

1991 No. 397

SEEDS

Seed Potatoes (Amendment) Regulations
(Northern Ireland) 1991

Made 22nd August 1991

Coming into operation 3rd October 1991

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(a), 2 and 12 of the Seeds Act (Northern Ireland) 1965(b) and of all powers enabling it in that behalf, after consultation with representatives of such interests as appear to it to be concerned, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Seed Potatoes (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 3rd October 1991.

Amendment of Seed Potatoes Regulations (Northern Ireland) 1981

2. The Seed Potatoes Regulations (Northern Ireland) 1981(c) shall be amended as provided in regulations 3 to 10.

Interpretation

3.—(1) In regulation 2(1) there shall be deleted—

(a) sub-paragraph (c) of the definition of “lot”; and

(b) the definition of “scheme”.

(2) For regulation 2(2) there shall be substituted the following paragraph—

“(2) These Regulations are without prejudice to the provisions of the Plant Health Order (Northern Ireland) 1988(d).”

Marketing of seed potatoes

4. In regulation 4—

(a) in paragraph (2) for the “; or” at the end of sub-paragraph (c) there shall be substituted a full stop and sub-paragraphs (d) to (f) shall be deleted; and

(a) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 3

(b) 1965 c. 22 (N.I.)

(c) S.R. 1981 No. 243 relevant amending Rule is S.R. 1983 No. 244

(d) S.R. 1988 No. 175 relevant amending Rules are S.R. 1989 No. 426 and S.R. 1991 No. 128

(b) after paragraph (2) there shall be inserted the following paragraph—

“(2A) Where the size of any basic seed potatoes being marketed is stated pursuant to these Regulations then—

- (a) that size shall be stated as falling between a lower size limit and an upper size limit;
- (b) in the case of potatoes of a size greater than 35mm those limits shall be expressed in multiples of 5mm; and
- (c) that statement shall be deemed to be correct if the percentage by weight of such potatoes which are either smaller than the lower size limit so stated or greater than the upper size limit so stated does not exceed 3% of such total weight.”.

Withholding or withdrawal of sealing devices, official labels or official documents

5. In regulation 8(1)(b) for “regulation 4(2)(c), (d), (e) or (f)” there shall be substituted “regulation 4(2)(c) and (2A)”.

6. In regulation 8(2) for “Potato Cyst Eelworm” there shall be substituted “Potato Cyst Nematode”.

Tolerances

7. In regulation 13 paragraph (1) shall be deleted.

Certification of seed potatoes

8.—(1) In Schedule 1 paragraph 2—

(a) in sub-paragraph (a) for the words “the Seeds (National Lists of Varieties) Regulations 1979” there shall be substituted “The Seeds (National Lists of Varieties) Regulations 1982(a)”;

(b) there shall be deleted sub-paragraphs (c) and (e).

(2) In Schedule 1 paragraph 3—

(a) in sub-paragraph (a) for heads (i) and (ii) there shall be substituted the following heads—

“(i) is not land in respect of which a notice has been issued under Article 17(4) of the Plant Health Order (Northern Ireland) 1988 declaring that land infected with Wart Disease of Potatoes or Potato Cyst Nematode; and

(ii) has by sampling and laboratory examination been found to be free from Potato Cyst Nematode; and”;

(b) in sub-paragraph (d) for “Potato Cyst Eelworm” there shall be substituted “Potato Cyst Nematode”.

Classification of basic seed potatoes

9. For Schedule 2 there shall be substituted the Schedule set out in the Schedule to these Regulations.

(a) S.I. 1982 No. 844 as amended by S.I. 1985 No. 1529, S.I. 1989 No. 1314 and S.I. 1990 No. 1353

Tolerances for disease or pest, damage, blemish and impurity

10. In Schedule 5 Part II Group V for "0.5%" in both places where it occurs there shall be substituted "3%".

Sealed with the Official Seal of the Department of Agriculture on 22nd August 1991.

(L.S.)

I. C. Henderson

Assistant Secretary

SCHEDULE

Regulation 9

"SCHEDULE 2 Regulation 2(1), 5 & 13(3)

Classification of Basic Seed Potatoes

1. When in the course of certification of any seed potatoes produced in Northern Ireland as basic seed potatoes, an authorised officer is satisfied that, in the case of those potatoes, the requirements set out in column 2 of paragraph 2 in relation to those potatoes have been met and the tolerances, if any, set out in column 3 have not been exceeded, the Department shall classify the potatoes in question into the appropriate class set out in column 1. The Department shall state in the certificate the class into which such potatoes have been classified. The classes listed in column 1 of paragraph 2 are arranged in descending order of quality.

2. Column 1 Class	Column 2 Requirements	Column 3 Tolerances
VTSC SEED VTSC 1	<p>The seed potatoes shall:</p> <p>(a) be grown in a crop planted with tubers derived from pathogen tested mother tubers using micro-propagation techniques with all selections, testings and propagation carried out under the supervision of an authorised officer;</p> <p>(b) be free from visible signs of leaf roll, mild mosaic, severe mosaic and blackleg;</p> <p>(c) be found on laboratory examination of a sample of leaves to be free from latent infection by mosaic viruses;</p> <p>(d) be free from rogues and recognisable variations and ground keepers;</p> <p>(e) be grown and entered for classification by a person whose facilities, planting arrangements and manner of keeping appropriate records in relation to the production of seed potatoes are of a sufficiently high standard to enable that person to produce seed potatoes which will meet the requirements of the classes VTSC 1 and VTSC 2;</p> <p>(f) be sufficiently isolated from potato crops below the standard of classes VTSC 1</p>	Nil.

2. <i>Column 1</i> <i>Class</i>	<i>Column 2</i> <i>Requirements</i>	<i>Column 3</i> <i>Tolerances</i>
	and VTSC 2 in order to prevent the transmission of disease from such crops; and (g) have had the foliage of the plants destroyed by the date notified to the owner of the crop or his agent by an authorised officer.	
VTSC 2	The requirements shall be the same as for class VTSC 1 except that the seed potatoes shall be derived from a stock which was classified as class VTSC 1 in the year preceding the planting of the crop.	Nil.
SUPER ELITE SEED (SE) SE 1	The seed potatoes shall: (a) be derived from a stock which was classified as class VTSC 1 or class VTSC 2 in the year preceding the planting of the crop; (b) be sufficiently isolated from potato crops below the standard of any class of Super Elite in order to prevent the transmission of disease from such crops; and (c) have had the foliage of the plants destroyed by the date notified to the owner of the crop or his agent by an authorised officer.	(i) Varietal impurity and deviation from type—0.05% by number of plants. (ii) Tobacco Veinal Necrosis—Nil. (iii) Leaf Roll and Severe Mosaic (other than Tobacco Veinal Necrosis) combined—0.01% by number of plants. (iv) Mild Mosaic including all mottles—0.05% by number of plants. (v) Blackleg—0.25% by number of plants.
SE 2	The requirements shall be the same as for class SE 1 except that the seed potatoes shall be derived from a stock which was classified as class SE 1 in the year preceding the planting of the crop.	As for class SE 1.

2. Column 1
ClassColumn 2
RequirementsColumn 3
Tolerances

SE 3

The requirements shall be the same as for class SE 1 except that the seed potatoes shall be derived from a stock which was classified as class SE 2 in the year preceding the planting of the crop.

As for class SE 1.

ELITE SEED (E)

E

The seed potatoes shall:

- (a) be derived either from a stock which was classified as class VTSC 1, VTSC 2, SE 1, SE 2, SE 3 or E in the year preceding the planting of the crop or from seed potatoes produced in accordance with paragraph 3(b) (iii) or (iv) of Schedule 1;
- (b) be sufficiently isolated from potato crops below the standard of class E in order to prevent the transmission of disease from such crops; and
- (c) have had the foliage of the plants destroyed by the date notified to the owner of the crop or his agent by an authorised officer.

- (i) Varietal impurity and deviation from type—0.07% by number of plants.
- (ii) Leaf Roll and Severe Mosaic (including Tobacco Veinal Necrosis) combined—0.10% by number of plants.
- (iii) Mild Mosaic including all mottles—0.50% by number of plants.
- (iv) Blackleg—0.50% by number of plants.

CLASS A SEED

A

The seed potatoes shall:

- (a) be derived either from a stock which was classified as class VTSC 1, VTSC 2, SE 1, SE 2, SE 3 or E in the year preceding the planting of the crop or from seed potatoes produced in accordance with paragraph 3(b) (iii) or (iv) of Schedule 1;
- (b) be sufficiently isolated from potato crops below the standard of class A in order to prevent the transmission of disease from such crops; and
- (c) have had the foliage of the plants destroyed by the date notified to the owner of the crop or his agent by an authorised officer.

- (i) Varietal impurity and deviation from type—0.10% by number of plants.
- (ii) Leaf Roll and Severe Mosaic (including Tobacco Veinal Necrosis) combined—0.25% by number of plants.
- (iii) Mild Mosaic including all mottles—1.0% by number of plants.
- (iv) Blackleg—1.0% by number of plants.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Seed Potatoes Regulations (Northern Ireland) 1981 ("the principal Regulations"). The main changes are as follows:

- (1) the size requirements for seed potatoes being marketed have been modified and the tolerance for the stated size has been increased from 1.5% to 3% (regulations 3(1)(a), 4 and 7);
- (2) the requirement that roguing of growing crops of seed potatoes be only carried out under the direction of an authorised officer of the Department of Agriculture has been deleted (regulation 8(1)(b));
- (3) the refusal of a certificate under Schedule 1 to the principal Regulations becomes mandatory (as opposed to discretionary) where seed potatoes have been grown on land which has been declared infected with wart disease of potatoes (regulation 8(1)(b) and 2);
- (4) the standards to be met to enable basic seed potatoes to be classified as "Elite Seed" or "Class A Seed" have been modified in respect of Tobacco Veinal Necrosis (regulation 9 and the Schedule); and
- (5) the tolerance for external blemishes in basic seed potatoes produced in Northern Ireland has been increased from 0.5% to 3% (regulation 10).