
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Seed Potatoes Regulations 1991, S.I.1991/2206, as amended by S.I. 1992/1031, 1993/1878, 1994/2592 and 1997/1474 (the 1991 Regulations) in so far as they extend to England. Similar Regulations to amend the 1991 Regulations in so far as they extend to Wales and Northern Ireland are being considered by the competent authorities in Wales and Northern Ireland and in Scotland new Regulations to replace the 1991 Regulations as respects Scotland have recently been made (S.S.I. 2000/201).

The amendments to the 1991 Regulations give effect in England to Council Directive 98/95/EC (OJNo. L25, 1.2.1999, p.1) amending, in respect of the consolidation of the internal market, genetically modified plant resources and plant genetic resources, directives in respect of the marketing of seeds and the common catalogue of varieties of agricultural plant species. The directives in respect of the marketing of seeds amended by Council Directive 98/95/EC include Council Directive 66/403/EEC (OJ No. L125, 11.7.66, p.2320)(OJ/SE 1965–66, p.154) on the marketing of seed potatoes (last amended by Commission Directive 98/111/EC (OJ No. L28, 4.2.1998, p.42). Council Directive 98/96/EC (OJ No. L25, 1.2.1999, p.27) also amends Council Directive 66/403/EEC but the amendments do not require amendment to the 1991 Regulations.

The amendments made by these Regulations include—

- (a) amendments to definitions in the 1991 Regulations, including the definitions of “marketing” and “seed potatoes”;
- (b) provision for the marketing of pre-basic seed potatoes;
- (c) new provision in regulation 6 in relation to marketing for scientific purposes or selection work and as a consequence revocation of regulation 5;
- (d) a new regulation 10A about genetically modified seed potatoes;
- (e) a new regulation 12A about the import of seed potatoes from third countries; and
- (f) amendments to Schedule 1 Part III in relation to the certification of seed potatoes.

These Regulations also make minor and consequential amendments to the 1991 Regulations.