

# **Consultation on Fees for Seed Testing, Seed Certification and Associated Seed Functions**

**3 March to 26 May 2017**



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3 March 2017

Dear Consultee,

### **Consultation on the Review of Fees for Seed Testing, Seed Certification and Associated Seed Functions**

Scottish Government invites your response to this consultation document on fees charged for Seed Testing, Seed Certification and Associated Seed Functions in Scotland by **26 May 2017**. Any responses received after this date are unlikely to be included in the consultation analysis. You will find full details of the purpose and scope of the consultation on pages 3 & 4 of the consultation document.

Your views on this consultation are important to us. Please email your response together with the completed **Respondent Information Form** (RIF) to our Seeds Policy mailbox at: [SeedsPolicy@gov.scot](mailto:SeedsPolicy@gov.scot). Alternatively, you can send your response and RIF to me at:

*Carol Scott*  
*Agriculture and Rural Development Division*  
*D Spur, Saughton House*  
*Broomhouse Drive*  
*Edinburgh*  
*EH11 3XD*

It is important that you complete the **Respondent Information Form** as we need to know how you wish your response to be handled and whether you are happy for your response to be made public.

This consultation, and all other Scottish Government consultations, can be viewed online on the Scottish Government website at: <https://consult.scotland.gov.uk/>

If you have any queries about the consultation please contact me at: [Carol.Scott@gov.scot](mailto:Carol.Scott@gov.scot)

We look forward to your response.

Yours sincerely

*Carol Scott*

**CONSULTATION ON FEES  
FOR SEED TESTING,  
SEED CERTIFICATION AND  
ASSOCIATED SEED  
FUNCTIONS**

**3 March to 26 May 2017**

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## **PART I - ABOUT THIS CONSULTATION**

### **Introduction**

Seeds regulations in Scotland, which implement European law obligations, provide that certain kinds of seeds can be marketed. Only after the examination (official or under official supervision by licensed individuals), and the seed being certified as meeting specific minimum seed quality standards, can a seed lot be marketed. This arrangement ensures that farmers and growers receive seed of a minimum known quality.

In their role as an official service provider/supervisor for seeds marketing, Scottish Government has an obligation to ensure full-cost recovery for all the services it provides, which includes field inspection of crops, testing of seed and the training and examination of people who undertake these activities. Within the Scottish Government, Science and Advice for Scottish Agriculture (SASA) and the Rural Payments Inspection Directorate (RPID) are responsible for carrying out the technical and administrative work associated with seed certification.

Scottish Government's standard approach to setting charges for public services is full cost recovery, in doing so it avoids unnecessary public expenditure. Charging also provides an incentive to use goods and services economically, efficiently and effectively.

Fees for seed testing, seed certification and associated functions ( supervision of licensed, Professional Seed Operators, licensed crop inspectors, licensed seed samplers, licensed seed testing stations (LSTS)) and courses and exams are all required to be reviewed annually to ensure that the costs of the services provided by Scottish Government are met by the businesses benefiting directly from them and that it is cost neutral to government.

### **Purpose of consultation**

This consultation is on Scottish Government's proposal to increase certain fees for seed testing, seed certification and associated seed functions.

During the last review, Scottish Government were able to apply a number of cost-efficiency measures to keep increases down and in some cases allow no increase to be applied to seed testing, seed certification and associated functions in July 2016. We are continuing to review the services we provide in an attempt to keep costs down and with a large scale review now underway; we plan to hold a series of workshops later in the year to share our findings.

The purpose of this consultation is to explain reasoning behind the proposed changes to fees which will come into force on the 1 July 2017.

## **Scope of consultation.**

### Certification – Official or Licensed

EU legislation only allows seed that is listed either on a Member State's National List or EU Common Catalogue and has met the seed and crop standards to be freely marketed, having first been certified.

Although Scottish Government has overall responsibility for certification, there are various functions within the process that can be done either by Government Officials or Licensed individuals or companies. Provided that an individual can demonstrate that they have the knowledge and expertise, Scottish Ministers will license them to undertake crop inspections, seed sampling and/or seed testing. Those wishing to market, process, and package seed are required to have the appropriately qualified personnel, equipment, and premises in which to carry out this work.

In order to allow some of the certification work to be done by Licensed individuals / companies, Scottish Government is required to supervise and check at least 5% of all the work done under licence.

SASA, who are part of Scottish Government, take responsibility as the Certifying Authority (CA) for Scotland, working with the Official Seed Testing Station (OSTS) for Scotland<sup>1</sup> and RPID, co-ordinating all the official areas of certification.

### Costs and Fees

Through a number of cost efficiency measures, SASA have been able to keep some costs down in 2016/17. However, this year's review has shown a deficit of £13 k and in order to bridge this and ensure full cost recovery in 2017/18, Scottish Government propose a 1.8% increases for fees. The schedules attached in **Annexes A – C** provide more details of the services and the costs.

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<sup>1</sup> The Official Seed Testing Station for Scotland is also part of SASA.

## **Options under consideration**

**Option 1, the option of no change will not achieve full cost recovery and any deficits will continue to rise.**

This is not an option. Scottish tax payers should not be subsidising services that should be covered by the industry using it.

**Option 2, Increase fees by 1.8% to achieve full cost recovery in financial year 2017/18.**

This option would deliver the Scottish Government's aims to recover the full cost of the services provided. Fees would increase so that those who benefit from the services (i.e. the seed industry) would be required to meet the true costs of providing a Scottish seed certification scheme.

## **A Business and Regulatory Impact Assessment (BRIA)**

A BRIA has been attached providing a more extensive view of the options being proposed.

## **Geographical extent of consultation**

This consultation applies in Scotland only. England and Wales last increased their seed certification fee on 1 January 2014. After a recent procurement exercise, a Contractor has just been secured to provide certain seed certification and seed testing duties in England and Wales. Once finalised, APHA will undertake a similar review of their fees

## **Audience**

Anyone may respond to this consultation. The Scottish Government would like to hear from anyone with an interest, including Professional Seed Operators (seed merchants, seed processors, and seed packers), licensed crop inspectors, licensed seed samplers, Licensed Seed Testing Stations, farmers and interested members of the public.

## **Body responsible for this consultation**

The Scottish Government's Plant Health, Horticulture, Seeds and Potatoes Branch are responsible for seed marketing policy and this consultation. Within the Scottish Government, Science and Advice for Scottish Agriculture (SASA) is responsible for

certification and seed testing and have been involved in the preparation of this consultation.

## Duration

- This consultation started 3 March 2017
- This consultation closes on 26 May 2017
- A consultation period of 12 weeks applies

## How to make an enquiry

If you have any queries relating to this consultation please contact **Carol Scott** on 0300 244 9504.

## The Scottish Government Consultation Process

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

All Scottish Government consultation papers and related publications (eg, analysis of response reports) can be accessed at: Scottish Government consultations (<https://consult.scotland.gov.uk/>)

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <https://consult.scotland.gov.uk/>

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

## Responding to this consultation paper

We are inviting responses to this consultation paper by 26 May 2017.

You should send your completed **Respondent Information Form** (see "Handling your Response" below) to:

Carol Scott,  
Plant Health, Horticulture, Seeds and Potato Policy Branch  
The Scottish Government, D Spur, Saughton House,  
Broomhouse Drive, EH11 3XD  
or  
[Seedspolicy@scotland.gsi.gov.uk](mailto:Seedspolicy@scotland.gsi.gov.uk)

## Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

## **Next steps in the process**

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library. (see the attached Respondent Information Form) in due course.

## **What happens next?**

Following the closing date, all responses will be analysed and considered along with any other available evidence. This information will be used to advise Scottish Ministers of the views of stakeholders affected by the proposal.

A summary of the responses will be published within 12 weeks of closure of the consultation on Scottish Government's website at: <https://consult.scotland.gov.uk/>

## **Comments and complaints**

You may send any comments that you may have about how this consultation exercise has been conducted to –

John Speirs,  
Branch Head,  
Plant Health, Horticulture, Seeds and Potato Policy Branch  
The Scottish Government, D Spur, Saughton House,  
Broomhouse Drive, EH11 3XD

## PART II - BACKGROUND TO SERVICES PROVIDED BY SCOTTISH GOVERNMENT AND LICENSED INDIVIDUALS / COMPANIES

### Certification

EU legislations requires that beet seed, cereal seed, fodder plant seed, oil and fibre plant seed and vegetable seed can be marketed provided they are certified. I.e. the seed must meet EU standards.

There are a number of administrative processes that SASA; the Certifying Authority (CA) for Scotland make during the certification process. This includes checking that the variety is listed on the appropriate UK National List or EU Common Catalogue, and verifying that seed lots are eligible for crop production.

As well as verifying and registering an application, the CA arranges the following

- Control plots to be grown which allows the varietal identity and purity to be determined, together with some disease levels.
- Field inspections to be undertaken by RPID Officials, where a company does not have their own licensed inspectors.
- A field inspection will be carried out by RPID Officials in place of a licensed inspection, when a post control plot fails to meet the required varietal purity standards.
- Where field inspections are undertaken by licensed crop inspectors, the Directive requires that a percentage of licensed inspections are checked by Officials. The CA selects at random fields to be check inspected and arranges with Officials from the local RPID office to undertake this work.
- Issue of crop inspection results and confirmation of certification of seed lots where appropriate.
- Verification of imported herbage seed lots at Higher Voluntary Standard (HVS) and issuing appropriate certificates. HVS verification applies to seed lots to be marketed mainly in grass seed mixtures'.

More information on seed certification at SASA can be found at:

<http://www.sasa.gov.uk/seed-testing-certification>

## Seed Testing

Part of the certification process requires that a representative sample of the seed lot is tested to ensure that it meets EU standards for germination, analytical purity and content of seed of other plant species. The OSTs for Scotland, along with four Licensed Seed Testing Stations (LSTS) perform these test.

Details can be found at:

<http://www.sasa.gov.uk/seed-testing-certification/official-seed-testing-station-osts>

## Associated Seed Functions

Whilst EU Directives do not provide for the industry to certify their own seed, they do allow them to carry out a number of functions that fall within the process; provided individuals / companies have the necessary knowledge and / or qualifications, and that a percentage of the work they carry out is checked by the CA.

## Licensed Professional Seed Operators

Once a company or individual is licensed with the CA as a seed merchant, seed processor and / or seed packer, Scottish Government is required to ensure that the seed sold, processed or packaged by them –

- 'is what it says it is, on the label' – certified seed of a registered variety, that meets EU standards;
- Is correctly packaged, labelled and sealed and;
- Has the appropriate documentation that forms an audit trail.

RPID staff are required to visit licensed premises where seed is being stored in a warehouse or being processed/packaged, at least once every 5 years. However, where the individual / company acts solely as a seed merchant, buying and selling seed, but never in physical possession of it, than a record check must be carried out at least every 5 years.

The Scottish Register of Licensed Professional Seed Operators can be found at:

<http://www.sasa.gov.uk/document-library/public-register-seeds-merchants-processors-packers>

## Licensed Crop Inspectors

Field inspections to check that a crop meets the EU field standards, can be carried out by either an RPID Official or by a licensed crop inspector. Individuals who want to become or maintain a crop inspector's licence are required to demonstrate that they have the knowledge and expertise needed to undertake a field inspection and this is achieved by sitting an exam every 5 years. As well as setting the exam, SASA also provide training courses on a species by species basis.

EU legislation specifies that at least 5% of crops which have had a licensed field inspection will be checked by RPID Officials.

For the register of Scottish licensed crop inspectors please go to:

<http://www.sasa.gov.uk/document-library/scottish-register-licensed-cereal-crop-inspectors>

## Licensed Seed Samplers

Scottish Government can provide an RPID Official to take an official representative sample of a seed lot being entered for certification. However, most companies have their own licensed seed samplers. These individuals will have attended a seed sampling workshop at SASA, after which they will have undergone an examination to demonstrate their skills and knowledge. To check that licensed seed samplers maintain their expertise, they must re-sit the exam every 5 years. To comply with EU requirements, RPID / SASA staff take check samples from the seed lot, in as short a time after the original was sampled by the licensed seed sampler. At least 5% of all seed samples taken by licensed seed samplers are checked annually.

For the register of Scottish licensed seed samplers please go to:

<http://www.sasa.gov.uk/document-library/seed-samplers-scotland>

## Licensed Seed Testing Stations (LSTS)

The OSTS is responsible for the seed testing of all seed lots that are entered for certification in Scotland. The seed testing can be undertaken at one of the four LSTS, under supervision of the OSTS.

The staff undertaking the testing are all trained and examined at a UK level. Individuals can sit a number of seed divisions, which cover various agricultural and horticultural species. The OSTS check the proficiency of the individual seed analysts throughout the year using proficiency tests and check testing. A minimum

of 5% of seed will be selected at random, tested by the OSTs and the LSTs & OSTs results compared.

The LSTs are audited to ensure that there is the appropriate number of trained staff for the testing being carried out, as well as the appropriate equipment, record keeping and facilities/premises to meet the conditions of their license.

## Courses and Exams

In order to undertake any of the above licensed functions, Scottish Government provide training and refresher courses at SASA. Training courses are not obligatory, but are advisable, as applicants will be asked to demonstrate a range of skills and complete a written examination to show that they have the necessary knowledge.

Courses and exams are run on an annual basis, with licensed crop inspectors and seed samplers returning every 5 years to be re-examined.

Further information on seed courses and exams provided at SASA can be found at - <http://www.sasa.gov.uk/content/training-courses>

## Other Certification Authorities in the UK

### ***England and Wales***

Animal and Plant Health Agency (APHA)  
Seed Certification and Marketing and ISO Team  
Variety and Seeds  
Eastbrook,  
Shaftesbury Road,  
Cambridge,  
CB2 8DR

02080 265 869

### ***Northern Ireland***

Department of Agriculture, Environment and Rural Affairs  
Environmental Farming Branch  
Room 651  
Dundonald House  
Ballymiscaw  
Upper Newtownards Road  
Belfast  
BT4 3SB

Tel: 02890 524 876

## RESPONDENT INFORMATION FORM

**Please Note** this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (without name)  
 Do not publish response

**Information for organisations:**

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No

# Partial Business and Regulatory Impact Assessment

## **Title of Proposal**

The Seed (Fees) (Scotland) Regulations 2017

## **Purpose and Intended Effect**

### **Background**

Seeds regulations implement European law, allowing certain kinds of agricultural seeds to be marketed. Only after official or licensed examination can the seed being certified as meeting specific minimum seed quality standards, and therefore be marketed. This process ensures that farmers and growers receive seed of a minimum known quality.

### **Objective**

In their role as an official service provider / supervisor for seeds marketing, Scottish Government has an obligation to ensure full-cost recovery for all the services it provides, which includes field inspection of crops, testing of seed and the training and examination of people who undertake these activities. Within the Scottish Government, Science and Advice for Scottish Agriculture (SASA) and the Rural Payments Inspection Directorate (RPID) are responsible for carrying out the technical and administrative work associated with seed certification.

### **Rationale for Government intervention**

This work contributes to the Scottish Government's *Wealthier and Fairer* strategic objective by creating a high quality public service, which we are continually improving and looking at way of make cost efficiency savings that still allows for sustainable future growth for the seed industry in Scotland. It also ensures that the cost of public services is met by those who benefit directly and the cost to Government is neutral.

## **Consultation**

### **Within Government**

Scottish Government's policy team have consulted with SASA; who working closely with RPID and the Official Seed Testing Station (OSTS) Scotland, have reviewed the processes and procedures to provide the information contained within this BRIA. SASA have provided the cost for undertaking this work and predicted the increases required to make full cost recovery in seed certification year 2017/18.

### **Public Consultation**

This partial BRIA will accompany the 12 week consultation which will be issued on the 3 March 2017. The consultation documents will be sent electronically and by post to all interested parties registered with Scottish Government (~130 businesses /individuals). An electronic copy will also be placed on the Scottish Government and SASA websites. No informal consultation has taken place.

### **Business**

During the consultation period, Scottish Government are to meet with National Farmers Union of Scotland, Agricultural Industries Confederation (AIC) Scotland and

# Partial Business and Regulatory Impact Assessment

the Scottish Seed Trade Association (SSTA). The review of seed fees is on the agenda. (24 April)

Further to this, in line with Scottish Governments Better Regulation practises, around 10 to 12 individuals / companies will be interviewed, in order for Scottish Government to establish what these proposed changes will mean to their business.

## Fee Structure Options

To meet the stated aim of introducing a full cost recovery regime for the seed certification, seed testing and associated functions, we have considered the following options:

**1. Maintain the status quo, no increases in fees.**

No change, will not achieve full cost recovery and any deficits will continue to rise. Essentially, failing to make full cost recovery means the Scottish tax payers subsidising services that should be covered by the industry using it.

**2. Increase fees to achieve full cost recovery in financial year 2017/18.**

This option would deliver the Scottish Government's aims to recover the full cost of the service. Fees would increase so that those who benefit from the service (i.e. licensed personnel within the seed industry) would be required to meet the true costs of providing a Scottish seed certification scheme.

Over the last 2 years SASA have implemented a number of cost savings, which last year lead to minimum or in some cases no increase in fees.

MySEEDS –

SASA has developed a new database SEEDS, which combines seed testing and seed certification data. As part of the development, SASA also launched a customer facing portal called MySEEDS, which allows certification applicants, to enter seed lots, crops, view seed test results and other functions online.

SASA have consulted with the seed trade and through the project have met regularly with a group of stakeholders to help develop and assess each phase of the build, to ensure that it delivers for both SASA and for the service users.

Since MySEEDS went live in 2015 there has been a good uptake of the system and over the past 6 months almost 75% of seed lot applications, notifications and crop entries have been made on line.

SASA are now in a position to begin to pass on savings in staff time accrued through this level of uptake by the industry, and in the first instance it is proposed that fees relating to these functions are held at 2015 levels.

Although SASA continue to review ways in which we can make savings, inflation and a slight increase in staff charges, means that there is a need to increase fees by 1.8% this year to allow for full cost recovery.

# Partial Business and Regulatory Impact Assessment

## Preferred Option

Option 2 is preferred by the Scottish Government. A 1.8% increase in line with CPI to allow Scottish Government to make full cost recovery on the services provided.

## Sectors and groups affected

- Professional Seed Operators
  - Seed Merchants
  - Seed Processors
  - Seed Packers
- *Licensed Seed Testing Stations (LSTS)*
- Licensed Seed Samplers
- Licensed Crop inspectors
- Farmers

Based on the information we hold, an estimate of costs and the impact a 1.8% increase will have on a 30 tonne seed lot of cereal and a 10 tonne seed lot of Timothy is attached in (**Annex D**).

## Scottish Firms Impact Test

To obtain a better understanding of what these proposed increases will mean for Scottish individuals / companies, Scottish Government will need to speak to a cross section of the seed industry. Interviews will take place during April/May and our findings will be summarised in the Final BRIA, which will be published along with a summary of the responses we receive.

- **Competition Assessment**  
We do not anticipate any impact on competition; however we will update this section after interviews with industry.
- **Test run of business forms**  
No new forms for business to fill in will be introduced as a result of our proposals.

## Legal Aid Impact Test

Having consulted with the Legal Aid Team, we do not anticipate that the contents of this BRIA will impact the Legal Aid Fund.

## Enforcement, sanctions and monitoring

The Scottish Government Accounting System (SEAS) team, SASA & the OSTs Scotland all work together to insure invoices are issued timeously. The normal action for non-paid invoices is used by the SEAS team for any statutory services not paid for by an individual or company after the time allotted.

Non-compliance result in companies or individuals being put on a client blacklist. Failure to pay for a service means no further work is carried out by the Certifying Authority or by the OSTs.

# Partial Business and Regulatory Impact Assessment

## **Implementation and delivery plan**

Any increase will be implemented by way of The Seed (Fees) (Scotland) Regulations 2017, with the exception of the seed testing fees. Section 24(4) of the Plant Varieties and Seeds Act 1964, provides Scottish Ministers with powers to allow the Official Seed Testing Station for Scotland (SASA) to make charges.

The proposed increase of 1.8% fees would come into force on the 1 July 2017.

## **Post-implementation review**

Scottish Ministers have given their assurance to the Rural Affairs, Climate Change and Environment Committee, that the statutory fees charged for seed testing, seed certification, and associated licensed activities should be reviewed on an annual basis.

## **Summary and recommendation**

Scottish Government preferred option is **Option 2** - A 1.8% increase, which will reduce the deficit that SASA/RPID currently have for providing seed certification and seed testing services. The proposed increase is anticipated to bring full cost recovery.

## **Summary costs and benefits table**

This section will be updated at Final BRIA stage

# Partial Business and Regulatory Impact Assessment

## **Declaration and publication**

I have read the impact assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact will be assessed with the support of businesses in Scotland.

**Signed:**

**Date:**

**Minister's name, title etc\***

**Scottish Government Contact point:**

Carol Scott

Ext. 49504

## Partial Business and Regulatory Impact Assessment

**Annex D** Example of a 1.8% increase on a 30 tonne seed lot of cereal seed.

Statutory Service/Function	Fee- 2016 Fees	Cost per tonne of Seed (assuming 30 tonne lot)	Fee- 2017 Fees	Cost per tonne of Seed (assuming 30 tonne lot)	Fee- 2017 Fees Using MySEEDS	Cost per tonne of Seed (assuming 30 tonne lot)
Initial Fees	£4.25 per Hectare	£0.85	£4.33 per Hectare	£0.87	£4.25 per Hectare	£0.85
Crop Inspection Fee	£18.80 per Hectare	£3.75	£19.14 per Hectare	£3.83	£19.14 per Hectare	£3.83
Seed Lot Fee	£33.00 per seed lot	£1.10	£33.59 per seed lot	£1.12	£33.00 per seed lot	£1.10
Sampling Fee	£50.12 per seed lot	£1.67	£51.02 per seed lot	£1.70	£51.02 per seed lot	£1.70
Seed Testing – HVS test, 100 Seed STZ and moisture content	£73.68	£2.46	£75.01	£2.50	£75.01	£2.50
Labels		£1.00		£1.00		£1.00
Seals		£1.00		£1.20		£1.20
Bags		£8.00		£8.00		£8.00
<b>Fee Cost per tonne</b>		<b>£9.83</b>		<b>£10.02</b>		<b>£9.98</b>
						Saving £0.04/tonne
<b>Total cost of Certification per tonne</b>		<b>£19.83</b>		<b>£20.22</b>		<b>£20.18</b>

## Partial Business and Regulatory Impact Assessment

### Annex D - Grasses

Grasses costings example (only Scots Timothy grown and Certified in Scotland)						
Statutory Service/Function	Fee- 2016 Fees	Fee (per tonne, assuming 10 tonne lot)	Fee- 2017 Fees	Cost per tonne of Seed (assuming 10 tonne lot)	Fee- 2017 Fees Using MySEEDS	Cost per tonne of Seed (assuming 10 tonne lot)
Initial Fees	4.25 per ha	3.19	£4.33 per Hectare	£3.25	4.25 per ha	3.19
Crop Inspection Fee	18.80 per ha	14	£19.14 per Hectare	£14.26	£19.14 per Hectare	£14.26
Seed Lot Fee	33	3.3	£33.59 per seed lot	£3.36	33	3.3
Seed Lot Re-Entry Fee	35	3.50 (not applied)				
Sampling Fee	50.12	5.01	£51.02 per seed lot	£5.10	£51.02 per seed lot	£5.10
Seed Testing	75,60	7.56	£76.96 per seed lot	£7.70	£76.96 per seed lot	£7.70
HVS verification	7	not applicable				
<b>Fee cost per tonne</b>		<b>£33.06</b>		<b>£33.67</b>		<b>£33.55</b>
						Saving £0.12/tonne

## SCHEDULE 1

## Fees for Matters Relating to the Seed Marketing Regulations

Matter (1)	(2) Current Fee	(3) Proposed Fee	(4) Change
	£	£	%
<b>A. Initial Fees</b>			
Initial fee per hectare or part thereof for crops intended to produce:-			
(i) Pre-Basic Seed or Basic Seed	29.60	<b>30.13</b>	<b>1.80</b>
(i)a Pre-Basic Seed or Basic Seed (*application submitted through MySEEDS)	29.60	<b>29.60</b>	<b>0.00</b>
(ii) Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation.	4.25	<b>4.33</b>	<b>1.80</b>
(ii)a Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation. (*application submitted through MySEEDS)	4.25	<b>4.25</b>	<b>0.00</b>
<b>B. Initial Fee Refund or Part Thereof</b>			
(i) Where an application is withdrawn before arrangements have been made for the purposes of an official examination, the initial fee shall—			
(a) be reduced to the sum of £2.80 per hectare or part thereof, and	2.75	<b>2.80</b>	<b>1.80</b>
(b) otherwise not be due (and if already paid will be repaid).			
<b>C. Late Application Fees</b>			
(i) Where an application is not made by the applicable date, a fee per crop will be charged in addition to the appropriate initial fee	29.00	<b>29.52</b>	<b>1.80</b>
(ii) Where an initial fee has been charged and arrangements have been made for an official examination to be carried out by a licensed crop inspector, and the applicant subsequently requests that the examination be carried out instead by the Scottish Ministers, a fee per crop will be charged by the Scottish Ministers in addition to the appropriate crop inspection fees	29.00	<b>29.52</b>	<b>1.80</b>
<b>D. Crop Inspection Fees</b>			
(i) Fee for the official examination of crops intended to produce Pre-Basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation and Certified Seed of the Third Generation per hectare or part thereof examined.	18.80	<b>19.14</b>	<b>1.80</b>
(ii) Fee for the official field inspection of a hybrid of swede rape, per hectare or part thereof examined.	56.40	<b>57.42</b>	<b>1.80</b>
(iii) Fee for the further official examination of crops intended to produce Pre-Basic Seed, Basic Seed,	18.80	<b>19.14</b>	<b>1.80</b>

<b>Matter (1)</b>	<b>(2) Current Fee</b>	<b>(3) Proposed Fee</b>	<b>(4) Change</b>
	<b>£</b>	<b>£</b>	<b>%</b>
Certified Seed, Certified Seed of the First Generation, Certified Seed of the Second Generation or Certified Seed of the Third Generation, per hectare or part thereof examined, except:-			
(a) Further official examination of crops for wild oats, per hectare or part thereof examined	8.65	<b>8.81</b>	<b>1.80</b>
(b) Further official examination of crops in respect of isolation distance, per hectare or part thereof examined	3.40	<b>3.46</b>	<b>1.80</b>
(c) Further official examination of crops which have been lodged, per hectare or part thereof examined	7.65	<b>7.79</b>	<b>1.80</b>
(iv) Fee for authentication of seed lot sown, (where this has not been carried out at crop inspection), per crop	7.65	<b>7.79</b>	<b>1.80</b>
(v) Fee for the official examination of crops where there has been an official post control the results of which have been unsatisfactory, per hectare or part thereof examined	18.80	<b>19.14</b>	<b>1.80</b>
<b>E. Seed Lot Fee</b>			
Fee for the issuing an official certificate or a breeder's confirmation (other than in the circumstances described under paragraph D below) in respect of a seed lot certifying the seed lot to be:-			
(i) of a multiplication category	85.00	<b>86.53</b>	<b>1.80</b>
(i) of a multiplication category(*application submitted through MySEEDS)	85.00	<b>85.00</b>	<b>0.00</b>
(ii) of a final generation category	33.00	<b>33.59</b>	<b>1.80</b>
(ii) of a final generation category(*application submitted through MySEEDS)	33.00	<b>33.00</b>	<b>0.00</b>
<b>F. Seed Lot Re-entry Fee</b>			
Fee for issuing an official certificate or a breeder's confirmation in respect of a seed lot where, following an application for certification of the seed to be within one particular category, that application has been withdrawn and a new application has been submitted for certification of the seed within another category, as follows:			
(i) Pre-Basic Seed, Basic Seed, Certified Seed, Certified Seed of the First Generation	35.00	<b>35.63</b>	<b>1.80</b>
(ii) Certified Seed of the Second Generation or Certified Seed of the Third Generation	17.45	<b>17.76</b>	<b>1.80</b>
<b>G. Sampling Fees</b>			
Fee for sampling or re sampling of a Seed lot for the purposes of an official examination, and for sampling or resampling imported Seed intended for further multiplication	50.12	<b>51.02</b>	<b>1.80</b>
<b>H. Official Label Fee</b>			
Fee per seed lot for the issue and printing of a:-			
(i) Tear resistant label for breeder's confirmation seed,	40.50	<b>41.23</b>	<b>1.80</b>

<b>Matter (1)</b>	<b>(2) Current Fee</b>	<b>(3) Proposed Fee</b>	<b>(4) Change</b>
	<b>£</b>	<b>£</b>	<b>%</b>
Pre-Basic Seed or seed for export			
(ii) Self-adhesive label for breeder's confirmation seed, Pre-Basic Seed or seed for export	28.00	<b>28.50</b>	<b>1.80</b>
<b>I. OECD Certificate</b>			
Fee per certificate for issuing an Organisation for Economic Co-operation and Development (OECD) Certificate	25.00	<b>25.45</b>	<b>1.80</b>
<b>J. Higher Voluntary Standard</b>			
Fee per seed lot for verification that a seed lot meets the applicable Higher Voluntary Standards (HVS)	7.00	<b>7.13</b>	<b>1.80</b>

## SCHEDULE 2

## Matters Arising Under the Seeds (Licensing and Enforcement etc.) (Scotland) Regulations 2016

Matter (1)	(2) When Payable	(3) Current Fee	(4) Proposed Fee	(5) % Change
<b>A. Representations by, and hearings of, a seed merchant, processor or packer, licensed crop inspector, licensed seed sampler or personnel pertaining to a licensed seed testing station</b>				
		£	£	
(i) Fee for making written representations to the Scottish Ministers	On making representations	33.95	<b>33.95</b>	Nil
(ii) Fee for being heard by a person appointed by the Scottish Ministers	On applying to be heard	67.95	<b>67.95</b>	Nil
<b>B. Licensed Seed testing station</b>				
(i) Annual fee payable during the currency of the licence (or a proportion thereof in respect of a part of a year)	Within one month of demand by or on behalf of the Scottish Ministers, annually in advance	1650	<b>1650</b>	Nil
(ii) Fee payable by a licensed seed testing station in respect of an official examination of seed.	Within one month of demand by or on behalf of the Scottish Ministers, annually in arrears	7.50	<b>7.50</b>	Nil
<b>C. Cereal Crop Inspection Courses and Examination</b>				
Fee for:-	Fee payable within one month of demand by or on behalf of the Scottish Ministers			
(i) Cereal Crop inspection course		618.00	<b>629.12</b>	1.80
(ii) Initial examination and compulsory re-test:				
(a) all 3 species groups		96.70	<b>98.44</b>	1.80
(b) 2 species		71.20	<b>72.48</b>	1.80
(c) 1 species only		35.60	<b>36.24</b>	1.80
<b>D. Seed Sampling Courses and Examination</b>				
Fee for:-	Fee payable within one month of demand by or on behalf of the Scottish Ministers			
(i) Tuition and examination for seed samplers licence (administrative and sampling elements)		415.00	<b>422.47</b>	1.80

<b>Matter (1)</b>	<b>(2) When Payable</b>	<b>(3) Current Fee</b>	<b>(4) Proposed Fee</b>	<b>(5) % Change</b>
		£	£	
(ii) Tuition and examination for seed samplers licence (administrative element only)		124.50	<b>126.74</b>	1.80
(iii) Re-examination fee for seed samplers license with sampling function enabled		36.30	<b>36.95</b>	1.80
(iv) Re-examination fee for seed samplers license with sampling function not enabled		10.40	<b>10.59</b>	1.80
<b>E. Seed Analyst Courses and Examination</b>				
Fee for:	Fee payable within one month of demand by or on behalf of Scottish Ministers			
(i) Laboratory management course registration		1093.00	<b>1,112.67</b>	1.80
(ii) Laboratory management course attendance and examination (per day or part thereof)		412.00	<b>419.42</b>	1.80
(iii) Analyst course registration		1809.00	<b>1,841.56</b>	1.80
(iv) Analyst course registration – additional and retake divisions (per division)		176.00	<b>179.17</b>	1.80
(v) Analyst course attendance (per day or part thereof. Number of days depends on division)		412.00	<b>419.41</b>	1.80
(vi) Analyst course examination (per day or part thereof)		412.00	<b>419.42</b>	1.80
(vii) Tetrazolium testing course attendance (per day or part thereof)		426.00	<b>433.67</b>	1.80
(viii) Tetrazolium testing examination (per day or part thereof)		426.00	<b>433.67</b>	1.80

## Annex C: FEES CHARGED BY THE OFFICIAL SEED TESTING STATION FOR SEED TESTING – CEREALS

CEREALS	(1) Current fee	(2) Current fee	(3) Proposed	(4) Proposed fee	(5) Percentage
	EU Level	UK HVS Level	fee EU Level	UK HVS Level	change
	<u>EU</u>	<u>HVS</u>			
<b>Fee for an official examination of seed for:</b>					
Certification tests (analytical purity, determination of other seeds by number and germination).	55.10	68.67	56.09	69.91	1.8%
Certification tests (analytical purity, determination of other seeds by number, germination and moisture content).	58.63	72.83	59.69	74.14	1.8%
Certification tests (analytical purity, determination of other seeds by number and moisture content).	40.36	51.37	41.09	52.29	1.8%
<b>Certification by STZ</b>					
Certification tests (analytical purity, determination of other seeds by number, 100 seed STZ).	55.96	69.62	56.97	70.87	1.8%
Certification tests (analytical purity, determination of other seeds by number, 100 seed STZ and moisture content).	59.59	73.68	60.66	75.01	1.8%
Certification tests (analytical purity, determination of other seeds by number, 100 seed STZ followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met).	77.10	90.77	78.49	92.40	1.8%

Certification tests (analytical purity, determination of other seeds by number, 100 seed STZ followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met and moisture content).	80.73	94.83	82.18	96.54	1.8%
Certification tests (analytical purity, determination of other seeds by number, 200 seed STZ).	73.58	89.91	74.90	91.53	1.8%
Certification tests (analytical purity, determination of other seeds by number, 200 seed STZ and moisture content)	77.10	94.08	78.49	95.77	1.8%
Certification tests (analytical purity, determination of other seeds by number, 200 seed STZ followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met).	94.72	111.06	96.42	113.06	1.8%
Certification tests (analytical purity, determination of other seeds by number, 200 seed STZ followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met and moisture content).	98.24	115.23	100.01	117.30	1.8%
Certification tests (analytical purity, determination of other seeds by number, 400 seed STZ)	111.27	133.27	113.27	135.67	1.8%
<b>Fee for an official examination of seed for:</b>					
Certification tests (analytical purity, determination of other seeds by number, 400 seed STZ and moisture content).	114.8	137.33	116.87	139.80	1.8%
Certification tests (analytical purity, determination of other seeds by number, 400 seed STZ followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met).	132.41	154.41	134.79	157.19	1.8%

EU certification tests (analytical purity, determination of other seeds by number, 400 seed STZ followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met and moisture content).	135.94	158.47	138.39	161.32	1.8%
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**HVS Verification**

A search of an EU certified sample for designated species to assess compliance with Higher Voluntary standards (HVS) standard for wheat, durum wheat, spelt wheat, barley and oats and red oat.	44.96	-	45.77	-	1.8%
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**Fee for individual or additional tests**

100 seed STZ test on a certification sample.	31.39	31.39	31.96	31.96	1.8%
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100 seed STZ test on a certification sample followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met.	52.54	52.54	53.49	53.49	1.8%
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200 seed STZ test on a certification sample.	60.23	60.23	61.31	61.31	1.8%
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200 seed STZ test on a certification sample followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met.	81.37	81.37	82.83	82.83	1.8%
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400 seed STZ test on a certification sample.	121.73	121.73	123.92	123.92	1.8%
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400 seed STZ test on a certification sample followed by a germination test when the STZ result does not remove doubt as to whether the germination standard will be met.	130.06	130.06	132.40	132.40	1.8%
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An analytical purity test on a certification sample.	25.53	25.53	25.99	25.99	1.8%
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An analytical purity test and a moisture content test on a certification sample.	30.01	30.01	30.55	30.55	1.8%
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An additional 2kg seed search for wild oats on a certification sample	83.08	83.08	84.58	84.58	1.8%
Fee for an official examination of certified seed for loose smut infection of wheat, durum wheat, spelt wheat and barley (per thousand embryos examined).	50.51	50.51	51.42	51.42	1.8%
Moisture content test only on certification sample.	5.77	5.77	5.87	5.87	1.8%
Germination test only on certification sample.	30.01	30.01	30.55	30.55	1.8%
<b>Fee for provision of an International Certificate</b>					
Orange International Certificate (including sampling)	66.14	66.14	67.33	67.33	1.8%
Orange International Certificate	16.02	16.02	16.31	16.31	1.8%
Blue International Certificate.	16.02	16.02	16.31	16.31	1.8%

## FODDER

	(1) Current fee	(2) Proposed fee	(3) Percentage change
<b>Fees for an official examination of seed for:-</b>			
Analytical purity, germination and determination of other seeds by number of:			
(a) grasses, except timothy	101.77	103.60	1.8%
(b) timothy	75.60	76.96	1.8%
(c) large seeded legumes	58.52	59.57	1.8%
(d) small seeded legumes	71.02	72.30	1.8%

(e) brassicas	77.00	78.39	1.8%
Bitter Lupin Test.	43.57	44.35	1.8%
<b>HVS Verification</b>			
Fee for a search for designated species to assess compliance with HVS standards for appropriate species	44.96	45.77	1.8%
<b>Fee for provision of an International Certificate</b>			
Orange International Certificate (including sampling).	66.14	67.33	1.8%
Orange International Certificate	16.02	16.31	1.8%
Blue International Certificate	16.02	16.31	1.8%

## OIL AND FIBRE PLANT SEEDS

	(1) Current fee	(2) Proposed fee	(3) Percentage change
<b>Fees for an official examination of seed for:–</b>			
Analytical purity, germination and determination of other seeds by number, of <b>sunflower, linseed, flax, soya bean and hemp.</b>	64.61	65.77	1.8%
Analytical purity, germination and determination of other seeds by number of <b>Brassica</b> species.	77.00	78.39	1.8%

### Seed-borne Disease Tests

Sunflowers for <i>Botrytis</i> spp.	59.16	60.22	1.8%
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**Flax and linseed for –**

(a) <i>Alternaria</i> spp.		48.59	49.46	1.8%
(b) <i>Phoma exigua</i> var. <i>linicola</i> ( <i>Ascochyta linicola</i> ).				
(c) <i>Colletotrichum lini</i>				
(d) <i>Fusarium</i> spp.				
(e) <i>Botrytis</i> spp.				

**Soya bean for *Pseudomonas syringae* pv. *glycinea* spp. –**

(a) for one sub-sample test.	84.79	86.32	1.8%
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(b) for five sub-sample tests.	282.55	287.64	1.8%
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<b>Soya bean for <i>Diaporthe phaselorum</i> spp.</b>	52.97	53.92	1.8%
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**Fee for provision of an International Certificate**

Orange International Certificate (including sampling).	66.14	67.33	1.8%
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Orange International Certificate.	16.02	16.31	1.8%
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Blue International Certificate.	16.02	16.31	1.8%
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## BEET SEEDS

	(1) Current fee	(2) Proposed fee	(3) Percentage change
<b>Fee for an official examination of seed for:-</b>			
Analytical purity, germination and determination of other seeds by number.	67.81	69.03	1.8%
Includes: Number of seedlings germinating from a cluster in monogerm and precision seeds.			
<b>Fee for provision of International Certificates</b>			
Orange International Certificate (including sampling).	66.14	67.33	1.8%
Orange International Certificate.	16.02	16.31	1.8%
Blue International Certificate.	16.02	16.31	1.8%

## VEGETABLE SEEDS

	(1) Current fee	(2) Proposed fee	(3) Percentage change
<b>Fee for an official examination of seed for:-</b>			
Analytical purity, germination and maximum content of other seeds.	58.52	59.57	1.8%
<b>Fee for provision of International Certificates</b>			

Orange International Certificate (including sampling).	66.14	67.33	1.8%
Orange International Certificate.	16.02	16.31	1.8%
Blue International Certificate.	16.02	16.31	1.8%



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