage is completed, when a CERT 7 or CERT 7Summ form is completed and submitted with the seed lot fee. This maintains pedigree records and allows the next stage of multiplication to continue. The seed test report should be lodged as soon as possible. Once the variety is added to the Northern Ireland Variety List or EU Common Catalogue, the seed test report becomes automatically lodged and certification is completed in retrospect.

# LABELLING OF EARLY MULTIPLIED SEED

11. All labels for seed of varieties under early multiplication should be over-printed ***‘Seed*** ***Not Certified’*** by the applicant/processor. An official label appropriate to the category and level must be used.

**Annex 3 – Guide to Statutory Tetrazolium Testing for Certification**

**1. BACKGROUND**

The Seed Marketing Regulations allow the use of a statutory tetrazolium (STZ) test on all categories of certified cereals as an alternative to the full germination test. The STZ results will be reported on a CERT 10 as STZ% and the number of seeds examined must be stated under remarks. Both OSTSs and LSTSs can carry out the tetrazolium test for certification of cereal seed.

The tetrazolium test is a viability test where living tissue is stained red. The staining patterns are interpreted to categorise seeds into viable and non-viable. The STZ test correlates well with germination but under some situations will give an over-estimate. For example, the STZ test does not detect dormancy or any damage to germination that will occur due to the presence of seed-borne diseases, or from the adverse effects of some chemicals, e.g. pesticide damage.

If there is any doubt about whether a STZ test should be carried out (e.g. because of seed treatment, disease or where heat damage is present at 5% or more) then a germination test should be done.

**The results of an official germination test will always take precedence over the STZ result.**

When a derogation is in place a 400 STZ test must be carried out. Contact the OSTS for advice.

If seed lots are being certified using a STZ test they **cannot be early moved.** The applicant must wait for the STZ, purity and other seed count results, plus confirmation that the seed lot passes certification at the appropriate category and level before moving the seed lot.

All reserve portions that have been tested using STZ will be checked tested by STZ. Enforcement testing will always use a germination test.

**2. SPECIES COVERED BY STZ**

A STZ test can be carried out on all cereal species covered by the Regulations. Training and assessment will normally be on barley and wheat. Oats can be included on request. The assessment criteria for Triticale is the same as for wheat but the standards and therefore the tolerances are different. Candidates should discuss their requirements with the OSTS.

**3. RESPONSIBILITY**

It will be the responsibility of the Applicant /seed analysts to ensure seed is suitable for testing by STZ. Certification will be withdrawn if seed tested by STZ is subsequently found not to meet the prescribed germination standard. Please also note that seed must continue to meet the prescribed standard at the point of marketing. It is an offence to market seed which does not meet prescribed standards, even though those standards were met at the point of certification.

**Annex 4 – Late entered seed lots and crops without control plots of the sown seed**

# Seed Lot Entry

The Seed Marketing Regulations make provision that seed lots may be accepted into the certification scheme after the closing date. These seed lots are known as late entered seed lots.

Seed lots accepted for multiplication under this provision, without an official sample for a control plot, will require an official inspection. The only exception being for seed lots entered to produce CS seed of hybrid rye and hybrid oilseed rape, for which there must always be a control plot.

## Late Entered Seed Lot

## The OSTS, as soon as they are aware of a late entered sample, will inform the applicant stating:

* The sample was received after the closing date.
* The sample was received too late for drilling in control plots.
* An official inspection will be required.

The OSTS will confirm whether or not a late entered seed lot will be accepted and that all crops entered for seed certification will require an official inspection.

**Crop Entries**

An applicant who has sown or intends to sow a crop where a sample of the sown seed lot has not been submitted, or was submitted too late for sowing in control plots, should notify the OSTS that they want the seed lot to be accepted as late entered. For late entered seed lots encountered at crop entry the OSTS will inform the crop applicant and, if appropriate the company, that certified seed from that crop can only be accepted if the seed lot is accepted as late entered.

For all rye crops entered for further multiplication where no standard sample exists, the crops are subject to an official inspection.

For hybrid crops where no standard sample exists the crop/s are subject to an official inspection.

**Field Inspection of Crops - Late Entered Seed Lot Accepted**

If a late entered seed lot is sown to produce seed, the regulations require that an official inspector inspect the crops. The Department will arrange for official inspectors to carry out an official inspection. This will apply to crops sown to produce CS, C1, C2 or C3 which would normally be inspected by licensed crop inspectors. Official inspections will be subject to the appropriate official inspection fee.

**Confirmation of varietal identity without a control plot**

For some species (e.g. grasses), varieties and circumstances (e.g. crops of varieties in early multiplication and sown with breeder’s seed), a control plot is needed to confirm varietal identity.

#### Crops without control plots fall into two distinct types:-

1. Varieties familiar to OSTS specialists

Any such entered seed lot without a standard should only be accepted under the following conditions.

###### A standard sample from the Certifying Authority who carried out the DUS testing is needed, to assist in the establishment of varietal identity.

###### A test to establish varietal identity is carried out and confirms that the varietal characteristics of the variety under test match those of the standard.

###### Where no sample exists, the official crop inspector is satisfied that the variety in the field matches the description/their knowledge.

For PB and B crops

The Department will organise an official inspection.

For Certified generations

 An official inspection will be organised of representative crops.

1. Varieties that are not familiar to OSTS

A check for varietal identity, using laboratory examination, electrophoresis or DNA testing could be carried out. Providing the sample representing the seed lot matches that of the standard, then the seed lot can beaccepted and an official inspection carried out.

1. The applicant should formally accept responsibility for the risk and consequences arising from the limitations of establishing varietal identity without a control plot.
2. An adequate description from the Testing Authority must be obtained to assist the crop inspector.

The crop inspector/s may be given a form of words to qualify the crop approval statement on the CERT 3, taking into account the limitations of inspecting an unfamiliar crop without the back up of control plots.

**Testing**

For most species it is possible to carry out a check for varietal identity, using laboratory examination, electrophoresis or DNA testing. Such a test must be sufficiently robust for the species. It should be recognised however that the laboratory examination, electrophoresis or DNA test may not be as reliable as a control plot for varietal identity and may not detect varietal purity problems.

If a varietal purity problem is identified during testing, then the decision to withdraw certification or leave it to the field inspection would be made.

**Varietal Identity**

There are situations where a control plot is necessary to confirm varietal identity, for example grasses and crops of varieties in early multiplication and sown with breeder’s seed. OSTS will advise the Department that the seed lot should **not** be accepted as late entered.

**Restriction**

A requirement of this provision is that an official inspection should be carried out. Limited resources may restrict the number of entries that can be accepted under this provision.

##### Late Entry Rejected

If a late entered seed lot is not accepted, then future crop inspection is not relevant as crops have to be produced from either an entered or a late entered seed lot.

**Fee**

A separate fee may be applied to late entered seed lots to cover:

1. Extra work involved in handling the information.
2. Any laboratory exam, electrophoresis or DNA testing.

**Annex 5 – Seed imports from European Single Market States and third countries**

**Part I: Seed Imported from European Single Market States**

**Legislation**

The Seed Marketing Regulations and the relevant EU Directives.

**Breeder’s seed**

1. Breeder’s seed intended for multiplication to Pre-basic or Basic seed may be imported from a European Single Market State. The procedures are the same as for Breeder’s seed produced in Northern Ireland. The seed should be sampled after import, by a licensed seed sampler, for sowing in an official control plot.

**Officially certified seed – variety listing requirements**

1. Seed must be of a variety which is listed (i.e. on the Northern Ireland Variety List or EU Common Catalogue) before it is officially certified, **except for:**
2. Pre-basic or Basic seed of an unlisted component of a hybrid variety may be officially certified, provided the hybrid variety to be produced from the component is listed;
3. Seed of a variety or component of a hybrid variety whose entry on a NI Variety List or the EU Common Catalogue has expired, but for which a marketing extension granted by DAERA or any European Single Market State (in respect of the EU Common catalogue) is in force, may be officially certified.
4. **Categories of seed that may be imported**
5. Pre-basic, Basic, CS, C1, C2 or C3 (Flax and Linseed) seed certified and labelled in a European Single Market State;
6. that has achieved all certification requirements, except listing; or
7. Seed Not finally certified (i.e. grey label ‘certified for crop standards only’).

For final certification in Northern Ireland as officially certified seed. The original country of production must be stated on the label.

**Mixtures**

1. Mixtures permitted by the Seed Marketing Directives prepared, packed, sealed and labelled in a European Single Market State, may be imported for marketing.

**Standard Seed of vegetables**

1. Standard Seed of vegetables packed, sealed and labelled in accordance with the Vegetable Seed Directive and imported from a European Single Market State may be marketed. The seed must be of a variety which is on the NI Variety List or the EU Common Catalogue, unless it is marketed under an authorisation ***(see Annex 6 for authorisations).***

**Verification at HVS**

1. Seed of cereal and fodder species officially certified by a European Single Market State may be verified as meeting HVS, provided the HVS standard applies to the species. A sample from the seed lot must be submitted to OSTS for verification. The OSTS will issue a certificate stating the results. If seed is verified as meeting HVS, it should be re-labelled, using UK(NI) official labels, overprinted with the HVS symbol or HVS letters. The original country of production must be stated.

**Re-grading**

1. Seed officially certified by a European Single Market State may be re-graded in Northern Ireland, provided it meets the requirements for the new category. Seed which is re-graded should be re-labelled using UK(NI) official labels. The original country of productionshould be printed on the UK(NI) official label. Applications to re-grade seed officially certified by a European Single Market State should be made to the Department.

**Imported seed for early multiplication of varieties, which are not yet listed**

1. Seed, which has met all the requirements for official certification by a European Single Market State, except the listing requirement, may be imported pending listing. The seed may be entered for early multiplication before listing, **but it cannot be marketed** until it is listed. The procedures for entering unlisted seed for early multiplication are the same as those for a listed variety. The seed should be labelled with an official label appropriate to the category and level and be overstamped ‘Seed Not Certified’.

**Imports of Seed Not Finally Certified (grey label seed)**

1. Seed of any category harvested in a European Single Market State may be imported for final certification provided it is seed of a species eligible to be certified at that category in Northern Ireland.
2. The seed must have been crop inspected and achieved the standards for the category for which it had been entered.

## Documents which must accompany the seed

1. The seed must be accompanied by an official document containing the information detailed in the Directives. This must be lodged with the Department. This should be done before the seed is submitted for testing. For seed requiring one, they must also be accompanied by a plant passport.

**Packaging, sealing and labelling requirements**

1. The seed must be packed and sealed in accordance with Directive requirements. It must be labelled with a grey label containing the information shown in the Regulations.

**Final certification as UK(NI) officially certified seed**

1. The seed should be sampled, sealed, labelled and tested in the same way as UK(NI) produced seed. It must meet the same seed conditions for the category for which is has been entered. Provided it meets all requirements, it is certified as UK(NI) officially certified seed. The certified seed must be labelled with UK(NI) official labels. The original country of production must be printed on the label.

This seed may be officially certified for early movement in the same way as seed harvested from crops produced in Northern Ireland.

**Verification at HVS and Re-grading**

1. Seed imported as ‘not finally certified’ may be entered for HVS or re-graded.

**Part II - Seed Imported From Third Countries**

1. Please consult the OECD Seed Schemes - Varietal Certification and Control of Seed Moving in International Trade.

**Genetically modified seed**

1. Packing, sealing and labelling requirements should follow procedures for genetically modified seed (if applicable).

**Breeder’s seed (Not Certified)**

1. Breeder’s seed intended for multiplication to Pre-basic or Basic seed may be imported from any equivalent Third Country. The packing, sealing and labelling requirements, including chemically treated seed, are exactly the same as for Breeder’s seed produced in Northern Ireland. The seed should be sampled after import, by a licensed seed sampler for sowing in an official control plot.

**Equivalent arrangements and variety listing requirements**

1. Seed can only be imported officially certified, or for final certification, from countries which the EU recognises as having crop inspection and seed production standards equivalent to those in the EU for the species concerned. These are called “equivalent Third Countries”.

The equivalence arrangements only apply to agricultural species.

The seed is produced under the OECD scheme appropriate to the species and the variety must be on the OECD list of varieties eligible for certification. A variety subject to a marketing extension in the EU must also be entered on the OECD list of varieties eligible for certification.

**Categories of seed**

1. Pre-basic seed cannot be imported from a Third Country.

1. Basic, CS, C1, C2 and C3 (Flax and Linseed) seed may be imported:
2. after it has been finally certified by an equivalent Third Country; or
3. after it has been found to meet all certification requirements by an equivalent Third Country, except listing.
4. BS, CS, C1 and C2 seed may be imported as not finally certified (i.e. grey label seed) for certification as UK officially certified seed. Herbage seed mixtures may be imported subject to certain conditions. Other types of mixtures may not be imported.

**Imports of officially certified seed**

1. BS, CS, C1, C2 or C3 seed which meets the variety listing requirements and which has been officially certified by an equivalent Third Country in accordance with the OECD scheme for the species may be imported and marketed. The seed must also meet the requirements of the appropriate Directive, equivalence decision and the Seed Marketing Regulations.

**Early movement** does not apply to Third Country officially certified seed.

**Conditions which must be met:**

*Preceding generation*

1. Officially certified Basic seed must have been produced from an earlier generation of seed, which was produced by or under the responsibility of the maintainer:
2. in European Single Market States or Norther Ireland, where a variety is exclusively maintained in the European Single Market; or
3. in European Single Market States, Northern Ireland, or in a Third Country which the EU has recognised as having equivalence in variety maintenance, where a variety on the Common Catalogue is maintained outside the Community.
4. Officially certified CS, C1, C2 or C3 seed must have been produced from an earlier generation of Basic, C1 or C2 seed, which was produced and officially certified:
5. in a European Single Market State or NI; or
6. in a Third Country with equivalence for the production of Basic seed of the species concerned - the Basic seed must have been produced from an earlier generation.

*Crop and seed conditions*

1. The crop and seed conditions, which have to be met, are those prescribed in the appropriate Directive. Basic seed crops produced in an equivalent Third Country must have been inspected by the Designated Authority. CS, C1, C2 or C3 crops may have been inspected by official or licensed inspectors. Seed must have been sampled and tested in accordance with International Seed Testing Association (ISTA) rules by an OSTS or an officially licensed LSTS in an equivalent Third Country. Sampling and testing in Canada and the USA is carried out by officially recognised seed testing laboratories according to the rules of the Association of Official Seed Analysis (AOSA).

*Packaging, sealing and labelling requirements*

1. The seed must have been packaged, sealed and labelled under the responsibility of the Designated Authority in the exporting Third Country in accordance with the appropriate OECD scheme, using OECD labels
2. OECD labels must be printed in one of the official languages (English or French). The following information must be on the OECD label or an additional official label, which gives the name of the relevant Designated Authority certifying the seed and the country of certification:
3. a statement that the seed meets EU rules and standards;
4. a statement that the seed has been sampled and tested according to ISTA rules for orange or green International Certificates, or AOSA rules for Canada and the USA, and name of seed testing station;
5. date of sealing;
6. country of production;
7. declared net or gross weight or declared number of pure seeds (or clusters for beet seed);
8. where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and the approximate ration between the weight of pure seed and the total weight;
9. a genetically modified variety and chemically treated seed must be clearly labelled as such.
10. An official notice inside the package, which gives the seed lot reference number, species and variety, and for beet, whether the seed is monogerm or precision.

***This notice is not necessary if the information is printed on the package or if the label is self adhesive or tear resistant.***

*Re-grading*

1. Basic, CS, C1, C2 or C3 seed officially certified by an equivalent Third Country may be re-graded to NI officially certified seed, provided it meets the requirements for the relevant category. Seed, which is re-graded, should be re-labelled, using OECD official labels. The re-sealing/labelling must be done by or under the supervision of an official or licensed seed sampler. The original country of production must be printed on the label and the date of re-sealing stated. Applications to re-grade seed officially certified by an equivalent Third Country should be made to the Department.

*Documents which must accompany the seed*

1. Seed must be accompanied by the following on import:
2. an OECD certificate issued by the approved seed Designated Authority responsible for certification of the seed lot; and
3. an orange or green international certificate issued under ISTA rules, or a lot inspection certificate issued under AOSA rules for seed officially certified in Canada or the USA, showing that the seed in the lot met the conditions in the appropriate Directive for the seed category.
4. a phytosanitary certificate.

**Entry for further multiplication**

1. Multiplication category seed officially certified by an equivalent Third Country may be entered for further multiplication. The seed should be sampled by an official seed sampler and sent to OSTS for sowing in an official control plot.

*Verification at HVS*

1. Seed of cereal and fodder species may be verified as meeting HVS. Seed which is verified as meeting HVS should be re-labelled using UK OECD labels. The fact that the seed meets HVS standards should be stated on the OECD label, below the information prescribed by the OECD scheme. Please contact the Department for information on how to verify imported seed at HVS.

**Imports of seed of varieties, which are not yet listed**

1. Basic, CS, C1, C2 and C3 seed which has met all the requirements for official certification by an equivalent Third Country, except the listing requirement, may be imported prior to listing. Official certification occurs at the point at which the variety is listed. The seed is described as “Not Finally Certified Seed”. It may be entered for early multiplication before listing, but it cannot be marketed until it is listed and officially certified. In some cases grey label seed may enter Northern Ireland without the seed tests having been completed but it must be tested and pass before marketing can occur.

**Conditions which must be met:**

*Crop and seed conditions*

1. These are:
2. Basic, CS, C1, C2 and C3 seed may have been harvested from a crop produced in an equivalent Third Country. CS, C1 or C2 seed may also have been harvested from a crop produced in an equivalent Third Country and exported as “Not Finally Certified Seed” to a European Single Market State other than Northern Ireland, for packaging, sealing, labelling, sampling and seed testing, and subsequent import into Northern Ireland before listing;
3. Basic seed crops must have been officially inspected. CS, C1, C2 or C3 seed crops may have been inspected by official or licensed inspectors. In either case, the crops must have been found to meet the crop conditions in the appropriate Directive;
4. In all cases, except grey label seed, the seed must have been tested by an Official or Licensed Seed Testing Station in an equivalent Third Country, or a laboratory acting under the authority of the State Seed Testing Agency in Canada or the USA, and found to meet the seed conditions as laid out in the appropriate Directive.

*Packaging, sealing and labelling requirements*

1. The packing and sealing requirements are as set out in the OECD Seed Schemes.
2. For seed sent to the examining country for the purpose of final certification, the seed shall be given a grey label in compliance with Appendix 10 of the OECD Seed Schemes indicating the provisional denomination of the variety and bearing the statement ‘Not Finally Certified Seed – Variety Under Registration Testing’; or

For seed finally certified by the Designated Authority for the country of multiplication once the variety has been registered, in compliance with OECD Rules, the official name being that expressly indicated by the Designated Authority of the registering country. A grey label shall be used.

**Documents which must accompany the seed**

1. A certificate issued by the competent authority of the country of origin certifying its status must accompany the seed

**Verification at HVS and re-grading**

1. Seed imported pending listing may also be verified at HVS or re-graded.

**Imports of Seed Not Finally Certified (grey label seed)**

1. CS, C1, C2 and C3 seed may be imported for final certification (as NI officially certified seed) provided it is a category of seed that may be certified in Northern Ireland.
2. Not Finally Certified seed of a variety which is the subject of a marketing extension in the EU may also be imported for final certification in Northern Ireland, provided the variety is on the OECD list of varieties eligible for certification.

**Conditions which must be met:**

1. Seed harvested in a third country may be certified if—
2. it has been produced directly from—
3. basic seed or certified seed of the first generation certified either in a European Single Market State or in a third country that has been granted equivalence under Council Decision 2003/17/EC on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries; or
4. the crossing of basic seed officially certified in a European Single Market State with basic seed certified in such a third country;
5. it has undergone field inspection in accordance with Council Decision 2003/17/EC;
6. examination has shown that the conditions for seed of that category are satisfied;
7. it is accompanied by a certificate from the competent authority of the country of origin certifying its status.

The label must be grey.

The document confirming crop inspection standards must be lodged with the Department. This should be done before the seed is tested for certification.

**Final certification as NI officially certified seed**

1. The seed should be sampled, sealed, labelled and tested in the same way as NI produced seed. It must meet the same seed conditions as seed harvested in Northern Ireland. Provided it meets all the requirements, it is certified as NI officially certified seed. The certified seed must be labelled with OECD official labels, amended to show the original country of production. This seed may be officially certified for early movement in the same way as seed harvested from crops produced in Northern Ireland.

**Verification at HVS**

1. Seed imported as Not Finally Certified seed may be verified at HVS. Applications to verify seed imported not finally certified at HVS should be made to the Department.

**Re-grading**

1. Seed imported as Not Finally Certified seed may also be re-graded after certification. Decisions to re-grade may be taken in the same way as decisions to re-grade NI officially certified seed harvested from crops produced in Northern Ireland.

**Mixtures**

1. Mixtures of Herbage seed (Amenity and Agricultural) are permitted under the OECD Seed Schemes.

In all other circumstances seed officially certified in an equivalent Third Country may be mixed after import in accordance with the Seed Marketing Regulations.

These mixtures should be labelled with OECD official labels. All the original country(s) of productionof the individual components must be shown on the label.

**Vegetable Seed**

1. Standard seed of vegetables can be imported from any Third Country. However, the equivalence decision does not provide for any Third Country imports of certified vegetable seed.

**Requirement to provide information on imported seed from Third Countries**

1. Anyone marketing more than 2Kg of seed imported from Third Countries must provide specific information to the Department. This only applies to the first marketing in the Community. For example, where seed is imported into France from a Third Country, and first marketing takes place there, notification should be to the French authorities. If the seed is subsequently imported into Northern Ireland, it is not necessary to notify the Department.

**Part III – Import of cereal seed into Northern Ireland**

1. **All** cereal seed imported into Northern Ireland **must** be notified to the Department and can only be marketed if accompanied by a document that clearly states —
2. that the seed has been produced from a crop which has been found to be free of plants of wild oat at the time of an official examination **and that in addition** a one kilogram sample of seed has been found to be free of seed of wild oats at the time of an official examination; **or**
3. that a three kilogram sample of seed has been found to be free of seed of wild oat at an official examination.

**Annex 6 – Guide to applying for authorisation to market seed for:**

* **Tests and Trials**
* **The purpose of gaining knowledge from practical experience during cultivation for vegetable varieties**
* **Scientific Purposes and Selection Work**

**1. INTRODUCTION**

1.1 There are exceptions to the Seed Marketing Regulations for Northern Ireland, which if certain conditions are met, allow an authorisation to be granted to market: -

1. appropriate quantities of uncertified seed of unlisted agricultural varieties for tests or trials;
2. uncertified seed of unlisted vegetable varieties for the purpose of gaining knowledge from practical experience during cultivation;
3. small quantities of uncertified seed of unlisted or listed agricultural or vegetable varieties, for scientific purposes or selection work.

1.2 Applicants wishing to use these arrangements must have **prior** authorisation from the Department before marketing any seed.

1.3 Different arrangements may apply in Scotland, England and Wales and producers should consult the relevant Certifying Authority.

1.4 DAERA will maintain a central register of all authorisations issued in the Northern Ireland.

1.5 Authorisations will permit marketing only in NI.

1.6 Applications for authorisation in Northern Ireland should be made to the Department.

**2. MARKETING UNLISTED AGRICULTURAL VARIETIES FOR TESTS AND TRIALS**

**Granting of authorisations**

2.1 Applicants must be producers established in Northern Ireland or their representatives.

2.2 There must be a current Northern Ireland Variety List application for the variety and this application must not have been withdrawn or a final decision made.

2.3 For seed of a genetically modified (GM) variety, the applicant must have consent under Council Regulation (EC) No. 1829/2003 on genetically modified food and feed or under Part C of Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms.

**Quantities**

2.4 For agricultural varieties the maximum quantities of seed per variety that may be authorised are:

|  |  |
| --- | --- |
| **Species** | **% of Yearly Figure**  |
| Durum Wheat | 0.05% |
| Field Pea, Field Bean, Oats, Barley, Wheat | 0.3% |
| All other species | 0.1% |

If these quantities are not enough to sow 10 hectares in that European Single Market State then the specific amount needed may be authorised.

### Trial Location

2.5 The trial sites can be in, Northern Ireland or another European Single Market State. The Department will contact the relevant State for clearance before granting an authorisation.

### Time Period

2.6 Authorisations will be granted for a period of not more than one year and can be renewed on application.

**Cessation**

2.7 An authorisation will become invalid once the variety is added to the Northern Ireland Variety List or the Variety List application is withdrawn or rejected. An authorisation may be withdrawn for breach of conditions.

2.8 If a prohibition on the use of the variety is published in the Gazette then it will not be possible to continue marketing the seed.

**How to apply for an authorisation and notification**

2.9 Applications should be made in writing to the Department providing the information outlined in the application letter which includes variety names or reference numbers, trial location, the nature of the intended trials and amounts of seed. These details are necessary for the application to proceed. Applicants will normally be notified within 14 days whether or not authorisation has been granted. This should be taken into account when deciding whether to apply for authorisation, as seed **cannot be marketed until authorisation has been granted.** The OSTS will be informed of all successful applications.

Please note the following requirements: -

1. the seed may only be used for the purposes of tests or trials carried out at agricultural enterprises to gather information on the cultivation or use of the varieties to which the application relates;
2. the seed must have met the crop and seed standards and, if requested, copies of the relevant reports should be provided to the Department within the time period specified;
3. the seed is correctly labelled;
4. to keep records of the results of the tests and trials, the amount of seed marketed and the name of the European Single Market State for which the seed was intended. These records should be made available on request to authorised officers of the Department.

### Technical Conditions

2.10 Test and trial seed of unlisted agricultural species must meet the crop and seed standards for the final generation of the species and crop type concerned, as set out in the Regulations.

### Crop standards

2.11 For crop standards, it will be the applicant’s responsibility to ensure that a satisfactory crop inspection report can be provided. The simplest way to do this is to produce the seed from a crop approved under the arrangements for early multiplication. This avoids the entry of a crop specifically to produce test and trial seed and gives much more flexibility.

### Seed Standards

2.12 Seed must be sampled and tested and a Cert 10 test report produced. Test and trial seed can be re-entered from an early multiplication seed lot submitting a Cert7/7summ and fee in the usual way.

2.13 Test and trial seed must be packed, sealed and labelled with an orange *official* label in accordance with the Regulations.

**3. MARKET TESTING OF UNLISTED VEGETABLE VARIETIES**

3.1The procedure to be followed is similar to that for the test and trial of agricultural species with the following exceptions:-

### Application

3.2 A description of the variety and details of maintenance should be provided.

3.3 The authorisation will include a requirement that the seed may only be used for the purposes of gaining knowledge from practical experience during cultivation.

3.4 An authorisation will not be granted unless a Northern Ireland Variety List application has been made for the variety in the Northern Ireland or an application to be listed on the Common Catalogue has been made, which has not been withdrawn or a final decision made.

3.5 For seed of a genetically modified (GM) variety, the applicant must have consent under Council Regulation (EC) No. 1829/2003 on genetically modified food and feed or under Part C of Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms

**Technical Conditions**

3.6 There is no requirement to make a formal certification application.

3.7 For the market testing of unlisted vegetable species, seed must meet the standards required by the Seed Regulations.

**Cessation**

3.8 An authorisation will become invalid once the variety is added to the Northern Ireland Variety List or the List application is withdrawn or rejected. An authorisation may be withdrawn for breach of conditions.

3.9 If a prohibition on the use of the variety is published in the Gazette then it will not be possible to continue marketing the seed.

**Time Period**

3.10 Authorisations will be granted for a period of one year and are renewable twice for a period not exceeding one year each.

**Quantities**

3.11 There are no quantitative restrictions on the amount of seed that may be marketed under an authorisation.

### Labelling

3.12 Packages must have an orange *supplier’s* label and include the statement: ***‘Variety not yet officially listed’****.*

3.13 In other respects the labelling requirements are the same as for agricultural seed except that the name of the Certifying Authority and the Country or their distinguishing abbreviation is not relevant for vegetable seed and need not be included on the label.

**Samples and Records**

3.14 A sample from each lot marketed to be retained for not less than two years.

3.15 Records of seed lots of the seed marketed should be kept for not less than 3 years. These records should be made available on request to authorised officers of the Department.

3.16 Authorised officers may also ask for information gained from practical experience during cultivation of the variety, the quantity of seed marketed during the authorised period and which European Single Market State the seed was destined for.

**4.** **MARKETING VARIETIES FOR SCIENTIFIC PURPOSES AND SELECTION WORK**

4.1 The procedure to be followed is similar to that for the test and trial of agricultural species with the following exceptions:-

### Application

4.2 An application to the Department may be made whether or not the variety is listed in the Northern Ireland Variety List

### Quantities

4.3 The Regulations do not define what is meant by a “small quantity” of seed for scientific purposes or selection work. This will be considered on a case-by-case basis and applicants should state the amount of seed they propose to market. As a guideline we would not expect to authorise marketing of more than the amount of seed required for DUS testing (e.g. 1 kg for winter oilseed rape, 3 kg for wheat, 3 kg for peas etc).

4.4 Authorisation is required for each individual marketing of seed but an application may cover more than one request for marketing. For example, a producer wishing to market two separate 1 kg “parcels” of wheat seed to different persons may request authority in one application.

### Notification

4.5 The authorisation will include a requirement that the seed be used only for scientific purposes or selection work.

**Cessation**

4.6 The authorisation will not be limited in duration.

### Labelling

4.7 Packages must have an orange *supplier’s* label and include the statement:  **‘Not yet officially listed’ (unlisted varieties only).**

4.8 All other labelling details are as specified in the Seed Marketing Regulations.

**Annex 7 – Guide to applying for an authorisation to market preservation mixtures consisting of crop-grown or directly harvested uncertified fodder plant seed**

**INTRODUCTION**

The requirements for marketing Fodder seed preservation mixtures in Northern Ireland have been revised. following the introduction of European legislation (Commission Directive 2010/60/EU). This guide explains the procedure for applying for an authorisation.

1. **DEFINITIONS**

**Preservation Mixture**

Means a mixture containing seed of prescribed (regulated) species of fodder plants covered by Schedule 1 of the Seed Marketing Regulations and is exempt from some of the usual requirements, in particular for variety registration and seed certification. The mixture may also contain seed of plants that are not covered by the legislation. Mixtures consisting entirely of non-prescribed species do not require authorisation.

Preservation mixtures are of species and ecotypes compatible with specific natural and semi-natural habitats and intended for use in preservation of the natural environment and the conservation of plant genetic resources.

**Note:** ***‘Green hay’*** *harvested from a donor site and spread directly on a recipient site without processing is not considered to be seed and is therefore not covered by this legislation.*

**Region of origin**

This will be Northern Ireland. Seed of preservation mixtures may only be marketed in the region of origin.

**Source area**

Means an area within the region of origin designated as a special area for conservation or recognised as a UK Biodiversity Action Plan (BAP) priority habitat. The location of the BAP Priority Habitat can be defined at the National Character Area (NCA) level, County/Local Authority level, by Area of Outstanding Natural Beauty (AONB), or Site of Special Scientific Interest (SSSI) the seed is collected from.

**Collection Site**

Means a site within the source area from which the seed is collected. It must not have been sown with agricultural or amenity varieties in the 40 years prior to the date of the application by the producer.

**Crop-Grown seed**

Means seed of individual species taken from a collection site and multiplied outside the site as single species. It may then be used to create a mixture typical for the habitat type of the collection site.

**Directly harvested seed**

Means a seed mixture marketed as harvested from the collection site with or without further cleaning.

**Legislation**

Commission Directive 2010/60/EU

Fodder Plant Seed Marketing Directive 66/401/EEC

The Seed Marketing Regulations (Northern Ireland) 2016

1. **GENERAL REQUIREMENTS FOR APPLICATIONS FOR AN AUTHORISATION**
2. Applicants wanting to market preservation mixtures of crop-grown or directly harvested uncertified fodder plant seed must be licensed for the purpose of seed marketing operations under the Seed Marketing Regulations.
3. Preservation mixtures may not be marketed until an authorisation has been approved and confirmed in writing (see Section 3 for details of how to apply). Authorisation conditions include the reporting requirements in paragraph 8 below.
4. Once the applicant has been licensed for seed marketing operations and an authorisation for preservation mixtures has been confirmed, the mixture may be marketed freely within the region of origin, subject to the conditions set out in the authorisation. The prescribed species in the mixtures must be those stated in the authorisation.
5. The authorisation will last for one year after which it can be renewed.
6. For crop-grown seed, multiplication after collection from the original site may take place for five generations.
7. For prescribed species in crop-grown mixtures, each batch of seed must be tested at the OSTS to determine germination and ensure that certified seed standards for analytical purity and other seeds are met. Certified seed standards can be found in Annex II of the Fodder Plant Seed Marketing Directive 66/401/EEC. Ideally, seed should be sampled by an Official Seed Sampler.
8. Visual inspection, by an officer of the Department, of the collection site of a directly harvested mixture is necessary to assess whether legislative requirements are satisfied.
9. **APPLYING FOR AN AUTHORISATION**

The information required in an application for authorisation to market preservation mixtures is set out in Appendix 1. It should be sent to Seed Marketing Team at DAERA by email to seed.cert@daerani.gov.uk. If you require advice or guidance about applying for an authorisation please email or telephone 02890 525582.

**4. SEALING OF PACKAGES AND CONTAINERS**

1. Preservation mixtures may only be marketed in closed and sealed packages or containers.
2. The sealing system shall be at least the label or a separate seal.
3. The packages or containers shall be sealed so they cannot be opened without damaging the seal or leaving evidence of tampering on the producer’s label or on the package or container.

**5. LABELLING - SUPPLIER’S OWN**

Each package or container must be labelled with a pink label with the following information:-

* + 'EU rules and standards';
	+ the name and address of the person responsible for labelling or his licensing number;
	+ harvesting method: whether directly harvested or crop-grown;
	+ year of sealing expressed as: ‘sealed......’(year);
	+ region of origin (as specified in the application);
	+ source area (as specified in the application);
	+ collection site(s). Alternatively, for crop-gown mixtures, if the number of collection sites is high, information about the sites can be provided separately;
	+ habitat type[[1]](#footnote-1) of the collection site;
	+ the words ‘preservation seed mixture’;
	+ reference number of the lot;
	+ for crop grown mixtures, the percentage by weight of the components as species and, where relevant, subspecies, alternatively, the mixture can be given a name and information about the components provided separately;
	+ for directly harvested mixtures, the components as species and, where relevant, subspecies typical of the habitat type of the collection site with approximate percentage weights. Alternatively, the mixture can be given a name and information about the typical components provided separately;
	+ declared net or gross weight;
	+ for crop-grown mixtures, a specific germination rate for components which do not meet the relevant germination standard set out in the regulations (where the number of required specific germination rates is more than five, an average can be given); and
	+ any chemical treatment if applicable.

**6. COMPANY RECORDS**

Information relating to marketing seed of preservation mixtures, including a list of all components and their source, must be retained for at least three years and made available for inspection by an officer of the Department.

**7. SEED SAMPLES**

Minimum samples of 100 g must be kept for one year and made available to an officer of the Department.

**8. REPORTING INFORMATION TO THE DEPARTMENT**

At the beginning of each season, producers must provide the Department (Environmental Farming Branch) with information on the size and location of their intended collection and seed multiplication sites together with an estimate of quantities for marketing in the coming year. Producers are required to provide details, no later than 30 June, of the amount of seed of preservation mixtures marketed in the previous season. This can be done at the same time as renewing authorisations.

Appendix 1

**REQUIRED INFORMATION**

1. **General**

**Crop-Grown and Directly Harvested**

* Name and address of producer and registration number.
* Harvesting method (direct or crop grown).
* Region of origin (
* Collection site grid reference.
* Source Area.
* Source habitat type.
* Year of collection.
* Habitat of intended use (this should be the same as source habitat).

**Crop-Grown**

* For crop-grown seed, the application should list all of the prescribed species that have been or will be collected and subsequently bulked up as crop-grown seed for marketing in mixtures.
* Multiplication site(s).
* Percentage by weight of components.

**Directly Harvested**

* Species and sub-species typical of habitat type.
1. **Origin**

Example of required information on origin of seed;

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Name of collection site(s) (e.g. farm, nature reserve)**  | **Grid ref (at least 6 fig)** | **Source habitat (habitat type on collection site) See Section 3 below.** | **Crop-Grown only: Species and sub-species if relevant (scientific & common name)** | **Crop-grown only: multiplication site(s) of each component** | **Directly Harvested applications only: Species/sub-species typical of habitat type** | **Year(s) of collection** | **Source Area** |
| Lower Farm | SB 20331 82846 | Lowland Meadow | Festuca rubra ssp rubra, Red fescue | Upper Farm, Long Road, Old Town. AB1 2CD |   | 2015 | Derryleckagh |
| As above | NW 58902 04576 | As above | Trifolium pratense, Red clover |  As above |   | 2009 | Turmennan |
| High ground local nature reserve | NV 86137 91958 | Dry acid grassland | Agrostis capillaris Common bent |  As above |   | 2015 | Binevenagh |

1. **Habitat(s) of intended use (i.e. the natural or semi-natural habitat for which the mixture is suitable)**

|  |  |
| --- | --- |
| **UK BAP Priority Habitat types** (Please tick as appropriate) | MachairMaritime cliff and slopesMesotrophic lakesMudflatsNative pine woodlandsOpen mosaic habitats on previously developed landPurple moor grass and rush pasturesReedbedsTraditional orchardsUpland calcareous grasslandUpland hay meadowsUpland heathlandUpland mixed ashwoodsUpland oakwoodUpper birchwoodsWet woodlandWood-pasture and parklandOther(if 'other' ticked, please provide additional notes - see below) |
| Arable field marginsBlanket bogCalaminarian grasslandsCoastal and floodplain grazing marshCoastal saltmarshCoastal sand dunesCoastal vegetated shingleHedgerowsLimestone pavementsLowland beech and yew woodlandLowland calcareous grasslandLowland dry acid grasslandLowland fensLowland heathlandLowland meadowsLowland mixed deciduous woodLowland raised bog |

Append separate details describing any 'other' habitats for which mixtures will be marketed and describe how the re-creation of these habitats will contribute to the conservation of genetic resource. (Note: this can be explained in terms of rarity of past destruction of habitat type and likely associated loss of genetic diversity).

**NOTES ON REQUIRED INFORMATION:**

**Origin**

|  |  |
| --- | --- |
| **Name of collection site(s)** | e.g. farm name, specified local nature reserve. For crop-grown applications, please specify the collection site for each component. |
| **Grid reference** | Grid reference of wild collection site  |
| **Source habitat type** | Taken from the UK Biodiversity Action Plan (BAP) classification. |
| **For crop-grown applications only: Species/sub-species (common name & scientific)** | The prescribed species/sub-species collected from the wild site.  |
| **Directly Harvested applications only: Species/sub-species typical of habitat type** | Components as species and, where relevant, subspecies which are typical for the habitat type as per the UK BAP priority habitat classification. <http://jncc.defra.gov.uk/page-5706> |
| **Year(s) of collection** | The year or years the species were collected. |
| **Source Area** | This is given for the location of the area designated by the Department as a special area of conservation or the area designated as contributing to the conservation of plant genetic resources.For crop-grown mixtures this should be given for each of the species listed. If for each species, collections from several sites has been bulked/merged, the source area should be given as the area that best represents the geographic range of collection sites. |

**Habitats of intended use**

This requires identification of the target habitats where mixtures will be marketed using the UK BAP Priority Habitat classification list. The habitat of intended use for each mixture should be the same as the source habitat.

If the mixtures to be marketed are collected and intended for use in non-BAP habitats the applicant should provide information on how the restoration of this habitat will contribute to the conservation of genetic resources. There is no one way in which this can be explained but it can be done, for example, by reference to rarity of habitat type and likely associated loss of genetic diversity.

**Annex 8 – Guidelines for marketing seed of agricultural conservation varieties in Northern Ireland**

These guidelines are for the marketing of seed of agricultural conservation varieties in accordance with The Seed Marketing Regulations. A Conservation Variety is defined as a landrace or plant variety that is naturally adapted to local and regional conditions and is threatened by genetic erosion.

**1. Conditions for seed marketing**

1.1 Companies and individuals producing or marketing seed of conservation varieties in Northern Ireland must be licensed with the Department;

1.2 The Department will issue a registration number that must be used on all correspondence relating to an application;

1.3 The variety must have been accepted onto the Northern Ireland Variety List as an agricultural conservation variety;

* 1. The seed must be produced from a crop grown in the region of origin specified for the variety at Listing. Additional regions for crop and seed production may be authorised by the Department;
	2. The seed may only be marketed and used in the stated region of origin.

**2. Notification of seed crops**

The following information should be forwarded to the Department for each seed crop by 30 April in the year of production:

* species;
* variety;
* field identification;
* field area;
* the address of crop; and
* the address of company or individual responsible for the crop and marketing of seed produced from it.
1. **Quantitative restrictions**
	1. Marketing of conservation varieties is subject to quantitative restrictions. For each conservation variety no more than 0.3% or 0.5% (depending on species) of Northern Ireland’s total for that species.
	2. For all conservation varieties of a species, no more than 10% of the total of Northern Ireland’s seed requirement. As a minimum, seed of any one variety may be marketed to sow 100 ha.

3.3 The Department will estimate seed production from the crops registered by 30 April each year. It may be necessary to restrict the seed crop areas approved for production.

1. **Seed marketing procedures**

4.1 The seed must, with the exception of varietal purity, meet the standards specified in the technical sections of this guide for the end generation of the species concerned.

* 1. Seed must be produced in homogenous lots and not exceeding the maximum weight specified in the technical sections of this guide. For cereals, this is 30 tonnes.

4.3 A sample of every seed lot marketed must be taken and retained for two years and kept available for official monitoring. The retained sample must meet the minimum weight specified in the technical sections of this guide. For cereals, this is 1 kg.

* 1. Seed must be marketed in sealed packages or containers.
	2. Each package or container must be labelled with a supplier’s label coloured brown. The information required on the label is:-
* the words ‘EU rules and standards’;
* the name and address*,* or registration number, of the company responsible for the seed or its identification mark;
* the year of sealing, expressed as ‘sealed...’ (year);
* species;
* the name of the conservation variety;
* the words ‘conservation variety’;
* the region of origin;
* the region of seed production where this is different from region of origin;
* reference number of the seed lot;
* the declared net or gross weight or declared number of seeds; and
* where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the chemical treatment or additive and the approximate ratio between the weight of clusters of pure seeds and the total weight.
1. **Reporting, record keeping and official monitoring**

5.1 By 30 April of each year, applicants must supply the Department with the amount of seed of each conservation variety marketed in the preceding 12 months.

* 1. Applicants are required to retain records for a minimum of three years of transactions in seeds and of the treatment, testing and other operations undertaken in relation to the marketing of conservation varieties. Samples of seed must be retained for two years.

5.3 Inspectors from the Department may, as part of their enforcement duties, visit applicants to audit records and to take samples from seed marketed.

* 1. Check inspections on seed crops of a conservation variety may be carried out by officials.

**Annex 9 – Guidelines for marketing seed of vegetable conservation varieties and amateur vegetable varieties in Northern Ireland**

These guidelines are for the marketing of seed of vegetable conservation and amateur varieties, in accordance with Commission Directive 2009/145/EC and the Seed Marketing Regulations.

**A Conservation Variety -** is defined as a landrace or plant variety which has been traditionally grown in particular localities and regions and is threatened by genetic erosion.

**An Amateur Variety -** is defined as a variety with no intrinsic value for commercial crop production but developed for growing under particular conditions.

If you have any queries or would like assistance before proceeding with seed production and marketing, please contact the Department’s Environmental Farming Branch.

**CONSERVATION VARIETIES**

Can be marketed as Certified or Standard Seed.

1. **Conditions for seed marketing**
	1. Companies and individuals producing or marketing seed of vegetable conservation varieties in Northern Ireland must be registered with the Department.
	2. The Department will issue a registration number that must be used on all correspondence relating to an application.
	3. The variety must have been accepted onto the Northern Ireland Variety List as a vegetable conservation variety.
	4. The seed must be produced from a crop grown in the region of origin specified for the variety at **the time of** Listing. Additional regions for crop and seed production may be authorised by the Department.
	5. The seed may only be marketed and used in the stated region of origin.,

**2 Notification of seed crops**

Please write to the Department’s Environmental Farming Branch with the following information for each seed crop to be produced by 30 April in the year of production or ‘before the beginning of each production season’:-

* the region of origin;
* the species;
* variety;
* field identification;
* crop area (Hectares);
* the address of crop; and
* the address of company responsible for the crop and marketing of seed produced from it.

**3 Quantitative restrictions**

1. Marketing of conservation varieties is subject to the quantitative restrictions (maximum number of hectares) set out in the Seed Marketing Regulations.
2. The Department will keep a record of hectares entered from the information supplied by 30 April each year or ‘before the beginning of each production season’. It may be necessary to restrict the seed crop areas approved for production if national quantitative limits are likely to be exceeded.

**4 Seed marketing procedures**

1. The seed may be marketed as Certified or Standard Seed and must meet the corresponding standards specified in the Seed Marketing Regulations. The seed must have sufficient varietal purity.

4.2 Seed must be produced in homogenous lots, not exceeding the maximum lot weight specified in the Seed Marketing Regulations.

4.3 A sample of every seed lot must be taken and retained for two years and kept available for official monitoring. The retained sample must meet the minimum weight specified in the Seed Marketing Regulations.

4.4 Seed must be marketed in sealed packages or containers.

4.5 Each package or container must be labelled with a supplier’s label, coloured yellow. The information required on the label is:-

* the words ‘EU rules and standards’;
* the name and address, or licence number, of the company responsible for the seed or its identification mark;
* year of sealing, expressed as ‘sealed...’ (year);
* species;
* the name of the conservation variety;
* the words ‘certified seed of a conservation variety’ or ‘standard seed of a conservation variety’;
* the region of origin;
* the region of seed production where this is different from region of origin;
* reference number of the seed lot;
* the declared net or gross weight or declared number of seeds; and
* where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the chemical treatment or additive and the approximate ratio between the weight of clusters of pure seeds and the total weight.

**5** **Reporting, record keeping and official monitoring**

5.1 By 30 April of each year applicants must provide the Department with information about the amount of seed of each conservation variety marketed in the preceding 12 months.

5.2 Applicants are required to retain records for a minimum of three years of their transactions in seeds and of the treatment, testing and other operations undertaken in relation to the marketing of conservation varieties. Samples of seed must be retained for two years.

5.3 Inspectors from the Department may, as part of their enforcement duties, visit applicants to audit records and to take samples from seed marketed.

5.4 Seed crops of a conservation variety may be check inspected by officials.

**AMATEUR VARIETIES**

(To be marketed as Standard Seed.)

1. **Conditions for seed marketing**
2. Companies and individuals producing or marketing seed of vegetable amateur varieties in Northern Ireland must be registered with the Department.
3. The Department will issue a registration number that must be used on all correspondence relating to an application.
4. The variety must have been accepted onto the Northern Ireland Varietyl List as a vegetable amateur variety.

**2 Quantitative restrictions**

 2.1 Marketing of amateur varieties is subject to the quantitative restrictions (maximum weight of small packages) set out in the Regulations.

**3 Seed marketing procedures**

3.1 The seed must have sufficient varietal purity and meet the standards specified in the Seed Marketing Regulations for Standard seed.

3.2 Seed must be produced in homogenous lots, not exceeding the maximum lot weight specified in the Seed Marketing Regulations.

3.3 A sample of every seed lot must be taken and retained for two years and kept available for official monitoring. The retained sample must meet the minimum weight specified in the Seed Marketing Regulations.

3.4 Seed must be marketed in sealed packages or containers.

1. Each package or container must be labelled with a supplier’s label, coloured yellow. The information required on the label is:-
* the words ‘EU rules and standards’;
* the name and address, or licence number, of the company responsible for the seed or its identification mark;
* year of sealing, expressed as ‘sealed...’ (year);
* species;
* variety;
* the words ‘amateur variety’;
* the reference number of the lot given by the person responsible for affixing the label;
* the declared net or gross weight or declared number of seeds; and
* where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the chemical treatment or additive and the approximate ratio between the weight of clusters of pure seeds and the total weight.

**4** **Reporting, record keeping and official monitoring**

1. Companies are required to maintain a record of the amount of seed marketed under this arrangement and make this available to an official from the Certifying Authority.
2. Applicants are required to retain records for a minimum of three years of their transactions in seeds and of the treatment, testing and other operations undertaken in relation to the marketing of conservation varieties.
3. Samples of seed must be retained for two years.

4.4 Inspectors from the Department may, as part of their enforcement duties, visit applicants to audit records and to take samples from seed marketed.

1. Habitat of intended use taken from the BAP classification. Suppliers may also add a less technical descriptor e.g. chalk downland mix (as well as Lowland Calcareous Grassland). [↑](#footnote-ref-1)