



Western Australia

Seeds Act 1981

Seeds Regulations 1982

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Western Australia

Seeds Regulations 1982

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Defined Terms



Reprinted under the
Reprints Act 1984 as
at 7 August 2009

Western Australia

Seeds Act 1981

Seeds Regulations 1982

1. Citation

These regulations may be cited as the *Seeds Regulations 1982* ¹.

2. Commencement

These regulations operate on and from the day on which the regulations are published in the *Gazette* ¹.

3. Terms used

In these regulations unless the contrary intention appears —
premises includes a fixed or movable structure and a vehicle;
Schedule, preceded by a designation, refers to the Schedule to these regulations so designated;

seed certification scheme means a scheme prepared and conducted under section 26(1)(g) of the Act;

subregulation means subregulation of the regulation in which the word is used;

the Act means the *Seeds Act 1981*.

[Regulation 3 amended in Gazette 22 May 2001 p. 2575.]

4. Exempted sales

The classes of persons prescribed for the purposes of section 4(1) of the Act are —

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- (a) persons carrying on business in the course of which seed is solely used or prepared for sale for a purpose other than sowing; and
- (b) persons carrying on business in the course of which seed is sold for direct export from Australia for use other than for sowing.

5. Crop seeds

- (1) The seeds of the plants referred to in the First Schedule are crop seeds.
- (2) Where a seed lot sold contains crop seed and the mass of the seed lot is less than the mass set out in column 3 of the First Schedule in respect of each crop seed contained in the seed lot, Part II of the Act does not apply in relation to the seed lot.

6. Chemical additives

The chemical additives information of which is required by section 7(2)(b) of the Act to be included in a statement in accordance with that subsection are those set out in the Second Schedule.

7. Weed seeds

The seeds of the plants referred to in the Third Schedule are weed seeds.

8. What constitutes a seed

- (1) In determining, for the purposes of the Act, the proportion in which a seed is contained, or the proportion of seed that is germinable —
 - (a) intact seeds;
 - (b) achenes and similar fruits, schizocarps, and mericarps, with or without perianth and whether or not containing a true seed (unless it is readily apparent that no true seed is present);

- (c) pieces of seeds, achenes, mericarps, and caryopses, resulting from breakage, that are more than one half their original size;
- (d) clusters of seeds, other than of the family *Poaceae*; and
- (e) florets and one-flowered spikelets of the family *Poaceae* with an obvious caryopsis containing endosperm,

are to be taken as being seeds of the species to which they belong, notwithstanding that they may be immature, undersized, shrivelled, diseased, or germinated, unless they are incapable of being identified as being of the species or they are transformed into fungal sclerotia, smut balls, or nematode galls.

- (2) For the purposes of determining, in connection with a seed certification scheme, the proportion in which seed of a particular cultivar or having resistance to a particular disease or other adverse factor is contained, subregulation (1) shall apply as if a reference to seeds of the species were a reference to seeds of the cultivar or having the relevant resistance, as the case may be.

9. Germination tests

- (1) The test conditions to be used in ascertaining whether crop seed is germinable are as referred to in Part 1 of the Fourth Schedule.
- (2) The growth characteristics to be exhibited by germinable crop seed, when subjected to the test conditions referred to in subregulation (1), are as described in Part 2 of the Fourth Schedule.

10. Tolerances

In the statement required by section 7 of the Act in respect of a seed lot, the tolerances applicable to —

- (a) the proportion in which a crop seed is contained in the seed lot, are as prescribed in Part 1 of the Fifth Schedule;

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- (b) the minimum proportion of a crop seed that is germinable, are as prescribed in Part 2 of the Fifth Schedule;
- (c) the maximum proportion in which a weed seed is contained in the seed lot, are as prescribed in Part 3 of the Fifth Schedule; and
- (d) the maximum proportion in which seed not named under section 7(2)(d) of the Act is contained in the seed lot, are as prescribed in Part 4 of the Fifth Schedule.

11. Select quality

- (1) The minimum proportion of a particular crop seed that a seed lot is required by section 9 of the Act to contain before a claim may be made that the crop seed is of “select quality” is as set out in column 4 of the First Schedule in respect of that crop seed.
- (2) The minimum proportion of a particular crop seed contained in a seed lot that is required by section 9 of the Act to be germinable seed before a claim may be made that the crop seed is of “select quality” is as set out in column 5 of the First Schedule in respect of that crop seed.
- (3) The maximum proportion of seed other than a particular crop seed that a seed lot is permitted by section 9 of the Act to contain if a claim is to be made that the crop seed is of “select quality” is 0.1%.

12. Sampling and analysis

- (1) Where a sample is taken in accordance with Part 1 of the Sixth Schedule, the sample is, for the purposes of the Act, taken in the prescribed manner.
- (2) The method prescribed, for the purposes of the Act, for making an analysis of a sample of seed or material containing seed is a method in accordance with Part 2 of the Sixth Schedule.

13. Fees

The fees payable under this Act, other than —

- (a) the fees payable in connection with a seed certification scheme by the participants in the seed certification scheme; or
- (b) fees payable for the registration, or renewal of registration, of seed processing works at which seed may be treated and packed for certification under a seed certification scheme,

are as set out in the Seventh Schedule.

14. Seed certification schemes

- (1) The Minister is authorised to prepare and conduct schemes for the purpose of testing and certifying —
 - (a) the cultivar of any kind of crop seed;
 - (b) the resistance of any crop seed to any disease or to any other adverse factor;
 - (c) the freedom of any crop seed from disease and pests;
 - (d) the proportion of any crop seed contained in any material tested;
 - (e) the proportion of any crop seed that is germinable;
 - (f) the proportion of any weed seed contained in any material tested; and
 - (g) that the material tested is of such quality that, upon its sale, it may, in accordance with section 9(1) of the Act, be described as crop seed of “select quality”.
- (2) A person participating in a seed certification scheme who knowingly makes any statement in relation to a matter associated with the scheme that is false or misleading in any material particular commits an offence and is liable to a penalty not exceeding \$500.

15. Registration of seed processing works

- (1) Application may be made in writing to the Department for registration of premises as a seed processing works at which seed may be treated and packed for certification under a seed certification scheme specified in the application.
- (2) Subject to subregulation (3), where an officer authorised in that behalf by the Minister is satisfied that premises to which an application under subregulation (1) relates comply with the requirements of the Eighth Schedule he shall, upon payment of a fee of \$540 issue to the applicant a certificate of registration specifying —
 - (a) the premises registered; and
 - (b) the seed certification scheme, or each seed certification scheme, if there be more than one, in respect of which the premises are registered,

and cause the premises to be appropriately registered in a register to be kept in the Department for that purpose.

- (3) Where application is made for the registration of premises pursuant to subregulation (2) and —
 - (a) the applicant is a person to whom a certificate of registration has previously been issued in respect of any premises the registration of which has been cancelled in accordance with these regulations at any time while that person held such certificate of registration; or
 - (b) the premises have been previously registered under these regulations, whether upon the application of the same or any other person, and the registration of the premises has been cancelled in accordance with these regulations,

the Minister may direct that the application be refused and the applicant shall be advised accordingly.

- (4) Application may be made to the Department in writing, accompanied by the certificate of registration to which the application relates, for the addition to a certificate of registration of any other seed certification scheme or schemes in respect of which it is desired that the premises the subject of the certificate be registered and, if an officer authorised in that behalf by the Minister is satisfied that the premises would comply with the requirements of the Eighth Schedule in relation to the other seed certification scheme or, as the case may be, schemes, he shall, upon payment of a fee of \$220, endorse the certificate of registration by adding to it the seed certification schemes concerned and shall cause a corresponding entry to be made in the register referred to in subregulation (2).
- (5) The registration of premises pursuant to subregulation (2) has effect, unless sooner cancelled in accordance with these regulations, for one year or during such further periods for which the registration is renewed, but during any period for which the registration is suspended the premises shall be deemed not to be registered.
- (6) Where, within 28 days before the registration of premises under this regulation is due to expire, application is made to the Department for the renewal of the registration of the premises and an officer authorised in that behalf by the Minister is satisfied that the premises comply with the requirements of the Eighth Schedule, the officer shall, upon payment of \$430, cause the registration of the premises to be renewed for a further year and an entry to that effect to be made in the register referred to in subregulation (2).
- (7) Where applications made under subregulations (4) and (6) at the same time and in respect of the same premises are both granted, only one fee of \$220 shall be payable in respect of both the endorsement and the renewal.

[Regulation 15 amended in Gazette 22 Aug 1986 p. 3009; 13 Nov 1987 p. 4196; 16 Aug 1988 p. 2976; 30 Jun 1989 p. 1995; 3 Aug 1990 p. 3669; 8 Nov 1991 p. 5709; 24 Jul 1992

*p. 3611; 17 Sep 1993 p. 5047; 24 Jun 1994 p. 2837;
21 Jul 1995 p. 3066; 3 Sep 1996 p. 4376; 19 Aug 1997
p. 4711-2; 23 Jun 1998 p. 3317; 22 Jun 1999 p. 2671;
20 Jun 2000 p. 3006-7; 5 Jun 2001 p. 2850; 28 Jun 2002
p. 3046; 17 Jun 2003 p. 2204; 18 May 2004 p. 1566;
31 May 2005 p. 2400; 16 Jun 2006 p. 2118-19; 15 Jun 2007
p. 2758; 16 Sep 2008 p. 4187; 26 Jun 2009 p. 2609-10.]*

16. Operation of seed processing works

- (1) Every seed processing works registered under regulation 15 shall be operated in accordance with the Ninth Schedule.
Penalty: \$200.
- (2) Where a seed processing works is operated contrary to subregulation (1), the Minister may, whether or not any penalty has been imposed under that subregulation, cancel the registration of the seed processing works or suspend the registration of the seed processing works for such time as the Minister sees fit or until the Minister revokes the suspension.
- (3) The discretion of the Minister to determine whether seed is suitable to be certified under a particular seed certification scheme is not limited by the fact that the seed has been treated and packed in accordance with the Ninth Schedule.

17. Use of certain descriptions restricted

- (1) The use of any of the words “certified”, “certificated”, “disease-resistant”, “disease-immune”, “wilt-resistant”, “wilt-immune”, or any other words implying the existence of genetically-carried morphological or physiological characteristics, in any label, invoice, circular, advertisement, or other document in relation to any seed lot, is prohibited unless —
 - (a) the seed lot has been tested and certified pursuant to a scheme that is a seed certification scheme within the meaning given by regulation 3; or

- (b) the seed lot has been certified under a seed certification scheme conducted by a department of the Government of another State of the Commonwealth, and the words used are accompanied by a statement of the name of that department and the name of the State in which the seeds were certified.

Penalty: \$200.

- (2) For the purposes of subregulation (1) the Northern Territory of the Commonwealth is deemed to be a State of the Commonwealth.

[18. *Omitted under the Reprints Act 1984 s. 7(4)(f).*]

First Schedule

[Regs. 5, 11]

Crop seeds

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Botanical names	Common names	Minimum mass ₁	Minimum proportion required ₂	Minimum germinable proportion ₃	Purity group	Germination group
Abelmoschus esculentus	Okra	0.1	99	50	1	1
Aerva javanica	Kapok bush	1.0	90	10	4	3
Aeschynomene falcata	Jointvetch	10.0	99	60	3	2
Agropyron elongatum	Tall wheatgrass	10.0	99	85	4	3
Agrostis stolonifera	Creeping bent	0.5	99	85	4	3
Agrostis tenuis	Browntop bent	0.5	99	85	4	3
Allium cepa var. cepa	Onion	0.1	99	60	1	2
Allium cepa var. aggregatum	Shallot	0.1	99	60	1	2
Allium porrum	Leek	0.1	99	60	1	2
Allium schoenoprasum	Chives	0.1	99	50	1	2
Alopecurus pratensis	Meadow foxtail	10.0	98	40	3	3
Alysicarpus vaginalis	Alyce clover	10.0	96	50	2	2
Apium graveolens	Celery	0.1	98	50	2	2
Apium graveolens var. rapaceum	Celeriac	0.1	98	50	2	2
Arachis hypogaea	Peanut	10.0	95	80	1	2
Asparagus officinalis	Asparagus	0.1	99	55	1	2
Astragalus hamosus	Milk vetch	10.0	99	60	2	2
Astrebula elymoides	Hoop mitchell grass	10.0	75	35	3	3
Astrebula lappacea	Curly mitchell grass	10.0	75	35	3	3
Astrebula pectinata	Barley mitchell grass	10.0	75	35	3	3
Astrebula squarrosa	Bull mitchell grass	10.0	75	35	3	3
Atriplex nummularia	Oldman saltbush	10.0	60	70	4	3
Atriplex rhagodioides	River saltbush	10.0	60	70	4	3
Atriplex undulata	Wavyleaf saltbush	10.0	60	70	4	3
Atriplex semibaccata	Creeping saltbush	10.0	60	70	4	3
Avena sativa	Common oat	10.0	98	90	2	1
Avena strigosa	Sand oat	10.0	98	90	1	1
Axonopus compressus	Broadleaf carpet grass	10.0	98	60	4	3
Beta vulgaris	Beet	0.1	97	60	2	3
Brachiaria decumbens	Signal grass	10.0	50	15	3	3
Brassica juncea	Indian mustard	10.0	99	80	2	2
Brassica oleracea var. acephala	Kale	0.1	99	70	2	2
Brassica oleracea var. botrytis	Cauliflower	0.1	99	70	2	2
Brassica oleracea var. capitata	Cabbage	0.1	99	70	2	2
Brassica oleracea var. gemmifera	Brussels sprouts	0.1	99	70	2	2
Brassica oleracea var. gongylodes	Kohlrabi	0.1	99	70	2	2
Brassica oleracea var. italica	Broccoli	0.1	99	70	2	2
Brassica napus var. napus	Rape	10.0	99	75	2	2
Brassica napus var. napobrassica	Swede	0.1	99	70	2	2
Brassica nigra	Black mustard	10.0	99	70	2	2
Brassica pekinensis	Chinese cabbage	0.1	99	70	2	2
Brassica rapa var. rapa	Turnip	0.1	99	70	2	2
Bromus mollis	Soft brome	10.0	95	70	3	3
Bromus unioloides	Prairie grass	10.0	95	80	3	3

Seeds Regulations 1982
Crop seeds **First Schedule**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Botanical names	Common names	Minimum mass ₁	Minimum proportion required ₂	Minimum germinable proportion ₃	Purity group	Germination group
Cajanus cajan	Pigeon pea	10.0	99	70	1	2
Calopogonium mucunoides	Calopo	10.0	95	50	1	2
Cannabis sativa	Industrial hemp as defined in the <i>Industrial Hemp Act 2004</i> s. 3(1)	10.0	98	70	2	2
Capsicum annuum	Green pepper	0.1	99	50	1	2
Capsicum frutescens	Hot pepper	0.1	99	50	1	2
Carica papaya	Pawpaw	0.1	98	30	2	2
Carthamus tinctorius	Safflower	10.0	98	80	1	2
Cenchrus ciliaris	Buffel grass	10.0	90	20	4	3
Cenchrus setiger	Birdwood grass	10.0	90	30	4	3
Centrosema pubescens	Centro	10.0	94	50	2	2
Chloris gayana	Rhodes grass	10.0	80	20	4	3
Cicer arietinum	Chick pea	10.0	99	75	1	3
Cichorium endivia	Endive	0.1	98	55	2	2
Cichorium intybus	Chicory	0.1	98	60	2	2
Citrullus lanatus var. caffer	Watermelon	0.1	99	65	1	2
Clitoria ternatea	Butterfly pea	10.0	94	50	1	2
Crotalaria goreensis	Gambia pea	10.0	98	70	2	2
Crotalaria cunninghamii	Parrot pea	10.0	98	70	2	2
Cucumis melo	Rock melon	0.1	99	70	1	2
Cucumis sativus	Cucumber	0.1	99	80	1	2
Cucurbita maxima	Squash	0.1	99	75	1	2
Cucurbita pepo	Marrow	0.1	99	75	1	2
Cyamopsis tetragonoloba	Guar	10.0	95	70	1	2
Cynara scolymus	Globe artichoke	0.1	98	60	2	2
Cynodon dactylon	Couch	0.5	98	80	3	3
Cynosurus cristatus	Crested dog's tail	10.0	98	80	3	3
Dactylis glomerata	Cocksfoot	10.0	80	70	4	3
Daucus carota	Carrot	0.1	95	50	2	2
Desmodium barbatum	Barbadinho	10.0	95	70	2	2
Desmodium biarticulatum	Engordo	10.0	95	70	2	2
Desmodium canum	Kaimi clover	10.0	95	70	2	2
Desmodium heterocarpon	Variable desmodium	10.0	95	70	2	2
Desmodium heterophyllum	Hetero desmodium	10.0	95	70	2	2
Desmodium intortum	Greenleaf desmodium	10.0	95	70	2	2
Desmodium sandwicense	Spanish clover	10.0	95	70	2	2
Desmodium triflorum	Creeping tick clover	10.0	95	70	2	2
Desmodium tortuosum	Florida beggarweed	10.0	95	70	2	2
Desmodium uncinatum	Silverleaf desmodium	10.0	95	70	2	2
Desmodium varians	Slender tick trefoil	10.0	95	70	2	2
Dichondra repens	Kidney weed	0.5	99	80	2	2
Echinochloa frumentacea	Siberian millet	10.0	98	75	3	3
Echinochloa utilis	Japanese millet	10.0	98	80	3	3
Ehrharta calycina	Perennial veldtgrass	10.0	65	40	4	3
Euchlaena mexicana	Teosinte	10.0	99	50	2	2
Fagopyrum esculentum	Buckwheat	10.0	99	75	2	2
Festuca arundinacea	Tall fescue	10.0	96	80	3	3
Festuca asperula	Graceful fescue	10.0	98	65	3	3
Festuca nigrescens	Chewing's fescue	0.5	98	80	3	3
Festuca pratensis	Meadow fescue	10.0	98	65	3	3
Festuca ovina	Sheep's fescue	10.0	98	65	3	3
Festuca rubra	Red fescue	10.0	98	65	3	3
Foeniculum vulgare	Fennel	0.1	98	60	2	2
Glycine max	Soybean	10.0	99	60	1	2
Gossypium arboreum	Asiatic cotton	10.0	98	70	2	2
Gossypium barbadense	Sea island cotton	10.0	98	70	2	2
Gossypium herbaceum	Asiatic cotton	10.0	98	70	2	2
Gossypium hirsutum	Upland cotton	10.0	98	70	2	2

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First Schedule Crop seeds

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Botanical names	Common names	Minimum mass ₁	Minimum proportion required ₂	Minimum germinable proportion ₃	Purity group	Germination group
<i>Helianthus annuus</i>	Sunflower	10.0	99	80	1	2
<i>Hibiscus cannabinus</i>	Kenaf	10.0	99	50	1	2
<i>Hibiscus sabdariffa</i>	Rosella	0.1	99	50	1	2
<i>Hordeum vulgare</i>	Barley	10.0	98	90	1	1
<i>Lablab purpureus</i>	Lablab bean	10.0	99	75	1	2
<i>Lactuca sativa</i>	Lettuce	0.1	97	75	2	2
<i>Lathyrus odoratus</i>	Sweet pea	0.1	99	70	1	2
<i>Lathyrus tingitanus</i>	Tangier pea	10.0	99	70	1	2
<i>Lens culinaris</i>	Lentil	10.0	99	70	1	2
<i>Lepidium sativum</i>	Garden cress	0.1	99	70	3	2
<i>Lespedeza cuneata</i>	Perennial lespedeza	10.0	95	40	3	2
<i>Lespedeza stipulacea</i>	Korean lespedeza	10.0	95	40	3	2
<i>Lespedeza striata</i>	Japanese lespedeza	10.0	95	40	3	2
<i>Lespedeza virginica</i>	Virginian lespedeza	10.0	95	40	3	2
<i>Leucaena leucocephala</i>	Leucaena	10.0	98	60	1	2
<i>Linum usitatissimum</i>	Linseed	10.0	98	80	1	2
<i>Lolium multiflorum</i>	Italian ryegrass	10.0	98	80	3	3
<i>Lolium perenne</i>	Perennial ryegrass	10.0	98	80	3	3
<i>Lolium rigidum</i>	Annual ryegrass	10.0	99	80	3	3
<i>Lotononis bainesii</i>	Lotononis	10.0	95	50	3	2
<i>Lotus berthelottii</i>	Garden lotus	10.0	95	75	3	2
<i>Lupinus albus</i>	White lupin	10.0	99	75	1	3
<i>Lupinus angustifolius</i>	Narrowleaf lupin	10.0	99	75	1	3
<i>Lupinus cosentinii</i>	Sandplain lupin	10.0	99	10	1	3
<i>Lupinus luteus</i>	Yellow lupin	10.0	99	75	1	3
<i>Lycopersicon lycopersicum</i>	Tomato	0.1	98	75	2	2
<i>Macroptilium atropurpureum</i>	Siratro	10.0	98	70	1	2
<i>Macroptilium lathyroides</i>	Phasey bean	10.0	98	70	1	2
<i>Macrotyloma axillare</i>	Perennial horse gram	10.0	98	60	1	2
<i>Macrotyloma uniflorum</i>	Horse gram	10.0	98	60	1	2
<i>Medicago littoralis</i>	Strand medic	10.0	97	70	2	2
<i>Medicago lupulina</i>	Black medic	10.0	98	70	2	2
<i>Medicago murex</i>	Murex medic	10.0	96	60	2	2
<i>Medicago orbicularis</i>	Button medic	10.0	96	50	2	2
<i>Medicago polymorpha</i>	Burr medic	10.0	96	60	2	2
<i>Medicago rugosa</i>	Gama medic	10.0	97	70	2	2
<i>Medicago sativa</i>	Lucerne	10.0	98	75	2	2
<i>Medicago scutellata</i>	Snail medic	10.0	96	70	2	2
<i>Medicago tornata</i>	Disc medic	10.0	97	70	2	2
<i>Medicago truncatula</i>	Barrel medic	10.0	97	70	2	2
<i>Melilotus albus</i>	Bokhara clover	10.0	98	70	2	2
<i>Melinis minutiflora</i>	Molasses grass	10.0	40	30	4	3
<i>Mucuna deeringiana</i>	Velvet bean	10.0	99	70	1	2
<i>Nasturtium officinale</i>	Watercress	0.1	99	80	2	2
<i>Neonotonia wightii</i>	Glycine	10.0	98	60	1	2
<i>Nicotiana tabacum</i>	Tobacco	0.1	98	60	4	3
<i>Oenothera stricta</i>	Common evening primrose	0.1	97	40	4	3
<i>Onobrychis viciifolia</i>	Sainfoin	10.0	99	70	2	2
<i>Origanum vulgare</i>	Wild marjoram	0.1	98	40	2	2
<i>Ornithopus compressus</i>	Yellow serradella	10.0	99	20	3	3
<i>Ornithopus sativus</i>	French serradella	10.0	99	20	3	3
<i>Oryza sativa</i>	Rice	10.0	99	70	2	2
<i>Panicum antidotale</i>	Giant panic	10.0	80	50	4	3
<i>Panicum coloratum</i>	Coolah grass	10.0	60	20	4	3
<i>Panicum maximum</i> var. <i>trichoglume</i>	Green panic	10.0	70	20	4	3
<i>Panicum miliaceum</i>	Millet panic	10.0	98	75	4	3
<i>Paspalum scrobiculatum</i>	Scrobie	10.0	95	40	4	3

Seeds Regulations 1982
Crop seeds **First Schedule**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Botanical names	Common names	Minimum mass ₁	Minimum proportion required ₂	Minimum germinable proportion ₃	Purity group	Germination group
Paspalum dilatatum	Paspalum	10.0	70	70	4	3
Paspalum notatum	Bahia grass	10.0	60	60	4	3
Paspalum plicatulum	Plicatulum	10.0	60	40	4	3
Paspalum wettsteinii	Broadleaf paspalum	10.0	60	40	4	3
Passiflora edulis	Passion fruit	0.1	98	30	2	2
Pastinaca sativa	Parsnip	0.1	98	40	2	2
Pennisetum clandestinum	Kikuyu grass	0.1	94	70	3	2
Pennisetum glaucum	Pearl millet	10.0	98	70	3	2
Pennisetum purpureum	Elephant grass	10.0	98	70	3	2
Petroselinum crispum	Parsley	0.1	98	40	2	2
Phalaris aquatica	Phalaris	10.0	97	70	3	2
Phalaris arundinacea	Reed canary grass	10.0	97	70	3	2
Phalaris canariensis	Canary grass	10.0	99	70	3	2
Phalaris coerulescens	Blue canary grass	10.0	97	70	3	2
Phaseolus coccineus	Scarlet runner bean	1.0	99	70	1	3
Phaseolus lunatus	Lima bean	1.0	99	75	1	3
Phaseolus vulgaris	Common bean	1.0	99	75	1	3
Phleum pratense	Timothy	10.0	98	80	3	3
Physalis peruviana	Cape gooseberry	0.1	99	30	2	2
Pisum sativum	Pea	1.0	99	75	1	2
Poa compressa	Canada bluegrass	10.0	80	40	4	3
Poa nemoralis	Wood poa	10.0	80	40	4	3
Poa pratensis	Kentucky bluegrass	0.5	80	80	4	3
Poa trivialis	Rough meadowgrass	0.5	80	80	4	3
Puccinellia ciliata	Puccinellia	10.0	97	35	4	3
Pueraria phaseoloides	Puero	10.0	94	50	2	2
Raphanus sativus	Radish	0.1	99	75	2	2
Rheum rhabarbarum	Rhubarb	0.1	99	50	2	2
Sanguisorba minor	Sheep's burnet	10.0	99	60	2	2
Salvia officinalis	Sage	0.1	99	40	2	2
Secale cereale	Rye	10.0	98	75	1	1
Sesamum indicum	Sesame	0.1	98	80	2	2
Setaria italica	Italian millet	10.0	98	75	4	3
Setaria porphyrantha	Purple pidgeon grass	10.0	98	75	4	3
Setaria sphacelata	Setaria	10.0	60	20	4	3
Sinapis alba	White mustard	10.0	99	65	2	2
Solanum melongena	Eggplant	0.1	99	50	1	2
Sorghum almum	Columbus grass	10.0	98	65	4	3
Sorghum bicolor	Forage sorghum	10.0	99	85	2	2
Spinacia oleracea	Spinach	0.1	98	45	2	2
Stylosanthes guianensis	Stylo	10.0	90	40	4	3
Stylosanthes hamata	Caribbean stylo	10.0	90	40	4	3
Stylosanthes humilis	Townsville stylo	10.0	90	40	4	3
Stylosanthes scabra	Shrubby stylo	10.0	90	80	4	3
Tetragonia tetragonoides	New Zealand spinach	0.1	90	40	3	2
Thymus vulgaris	Thyme	0.1	98	40	2	2
Tragopogon porrifolius	Salsify	0.1	99	50	2	2
Trifolium alexandrinum	Berseem clover	10.0	98	75	2	2
Trifolium ambiguum	Caucasian clover	10.0	95	75	2	2
Trifolium cernuum	Drooping flowered clover	10.0	95	80	3	2
Trifolium cherleri	Cupped clover	10.0	97	80	2	2
Trifolium dubium	Suckling clover	10.0	96	80	3	2
Trifolium fragiferum	Strawberry clover	10.0	98	80	3	2
Trifolium glomeratum	Cluster clover	10.0	96	80	3	2
Trifolium hirtum	Rose clover	10.0	98	80	2	2
Trifolium hybridum	Alsike clover	10.0	96	80	2	2
Trifolium incarnatum	Crimson clover	10.0	98	80	2	2
Trifolium pratense	Red clover	10.0	97	80	2	2
Trifolium repens	White clover	10.0	98	70	3	2

Seeds Regulations 1982
First Schedule Crop seeds

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Botanical names	Common names	Minimum mass ₁	Minimum proportion required ₂	Minimum germinable proportion ₃	Purity group	Germination group
Trifolium resupinatum	Shaftal clover	10.0	96	80	3	2
Trifolium semipilosum	Kenya white clover	10.0	97	80	3	2
Trifolium spumosum	Bladder clover	10.0	97	80	2	2
Trifolium subterraneum	Subterranean clover	10.0	98	80	2	2
Trigonella ornithopodioides	Birdsfoot fenugreek	10.0	97	80	3	2
Triticosecale	Triticale	10.0	98	90	1	1
Triticum aestivum	Common wheat	10.0	98	90	1	1
Triticum durum	Durum wheat	10.0	98	90	1	1
Urochloa mosambicensis	Sabi grass	10.0	70	20	4	3
Vicia benghalensis	Purple vetch	10.0	99	70	1	2
Vicia faba var. equina	Horse bean	10.0	99	70	1	2
Vicia faba var. major	Broad bean	1.0	99	70	1	2
Vicia faba var. minor	Faba bean	10.0	99	70	1	2
Vicia hirsuta	Hairy vetch	10.0	99	60	1	2
Vicia sativa ssp. nigra	Narrowleaf vetch	10.0	99	60	1	2
Vicia sativa ssp. sativa	Common vetch	10.0	99	60	1	2
Vicia villosa ssp. dasycarpa	Woollypod vetch	10.0	99	60	1	2
Vigna luteola	Dalrymple vigna	10.0	98	70	1	2
Vigna mungo	Urd	10.0	99	70	1	2
Vigna radiata	Mung bean	10.0	99	70	1	2
Vigna umbellata	Rice bean	10.0	99	75	1	2
Vigna unguiculata ssp. unguiculata	Cowpea	10.0	99	70	1	2
Zea mays	Maize	1.0	99	85	1	2

¹ Minimum mass (in kg) of seed lot to which the Act applies.

² Minimum proportion (expressed in %) of crop seed required for “select quality”.

³ Minimum proportion (expressed in %) of crop seed required to be germinable for “select quality”.

[First Schedule inserted in Gazette 23 Jun 1998 p. 3318-20; amended in Gazette 14 Jun 2005 p. 2630.]

Second Schedule

[Reg. 6]

Prescribed chemical additives

Insecticides

ACEPHATE
ALDRIN
ALUMINIUM PHOSPHIDE
ALUMINIUM SILICATES
AMINOCARB
ARSENIC CONTAINING COMPOUNDS
AZINPHOS-ETHYL
AZINPHOS-METHYL
BENDIOCARB
BHC
BIORESMETHRIN
CALCIUM ARSENATE
CALCIUM CYANIDE
CAMPHECHLOR
CARBARYL
CARBOFURAN
CARBON DISULPHIDE
CARBON TETRACHLORIDE
CARBO-PHENOTHION
CHLORDANE
CHLORDIMEFORM
CHLORFENVINPHOS
CHLORINATED TERPENE ISOMERS
CHLOROPICRIN
CHLORPYRIFOS
CHLORPYRIFOS-METHYL
CYPERMETHRIN

DDT
DECAMETHRIN
DEMETON-O-METHYL
DEMETON-S-METHYL
DERRIS
DIAZINON
1,1-DICHLORO-2, 2-bis (P-ETHYLPHENYL) ETHANE
DICHLORVOS
DICOFOL
DIELDRIN
DIMETHOATE
DISULFOTON
EDB
ENDOSULFAN
ENDRIN
ETHYLENE DICHLORIDE
FENITROTHION
FENSON
FENTHION
FORMOTHION
HEPTACHLOR
HYDROCYANIC ACID
HYDROGEN PHOSPHIDE
INORGANIC BROMIDE
LEAD ARSENATE
LINDANE
MALDISON
MECARBAM
MENAZON
METHIDATHION
METHIOCARB
METHOMYL
METHOXYCHLOR

METHYL BROMIDE
MEVINPHOS
MONOCROTOPHOS
NALED
OMETHOATE
PARATHION
PARATHIONS-METHYL
PERMETHRIN
PHORATE
PHOSMET
PHOSPHAMIDON
PHOSPHINE
PIPERONYL BUTOXIDE
PIRIMIPHOS-METHYL
PROFENOFOS
PROPARGITE
PROPOXUR
PYRETHRIN
SCHRADAN
SULPROFOS
TETRADIFON
THIOMETON
TRICHLORFON
TRICHLOROETHYLENE

Fungicides

BENOMYL
BENQUINOX
CAPTAN
CARBOXIN
CHLORANIL
CHLORDANE
COPPER CARBONATE

1,2-bis (DIMETHYL-DITHIOCARBAMOYL-DITHIO (THIOCARBONYL)
AMINO) ETHANE

5-ETHOXY-3-TRICHLORO-METHYL-1, 2, 4-THIADIAZOLE

N-(ETHYLMERCURI)-N-PHENYL
4-METHYLBENZENE-SULPHONAMIDE

FENAMINOSULF

FENFURAM

FERBAM

FORMOTHION

HCB

2-n-Octyl-4 ISOTHIAZOLIN-3-ONE

MANCOZEB

MANEB

MERCURY CONTAINING COMPOUNDS (INORGANIC AND ORGANIC)

METHFUROXAM

METHYOXYETHYL MERCURY CHLORIDE

METHYOXYETHYL MERCURY SILICATE

METHYL MERCURY DICYANAMIDE

PROPIONIC ACID

QUINTOZENE

TCMTB

THIABENDAZOLE

THIRAM

TRIADIMEFON

ZINEB

ZIRAM

Third Schedule

[Reg. 7]

Weed seeds

Botanical name	Common name
<i>Allium triquetrum</i>	Three corner garlic
<i>Allium vineale</i>	Crow garlic
<i>Alternanthera denticulata</i>	Lesser joyweed
<i>Alternanthera nana</i>	Hairy joyweed
<i>Alternanthera nodiflora</i>	Common joyweed
<i>Anthemis arvensis</i>	Corn chamomile
<i>Anthemis cotula</i>	Stinking mayweed
<i>Arctium lappa</i>	Burdock
<i>Arctotheca calendula</i>	Capeweed
<i>Arrhenatherum elatius</i>	False oatgrass
<i>Asphodelus fistulosus</i>	Onionweed
<i>Avena barbata</i>	Bearded oat
<i>Avena fatua</i>	Wild oat
<i>Avena sterilis</i>	Sterile oat
<i>Baccharis halimifolia</i>	Groundsel bush
<i>Berberis vulgaris</i>	Barberry
<i>Brassica oxyrrhina</i>	Smoothstem turnip
<i>Brassica tournefortii</i>	Wild turnip
<i>Buglossoides arvensis</i>	Corn gromwell
<i>Calicotome spinosa</i>	Spiny broom
<i>Carduus pycnocephalus</i>	Slender thistle
<i>Carduus tenuiflorus</i>	Winged slender thistle
<i>Cenchrus biflorus</i>	Gallon's curse
<i>Cenchrus brownii</i>	Burr grass
<i>Cenchrus caliculatus</i>	Hillside burrgrass
<i>Cenchrus echinatus</i>	Mossman river grass
<i>Cenchrus gracillimus</i>	Burrgrass
<i>Cenchrus incertus</i>	Spiny burrgrass

Botanical name	Common name
Cenchrus longispinis	Spiky burrgrass
Centaurea melitensis	Maltese cockspur
Centaurea nigra	Black knapweed
Centaurea paniculata	Panicled knapweed
Chenopodium album	Fat hen
Chenopodium carinatum	Kneeled goosefoot
Chenopodium cristatum	Crested goosefoot
Chenopodium glaucum	Galucous goosefoot
Cirsium vulgare	Spear thistle
Citrullus colocynthis	Colocynth
Cucumis myriocarpus	Prickly paddy melon
Cyperus eragrostis	Umbrella sedge
Cyperus esculentus	Yellow nutgrass
Cyperus rotundus	Nutgrass
Dispsacus sativus	Fuller's teasle
Dipsacus sylvestris	Wild teasle
Dittrichia graveolens	Stinkwort
Echinochloa crus-galli	Barnyard grass
Echium vulgare	Viper's bugloss
Eleusine indica	Crowsfoot grass
Eleusine tristachya	Goosegrass
Euphorbia escula	Leafy spurge
Euphorbia lathyris	Caper spurge
Galinsoga parviflora	Potato weed
Halogeton glomeratus	Halogeton
Hirschfeldia incana	Buchan weed
Hypericum tetrapterum	St. Peter's wort
Ipomoea indica	Blue morning glory
Ipomoea lonchophylla	Cowvine
Ipomoea plebeia	Bellvine
Jatropha curcas	Physic nut
Jatropha gossypifolia	Bellyache bush

Botanical name	Common name
Lactuca pulchella	Blue lettuce
Lactuca saligna	Wild lettuce
Lactuca serriola	Prickly lettuce
Lantana camara	Common lantana
Lepidium latifolium	Perennial peppergrass
Leucanthemum vulgare	Ox eye daisy
Linaria dalmatica	Dalmatian toadflax
Lolium loliaceum	Stiff ryegrass
Lolium temulentum	Darnel
Mahonia repens	Oregon grape
Melilotus indicus	Hexham scent
Monerma cylindrica	Common barbggrass
Neslia paniculata	Ball mustard
Polygonum convolvulus	Black bindweed
Raphanus raphanistrum	Wild radish
Rapistrum rugosum	Turnip weed
Reseda alba	White mignonette
Reseda lutea	Cutleaf mignonette
Reseda luteola	Wild mignonette
Rubus fruticosus	Blackberry
Rubus laciniatus	Cutleaf blackberry
Rumex acetosa	Sour dock
Rumex acetosella	Sorrel
Rumex brownii	Swamp dock
Rumex conglomeratus	Clustered dock
Rumex crispus	Curled dock
Rumex obtusifolius	Broadleaf dock
Rumex pulcher	Fiddle dock
Salpichroa origanifolia	Pampas lily of the valley
Sesbania species	Sesbania pea
Sida calyxhymenia	Tall sida
Sida corrugata	Corrugated sida

Botanical name	Common name
Sida fibulifera	Pin sida
Sida platycalyx	Lifesaver burr
Sida rhombifolia	Common sida
Sida spinosa	Spiny sida
Sida subspicata	Spiked sida
Sida trichopoda	High sida
Silene vulgaris	Bladder campion
Sisymbrium altissimum	Tumbling mustard
Sisymbrium erysimoides	Smooth mustard
Sisymbrium irio	London rocket
Sisymbrium officinale	Hedge mustard
Sisymbrium orientale	Indian hedge mustard
Sisymbrium thellungii	African turnip weed
Solanum carolinense	Carolina horse nettle
Solanum hispidum	Giant devil's fig
Solanum hoplopetalum	Prickly potato weed
Solanum nigrum	Black berry nightshade
Solanum rostratum	Buffalo burr
Sonchus arvensis	Corn sowthistle
Sorghum almum	Columbus grass
Stipa brachychaeta	Espartillo
Taeniatherum caput-medusae	Medusa head
Tetragonia tetragonoides	New Zealand spinach
Toxicodendron radicans	Poison ivy
Tribulus occidentalis	Perennial caltrop
Verbascum species	Mulleins
Vulpia bromoides	Squirrel tail fescue

*[Third Schedule amended in Gazette 13 Nov 1987 p. 4196;
3 Mar 1995 p. 770; 14 Jun 2005 p. 2630.]*

Fourth Schedule

[Reg. 9]

Germination tests

Part 1 — Test conditions

The test conditions to be used in ascertaining whether crop seed is germinable are those printed in chapter 5, and in Annexes to chapter 5, of “Seed Science and Technology” Volume 4, Number 1, 1976, published by the International Seed Testing Association, as added to and amended in —

- (a) the “Report of the Rules Committee 1974-1977”, printed in “Seed Science and Technology” Volume 6, Number 1, 1978; and
- (b) the “Report of the Rules Committee 1977-1980”, printed in “Seed Science and Technology” Volume 9, Number 1, 1981,

each published by the International Seed Testing Association.

Part 2 — Growth characteristics of germinable seed

- (1) Germinable seeds are seeds which, when tested under the conditions referred to in Part 1, produce seedlings which —
 - (a) possess —
 - (i) a well-developed root system including a primary root, except for those plants normally producing seminal roots;
 - (ii) a well-developed and intact hypocotyl and/or epicotyl without damage to the conducting tissues and in dicotyledons, a normal plumule;
 - (iii) in the case of plants of the family *Poaceae*, a well-developed primary leaf within or emerging through the coleoptile; and
 - (iv) one cotyledon for seedlings of monocotyledons and 2 cotyledons for seedling of dicotyledons;
- or

- (b) although having one or more of the following slight defects, otherwise show vigorous and balanced development of the structures referred to in paragraph (a) and show the capacity for continued development into normal plants when grown in good quality soil, and under favourable conditions of water supply, temperature and light —
 - (i) being seedlings of the *Zea* species a species of the family *Malvaceae* or *Cucurbitaceae*, or of a large-seeded legume, have a damaged primary root, but several adventitious and lateral roots of sufficient length and vigour to support the seedling in soil;
 - (ii) are seedlings having superficial damage or decay to the essential structures of the seedling which is limited in area and does not affect the conducting tissues;
 - (iii) are seedlings of dicotyledons with only one cotyledon.
- (2) Where seedlings are decayed by fungi or bacteria, and it is clearly apparent that —
 - (a) the parent seed is not the source of infection; and
 - (b) but for the decay, the seedlings would have been in accordance with paragraph (a) or (b) of item 1,the seedlings are deemed to be in accordance with that paragraph.

Fifth Schedule

[Reg. 10]

Tolerances

Part 1 — Proportion in which crop seed is contained

Stated %	% Tolerable	Stated %	% Tolerable	Stated %	% Tolerable
100.0	99.9-100	91.0	89.3-92.7	46.0	43.0-49.0
99.9	99.7-100	90.0	88.2-91.8	44.0	41.0-47.0
99.8	99.5-100	88.0	86.1-89.9	42.0	39.0-45.0
99.7	99.3-100	86.0	84.0-88.0	40.0	37.0-43.0
99.6	99.2-100	84.0	81.9-86.1	38.0	35.0-41.0
99.5	99.1-99.9	82.0	79.7-84.3	36.0	33.1-38.9
99.4	98.9-99.9	80.0	77.6-82.4	34.0	31.1-36.9
99.3	98.8-99.8	78.0	75.6-80.4	32.0	29.2-34.8
99.2	98.6-99.8	76.0	73.5-78.5	30.0	27.2-32.8
99.1	98.5-99.7	74.0	71.4-76.6	28.0	25.3-30.7
99.0	98.4-99.6	72.0	69.3-74.7	26.0	23.3-28.7
98.8	98.1-99.5	70.0	67.3-72.7	24.0	21.4-26.6
98.6	97.9-99.3	68.0	65.3-70.7	22.0	19.5-24.5
98.4	97.6-99.2	66.0	63.2-68.8	20.0	17.6-22.4
98.2	97.3-99.1	64.0	61.1-66.9	18.0	15.6-20.4
98.0	97.1-98.9	62.0	59.1-64.9	16.0	13.7-18.3
97.5	96.6-98.4	60.0	57.1-62.9	14.0	11.9-16.1
97.0	96.0-98.0	58.0	55.0-61.0	12.0	10.0-14.0
96.0	94.8-97.2	56.0	53.0-59.0	10.0	8.1-11.9
95.0	93.7-96.3	54.0	51.0-57.0	8.0	6.3-9.7
94.0	92.6-95.4	52.0	49.0-55.0	6.0	4.5-7.5
93.0	91.5-94.5	50.0	47.0-53.0	4.0	2.8-5.2
92.0	90.4-93.6	48.0	45.0-51.0	2.0	1.1-2.9

Where the stated % in question does not appear in the table above, the tolerance applicable is to be derived by straight line extrapolation from the tolerances prescribed for the nearest stated percentages above and below the stated % in question that appear in the table.

Seeds Regulations 1982**Fifth Schedule****Tolerances****Part 2****Minimum proportion of crop seed that is germinable****Part 2 — Minimum proportion of crop seed that is germinable**

Stated Min. %	Min. % Tolerable	Stated Min. %	Min. % Tolerable	Stated Min. %	Min. % Tolerable	Stated Min. %	Min. % Tolerable
1	...	26	17	37	40	76	68
2	...	27	18	52	41	77	69
3	...	28	19	53	42	78	70
4	1	29	20	54	43	79	71
5	1	30	21	55	44	80	72
6	2	31	22	56	45	81	73
7	3	32	23	57	46	82	75
8	3	33	23	58	47	83	76
9	4	34	24	59	48	84	77
10	5	35	25	60	50	85	78
11	5	36	26	61	51	86	79
12	6	37	27	62	52	87	81
13	7	38	28	63	53	88	82
14	8	29	29	64	54	89	83
15	8	40	30	65	55	90	84
16	9	41	31	66	56	91	86
17	10	42	31	67	57	92	87
18	11	43	32	68	58	93	88
19	12	44	33	69	60	94	90
20	12	45	34	70	61	95	91
21	13	46	35	71	62	96	92
22	14	47	36	72	63	97	94
23	15	48	37	73	64	98	95
24	16	49	38	74	65	99	96
25	17	50	39	75	66	100	97

Where the stated minimum % in question does not appear in the table above, the minimum % tolerable is to be derived by straight line extrapolation from the minimum % tolerable prescribed for the nearest stated minimum percentages above and below the stated minimum % in question that appear in the table.

Seeds Regulations 1982

Tolerances Fifth Schedule

Part 3

Maximum proportion in which weed seed is contained

Part 3 — Maximum proportion in which weed seed is contained

Stated Max. No. Per Mass	Max. No. Per Mass Tolerable	Stated Max. No. Per Mass	Max. No. Per Mass Tolerable	Stated Max. No. Per Mass	Max. No. Per Mass Tolerable	Stated Max. No. Per Mass	Max. No. Per Mass Tolerable
5	11	470	521	2 400	2 580	9 800	10 450
10	18	480	532	2 450	2 630	10 000	10 670
15	25	490	542	2 500	2 680	10 500	11 200
20	31	500	553	2 550	2 740	11 000	11 730
25	37	520	575	2 600	2 790	11 500	12 260
30	44	540	596	2 650	2 840	12 000	12 790
35	50	560	617	2 700	2 900	12 500	13 330
40	55	580	640	2 750	2 950	13 000	13 860
45	61	600	660	2 800	3 000	13 500	14 390
50	67	620	680	2 850	3 050	14 000	14 920
55	73	640	700	2 900	3 110	14 500	15 460
60	79	660	725	2 950	3 160	15 000	15 990
65	85	680	745	3 000	3 210	15 500	16 520
70	90	700	767	3 100	3 320	16 000	17 050
75	96	720	788	3 200	3 430	16 500	17 590
80	102	740	810	3 300	3 550	17 000	18 120
85	107	760	830	3 400	3 640	17 500	18 650
90	113	780	850	3 500	3 750	18 000	19 180
95	118	800	875	3 600	3 850	18 500	19 710
100	124	820	895	3 700	3 960	19 000	20 250
110	135	840	915	3 800	4 070	19 500	20 780
120	146	860	937	3 900	4 170	20 000	21 310
130	157	880	958	4 000	4 280	21 000	22 380
140	168	900	980	4 100	4 390	22 000	23 440
150	179	920	1 000	4 200	4 490	23 000	24 500
160	190	940	1 022	4 300	4 600	24 000	25 570
170	201	960	1 043	4 400	4 700	25 000	26 630
180	212	980	1 065	4 500	4 810	26 000	27 700
190	223	1 000	1 085	4 600	4 920	27 000	28 760
200	234	1 050	1 140	4 700	5 020	28 000	29 830
210	245	1 100	1 190	4 800	5 130	29 000	30 890
220	255	1 150	1 245	4 900	5 240	30 000	31 960
230	266	1 200	1 300	5 000	5 340	31 000	33 020
240	277	1 250	1 350	5 200	5 560	32 000	34 080
250	288	1 300	1 405	5 400	5 770	33 000	35 150
260	298	1 350	1 458	5 600	5 980	34 000	36 210
270	309	1 400	1 512	5 800	6 190	35 000	37 280
280	320	1 450	1 565	6 000	6 410	36 000	38 340
290	330	1 500	1 618	6 200	6 620	37 000	39 410
300	341	1 550	1 670	6 400	6 830	38 000	40 470
310	352	1 600	1 725	6 600	7 050	39 000	41 540
320	362	1 650	1 778	6 800	7 260	40 000	42 600
330	373	1 700	1 830	7 000	7 470	41 000	43 670
340	384	1 750	1 885	7 260	7 750	42 000	44 730
350	394	1 800	1 940	7 400	7 900	43 000	45 800
360	405	1 850	1 990	7 600	8 110	44 400	46 860
370	416	1 900	2 040	7 800	8 320	45 000	47 925
380	426	1 950	2 100	8 000	8 540	46 000	49 000
390	437	2 000	2 150	8 200	8 750	47 000	50 050
400	447	2 050	2 200	8 400	8 960	48 000	51 120
410	458	2 100	2 260	8 600	9 180	49 000	52 180
420	469	2 150	2 310	8 800	9 390	50 000	53 250
430	479	2 200	2 360	9 000	9 600	60 000	63 890
440	490	2 250	2 420	9 200	9 810	70 000	74 540
450	500	2 300	2 470	9 400	10 030	80 000	85 180
460	511	2 350	2 520	9 600	10 240	90 000	95 830
						100 000	106 470

Seeds Regulations 1982

Fifth Schedule

Tolerances

Part 3

Maximum proportion in which weed seed is contained

Where the stated maximum number of weeds per mass does not appear in the table above, the maximum number of weeds per mass tolerable is that prescribed in respect of the next highest stated maximum number of seeds that appears in the table.

**Part 4 — Maximum proportion in which seed not named under
section 7(2)(d) of the Act is contained**

Stated Maximum %	Maximum % Tolerable	Stated Maximum %	Maximum % Tolerable	Stated Maximum %	Maximum % Tolerable
0.0	0.1	9.0	10.8	54.0	57.0
0.1	0.4	10.0	11.9	56.0	59.0
0.2	0.5	12.0	14.0	58.0	61.0
0.3	0.7	14.0	16.1	60.0	63.0
0.4	0.8	16.0	18.2	62.0	64.9
0.5	1.0	18.0	20.0	64.0	66.9
0.6	1.1	20.0	22.4	66.0	68.8
0.7	1.3	22.0	24.5	68.0	70.8
0.8	1.4	24.0	26.6	70.0	72.7
0.9	1.5	26.0	28.7	72.0	74.7
1.0	1.7	28.0	30.7	74.0	76.6
1.2	1.9	30.0	32.8	76.0	78.5
1.4	2.2	32.0	34.8	78.0	80.4
1.6	2.4	34.0	36.9	80.0	82.3
1.8	2.6	36.0	38.9	82.0	84.2
2.0	2.9	38.0	41.0	84.0	86.1
2.5	3.5	40.0	43.0	86.0	88.0
3.0	4.1	42.0	45.0	88.0	89.9
4.0	5.2	44.0	47.0	90.0	91.8
5.0	6.4	46.0	49.0	92.0	93.6
6.0	7.5	48.0	51.0	94.0	95.4
7.0	8.6	50.0	53.0	96.0	97.2
8.0	9.7	52.0	55.0	98.0	98.8

Where the stated maximum % in question does not appear in the table above, the maximum % tolerable is to be derived by straight line extrapolation from the maximum % tolerable prescribed for the nearest stated maximum % in question that appear in the table.

Sixth Schedule

[Reg. 10]

Sampling and analysis

Part 1 — Sampling

A sample is not taken in accordance with this Part unless —

- (a) except where the sample is taken at the request of a person who provides the material sampled, the person appearing to be in charge of the material to be sampled (in this Part referred to as *the person in charge*) is first invited to be present, and, where he so wishes, is permitted to be present, while the sample is being taken;
- (b) sampling procedures are in accordance with the rules contained in chapter 2, the annexe to chapter 2 and Appendix D of the 1993 International Rules for Seed Testing published by the International Seed Testing Association in “Seed Science and Technology”, Volume 21, Supplement;
- (c) the sample taken is thoroughly mixed, divided into 3 approximately equal portions each of which is of a quantity not less than the sample size specified in the rules referred to in paragraph (b), and each portion is placed in a separate package that is then fastened and sealed;
- (d) the package containing each portion is then identified by writing on it or on a label attached to it —
 - (i) the name and address of the person in charge and, where the material sampled is being sold, of the seller of the material sampled, if that information can then be ascertained;
 - (ii) a designation or code or other information sufficient to identify the material sampled;
 - (iii) the aggregate mass of the material sampled or, if the aggregate mass cannot then be ascertained, an estimate thereof;

- (iv) the number of packages in which the material represented by the sample is contained; and
- (v) the date on which the sample is taken;
- (e) where the person in charge is present, he is invited to mark with his name or initials each package (or the label attached thereto, as the case may be) in which each portion of the sample is contained and, where he so wishes, is permitted to so mark each such package (or the label attached thereto, as the case may be); and
- (f) one of the 3 packages referred to in paragraph (c) is given or sent to the person in charge, and the other 2 packages are sent to the Department.

[Part 1 amended in Gazette 3 Mar 1995 p. 771.]

Part 2 — Analysis

The methods to be used in the analysis of a seed sample are those contained in chapters 3, 4, 5 and 15 and in the annexes to chapters 3, 5 and 15 of the 1993 International Rules for Seed Testing published by the International Seed Testing Association in “Seed Science and Technology”, Volume 21, Supplement.

[Part 2 inserted in Gazette 3 Mar 1995 p. 771.]

Seventh Schedule — Seed analysis and report fees

[r. 13]

[Heading inserted in Gazette 26 Jun 2009 p. 2610.]

The fees for the analysis of a seed sample provided under section 25 of the Act and for a report of the result of the analysis are as set out in the Table.

Table

Item	Description	Fee (\$)
1.	Pure seed content analysis [Note: The pure seed content analysis group is displayed in column 6 of the First Schedule.]	
	(a) group 1	62
	(b) group 2	79
	(c) group 3	98
	(d) group 4	115
2.	Germination analysis [Note: The germination analysis group is displayed in column 7 of the First Schedule.]	
	(a) group 1	59
	(b) group 2	68
	(c) group 3	74
3.	Pure seed content analysis of chaffy seed	130
4.	Cultivar determination by grow-on test	230
5.	Moisture content determination	83
6.	Pest or disease test	89

Item	Description	Fee (\$)
7.	Weed seed presence test	
	(a) general	85
	(b) vegetable seed	80
	(c) harvester/hay (per hour)	99
8.	Caryopsis presence test	75
9.	Pigmented seed content	54
10.	Number of seeds (per unit volume)	69
11.	Seed identification	39

[Seventh Schedule inserted in Gazette 26 Jun 2009 p. 2610-11.]

Eighth Schedule

[Reg. 15]

Seed processing works

1. (1) The seed processing works shall be suitably equipped to process seed to the standards required by each seed certification scheme in respect of which the seed processing works is to be registered.
 - [(2) *deleted*]
 2. The seed processing works and its equipment shall be so laid out and organized as to enable free access to all parts of it to facilitate the cleaning and inspection of all parts of the seed processing works and its equipment.
 3. The seed processing works shall be provided with a system for the extraction of dust and other waste, adequate to remove reject material and to enable all processed seed and containers to be presented for inspection in a clean condition.
 4. The seed processing works shall be provided with adequate lighting.
 5. There shall be, in the seed processing works, a seed testing bench that has a smooth, off-white surface, is so situated as to be free of dust and draught, and is otherwise suitable for the use of an inspector for analysis of seed.
 6. Storage facilities shall be sufficient to enable the adequate storage of seed so that it is separated according to species and cultivar and whether it is untreated or treated, and, where practicable, so that places where equipment is to operate are not required to be used for storage.
 7. The premises shall be designed and equipped so as to enable them to be operated in accordance with the requirements of these regulations.
- [Eighth Schedule amended in Gazette 22 May 2001 p. 2575-6.]*

Ninth Schedule

[Reg. 16]

Operation of registered seed processing works

1. At all times during which the seed processing works is operating there shall be present and for the time being in charge of the operation a person (in this Schedule referred to as *the works supervisor*) who has been nominated to, and approved by, an officer authorised to give such approval.
2. The works supervisor shall ensure that all stages of seed processing are adequately supervised, and shall have particular regard to the need to supervise casual workers.
3. Seed shall not be received for processing unless it is accompanied by a declaration —
 - (a) identifying the seed; and
 - (b) specifying the area from which the seed was harvested,with sufficient particularity for the purposes of the seed certification scheme under which the seed is to be certified.
4. Seed shall be processed to the highest standard practicable having regard to the impurities present.
5. At all stages of seed processing adequate precautions shall be taken to ensure that the condition of seed is maintained and its quality is not impaired by contamination or otherwise.
6. The quantity of seed that is to be represented by a particular sample taken for analysis by the Department shall not exceed the quantity specified in the annexe to chapter 2 of the 1993 International Rules for Seed Testing published by the International Seed Testing Association in “Seed Science and Technology”, Volume 21, Supplement.
7. (1) Seed that is to be certified shall be packed in new bags made either of jute or propylene threads and of a strength approved by an officer authorised to give such approval.

- (2) Unless the seed certification scheme under which the seed is to be certified provides that this subitem does not apply in relation to seed to be certified under that seed certification scheme, seed that is to be certified shall be packed in double bags each of which complies with subitem (1).
 - (3) An officer authorised to give such approval may approve of the packing of seed for certification otherwise than in accordance with subitems (1) and (2), and seed packed in accordance with such approval is deemed to be packed in accordance with those subitems.
- 8. The works supervisor shall ensure that any seed packed and marked for certification is able to be positively identified as the seed to which a particular declaration such as is referred to in item 3 relates.
- 9. The works supervisor shall give to the inspector responsible for the sampling and initial analysis of seed the declaration referred to in item 3 that relates to that seed.
- 10. (1) Where sampling is to be by hand, the bags of seed to be sampled shall be in rows not more than 4 bags wide and otherwise so presented as to facilitate access by the inspector.
 - (2) Where sampling is to be by an automatic sampling device, it shall be operated in accordance with the directions of an officer authorised in that behalf.
- 11. (1) Where upon a preliminary analysis for seed content conducted at the seed processing works it appears to an inspector that the seed represented by the sample meets the seed content requirement of the relevant seed certification scheme, the bags containing the seed shall be sewn up so as to sew in the labels allocated to the seed that are provided by the inspector.
 - (2) In sewing up a bag and sewing in the label in accordance with subitem (1) —
 - (a) a machine shall be used that is approved by an officer authorised to give such approval and the bag and label shall be sewn with a single line of continuous sewing with thread of an appropriate strength (a double line of sewing is not acceptable); or

- (b) the bag shall be sewn up pursuant to, and in accordance with any conditions attached to, special permission given by an inspector in a particular case.
- 12. Markings appropriate to the seed certification scheme under which seed is to be certified shall be stamped or stencilled on the face of each bag containing seed to be certified.
- 13. Seed packed and marked and awaiting certification shall not be removed from the seed processing works until it is certified, except with the special permission of an inspector.
- 14. (1) Where seed is packed and marked and awaiting certification and the Department declines to certify the seed, the seed shall be removed from the bags in which it is packed and the labels sewn into the bags shall be returned to an inspector.
 - (2) Seed that is not certified shall not be sold in bags marked for the purposes of a seed certification scheme and it shall be ensured that such seed is neither expressly or impliedly represented to be certified.
- 15. (1) The works supervisor shall ensure that all parts of the seed processing works, including the floor, are cleaned between the processing of each quantity of seed that is to be separately certified.
 - (2) The works manager shall cause records to be kept, to the satisfaction of an inspector, relating to the species, cultivar, and mass of each quantity of seed that is separately analysed.

[Ninth Schedule amended in Gazette 3 Mar 1995 p. 771; 22 Jun 1999 p. 2672.]

Notes

- ¹ This reprint is a compilation as at 7 August 2009 of the *Seeds Regulations 1982* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Seeds Regulations 1982</i>	12 Mar 1982 p. 828-43	12 Mar 1982
<i>Seeds Amendment Regulations 1982</i>	20 Aug 1982 p. 3362	20 Aug 1982
<i>Seeds Amendment Regulations 1986</i>	22 Aug 1986 p. 3008-9	22 Aug 1986
<i>Seeds Amendment Regulations 1987</i>	13 Nov 1987 p. 4196	13 Nov 1987
<i>Seeds Amendment Regulations 1988</i>	27 May 1988 p. 1792	27 May 1988
<i>Seeds Amendment Regulations (No. 2) 1988</i>	19 Aug 1988 p. 2976	19 Aug 1988
<i>Seeds Amendment Regulations 1989</i>	30 Jun 1989 p. 1995	30 Jun 1989
<i>Seeds Amendment Regulations 1990</i>	3 Aug 1990 p. 3669	3 Aug 1990
<i>Seeds Amendment Regulations 1991</i>	8 Nov 1991 p. 5709-10	8 Nov 1991
<i>Seeds Amendment Regulations 1992</i>	24 Jul 1992 p. 3610-11	24 Jul 1992
<i>Seeds Amendment Regulations 1993</i>	17 Sep 1993 p. 5046-7	17 Sep 1993
<i>Seeds Amendment Regulations 1994</i>	24 Jun 1994 p. 2837-8	1 Jul 1994 (see r. 2)
<i>Seeds Amendment Regulations 1995</i>	3 Mar 1995 p. 769-71	3 Mar 1995
<i>Seeds Amendment Regulations (No. 2) 1995</i>	21 Jul 1995 p. 3066-7	21 Jul 1995
<i>Seeds Amendment Regulations 1996</i>	3 Sep 1996 p. 4376-7	4 Sep 1996 (see r. 2)

Citation	Gazettal	Commencement
<i>Seeds Amendment Regulations 1997</i>	19 Aug 1997 p. 4711-12	19 Aug 1997
<i>Seeds Amendment Regulations 1998</i>	23 Jun 1998 p. 3317-21	1 Jul 1998 (see r. 2)
<i>Seeds Amendment Regulations 1999</i>	22 Jun 1999 p. 2670-2	1 Jul 1999 (see r. 2)
Reprint of the Seeds Regulations 1982 as at 20 Aug 1999 (includes amendments listed above)		
<i>Seeds Amendment Regulations 2000</i>	20 Jun 2000 p. 3006-7	1 Jul 2000 (see r. 2)
<i>Seeds Amendment Regulations 2001</i>	22 May 2001 p. 2575-6	22 May 2001
<i>Seeds Amendment Regulations (No. 2) 2001</i>	5 Jun 2001 p. 2849-51	1 Jul 2001 (see r. 2)
<i>Seeds Amendment Regulations 2002</i>	28 Jun 2002 p. 3045-7	1 Jul 2002 (see r. 2)
<i>Seeds Amendment Regulations 2003</i>	17 Jun 2003 p. 2204-5	1 Jul 2003 (see r. 2)
<i>Seeds Amendment Regulations 2004</i>	18 May 2004 p. 1566-7	1 Jul 2004 (see r. 2)
<i>Seeds Amendment Regulations 2005</i>	31 May 2005 p. 2400-1	1 Jul 2005 (see r. 2)
<i>Seeds Amendment Regulations (No. 2) 2005</i>	14 Jun 2005 p. 2629-30	14 Jun 2005
Reprint 2: The Seeds Regulations 1982 as at 16 Sep 2005 (includes amendments listed above)		
<i>Seeds Amendment Regulations 2006</i>	16 Jun 2006 p. 2118-19	1 Jul 2006 (see r. 2)
<i>Seeds Amendment Regulations 2007</i>	15 Jun 2007 p. 2758-9	r. 1 and 2: 15 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Seeds Amendment Regulations 2008</i>	16 Sep 2008 p. 4187-8	r. 1 and 2: 16 Sep 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Sep 2008 (see r. 2(b))

Citation	Gazettal	Commencement
<i>Seeds Amendment Regulations 2009</i>	26 Jun 2009 p. 2609-11	r. 1 and 2: 26 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2009 (see r. 2(b))
Reprint 3: The <i>Seeds Regulations 1982</i> as at 7 Aug 2009 (includes amendments listed above)		

Defined Terms

Defined Terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
premises	3
Schedule	3
seed certification scheme	3
subregulation.....	3
the Act.....	3
the person in charge	Sixth Sch. Pt. 1
the works supervisor	Ninth Sch. it. 1