

SCHEDULE 4

Regulations 2(1), 8(2)(c), 12(a) and
Schedule 6 paragraph 4(1)(a)

REQUIREMENTS AS TO VARIETAL PURITY AND SIZE

Requirements as to varietal purity and size

1. For the purposes of regulation 8(2)(c), the requirements, if any, set out in paragraphs 2, 3 and 4 as to the varietal purity or minimum size of or maximum variation in size between tubers in a lot of seed potatoes are specified in relation to any lot of seed potatoes to which those paragraphs respectively apply.

Pre-basic TC and equivalent seed potatoes

2.—(1) This paragraph applies—

- (a) to seed potatoes classified under these Regulations as being of the class Pre-basic TC; and
- (b) to pre-basic seed potatoes produced outside Scotland which are approved by Scottish Ministers as being equivalent to that class.

(2) In the case of seed potatoes to which this paragraph applies there shall be no deviation from variety.

Pre-basic 1 and Pre-basic 2 and equivalent seed potatoes

3.—(1) This paragraph applies—

- (a) to seed potatoes classified under these Regulations as being of the class Pre-basic 1 or Pre-basic 2; and
- (b) to seed potatoes produced outside Scotland which are approved by Scottish Ministers as being equivalent to that class.

(2) Subject to sub-paragraphs (3) and (4), in the case of seed potatoes to which this paragraph applies—

- (a) there shall be no deviation from variety;
- (b) the minimum size is 25 millimetres; and
- (c) the maximum variation in size between tubers in a lot is 25 millimetres.

(3) For the purposes of determining whether any a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(a), the variety of any seed potatoes shall be deemed to be as stated on the official label in respect of the lot, if, on a sample taken in accordance with regulation 16(3) and Schedule 9, the proportion of the weight of potatoes which deviate from variety does not exceed 0.01% of the total weight of the sample.

(4) For the purposes of determining whether any a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(b) or (c), the size of any seed potatoes shall be deemed to be as stated on the official label in respect of the lot, if, on a sample taken in accordance with regulation 16(3) and Schedule 9, the proportion of the weight of the potatoes which are—

- (i) smaller than the minimum size stated on the official label; and
- (ii) larger than the maximum size stated on the official label,

does not exceed 2% of the total weight of the sample.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Basic seed potatoes

4.—(1) This paragraph applies to basic seed potatoes.

(2) Subject to sub-paragraphs (3) and (4), in the case of seed potatoes to which this paragraph applies—

- (a) there shall be no deviation from variety;
- (b) the minimum size is 25 millimetres; and
- (c) the maximum variation in size between tubers in a lot is 25 millimetres.

(3) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(a), the variety of any seed potatoes shall be deemed to be as stated on the official label in respect of the lot, if, on a sample taken in accordance with regulation 16(3) and Schedule 9, the proportion of the weight of potatoes which deviate from variety does not exceed 0.1% of the total weight of the sample.

(4) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(b) or (c)—

- (a) in the case of seed potatoes produced in the United Kingdom, the size of any seed potatoes shall be deemed to be as stated on the official label in respect of the lot if on a sample taken in accordance with regulation 16(3) and Schedule 9, the proportion of the weight of potatoes which are—
 - (i) smaller than the minimum size stated on the official label; and
 - (ii) larger than the maximum size stated on the official label,does not exceed 2% of the total weight of the sample; and
- (b) in the case of seed potatoes produced outside Scotland and not in the United Kingdom, the size of any seed potatoes shall be deemed to be as stated on the official label in respect of the lot if on a sample taken in accordance with regulation 16(3) and Schedule 9, the proportion of the weight of potatoes which are—
 - (i) smaller than the minimum size stated on the official label, does not exceed 3%; and
 - (ii) larger than the maximum size stated on the official label, does not exceed 3%,of the total weight of the sample.