

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Lists Regulations for acceptance of the variety concerned on to a National List and that application has not been withdrawn or finally determined;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 [^{F1}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 [^{F2}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 & Kotth) 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—
 - (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 ^{F3}... (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.

Changes to legislation: There are currently no known outstanding effects for the The Seed Potatoes (Wales) Regulations 2016, SCHEDULE 5. (See end of Document for details)

Textual Amendments

- F1** Words in Sch. 5 para. 3(b) substituted (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 4(6)(a)**
- F2** Words in Sch. 5 para. 3(b) substituted (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 4(6)(b)**
- F3** Words in Sch. 5 para. 3(f)(ii) omitted (29.8.2020) by virtue of [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, **5(6)**

Changes to legislation:

There are currently no known outstanding effects for the The Seed Potatoes (Wales) Regulations 2016, SCHEDULE 5.