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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 395**

**The Seed Potatoes (Scotland) Regulations 2015**

**PART II**

**MARKETING OF SEED POTATOES**

**Marketing requirements – scientific and selection seed potatoes**

6.—(1) The Scottish Ministers may, subject to such conditions as they may determine, authorise a producer to market small quantities of seed potatoes produced in Scotland to be used for the purposes of scientific investigation or in the course of a process of selection by, or under the supervision of, an authorised officer.

(2) Where the Scottish Ministers grant an authorisation under paragraph (1) the producer may not market the scientific and selection seed potatoes otherwise than in accordance with the authorisation.

(3) In relation to seed potatoes containing genetically modified material, the Scottish Ministers may not grant or renew an authorisation under paragraph (1) unless they are satisfied that—

- (a) an authorisation is in force under Regulation 1829/2003 or Part C of Directive [2001/18/EC](#); and
- (b) the producer has taken all appropriate measures to avoid adverse effects on human health and the environment, in accordance with an environmental risk assessment carried out in accordance with Article 4(2) and Annex III of Directive [2001/18/EC](#).

(4) An application for an authorisation or renewal of an authorisation under paragraph (1) must be made in such form and manner and must include such information as the Scottish Ministers may require.

**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. 6(3) substituted by [S.S.I. 2019/59 reg. 16\(6\)](#)
- reg. 6(3)(a) words substituted in earlier amending provision S.S.I. 2019/59, reg. 16(6) by [S.S.I. 2020/445 reg. 17\(6\)](#)

**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\(12\)](#)