

STATUTORY INSTRUMENTS

2015 No. 1953

The Seed Potatoes (England) Regulations 2015

Marketing of conservation varieties

5.—(1) No person may market seed potatoes of a conservation variety unless—

- (a) the variety is listed in the [^{F1}GB Variety List] of varieties of potato species prepared and published in accordance with regulation 3 of the National Lists Regulations; and
- (b) those seed potatoes have been produced in the United Kingdom.

(2) A person proposing to produce seed potatoes of a conservation variety must, before doing so, supply the Secretary of State, in such manner and form as the Secretary of State requires, with details in writing of the size and location of the area to be used to produce that seed.

(3) [^{F2}Where the quantities specified in Article 14 of Directive 2008/62/EC would otherwise be likely to be exceeded], the Secretary of State may specify the maximum amount of seed potatoes of a conservation variety that may be marketed in any given production season, and may specify different maximum amounts for different persons or classes of persons.

[^{F3}(3A) For the purposes of paragraph (3), Article 14 of Directive 2008/62/EC is to be read as if—

- (a) in the first paragraph, in the first sentence—
 - (i) the words “Each Member State shall ensure that” were omitted;
 - (ii) for the words “does not exceed” there were substituted “ may not exceed ”;
 - (iii) for the reference to “that Member State” there were substituted “ Great Britain ”;
- (b) in the second paragraph—
 - (i) in the first sentence, for the reference to “each Member State” there were substituted “ Great Britain ”;
 - (ii) for the references to “the Member State” in both places there were substituted “ Great Britain ”.]

(4) The amount of seed potatoes of a conservation variety marketed by a person must not exceed any maximum amount specified under paragraph (3) in relation to that person.

(5) Any person marketing seed potatoes of a conservation variety must supply the Secretary of State, if requested to do so in writing, with written details of the amount and variety of the seed potatoes placed on the market during each production season.

Textual Amendments

- F1** Words in reg. 5(1)(a) substituted (31.12.2020) by [The Animal Health, Plant Health, Seeds and Seed Potatoes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/809\)](#), regs. 1(b), **7(6)(za)** (as inserted by [S.I. 2020/1388](#), regs. 1(2)(a), **21(4)(e)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in reg. 5(3) substituted (31.12.2020) by [The Animal Health, Plant Health, Seeds and Seed Potatoes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/809\)](#), regs. 1(b), **7(6)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Changes to legislation: There are currently no known outstanding effects for the The Seed Potatoes (England) Regulations 2015, Section 5. (See end of Document for details)

F3 Reg. 5(3A) inserted (31.12.2020) by The Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/809), regs. 1(b), **7(6)(b)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **21(4)(e)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**

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There are currently no known outstanding effects for the The Seed Potatoes (England) Regulations 2015, Section 5.