
STATUTORY INSTRUMENTS

1994 No. 2592

The Seed Potatoes (Amendment) Regulations 1994

Amendment of the Seed Potatoes Regulations 1991

2.—(1) The Seed Potatoes Regulations 1991((1)) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2 (interpretation) there shall be inserted in the appropriate places the following definitions:—

““Community grade” in relation to basic seed potatoes means one of the grades determined by Commission Directive [93/17/EEC](#) determining Community grades of basic(2);”;

““relevant authority” means the authority in the country or place where seed potatoes are produced which is concerned with the certification and classification of seed potatoes in that country or place;”.

(3) In regulation 6 (marketing of seed potatoes) after paragraph (2) there shall be added the following paragraph:—

“(3) Subject to the provisions of regulation 21, no person shall market any seed potatoes within the protected region other than basic seed potatoes of a Community grade.”.

(4) After regulation 7 (classification of seed potatoes) there shall be added the following regulation:—

“Grading of seed potatoes

7A.—(1) Basic seed potatoes marketed within the protected region shall be graded by an authorised officer into one of the Community grades.

(2) Basic seed potatoes marketed outside the protected region which fulfil the requirements of a Community grade may be graded by an authorised officer into that Community grade.”.

(5) In regulation 11(7) (labelling of packages) the word “or” shall be inserted between the words “official document,” and “any label”.

(6) In Schedule 1 (classification of seed potatoes)—

(a) in Part I, for paragraph 3(c) there shall be substituted the following:—

“(c) the land on which the seed potatoes are growing or were grown is land which is not contaminated with Wart Disease (*Synchytrium endobioticum*(Schilb.) Perc.) and has not been deemed in terms of Schedule 11 to the Plant Health (Great Britain) Order 1993((3)) to be part of a safety zone for the purpose of that Order;”;

(b) in Part II—

(i) for paragraph 4(a)(i) there shall be substituted the following:—

“(i) the land on which the seed potatoes are growing or were grown is land which as a result of an official soil test carried out prior to the planting of

(1) S.I.1991/2206; amended by S.I. 1992/1031 and 1993/1878.

(2) O.J. No.L106, 30.4.93, p.7.

(3) S.I. 1993/1320; to which there are amendments not relevant to these Regulations.

the crop has been found not to be contaminated with potato cyst nematode (*Globodera* species infecting potatoes); and if potato cyst nematode has been found on that land at any time during the period of 12 years immediately preceding the planting of the crop that—

- (aa) the land is no longer demarcated as infected with potato cyst nematode under Schedule 12 to the Plant Health (Great Britain) Order 1993;
 - (bb) six years have elapsed since the last positive finding; and
 - (cc) except as authorised by an inspector under paragraph 5 of Schedule 12 to the Plant Health (Great Britain) Order 1993, the land has not been used for growing potatoes at any time during the period of 11 years immediately preceding the planting of the crop; and”;
- (ii) in paragraph 4(b) for the words “article 22(3) of the Plant Health (Great Britain) Order 1987” there shall be substituted the words “article 18(4) of the Plant Health (Great Britain) Order 1993”;
- (c) in Part III, for paragraph 6(2)(a)(i) there shall be substituted the following:—
- “(i) the land on which the seed potatoes are growing or were grown is land which as a result of an official soil test carried out prior to the planting of the crop has been found not to be contaminated with potato cyst nematode; and the land is no longer demarcated as infected with potato cyst nematode under Schedule 12 to the Plant Health (Great Britain) Order 1993;”.
- (7) In paragraph 2 of Schedule 3 (classification of basic seed potatoes)—
- (a) in column 2 (requirements)—
 - (i) opposite the entries relating to classes VTSC 1, VTSC 2, Super Elite 1 (SE1), Super Elite 2 (SE2) and Super Elite 3 (SE3) there shall be added at the end—

“Provided that any of the above seed potatoes may also be derived from seed potatoes classified under a scheme or other arrangements referred to in paragraph 4(c)(ii) or (iii) of Schedule 1 as being seed potatoes which could be entered for the production of further seed potatoes for classification.”;
 - (ii) opposite the entry relating to class Elite 2 (E2) there shall be added at the end—

“Provided that any of the above seed potatoes may also be derived from seed potatoes which have been found to meet the requirements of Commission Directive [93/17/EEC](#) and which have been designated by the relevant authority as Community grade EEC1 or EEC2”;
 - (b) in column 3 (tolerances) opposite the entry relating to Class AA, for paragraph (ii) there shall be substituted the following paragraph:—

“(ii) total virus disease—1.0%”;
- (8) In Schedule 4 (official label etc) paragraphs 4 and 7 and in Schedule 6 (particulars to be specified in a sale note, etc.) after the entry relating to Class there shall be inserted “Community Grade (as appropriate)”.
- (9) In Schedule 5 (specified diseases, pests etc.)—
- (a) in column 1 for the description of “Blackleg” in each place where it occurs there shall be substituted the following:—

“Blackleg (*Erwinia carotovora*(Jones) Bergey et al. ssp *atroseptica*(Hellmers & Dowson) Dye) or *Erwinia chrysanthemi* Burkholder et al. or both”;

- (b) at the end of Group II in each of Parts I, II and III there shall be inserted the following:–
“Provided that in respect of seed potatoes of a Community grade marketed in Great Britain the individual tolerances listed in column 2 and the group tolerances listed in column 3 shall not exceed 0.5%.”.