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## SEED CERTIFICATION INFORMATION 2002 REGULATIONS

SEED CERT: 4/04

22 March 2004

(Table updated April 2007)

To: Registered Seed Companies; Licensed Crop Inspectors; AIC; BSPB; DARD; NAAC; NAW; NFU; NIAB; PHSI; SEERAD; SASA.

*This seed cert letter replaces Seed Cert letter NR 9/03 of 1 September 2003. It includes specific information relating to previous crops sown with farm saved seed and the addition of lupins and hemp to the previous cropping table attached to this letter. The letter also includes information about certification of hemp seed and Alkaloids in Lupin seed.*

### GUIDANCE ON PREVIOUS CROPPING

1. This letter sets out the procedure by which the Certifying Authority will assess compatibility of previous cropping and provides guidance on good practice as well as minimum compatibility. **This guidance does not apply where specific previous cropping requirements are specified in the Regulations.**

### 2002 Regulations

2. The 2002 regulations, and the Directives, prescribe the conditions relating to crops from which seed is to be harvested. One of the conditions in the regulations is "The previous cropping of the field shall not have been incompatible with the production of seeds of the species and variety of the crop and the field shall be sufficiently free from plants which are volunteers from previous cropping". This is the same as the Directives.

3. It is the responsibility of the Certifying Authority to decide whether companies have complied with this requirement. In order to ensure transparency in the decision-making and to provide guidance on previous cropping we have produced the attached guidance. This sets out good practice and what Defra would regard as the minimum requirements for previous cropping unless strong evidence was provided to the contrary.

4. Where a crop of the same variety is acceptable for previous cropping, it is preferable that the previous crop was sown with certified seed. However, farm saved seed may be accepted provided the applicant, through the grower, is able to

authenticate from farm records that the same variety was used in previous cropping. In accepting crop entries and the applicant's previous cropping statement it will be assumed that the applicant's statement of 'same variety' is correct on the basis that the applicant will have checked with the grower and satisfied themselves of the accuracy of the farm records and, at the same time, identified the risk if the previous crop was sown with farm saved seed.

### **Procedure for Including Previous Cropping**

5. Before entering an application, companies must decide how they intend to comply with the previous cropping requirements and provide NIAB with details of previous cropping on crop entry notifications to assess compliance with minimum compatibility.

6. On receipt the following action will be taken:

- a) for a crop which meets minimum compatibility NIAB will proceed with the application as the crop will be considered to be compatible;
- b) where the previous cropping falls below the minimum compatibility level set out in the guidance, it will normally be considered to be incompatible and NIAB will reject the application. The applicant may make representations that previous cropping is compatible. The representation will be considered by NIAB and Defra. If it is agreed to accept the previous cropping regime the crop entry will proceed at the applicant's risk. The crop may be subject to check inspection and any seed certified from the crop will be post controlled. Certification may be withdrawn if the seed fails post control and seed of multiplication categories may be rejected for further seed production.

### **Good Practice**

7. The guidance contains details of good practice and applicants are advised where possible to aim for these standards for previous cropping. However no information will be collected by NIAB on good practice and it will not affect the crop entry. At crop inspection, licensed and official inspectors will check that the crop complies with minimum compatibility. Applicants will not be advised if the crop falls below the recommended good practice.

### **HEMP**

8. The Oil and Fibre Plant Seed (England)(Amendment) Regulations 2003 came into force on 31 December 2003 and removed the United Kingdom's exemption applying to hemp. This means that hemp seed can now be entered for seed certification in England. Previous cropping details for hemp have been included in the guidance.

**Tony Watts**

## Guidance on previous cropping

Species and category		Good practice*	Minimum compatibility
Wheat, barley, oats, triticale	PB/B	No other variety of same species in previous 2 yrs No 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 yrs No 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 <i>Pisum sativum</i> or <i>Vicia faba</i> (or dredge corn containing these species) in previous 2 yrs	No crop of same species in previous year
Field beans		No <i>Pisum sativum</i> or <i>Vicia faba</i> (or dredge corn containing these species) in previous 2 yrs	No crop of same species in previous year
Ryegrass (perennial, italian and hybrid)		No crop of same variety in previous year No other variety of same species in previous 4 yrs (CH/CL) or previous 6 yrs (PB/B) No other ryegrass species in previous 4 yrs No cocksfoot, meadow or tall fescue in previous 3 yrs No other grass in previous 2 yrs	No other variety of same species in the previous 4 yrs No other ryegrass species in previous 4 yrs No other grass in previous 2 yrs
Cocksfoot		No crop of same variety in previous year No other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B) No ryegrass in previous 4 yrs No meadow or tall fescue in previous 3 yrs	No other variety of same species in previous 4 yrs No other grass in previous 2 yrs

<b>Species and category</b>	<b>Good practice</b>	<b>Minimum compatibility</b>
Meadow fescue	No crop of same variety in previous year No other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B) No ryegrass in previous 4 yrs No cocksfoot or tall fescue in previous 3 yrs	No other variety of same species in previous 4 yrs No other grass in previous 2 yrs
Tall fescue	No crop of same variety in previous year No other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B) No ryegrass in previous 4 yrs No cocksfoot or meadow fescue in previous 3 yrs	No other variety of same species in previous 4 yrs No other grass in previous 2 yrs
Red fescue	No crop of same variety in previous year No other variety of same species in previous 4 yrs (CS) or previous 6 yrs (PB/B) No ryegrass in previous 4 yrs No 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 year No 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 year No 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.