

Dyddiad: Dydd Mercher 24 Hydref 2001
Amser: 2.00pm - 5.15pm
Lleoliad: Ystafell Bwyllgora, Adeilad y Cynulliad Cenedlaethol

Nid yw'r cyfieithiad Cymraeg ar gael ar hyn o bryd.

Seed Marketing Regulations

- [**The Cereal Seeds \(Amendment\)\(Wales\) Regulations 2001**](#)
- [**The Beet Seeds \(Amendment\)\(Wales\) Regulations 2001**](#)
- [**The Fodder Plant Seeds \(Amendment\)\(Wales\) Regulations 2001**](#)
- [**The Oil and Fibre Plant Seeds \(Amendment\)\(Wales\) Regulations 2001**](#)
- [**The Vegetable Seeds \(Amendment\)\(Wales\) Regulations 2001**](#)
- [**The Seed Potatoes \(Amendment\)\(Wales\) Regulations 2001**](#)

Detail

With the Seeds (National Lists of Varieties) Regulations 2001, **(which were approved by plenary on 23 October 2001)**, these Regulations will bring into force EC Directives 98/95 and 98/96, which should have been implemented, in the UK by 1 Feb 2000, and will also implement Directives 99/9 and 99/54 on hybrids.

There is a statutory duty on the Assembly to implement Community legislation according to Section 106 (1) of the Government of Wales Act 1998.

The Commission has commenced infraction proceedings against the UK under Article 226 for its failure to implement the amendments to the Common Catalogue Directive.

Possible fines for non-implementation will be calculated, in part, against the UK's ability to pay as measured by its Gross Domestic Product (GDP), although NAW alone will be liable for any fines incurred. **The maximum daily fine for the UK is over 500,000 Euros, which could be backdated to 1 February 2000.**

The risk of referral to the European Court of Justice with consequent publicity is imminent – our information is that Commission legal services are awaiting the outcome of the Assembly vote – delay to the process is likely to be sufficient to trigger the next stage of infractions

Failure to pass these regulations will send the wrong signal to Europe at a time when the Assembly is actively involved in seeking amendments to the GMO consenting process – damage to the Assembly’s credibility

Since these Regulations implement EC obligations there is no scope to introduce amendments.

All-Party GM Strategy Group, in the main, support – note outcome of plenary on 23 October. Representatives of all the political parties were present. Many members of the ARD Committee are also members of the GM Strategy Group. **A further meeting of the GM Strategy Group is due to take place on 30 October to consider further the Seed Marketing Regulations.**

What the Regulations cover

The 6 draft Seed Marketing Regulations contain a number of genetic modification (GM) related provisions introduced by the Directives. These are in summary:

- (i) GM seed and seed potatoes must be clearly indicated, on labels and documentation, in sales catalogues and other marketing information, as having been genetically modified.
- (ii) that the deliberate release of the genetically modified material is authorised under a Part B consent, or is accepted for marketing in accordance with a Part C consent, issued for the purposes of Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms;
- (iii) GM seed and seed potatoes can be marketed in small quantities for scientific purposes and for selection work, but not for commercial growing purposes, provided that the following conditions apply:
 - the deliberate release of the GMO material is authorised under a Part B consent, or is approved for marketing in accordance with a Part C consent, issued for the purposes of Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms;
 - the seeds are accompanied during marketing by a copy of the consent;
 - all appropriate measures, in accordance with an environmental risk assessment in respect of the material carried out in accordance with article 7(4) of Council Directive 70/457/EEC, have been taken by the producer of the seed to avoid adverse effects on human health and the environment;
 - and in the case of genetically modified material issued with a Part C consent, an authorisation has been granted by the Minister.

(iv) In addition to the changes introduced by the amending Directive, a definition of ‘genetically modified’ has been included, in line with the definition currently provided in Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms

The Cereal Seeds (Amendment)(Wales) Regulations 2001 will also introduce detailed standards for certification and marketing of seeds of hybrid cereals where there are no overt GM issues.

Contact Point: Huw Jones (3452), Plant Health and Biotechnology Branch