

SCHEDULE 1

Regulation 2(1)

Growing crop certificates

PART 1

General

1. On receipt of an application for certification of any seed potatoes, an authorised officer must—
 - (a) allocate to the person making the application a number to be known as the “producer’s identification number” (where one does not already exist for that person);
 - (b) following an official examination, determine in accordance with this Schedule and Schedule 4 the categories and grades at which the seed potatoes are capable of being marketed; and
 - (c) subject to paragraphs 3 to 11, issue a growing crop certificate in accordance with paragraph 2.
- 2.—(1) A growing crop certificate must state—
 - (a) the name and address of the applicant;
 - (b) the categories and grades at which the authorised officer has determined the seed potatoes are capable of being marketed in accordance with paragraph 1(b);
 - (c) the name of the agricultural unit on which the crop was grown;
 - (d) the producer’s identification number;
 - (e) the date on which the growing crop was inspected;
 - (f) the variety of the seed potatoes;
 - (g) the area of the seed potatoes; and
 - (h) the location of the field on which the seed potatoes were grown.

(2) In sub-paragraph (1), “agricultural unit” has the meaning assigned to that expression in section 109(2) of the Agriculture Act 1947(1).
3. A growing crop certificate may only be issued where an authorised officer is satisfied, in relation to the seed potatoes examined by that officer, that—
 - (a) the seed potatoes are of a variety of potato species entered in a National List or the Common Catalogue;
 - (b) the seed potatoes in any one crop are of a single variety;
 - (c) the seed potatoes are taken from a crop which is free from the following diseases or pests—
 - (i) Wart Disease (*Synchytrium endobioticum* (Schilb) Perc);
 - (ii) Potato Cyst Nematode (*Globodera* species infesting potatoes);
 - (iii) Ring Rot (*Clavibacter michiganensis* (Smith) Davis et al ssp *Sepedonicus* (Spieck & Koth) Davis et al);
 - (iv) Brown Rot (*Ralstonia solanacearum* (Smith) Yabuuchi et al);
 - (v) Potato Spindle Tuber Viroid;
 - [^{F1}(vi) Colorado Beetle (*Leptinotarsa decemlineata* (Say));

(1) 1947 c.48.

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

- (vii) Potato Tuber Eelworm (*Ditylenchus destructor* (Thorne));
 - (viii) *Candidatus Liberibacter solanacearum* Liefting et al.; and
 - (ix) *Candidatus Phytoplasma solani* Quaglino et al;]
- (d) the land on which the seed potatoes are growing or were grown is not land which is demarcated under [^{F2}Part 3 of Schedule 2 to the Official Controls (Plant Health) Regulations] as contaminated with Wart Disease (*Synchytrium endobioticum* (Schilb) Perc) or is within a safety zone demarcated under [^{F3}those Regulations];
- (e) blanking in any of the growing crop of the seed potatoes is not or was not excessive;
- (f) the growing crop has not been over-rogued; and
- (g) all reasonable husbandry practices for the prevention of the occurrence, development or spread of diseases and pests have been effectively carried out.

Textual Amendments

- F1** Sch. 1 para. 3(c)(vi)-(ix) substituted for Sch. 1 para. 3(c)(vi)(vii) (24.7.2020) by [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), **5(3)(a)**
- F2** Words in Sch. 1 para. 3(d) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 4(4)(a)(i)**
- F3** Words in Sch. 1 para. 3(d) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 4(4)(a)(ii)**

PART 2

Pre-basic seed potatoes

4.—(1) No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as pre-basic seed potatoes of any grade unless the authorised officer is satisfied that the land on which the seed potatoes are growing or were grown—

- (a) is land which, as a result of a soil test carried out by the Secretary of State prior to the planting of the crop, has been found not to be contaminated with Potato Cyst Nematode (*Globodera* species infesting potatoes);
- (b) is not demarcated under [^{F4}Part 4 of Schedule 2 to the Official Controls (Plant Health) Regulations] as infested with a European population of Potato Cyst Nematode; and
- (c) has not been used for growing potatoes at any time during the seven years immediately preceding the planting of the crop.

(2) But sub-paragraph (1)(a) does not apply in the case of seed potatoes grown in a soil-free medium.

Textual Amendments

- F4** Words in Sch. 1 para. 4(1)(b) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 4(4)(b)**

5. No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as pre-basic seed potatoes of Union grade PBTC unless the authorised

officer is satisfied that the immediately succeeding crop produced from the seed potatoes is not likely to contain—

- (a) plants of a different variety; or
- (b) plants affected by mild or severe virus.

6. No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as pre-basic seed potatoes of Union grade PB unless the authorised officer is satisfied that the immediately succeeding crop produced from the seed potatoes is not likely to contain—

- (a) more than 0.01% by number of growing plants which deviate from variety and type or are a different variety; or
- (b) more than 0.5% by number of growing plants which show symptoms of virus diseases where those symptoms are attributable to infection in the mother crop.

PART 3

Basic seed potatoes

7.—(1) No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as basic seed potatoes of any grade unless the authorised officer is satisfied that the land on which the seed potatoes are growing or were grown—

- (a) is land which, as a result of a soil test carried out by the Secretary of State prior to the planting of the crop, has been found not to be contaminated with Potato Cyst Nematode (*Globodera* species infesting potatoes);
- (b) is not demarcated under [F5Part 4 of Schedule 2 to the Official Controls (Plant Health) Regulations] as infested with a European population of Potato Cyst Nematode; and
- (c) has not been used for growing potatoes at any time during the five years immediately preceding the planting of the crop.

(2) But sub-paragraph (1)(a) does not apply in the case of seed potatoes grown in a soil-free medium.

Textual Amendments

- F5** Words in Sch. 1 para. 7(1)(b) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, [Sch. 5 para. 4\(4\)\(c\)](#)

8. No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as basic seed potatoes of any grade unless the authorised officer is satisfied that the immediately succeeding crop produced from the seed potatoes is not likely to contain—

- (a) more than 0.25% by number of growing plants which do not breed true to variety or are a different variety; and
- (b) in the case of—
 - (i) Union grade S, not more than 1%,
 - (ii) Union grade SE, not more than 2%, and
 - (iii) Union grade E, not more than 4%,

Status: Point in time view as at 24/07/2020.

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

by number of growing plants which show symptoms of virus diseases ^{F6}...where those symptoms are attributable to infection in the mother crop.

Textual Amendments

- F6** Words in Sch. 1 para. 8 omitted (24.7.2020) by virtue of [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), **5(3)(b)**

PART 4

Certified seed potatoes

9. No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as certified seed potatoes in the case of seed potatoes growing or grown in the protected region.

10.—(1) No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as certified seed potatoes unless the authorised officer is satisfied that the land on which the seed potatoes are growing or were grown—

- (a) is land which, as a result of a soil test carried out by the Secretary of State prior to the planting of the crop, has been found not to be contaminated with Potato Cyst Nematode (*Globodera* species infesting potatoes);
- (b) is not demarcated under [^{F7}Part 4 of Schedule 2 to the Official Controls (Plant Health) Regulations] as infested with a European population of Potato Cyst Nematode; and
- (c) has not been used for growing potatoes at any time during the four years immediately preceding the planting of the crop.

(2) But sub-paragraph (1)(a) does not apply in the case of seed potatoes grown in a soil-free medium.

Textual Amendments

- F7** Words in Sch. 1 para. 10(1)(b) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 4(4)(d)**

11. No growing crop certificate may be issued containing a statement that seed potatoes are capable of being marketed as certified seed potatoes unless the authorised officer is satisfied that the immediately succeeding crop produced from the seed potatoes is likely to contain—

- (a) in the case of—
 - (i) Union grade A, not more than 0.5%, and
 - (ii) Union grade B, not more than 0.5%,
 by number of growing plants which do not breed true to variety or are a different variety; and
- (b) in the case of—
 - (i) Union grade A, not more than 8%, and
 - (ii) Union grade B, not more than 10%,

by number of growing plants which show symptoms of severe virus diseases^{F8}... where those symptoms are attributable to infection in the mother crop.

Textual Amendments

- F8** Words in Sch. 1 para. 11 omitted (24.7.2020) by virtue of [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), **5(3)(c)**

SCHEDULE 2

Regulation 2(1)

Official labels and official documents

PART 1

Official labels

1. An official label used in relation to pre-basic seed potatoes must be coloured white with a diagonal violet line.
2. An official label used in relation to basic seed potatoes must be coloured white.
3. An official label used in relation to certified seed potatoes must be coloured blue.
4. An official label used in relation to test and trial seed potatoes must be coloured orange.
5. An official label must measure not less than 110 millimetres x 67 millimetres.
6. An official label for pre-basic seed potatoes must, in relation to the seed potatoes to which it relates, state the following particulars—
 - (a) the Certification Authority and member State or their distinguishing abbreviations;
 - (b) the producer's identification number or a lot reference number;
 - (c) the month and year of sealing;
 - (d) the species, indicated at least in Roman characters, under its botanical name, which may be given in abridged form and without the authors' names, or under its common name, or both;
 - (e) the variety, indicated at least in Roman characters;
 - (f) the grade; and
 - (g) the description "pre-basic seed potatoes".
7. An official label for basic seed potatoes or certified seed potatoes must—
 - (a) contain the statement "EU Rules and Standards";^{F9}...

[^{F10}(aa) have a unique number;]

 - (b) in relation to the seed potatoes to which it relates, state the following particulars—
 - (i) the Certification Authority and member State or their distinguishing abbreviations;
 - (ii) the producer's identification number or a lot reference number;
 - (iii) the month and year of sealing;
 - (iv) the variety, indicated at least in Roman characters;

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- (v) the country of production;
- (vi) the category;
- (vii) the grade;
- (viii) the size; and
- (ix) the net weight.

Textual Amendments

- F9** Word in Sch. 2 para. 7(a) omitted (1.4.2017) by virtue of [The Seeds \(Miscellaneous Amendments\) \(England\) Regulations 2017 \(S.I. 2017/288\)](#), regs. 1(1), **3(2)(a)**
- F10** Sch. 2 para. 7(aa) inserted (1.4.2017) by [The Seeds \(Miscellaneous Amendments\) \(England\) Regulations 2017 \(S.I. 2017/288\)](#), regs. 1(1), **3(2)(b)**

8. An official label for test and trial seed potatoes must—

- (a) contain the statements “variety not yet officially listed” and “for tests and trials only”; ^{F11} ... [^{F12}(aa) have a unique number; and]
- (b) in relation to the seed potatoes to which it relates, state the following particulars—
 - (i) the Certification Authority and member State or their distinguishing abbreviations;
 - (ii) the producer’s identification number or a lot reference number;
 - (iii) the month and year of sealing;
 - (iv) the species;
 - (v) the denomination of the variety under which the seed potatoes are to be marketed (which may be the breeder’s reference, the proposed denomination or the approved denomination);
 - (vi) the reference number in respect of the application submitted in accordance with regulation 4(1)(a) of the National Lists Regulations for acceptance of the variety concerned on to a National List;
 - (vii) the size; and
 - (viii) the net weight.

Textual Amendments

- F11** Word in Sch. 2 para. 8(a) omitted (28.3.2019) by virtue of [The Seed Marketing and Seed Potatoes \(England\) \(Amendment\) Regulations 2019 \(S.I. 2019/472\)](#), regs. 1, **3(2)(a)**
- F12** Sch. 2 para. 8(aa) inserted (28.3.2019) by [The Seed Marketing and Seed Potatoes \(England\) \(Amendment\) Regulations 2019 \(S.I. 2019/472\)](#), regs. 1, **3(2)(b)**

9. In the case of seed potatoes of a conservation variety, in addition to the requirements of paragraphs 1 to 8, an official label must contain the further information required by Article 18 of [Directive 2008/62/EC](#).

- 10.** Without prejudice to paragraphs 1 to 8, an official label may contain such further statements—
- (a) concerning the field generation to which the seed potatoes belong;
 - (b) as required or permitted to be included in an official label in accordance with any provision of these Regulations ^{F13} ...; or
 - (c) as the Secretary of State considers appropriate.

Textual Amendments

F13 Words in [Sch. 2 para. 10\(b\)](#) omitted (14.1.2020) by virtue of [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, [Sch. 5 para. 4\(5\)](#)

11. Where the field generation is not indicated on the official label, seed potatoes are deemed to belong to—

- (a) in the case of pre-basic seed potatoes, the fourth generation;
- (b) in the case of basic seed potatoes—
 - (i) of Union grade S, the fifth generation;
 - (ii) of Union grade SE, the sixth generation;
 - (iii) of Union grade E, the seventh generation;
- (c) in the case of certified seed potatoes of Union grade A or Union grade B, the ninth generation.

PART 2

Official documents

12. An official document used in relation to pre-basic seed potatoes must be coloured white with a diagonal violet line.

13. An official document used in relation to test and trial seed potatoes must be coloured orange.

14. An official document in relation to basic seed potatoes must be predominantly white.

15. An official document in relation to certified seed potatoes must be predominantly blue.

16. An official document must, in relation to the seed potatoes to which it relates, state—

- (a) the producer’s identification number or a lot reference number;
- (b) the month and year of sealing; and
- (c) the country of production.

SCHEDULE 3

Regulation 2(3)

Specified diseases or pests, damage and defects and tolerances

PART 1

Pre-basic seed potatoes of Union grade PBTC produced in England

<i>Column 1</i>	<i>Column 2</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>
Group 1	
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib) Perc)	Nil
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil

Status: Point in time view as at 24/07/2020.

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

Column 1	Column 2
Specified diseases or pests, damage and defects	Individual tolerances
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al spp sepedonicus (Spieck & Kotth) Davis et al)	Nil
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil
Potato Spindle Tuber Viroid	Nil
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil
^{F14} <i>Candidatus</i> Liberibacter <i>solanacearum</i> Liefting et al	Nil
<i>Candidatus</i> Phytoplasma <i>solani</i> Quaglino et al	Nil]
Group II	
Blight (<i>Phytophthora infestans</i>) (Mont) de Bary)	Nil
[^{F15} Blackleg (<i>Dickeya</i> Samson et al. spp. or <i>Pectobacterium</i> Waldee emend. Hauben et al. spp. or both]	Nil
Soft Rots including: Watery Wound Rot (<i>Pythium ultimum</i> Trow)	Nil
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	Nil
Dry Rot (<i>Fusarium</i> species)	Nil
Gangrene (<i>Phoma</i> species)	Nil
Frost damaged tubers	Nil
Group III	
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) M B Ellis	Nil
Group IV	
[^{F16} Black scurf as caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk]	Nil
Common Scab (<i>Streptomyces species</i>)	Nil
Group V	
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Legerh)	Nil
Group VI	
External blemishes, including damaged tubers or tubers other than diseased tubers whose shape is atypical for the variety	Nil
Superficial necrosis caused by potato virus Y	Nil
Shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf (<i>Helminthosporium solani</i>)	Nil
Group VII	
Dirt or other extraneous matter	1.0%

Textual Amendments

F14 Words in Sch. 3 Pt. 1 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), 5(4)(b)

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

- F15** Words in Sch. 3 Pt. 1 substituted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(a)(i)**
- F16** Words in Sch. 3 Pt. 1 substituted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(a)(ii)**

[^{F17}PART 2

Pre-basic seed potatoes of Union grade PB produced in England

Textual Amendments

- F17** Sch. 3 Pts. 2, 3 substituted (1.4.2017) by The Seeds (Miscellaneous Amendments) (England) Regulations 2017 (S.I. 2017/288), regs. 1(1), **3(3)**

Column 1	Column 2	Column 3	Column 4
Specified diseases or pests, damage and defects	Individual tolerances	Group tolerances	Collective group tolerances
Group 1			
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib) Perc)	Nil		
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil		
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil		
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al spp <i>sepedonicus</i> (Speick & Kotth) Davis et al)	Nil		
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil		
Potato Spindle Tuber Viroid	Nil		
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil		
[^{F18} <i>Candidatus</i> Liberibacter <i>solanacearum</i> Liefting et al	Nil		
<i>Candidatus</i> Phytoplasma <i>solani</i> Quaglino et al	Nil]
Group II			
Blight (<i>Phytophthora infestans</i> (Mont) de Bary)	0.2%))
[^{F19} Blackleg (<i>Dickeya</i> Samson et al. spp. or <i>Pectobacterium</i> Waldee emend. Hauben et al. spp. or both]	0.2%))
Soft Rots including: Watery Wound Rot (<i>Pythium ultimum</i> Trow)	0.2%))

Status: Point in time view as at 24/07/2020.
Changes to legislation: There are currently no known outstanding effects for the
 The Seed Potatoes (England) Regulations 2015. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4
Specified diseases or pests, damage and defects	Individual tolerances	Group tolerances	Collective group tolerances
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	0.2%) 0.2%)
Dry Rot (<i>Fusarium</i> species)	0.2%))
Gangrene (<i>Phoma</i> species)	0.2%))
Frost damaged tubers	0.2%))
Group III			
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield)) M B Ellis	0.2%)) 6.0%
Group IV			
[^{F20} Black scurf as caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk]	1.0%) 5.0%)
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-tenth of whose surface area has been affected are deemed to be unaffected by the disease			
Common Scab (<i>Streptomyces</i> species)	5.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-third of whose surface area has been affected are deemed to be unaffected by the disease			
Group V			
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Legerh)	1.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-tenth of whose surface area has been affected are deemed to be unaffected by the disease			
Group VI			
External blemishes including damaged tubers or tubers other than diseased tubers whose shape is atypical for the variety	3.0%))
Superficial necrosis caused by potato virus Y	Nil) 3.0%)
Shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf (<i>Helminthosporium solani</i>)	0.5%))
Group VII			
Dirt or other extraneous matter	1.0%		

Status: Point in time view as at 24/07/2020.

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

Textual Amendments

- F18** Words in Sch. 3 Pt. 2 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(c)**
- F19** Words in Sch. 3 Pt. 2 substituted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(a)(i)**
- F20** Words in Sch. 3 Pt. 2 substituted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(a)(ii)**

[^{F17}PART 3

Basic seed potatoes and certified seed potatoes produced in England

Column 1	Column 2	Column 3	Column 4
Specified diseases or pests, damage and defects	Individual tolerances	Group tolerances	Collective group tolerances
Group I			
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib) Perc)	Nil		
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil		
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil		
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al spp <i>sepedonicus</i> (Spieck & Koth) Davis et al)	Nil		
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil		
Potato Spindle Tuber Viroid	Nil		
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil		
[^{F21} <i>Candidatus</i> Liberibacter <i>solanacearum</i> Liefting et al	Nil		
<i>Candidatus</i> Phytoplasma <i>solani</i> Quaglino et al	Nil		
Group II			
Blight (<i>Phytophthora infestans</i> (Mont) de Bary)	0.5%))
[^{F22} Blackleg (<i>Dickeya</i> Samson et al. spp. or <i>Pectobacterium</i> Waldee emend. Hauben et al. spp. or both]	0.5%))
Soft Rots including Watery Wound Rot (<i>Pythium ultimum</i> Trow)	0.5%))
Pink Rot (<i>Phytophthora erythroseptica</i> Pethy-bridge) and Pit Rot	0.5%) 0.5%)

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Changes to legislation: There are currently no known outstanding effects for the
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Column 1	Column 2	Column 3	Column 4
Specified diseases or pests, damage and defects	Individual tolerances	Group tolerances	Collective group tolerances
Dry Rot (<i>Fusarium</i> species)	0.5%))
Gangrene (<i>Phoma</i> species)	0.5%))
Frost damaged tubers	0.5%))
Any of these Group II defects that present as a wet rot symptom	0.2%)) 6.0% for basic seed potatoes and 8.0% for certified seed potatoes
Group III			
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) M B Ellis)	0.5% except Union grade E, Union grade A and Union grade B grades; 2.0% for Union grade E, Union grade A and Union grade B grades only))
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Legerh)	3.0%) 5.0%)
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-tenth of whose surface area has been affected are deemed to be unaffected by the disease (except where powdery scab takes its cankerous form)			
Group IV			
[^{F23} Black scurf as caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk]	5.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-tenth of whose surface area has been affected are deemed to be unaffected by the disease			
Common Scab (<i>Streptomyces</i> species)	5.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and			

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
less than one-third of whose surface area has been affected are deemed to be unaffected by the disease			
Group V			
External blemishes including damaged tubers or tubers other than diseased tubers whose shape is atypical for the variety	3.0%))
Shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf (<i>Helminthosporium solani</i>)	1.0%) 3.0%)
Superficial necrosis caused by strains of potato virus Y	0.1%))
Group VI			
Dirt or other extraneous matter	1.0%]

Textual Amendments

- F21** Words in Sch. 3 Pt. 3 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(c)**
- F22** Words in Sch. 3 Pt. 3 substituted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(a)(i)**
- F23** Words in Sch. 3 Pt. 3 substituted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(4)(a)(ii)**

PART 4**Test and trial seed potatoes**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Collective tolerances</i>
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil	–
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil	–
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al spp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al)	Nil	–
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil	–
Potato Spindle Tuber Viroid	Nil	–
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil	–
<i>f</i> ^{F24} <i>Candidatus</i> Liberibacter <i>solanacearum</i> Liefting et al	Nil	
<i>Candidatus</i> Phytoplasma <i>solani</i> Quaglino et al	Nil]

Status: Point in time view as at 24/07/2020.
Changes to legislation: There are currently no known outstanding effects for the
 The Seed Potatoes (England) Regulations 2015. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Collective tolerances</i>
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib) Perc)	Nil	—
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil	—
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al ssp <i>sepedonicus</i> (Spieck & Kotth) Davis et al)	Nil	—
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil	—
Earth or other extraneous matter	2.0%	—
Dry and wet rot, except if caused by <i>Synchytrium endobioticum</i> , <i>Clavibacter michiganensis</i> (Smith) Davis et al ssp <i>Sepedonicus</i> (Spieck & Kotth) Davis et al) or <i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	1.0%)
External blemishes including damaged tubers or tubers other than diseased tubers whose shape is atypical for the variety	3.0%) 6.0%
Common scab: tubers affected over more than one-third of their surface	5.0%)

Textual Amendments

F24 Words in Sch. 3 Pt. 4 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), 5(4)(d)

SCHEDULE 4

Regulation 2(3)

Grading of seed potatoes

PART 1

Seed potatoes capable of being marketed as pre-basic seed potatoes

In the course of making a determination for the purposes of paragraph 1(b) of Schedule 1, where an authorised officer determines that seed potatoes are capable of being marketed as pre-basic seed potatoes, that officer may grade them as being seed potatoes of any of the Union grades specified in column 1 of Table 1 where that officer is satisfied following inspection that the requirements specified in column 2 in relation to that grade have been met and that the tolerances specified in column 3 have not been exceeded in respect of those seed potatoes.

Table 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Union grade</i>	<i>Requirements</i>	<i>Tolerances</i>
PBTC	(1) The seed potatoes must— (a) be derived from nuclear stock or tested tubers—	Nil

Status: Point in time view as at 24/07/2020.

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

Column 1	Column 2	Column 3
Union grade	Requirements	Tolerances
	<p>(i) that are free from <i>Pectobacterium</i> spp., <i>Dickeya</i> spp., [^{F25}<i>Candidatus</i> <i>Liberibacter solanacearum</i>, <i>Candidatus</i> <i>Phytoplasma solani</i>, Potato spindle tuber viroid,] potato viruses A, M, S, X, Y, leaf roll, potato mop top virus, tobacco rattle virus and tobacco venial necrosis or any other significant virus; and</p> <p>(ii) supplied by a source acceptable to the Secretary of State, which have been grown on a unit where no material of the species <i>Solanaceae</i> or other material, other than that derived from nuclear stock or tested tubers from a source acceptable to the Secretary of State, has been grown;</p> <p>(b) have been kept free from—</p> <p>(i) [^{F26}<i>Candidatus</i> <i>Liberibacter solanacearum</i>, <i>Candidatus</i> <i>Phytoplasma solani</i>, Potato spindle tuber viroid,] potato viruses A, M, S, X, Y, leaf roll, potato mop top virus, tobacco rattle virus and tobacco veinal necrosis or any other significant virus;</p> <p>(ii) witches' broom and blackleg;</p> <p>(iii) deviations of variety and type; and</p> <p>(iv) groundkeepers;</p> <p>(c) have been produced (in the case of plants and tubers) through micro-propagation in a protected facility and in a growing medium that is free from pests; and</p> <p>(d) (in the case of tubers) not been multiplied beyond the first generation.</p>	
PB	<p>(1) The seed potatoes must be derived from—</p> <p>(a) nuclear stock or tested tubers—</p> <p>(i) supplied by a source acceptable to the Secretary of State, which have been grown on a unit where no material of the species <i>Solanaceae</i> or other material, other than that derived from nuclear stock or tested tubers from a source acceptable to the Secretary of State, has been grown; and</p> <p>(ii) that are free from <i>Pectobacterium</i> spp., <i>Dickeya</i> spp., [^{F27}<i>Candidatus</i> <i>Liberibacter solanacearum</i>, <i>Candidatus</i> <i>Phytoplasma solani</i>, Potato spindle tuber viroid,] potato viruses A, M, S X, Y, leaf roll, potato mop top virus, tobacco rattle virus and tobacco venial necrosis or any other significant virus; or</p>	<p>(i) Blackleg - nil</p> <p>(ii) Not true to type or of a different variety, including groundkeepers 0.01%</p>

Status: Point in time view as at 24/07/2020.

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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Union grade</i>	<i>Requirements</i>	<i>Tolerances</i>
	<p>(b) a stock graded as Union grade PB of a previous field generation in the year preceding the planting of the crop; or</p> <p>(c) such other seed potatoes as are notified in writing by the Secretary of State as being acceptable to the Secretary of State.</p> <p>(2) The seed potatoes must have been kept free from—</p> <p>(i) [^{F28}<i>Candidatus</i> <i>Liberibacter solanacearum</i>, <i>Candidatus</i> <i>Phytoplasma solani</i>, Potato spindle tuber viroid,] potato viruses A, M, S, X, Y, leaf roll, potato mop top virus, tobacco rattle virus and tobacco veinal necrosis or any other significant virus;</p> <p>(ii) witches' broom and blackleg;</p> <p>(iii) deviations of variety and type;</p> <p>(iv) groundkeepers;</p> <p>(v) plants of a different variety.</p> <p>(3) The maximum number of field generations is four.</p>	<p>(iii) Potato viruses Y, A and leaf roll - nil</p> <p>(iv) Other mosaic viruses 0.1%</p>

Textual Amendments

- F25** Words in Sch. 4 Pt. 1 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(5)(a)(i)**
- F26** Words in Sch. 4 Pt. 1 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(5)(a)(ii)**
- F27** Words in Sch. 4 Pt. 1 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(5)(b)(i)**
- F28** Words in Sch. 4 Pt. 1 inserted (24.7.2020) by The Marketing of Seed, Plant and Propagating Material (England) Regulations 2020 (S.I. 2020/682), regs. 1(1), **5(5)(b)(ii)**

PART 2

Seed potatoes capable of being marketed as basic seed potatoes

In the course of making a determination for the purposes of paragraph 1(b) of Schedule 1, where an authorised officer determines that seed potatoes are capable of being marketed as basic seed potatoes, that officer may grade them as being seed potatoes of any of the Union grades specified in column 1 of Table 2 where that officer is satisfied following inspection that the requirements specified in column 2 in relation to that grade have been met and that the tolerances specified in column 3 have not been exceeded in respect of those seed potatoes.

Table 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Union grade</i>	<i>Requirements</i>	<i>Tolerances</i>
S	<p>(1) The seed potatoes must be derived from—</p> <p>(a) a stock of pre-basic seed potatoes or a stock which was graded as Union grade S of field generation four or less in the year preceding the planting of the crop; or</p> <p>(b) such other seed potatoes as are notified in writing by the Secretary of State as being acceptable to the Secretary of State.</p> <p>(2) The maximum number of field generations, including previous generations at pre-basic grade, is five.</p>	<p>(i) Deviations from variety and type or different variety, including groundkeepers - 0.1%</p> <p>(ii) Potato viruses Y, A and leaf roll either individually or in combination - 0.02%</p> <p>(iii) Total virus including other mosaic viruses and potato viruses Y, A and leaf roll - 0.2%</p> <p>(iv) Blackleg - 0.1%</p>
SE	<p>(1) The seed potatoes must be derived from—</p> <p>(a) a stock of pre-basic seed potatoes or a stock which was graded Union grade S or Union grade SE field generation five or less in the year preceding the planting of the crop; or</p> <p>(b) such other seed potatoes as are notified in writing by the Secretary of State as being acceptable to the Secretary of State.</p> <p>(2) The maximum field generations, including previous generations at pre-basic or basic grade, is six.</p>	<p>(i) Deviations from variety and type or different variety, including groundkeepers -0.1%</p> <p>(ii) Potato viruses Y, A and leaf roll either individually or in combination - 0.1%</p> <p>(iii) total virus including other mosaic viruses and potato viruses Y, A and leaf roll - 0.5%</p> <p>(iv) Blackleg - 0.5%</p>
E	<p>(1) The seed potatoes must be derived from—</p> <p>(a) inside the protected region, a stock of pre-basic seed potatoes or a stock which was graded as Union grade S or Union grade SE in the year preceding the planting of the crop;</p> <p>(b) outside the protected region, a stock of pre-basic seed potatoes or a stock which was graded as Union grade S, Union grade SE or Union grade E field generation six or less in the year preceding the planting of the crop; or</p> <p>(c) such other seed potatoes as are notified in writing by the Secretary of State as being acceptable to the Secretary of State.</p> <p>(2) The maximum field generations, including previous generations at pre-basic or basic grade, is seven.</p>	<p>(i) Deviations from variety and type or different variety, including groundkeepers - 0.1%</p> <p>(ii) Potato viruses Y, A and leaf roll either individually or in combination - 0.4%</p> <p>(iii) Total virus including other mosaic viruses and potato viruses Y, A and leaf roll - 0.8%</p> <p>(iv) Blackleg - 1.0%</p>

Status: Point in time view as at 24/07/2020.

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

PART 3

Seed potatoes capable of being marketed as certified seed potatoes

In the course of making a determination for the purposes of paragraph 1(b) of Schedule 1, where an authorised officer determines that seed potatoes are capable of being marketed as certified seed potatoes, that officer may grade them as seed potatoes of any of the Union grades specified in column 1 of Table 3 where that officer is satisfied following inspection that the requirements specified in column 2 in relation to that grade have been met and that the tolerances specified in column 3 have not been exceeded in respect of those seed potatoes.

Table 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Union grade</i>	<i>Requirements</i>	<i>Tolerances</i>
A	The seed potatoes must be produced— (a) directly from pre-basic seed potatoes, basic seed potatoes or certified seed potatoes that have been graded Union grade A field generation eight; or (b) from a crop grown with the authority of or in circumstances notified in writing by the Secretary of State as being acceptable to the Secretary of State.	(i) Potato viruses Y, A and leaf roll either individually or in combination - 2.0% (ii) Other viruses - 2.0% (iii) Combination of potato viruses Y, A and leaf roll and other viruses - 2.0% (iv) Blackleg - 2.0% (v) Deviations from variety and type or different variety, including groundkeepers -0.2%
B	The seed potatoes must be produced— (a) directly from pre-basic seed potatoes, basic seed potatoes, certified seed potatoes that have been graded Union grade A field generation eight or certified seed potatoes that have been graded Union grade B field generation eight; or (b) from a crop grown with the authority of or in circumstances notified in writing by the Secretary of State as being acceptable to the Secretary of State.	(i) Potato viruses Y, A and leaf roll either individually or in combination - 6.0% (ii) Other viruses - 6.0% (iii) Combination of potato viruses Y, A and leaf roll and other viruses - 6.0% (iv) Blackleg - 4.0%

Status: Point in time view as at 24/07/2020.

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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Union grade</i>	<i>Requirements</i>	<i>Tolerances</i>
		(v) Deviations from variety and type or different variety, including groundkeepers -0.5%

SCHEDULE 5

Regulation 9

Authorisation for marketing seed potatoes for test and trial purposes

1. On receipt of an application for authorisation made in accordance with regulation 9, an authorised officer must—
 - (a) allocate to the person making the application a number to be known as the “producer’s identification number” (where one does not already exist for that person);
 - (b) conduct an official examination of the seed potatoes in order to determine whether the requirements of this Schedule and Part 4 of Schedule 3 have been met; and
 - (c) subject to paragraph 3 and regulation 9, issue an authorisation to market seed potatoes for test and trial purposes.
2. An authorisation must state—
 - (a) the name and address of the applicant;
 - (b) the producer’s identification number;
 - (c) the amount of seed potatoes for which marketing is authorised;
 - (d) the period for which marketing is authorised;
 - (e) the date on which the authorisation was issued; and
 - (f) the proposed name of the variety of the seed potatoes.
3. No authorisation is to be issued by an authorised officer unless that officer is satisfied that—
 - (a) the seed potatoes are of a variety for which an application has been made under regulation 4(1)(a) of the National Lists Regulations for acceptance of the variety concerned on to a National List and that application has not been withdrawn or finally determined;
 - (b) the land on which the seed potatoes are growing or were grown is not land which is demarcated under [^{F29}Part 3 of Schedule 2 to the Official Controls (Plant Health) Regulations] as contaminated with Wart Disease (*Synchytrium endobioticum* (Schilb) Perc) or is within a safety zone demarcated under [^{F30}those Regulations];
 - (c) the land on which the seed potatoes are growing or were grown is land which is not contaminated by *Globodera* species infesting potatoes;
 - (d) the seed potatoes are taken from a crop of seed potatoes free from *Globodera* species infesting potatoes, *Synchytrium endobioticum* (Schilb) Perc, *Clavibacter michiganensis* (Smith) Davis et al ssp *Sepedonicus* (Spieck & Koth) Davis et al) and *Ralstonia solanacearum* (Smith) Yabuuchi et al);
 - (e) the number of growing plants affected by blackleg does not exceed 4%;
 - (f) the immediately succeeding crop produced from the seed potatoes is, in the opinion of the authorised officer, likely to contain—

Status: Point in time view as at 24/07/2020.

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

- (i) not more than 0.5% by number of growing plants which do not breed true to variety and not more than 0.2% by number of growing plants which are of a different variety; and
- (ii) not more than 10% by number of growing plants which show symptoms, other than slight symptoms, of severe virus diseases^{F31}... (light mosaics causing discoloration and not leaf deformation are to be ignored); and
- (g) the seed potatoes are ascertained not to be affected by any of the tolerances for diseases or pests, damage or defects specified in Part 4 of Schedule 3.

Textual Amendments

- F29** Words in Sch. 5 para. 3(b) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 4(6)(a)**
- F30** Words in Sch. 5 para. 3(b) substituted (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 4(6)(b)**
- F31** Words in Sch. 5 para. 3(f)(ii) omitted (24.7.2020) by virtue of [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), **5(6)**

SCHEDULE 6

Regulation 16

Information in respect of seed potatoes of more than 2 kilograms produced in a country other than a member State

- Species
- Variety
- Category
- Country of production and Certification Authority
- Country of dispatch
- Importer
- Quantity of seed potatoes

SCHEDULE 7

Regulation 17

Particulars to be specified in a sale note etc.

- Name and address of the seller
- Net weight (except pre-basic seed potatoes)
- Species (except basic seed potatoes and certified seed potatoes)
- Variety
- Category
- Grade (as appropriate).
- Size (except pre-basic seed potatoes)
- Producer's identification number or (except for seed potatoes produced in England) seed lot reference number

— Particulars of any chemical treatment

Status:

Point in time view as at 24/07/2020.

Changes to legislation:

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