

No. R. 55

2 February 2007

PLANT IMPROVEMENT ACT, 1976
(ACT No. 53 OF 1976)

SOUTH AFRICAN SEED CERTIFICATION SCHEME: AMENDMENT

I, Lulama Xingwana, Minister of Agriculture, acting under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), hereby amend the South African Seed Certification Scheme published under Government Notice No. R. 2566 of 25 November 1983, to the extent set out in the Schedule.

L. XINGWANA,
Minister of Agriculture

SCHEDULE

Definition

1. In this Schedule "the Scheme" means the South African Seed Certification Scheme published by Government Notice No. R 2566 of 25 November 1983, as amended by Government Notices Nos. R. 1196 of 30 May 1985, R. 1660 of 26 July 1985, R. 2352 of 14 November 1986, R. 16 of 8 January 1988, R. 1388 of 30 June 1989, R. 2093 of 29 September 1989, R. 121 of 26 January 1990, R. 2708 of 23 November 1990, R. 994 of 3 April 1992, R. 1494 of 29 May 1992, R. 2333 of 21 August 1992, R. 2230 of 26 November 1993, R. 1074 of 10 June 1994, R. 1781 of 17 November 1995, R. 1222 of 2 October 1998, R. 1326 of 12 November 1999 and R. 1560 of 13 December 2002.

Amendment of section 18 of the Scheme

2. Section 18 of the Scheme is hereby amended -

- (a) by the deletion of paragraph (b) of subsection (5); and
- (b) by the substitution for subsection (6) of the following subsection:

"18.(6) Any space not occupied by the information required in 18.(5)(a) may be used for additional information, provided the information -

- (a) is in letters not larger than those used for the prescribed information;
- (b) contain no advertising matter;
- (c) do not create or could create a false or misleading impression relating to the possible certification of the seed concerned;
- (d) do not qualify the possible certification of the seed concerned or are not in conflict therewith; or

- (e) are not false, derogatory, inaccurate or vague in relation to any seed or seed grower.”.

Amendment of Annexure 17 of the Scheme

3. Annexure 17 of the Scheme is hereby amended –

- (a) by the substitution for paragraph 6.1 of the following paragraph:

“6.1 have a germination percentage of at least 15 per cent;” and

- (b) by the substitution for subparagraph 6.3.2 of the following subparagraph:

“6.3.2 6.0 per cent other material.”.

Amendment of Annexure 41 of the Scheme

4. Annexure 41 of the Scheme is hereby amended by the substitution for paragraph 6.1 of the following paragraph:

“6.1 have a germination percentage of at least 20 per cent, or in the case where the weighed replicate method of analysis is being used, have a germination of at least 800,000 normal seedlings per weight (kg);”.

Amendment of Annexure 43 of the Scheme

5. Annexure 43 of the Scheme is hereby amended –

- (a) by the substitution for paragraph 6.1 of the following paragraph:

“6.1 have a germination percentage of at least 10 per cent;” and

- (b) by the substitution for subparagraph 6.3.2 of the following subparagraph:

“6.3.2 2.0 per cent other material.”.

Amendment of Annexure 45 of the Scheme

6. Annexure 45 of the Scheme is hereby amended –

- (a) by the substitution for subparagraph 6.3.1 of the following subparagraph:

“6.3.1 0,5 per cent other seed;”

Addition of Annexure 57 to the Scheme

7. Annexure 57 is hereby added to the Scheme:

“ANNEXURE 57**REQUIREMENTS RELATING TO FRENCH SERRADELLA
(*ORNITHOPUS SATIVUS* BROU).****1 Land requirements**

1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if –

- 1.1.1 no plants of any species of *Ornithopus* have been established thereon for seed production or otherwise during the three growing seasons preceding the registration thereof; or
- 1.1.2 the plants which are already established thereon have also during the preceding growing season been used for the production of certified pre-basic seed or basic seed or certified seed, as the case may be.

1.2 A piece of land which is intended for the production of basic seed or certified seed of a particular serradella variety may also be registered as a unit, if –

- 1.2.1 in the case of basic seed, certified pre-basic seed of the same variety has been produced thereon during the preceding growing season; and
- 1.2.2 in the case of certified seed, certified pre-basic seed or basic seed of the same variety has been produced thereon during the preceding growing season

2 Planting requirements

2.1 Seed may be sown or be established in rows on a unit.

2.2 Gap filling shall not be permissible.

2.3 In the case of hard-seeded varieties an uncultivated strip of three meters wide must be maintained during the first year of production.

3 Isolation requirements

3.1 A unit shall be surrounded by an isolation area which –

- 3.1.1 in the case of the intended production of certified pre-basic seed or basic seed is at least 200 metres wide; and
- 3.1.2 in the case of the intended production of certified seed is at least 100 metres wide.

3.2 Such isolation area shall be free of plants related to serradella.

4 Requirements for plants

4.1 The number of deviating plants on a unit shall –

4.1.1 in the case of the intended production of certified pre-basic seed or basic seed, not exceed one plant per 30 square metres; and

4.1.2 in the case of the intended production of certified seed, not exceed one plant per 10 square metres.

4.2 Methods for the determination of deviating plants shall be as determined by the authority.

4.3 Plants established on a unit registered for the production of certified pre-basic seed or basic seed, may after the establishment thereof, be used for such purpose for a period of not more than two years.

4.4 After the use of plants on a unit for the production of certified pre-basic seed or basic seed, these plants can be used for the production of certified seed provided the unit has been registered for the production of certified seed.

4.5 Plants established on a unit for the production of certified seed –

4.5.1 may be used for this purpose for a period of not more than four years; and

4.5.2 may, with the written approval of the Authority, be used for the purpose for a further period of two years.

5 inspection requirements

5.1 Plants which are established on a unit shall be inspected –

5.1.1 before the flowering stage thereof; and

5.1.2 during the flowering stage thereof.

5.2 The seed grower concerned shall notify the authority at least 10 days beforehand of the date on which the plants are expected to start flowering.

6 Physical requirements

6.1 Seed shall –

6.1.1 have a germination percentage of at least 70, hard seeds included;

6.1.2 be free of prohibited weed seed; and

6.1.3 not contain more than –

6.1.3.1 0,5 per cent other seed; and

6.1.3.2 2,0 per cent other material.”.

Addition of Annexure 58 to the Scheme

8. Annexure 58 is hereby added to the Scheme:

“ANNEXURE 58**REQUIREMENTS RELATING TO TOBACCO
(NICOTIANA *TABACUM* L.)****I Land requirements**

Any piece of land may be registered as a unit

2 Planting requirements

2.1 Plants shall be established in rows on a unit.

2.2 Gap filling shall not be permissible.

2.3 In the case of the intended production of seed of a hybrid variety -

2.3.1 the plants of the seed parent and those of the pollen parent shall be established in separate rows; and

2.3.2 rows containing plants of the pollen parent shall be clearly marked thus.

3 Isolation requirements

3.1 Subject to the provisions of paragraph 3.3, a unit shall be surrounded by an isolation area that -

3.1.1 in the case of the intended production of certified pre-basic seed or basic seed of an open-pollinated variety, is at least 400 metres wide;

3.1.2 notwithstanding the provisions of paragraph 3.1.1, may a unit be established within any commercial crop of the same variety, with the condition that the florescence or flowers of the seed parents are covered in such a way that contamination by unwanted pollen are prevented; and

3.1.3 in the case of the intended production of certified seed of an open-pollinated variety, is at least 400 meters wide;

3.2 Notwithstanding the provisions of paragraph 3.1, may a unit be established within a commercial crop of the same variety established from certified seed, or within any commercial crop in which male sterility occurs in the variety.

3.3 In the case of the intended production of a hybrid variety, the plants may be established within any commercial crop in which male sterility occurs in the variety.

3.3.1 The production of the seed and pollen parents of any hybrid crop in which male sterility occurs can be multiplied on the same unit if a two meter strip are kept clean between the multiplications.

3.4 During the production of certified pre- basic, basic or certified seed of both open-pollinated or hybrid varieties within commercial crops, a five meter strip should be maintained at all times between the seed and commercial crop.

3.5 Such isolation area shall be free of plants of any tobacco variety which flower at the same time as the plants on the unit concerned, unless –

3.5.1 in the case of the intended production of basic seed, they have been established from certified pre-basic seed of the same variety;

3.5.2 notwithstanding the provisions of paragraph 3.1.1, may a unit be established within any commercial crop of the same variety, with the condition that the florescence or flowers of the seed parents are covered in such a way that contamination by unwanted pollen are prevented; and

3.5.3 in the case of the intended production of certified seed, they have been established from certified pre-basic seed or basic seed of the same variety.

3.6 Plants of different seed parents of a hybrid variety may be established on adjoining units if –

3.6.1 a common pollen parent is used; and

3.6.2 an open space at least five metres wide, which is free of plants of the seed parents and pollen parent concerned, is maintained between the units concerned.

4 Requirements for plants

4.1 The number of deviating plants on a unit shall –

4.1.1 in the case of the intended production of certified pre-basic seed or basic seed, not exceed 0,2 per cent; and

4.1.2 in the case of the intended production of certified seed, not exceed 0,5 per cent.

4.2 If male sterility *is* used in the seed parent of a hybrid variety -

4.2.1 the number of deviating pollen-shedding plants ~~of~~ the pollen parent on a unit shall -

4.2.1.1 in the case of the intended production of certified pre-basic seed or basic seed, not exceed 0,2 per cent of the plants of the pollen parent at the stage at which the pollen are being collected; and

4.2.1.2 in the case of the intended production of certified seed, not exceed 0,5 per cent of the plants of the pollen parent at the stage at which the pollen are being collected;

4.2.2 the number of deviating plants of the seed parent on a unit shall –

- 4.2.2.1 in the case of the intended production of certified pre-basic seed or basic seed, not exceed 0,5 per cent of the plants of the seed parent; and
- 4.2.2.2 in the case of the intended production of certified seed, not exceed 1,0 per cent of the plants of the seed parent; and
- 4.2.3 the number of pollen-shedding plants of the seed parent on a unit shall –
 - 4.2.3.1 in the case of the intended production of certified pre-basic seed or basic seed, not exceed 0,1 per cent of the plants of the seed parent; and
 - 4.2.3.2 in the case of the intended production of certified seed, not exceed 1,0 per cent of the plants of the seed parent.

5 Inspection requirements

- 5.1 Seedlings shall be inspected before they are established on a unit.
- 5.2 Plants which are established on a unit from such tobacco shall be inspected -
 - 5.2.1 Two weeks before the flowering stage thereof; and
 - 5.2.2 Two weeks before harvesting of the seed;
- 5.3 If plants of a hybrid variety have been established on a unit -
 - 5.3.1 the seed grower concerned shall notify the authority at least 21 days beforehand of the date on which -
 - 5.3.1.1 the plants of the seed parent is expected to start flowering; and
 - 5.3.1.2 the plants or florescence of the pollen parent are to be removed; and
 - 5.3.2 The seed of the plants of the seed parent may not be harvested before the inspection referred to in paragraph 5.3.1.2 has been carried out.
- 5.4 In the case where the unit has been established within a commercial planting, no more than 0.1% plants or suckers with flowers will be allowed within the commercial planting during the seed production process.
- 5.5 All senesced and diseased leafs should be removed before harvesting.
- 5.6 Florescence of plants infected with the following pathogens must be removed before harvesting of the seed commences:
 - Viruses
 - *Colletotrichum destructivum*

6 Physical requirements**6.1 Seed shall –**

- 6.1.1 have a germination percentage of at least 80;
- 6.1.2 be free of prohibited weed seed;
- 6.1.3 be free of any other seed; and
- 6.1.4 not contain more than 0,1 per cent other material.”