
STATUTORY INSTRUMENTS

2015 No. 1953

The Seed Potatoes (England) Regulations 2015

Marketing of seed potatoes for test and trial purposes

9.—(1) The Secretary of State may authorise marketing of seed potatoes for tests or trials carried out at agricultural enterprises to gather information on the cultivation or use of a variety of potato species in accordance with this regulation and Schedule 5.

(2) The Secretary of State may not authorise marketing—

- (a) of an amount of seed potatoes in excess of that permitted by Article 7 of the Decision;
- (b) of seed potatoes which contain any genetically modified material unless that material is authorised under the Food and Feed Regulation or Part C of the Deliberate Release Directive.

(3) An application for authorisation or renewal of authorisation to market seed potatoes in accordance with paragraph (1) must be made in writing to the Secretary of State and must be accompanied by such information as the Secretary of State may require.

(4) Authorisation given in accordance with paragraph (1), or the renewal of such authorisation, is for a period of one year or such shorter period as the Secretary of State may specify.

(5) In authorising marketing in accordance with paragraph (1), the Secretary of State may impose such conditions as the Secretary of State thinks necessary or desirable having regard to the nature of the tests or trials and the nature of the seed potatoes to which the application relates, including a condition relating to the keeping of records in respect of the marketing of the seed potatoes.

(6) Authorisation given in accordance with paragraph (1) ceases to have effect where—

- (a) the application referred to in paragraph (3)(a) of Schedule 5 is withdrawn or rejected in accordance with the National Lists Regulations; or
- (b) the variety of potato species to which the authorisation relates is entered in a National List or the Common Catalogue.

(7) The Secretary of State may withdraw authorisation given in accordance with paragraph (1) where there is a breach of any condition referred to in paragraph (5).

(8) The Secretary of State may require the person to whom authorisation has been given in accordance with paragraph (1) to provide information about—

- (a) the results of the tests or trials to which the authorisation relates;
- (b) the quantities of seed potatoes marketed during the authorised period and the name of the member State in which the seed potatoes are intended to be marketed.