
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 395

The Seed Potatoes (Scotland) Regulations 2015

PART II

MARKETING OF SEED POTATOES

General provisions on the marketing of seed potatoes

- 4.—(1) No person may market seed potatoes—
- (a) as being of a higher grade;
 - (b) which have been treated with a product which is produced primarily as an application for inhibiting germination; or
 - (c) otherwise than in a closed—
 - (i) package or container which has not previously been used for any purpose; or
 - (ii) container which, having been previously used for any purpose, has been cleaned and disinfected since that previous use in accordance with the requirements of an authorised officer.
- (2) No person may market seed potatoes otherwise than in a lot which—
- (a) consists wholly of seed potatoes of the same grade; and
 - (b) meets the applicable requirements as to varietal purity and size specified in Schedule 3.
- (3) No person may market seed potatoes of a conservation variety unless—
- (a) the seed potatoes were produced in the United Kingdom;
 - (b) the variety is listed in the National List; and
 - (c) the person complies with the requirements of regulation 7.
- (4) No person may market any genetically modified seed potatoes unless it is clearly indicated in the sales catalogue of the person marketing those seed potatoes, and in any other marketing information or marketing representations provided by that person, that the seed potatoes have been genetically modified.
- (5) A person may market seed potatoes at the applicable Union grade or, as the case may be, at a lower grade.
- (6) Where a person markets seed potatoes and no field generation is indicated on the official label or on an official document, the field generation is deemed to be—
- (a) in the case of pre-basic seed potatoes, the fourth field generation; and
 - (b) in the case of basic seed potatoes in respect of which the applicable Union grade is—
 - (i) Union grade S, the fifth field generation;
 - (ii) Union grade SE, the sixth field generation; and
 - (iii) Union grade E, the seventh field generation.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Seed Potatoes (Scotland) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg. 4(3)(a) words substituted by S.S.I. 2019/59, reg. 16(4)(za)(i) (as inserted) by [S.S.I. 2020/445 reg. 17\(4\)\(a\)](#)
- reg. 4(3)(b) words substituted by S.S.I. 2019/59, reg. 16(4)(za)(ii) (as inserted) by [S.S.I. 2020/445 reg. 17\(4\)\(a\)](#)
- reg. 4(5) word substituted by S.S.I. 2019/59, reg. 16(4)(a) (as substituted) by [S.S.I. 2020/445 reg. 17\(4\)\(b\)](#)
- reg. 4(5) words inserted by [S.S.I. 2019/59 reg. 16\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 16(4)(a) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 17(4)(b))
- reg. 4(6)(b) substituted by [S.S.I. 2019/59 reg. 16\(4\)\(b\)](#)
- reg. 4(6)(b) word substituted in earlier amending provision S.S.I. 2019/59, reg. 16(4)(b) by [S.S.I. 2020/445 reg. 17\(4\)\(c\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- sch. 5A inserted by [S.S.I. 2019/59 reg. 16\(19\)](#)
- reg. 7(2A) inserted by [S.S.I. 2019/59 reg. 16\(7\)\(b\)](#)
- reg. 7(2A) words substituted in earlier amending provision S.S.I. 2019/59, reg. 16(7)(b) by [S.S.I. 2020/445 reg. 17\(7\)](#)
- reg. 11(1)(b)(i) word substituted in earlier amending provision S.S.I. 2019/59, reg. 16(10) by [S.S.I. 2020/445 reg. 17\(10\)\(a\)](#)
- reg. 11(1)(b)(iii) omitted in earlier amending provision S.S.I. 2019/59, reg. 16(10) by [S.S.I. 2020/445 reg. 17\(10\)\(c\)](#)
- reg. 11(1)(b)(ii) word inserted in earlier amending provision S.S.I. 2019/59, reg. 16(10) by [S.S.I. 2020/445 reg. 17\(10\)\(b\)](#)
- reg. 23A inserted by [S.S.I. 2019/59 reg. 16\(13\)](#)
- reg. 23A words substituted in earlier amending provision S.S.I. 2019/59, reg. 16(13) by [S.S.I. 2020/445 reg. 17\(12\)](#)