

WELSH STATUTORY INSTRUMENTS

2020 No. 833

**The Marketing of Seed, Plant and Propagating
Material (Wales) Regulations 2020**

The Seed Potatoes (Wales) Regulations 2016

5.—(1) The Seed Potatoes (Wales) Regulations 2016(1) are amended as follows.

(2) In regulation 3, for the definition of “[Directive 2014/21/EU](#)” substitute—

““[Directive 2014/21/EU](#)” (“*Cyfarwydddeb 2014/21/EU*”) means Commission Implementing [Directive 2014/21/EU](#) determining minimum conditions and Union Grades for pre-basic seed potatoes(2);”.

(3) In Schedule 1—

(a) in paragraph 3(c), for paragraphs (vi) and (vii) substitute—

“(vi) Colorado Beetle (*Leptinotarsa decemlineata* (Say));

(vii) Potato Tuber Eelworm (*Ditylenchus destructor* (Thorne));

(viii) *Candidatus Liberibacter solanacearum* Liefting et al.; and

(ix) *Candidatus Phytoplasma solani* Quaglino et al;”;

(b) in paragraph 8, in the words after sub-paragraph (b)(iii), omit “prevalent in Europe”;

(c) in paragraph 10, in the words after sub-paragraph (b)(ii), omit “prevalent in Europe”.

(4) In Schedule 3—

(a) in the table in Part 1, in column 1—

(i) under the heading “Group II”, for the words from “Blackleg” to “et al or both” substitute “Blackleg (*Dickeya* Samson et al. spp. or *Pectobacterium* Waldee emend. Hauben et al. spp. or both)”;

(ii) under the heading “Group IV”, for “Black Scurf (*Rhizoctonia solani* Kuhn)” substitute “Black scurf as caused by *Thanatephorus cucumeris* (A.B. Frank) Donk”;

(b) in the table in Part 1, under the heading “Group 1”, after the entry “Colorado Beetle” insert—

“*Candidatus Liberibacter solanacearum* Liefting et al | Nil

Candidatus Phytoplasma solani Quaglino et al | Nil”;

(c) for Parts 2 and 3 substitute—

(1) [S.I. 2016/106 \(W. 52\)](#), relevant amending instruments are [S.I. 2018/1216 \(W. 249\)](#), [2020/206 \(W. 48\)](#). [S.I. 2016/106 \(W. 52\)](#) is amended prospectively by [S.I. 2019/738 \(W. 141\)](#).

(2) Last amended by Commission Implementing [Directive \(EU\) 2020/177](#) amending Council Directives [66/401/EEC](#), [66/402/EEC](#), [68/193/EEC](#), [2002/55/EC](#), [2002/56/EC](#) and [2002/57/EC](#), Commission Directives [93/49/EEC](#) and [93/61/EEC](#) and Implementing Directives [2014/21/EU](#) and [2014/98/EU](#) as regards pests of plants on seeds and other plant reproductive material (OJ No. L 41, 13.2.2020, p. 1). See section 26 of the [Legislation \(Wales\) Act 2019](#) (anaw 4).

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“PART 2

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

<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>
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 & 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>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%))
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%))
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 & Wake-field)) M B Ellis	0.2%)) 6.0%

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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>
Group IV			
Black scurf as caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk 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	1.0%) 5.0%)
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%		

PART 3

Basic seed potatoes and certified seed potatoes produced in Wales

<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>
Group I			

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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>
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 & 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>Candidatus</i> Liberibacter <i>solanacearum</i> Lieferting 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%))
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> Pethybridge) and Pit Rot	0.5%) 0.5%)
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			

<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>
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			
Black scurf as caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk 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	5.0%))
Common Scab (<i>Streptomyces</i> species) 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	5.0%))
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			

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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>
Dirt or other extraneous matter	1.0%		”;

(d) in the table in Part 4, after the entry for “Colorado Beetle” insert—

“ <i>Candidatus Liberibacter solanacearum</i> Liefiting et al	Nil	”.
<i>Candidatus Phytoplasma solani</i> Quaglino et al	Nil	

(5) In Part 1 of Schedule 4, in table 1—

(a) in the entry for Union grade “PBTC”, in the second column—

- (i) in paragraph (1)(a)(i), after “*Dickeya* spp.,” insert “*Candidatus Liberibacter solanacearum*, *Candidatus Phytoplasma solani*, Potato spindle tuber viroid,”;
- (ii) in paragraph (1)(b)(i), at the beginning insert “*Candidatus Liberibacter solanacearum*, *Candidatus Phytoplasma solani*, Potato spindle tuber viroid,”;

(b) in the entry for Union grade “PB”, in the second column—

- (i) in paragraph (1)(a)(ii), after “*Dickeya* spp.,” insert “*Candidatus Liberibacter solanacearum*, *Candidatus Phytoplasma solani*, Potato spindle tuber viroid,”;
- (ii) in paragraph (2)(i), at the beginning insert “*Candidatus Liberibacter solanacearum*, *Candidatus Phytoplasma solani*, Potato spindle tuber viroid,”.

(6) In Schedule 5, in paragraph 3(f)(ii), omit “prevalent in Europe”.