



A guide to non-organic seed derogations

This technical leaflet is designed to assist OF&G registered producers when applying for non-organic seed derogations

Background

The regulation that allows the use of non-organic seeds (this includes vegetative propagating material) expires on 31st December 2003 and will be replaced by a new regulation that will come into force from 1st January 2004.

The new regulation requires the creation of an Annex to which will be added species that are regarded as having an adequate number of organic varieties available. Any species added to this Annex will not be eligible for a non-organic seed derogation except where the variety requested is to be used for research or small-scale field trials or for variety conservation purposes.

For species not listed on the Annex non-organic seed derogations will only be given under the following conditions:

1. Produced without the use of GMOs and/or any products derived from GMOs;
2. Not treated with plant protection products other than those permitted in OF&G Control Manual section 7.12 *unless* treatment has been prescribed in accordance with a Defra requirement for plant health purposes. **This means that we cannot derogate treated seed from 1/1/2004.**

Derogations for non-organic seed will only be granted in the following circumstances:

- a. If no variety of the requested species is listed in the database (see below);
- b. If no supplier is able to deliver the seed or seed potatoes before sowing or planting in situations where the user has ordered the seed in reasonable time;
- c. If a variety is not registered in the database, the licensee must demonstrate that other varieties of the same species that *are* registered in the database are not appropriate;
- d. If it is justified for use in research, in small –scale field trials or for variety conservation purposes.

The derogation must be granted before the sowing of the crop and shall only be granted to individual users for one season at a time.

Sowing non-organic seed without having an approved derogation may result in decertification of the crop involved.

Database of available organic seeds

Derogation applications are checked against an organic seed availability database. If the species requested is found to be available, the derogation request will be refused unless you can provide detailed justification as to why each of the organic varieties available is not suitable. If you are in any doubt about the availability of organic seed please check on www.cosi.org.uk or call the OF&G office on 0845 3305122 as we can tell you about the availability of organic seed and provide a list of organic seed suppliers.

The situation for 2004

Potatoes

100% organic seed must be used.

Cereals

Due to the quantity of organic cereal seed that is available, derogations will only be granted if you can provide detailed justification as to why each of the organic varieties available is not suitable.

Grass & Forage mixtures

Providing your grass or forage mixture contains a minimum of 50% organic seed, you do not need to apply for a derogation before drilling. **However, a derogation must be applied for, and approved, before your next annual inspection.**

Applying for a Derogation to use non-organic seed

Derogations must be applied for using the relevant derogation form.

We will return derogations that are not applied for on the correct form. Please take a copy of the relevant form from your Control Manual, do not send us the original.

Mixtures; Record Sheet 4, Page 16, Section 6 of the OF&G Control Manual.

Single varieties; Record Sheet 4, Page 17, Section 6 of the OF&G Control Manual.

Record Sheet 4 is also on the OF&G website, www.organicfarmers.uk.com which you can print and complete then send to us. We are working towards you being able to complete and submit these forms on line.

When applying for a non-organic seed derogation, it is important that you supply all of the required information. Failure to do this may result in the derogation being returned for proper completion, thus increasing the processing time of the application.

It is important to complete all sections of the form, including the Species, Variety and Total quantity to be used for each seed requiring derogation. We now ask that you tell us the field numbers that the derogated seed is to be sown in and it is important that we have the sowing date. **With seed mixtures it is important to list all the components in the mixtures, including the organic components and their corresponding quantities and all the varieties in clover blends.**