

The Seed Potatoes Regulations (Northern Ireland) 2015

Transposition Note describing transposition of:

- Directive 2002/56/EC (“the principle Directive”)
- Commission Implementing Directive 2014/20/EU
- Commission Implementing Directive 2014/21/EU

Transposition of the principle Directive (as amended by Commission Implementing Directive 2013/63/EU

Article of the principle Directive	Purpose	Implementation
Article 1	Application to the production with a view to marketing, and to the marketing of, seed potatoes within the EU.	Reg. 1(2)
Article 2(a)	Definition of marketing.	Reg. 2(1)
Article 2(b)	Definition of “basic seed potatoes”.	Reg. 2(1); reg. 10(3)(b) and Schedules 1 and 3 (certification)
Article 2(c)	Definition of “certified Seed potatoes”.	No transposition required by virtue of Decision 2004/3/EC, as amended by Commission Implementing Decision 2014/105/EU.
Article 2(d)	Official measures.	All official measures are undertaken by Departmental officials.
Article 3(1)	Marketing of seed potatoes which have been officially certified.	Reg. 4(1); reg. 10 and Schedules 1 (relates to Annex I standards) and 3 (relates to Annex II standards).
Article 3(2) and (3)	Grading of seed potatoes.	Reg. 2(1) (definition of Union grade); reg. 10(5) (determination of grade) and Schedule 4 (requirements for grading).
Article 3(4)	Seed potatoes produced by micropropagation.	No transposition required.
Article 4	Pre-basic seed potatoes.	Reg. 2(1) (definition of pre-basic seed potatoes); reg. 4 (permitting the marketing of pre-basic seed potatoes).
Article 5	Requirements for certification of seed potatoes.	Reg. 10 and Schedules 1, 3 and 4 (certification and grading - more stringent controls applied to seed potatoes produced in

		Northern Ireland.
Article 6(1)(a)	Marketing of seed potatoes for scientific purposes or selection work.	Reg. 2(1) (definition of scientific and selection work seed potatoes); reg. 6
Article 6(1)(b)	Marketing of test and trial seed potatoes.	Reg. 2(1) (definition of test and trial seed potatoes); reg. 7 and Schedule 5.
Article 6(2)	Marketing of test and trial seed potatoes.	No transposition required. Commission Decision 2004/842/EC applies and is implemented in reg. 7.
Article 6(3)		No transposition required.
Article 7	Sampling of seed potatoes.	Reg. 18 and Schedule 6.
Article 8	Separation of seed potatoes for plant health reasons.	Regs. 9 and 17.
Article 9	Prohibition on marketing seed potatoes treated with sprout inhibitors.	Reg. 4(2).
Article 10(1)	Size of seed potatoes.	Reg. 8.
Article 10(2)		Reg. 8(3).
Article 10(3)		No transposition required.
Article 11(1)	Marketing homogenous lots of seed potatoes in closed containers or packages.	Regs. 2(1) (definition of package or container), 9 and 12.
Article 11(2)	Exception for small quantities.	Reg. 16.
Article 12(1)	Sealing of packages and containers.	Reg. 12(1) and (3).
Article 12(2)	Re-sealing of packages and containers.	Reg. 12(2) and (3).
Article 12(3)	Exemption for small packages.	Reg. 16.
Article 13(1)	Official labels and documents.	Reg. 11 and Schedule 2.
Article 13(2)	Exemption for small quantities.	Reg. 16.
Article 14		No transposition required.
Article 15	Indication of genetic modification.	Reg. 13 and Schedule 2.
Article 16	Requirement to provide details of any chemical treatment.	Reg. 11(9).
Article 17		No transposition required.
Article 18	Requirements for marketing of pre-basic seed potatoes.	Reg. 2(1) (definition of pre-basic seed potatoes), reg. 10 and Schedules 1 and 3 (certification and grading), reg. 11 and Schedule 2 (labelling) and reg. 12 (sealing of packages and containers).
Article 19		No transposition required.
Article 20		No transposition required.
Article 21		Not transposed. There is a general restriction on the import of seed potatoes from third countries in item 10 of Part A of Annex III to the Plant Health Directive (2000/29/EC). As potatoes from Switzerland are excepted from this restriction reg. 2(3)

		implements this exemption.
Article 22		No transposition required.
Article 23	Compliance with marketing requirements.	Reg. 18 (sampling); reg. 20 (powers of inspection and production).
Article 24		No transposition required.
Article 25		No transposition required.
Article 26		No transposition required.
Article 27		No transposition required.
Article 28		No transposition required.
Article 29		No transposition required.
Article 30		No transposition required.
Article 31		No transposition required.
Annex I	Conditions to be satisfied by seed potatoes	
1.(a)		Schedule 1, Part 3, para 8(c).
1.(b)		Schedule 1, Part 3, para 8(a).
1.(c)		Schedule 1, Part 3, para 7.
1.(d)		Schedule 1, Part 3, para 8(b).
2		No transposition required as certified seed potatoes may not be marketed in Northern Ireland.
4		Schedule 1, Part 3, paras 7 and 8(b).
7		Reg. 11(6)(b); Schedule 1, Part 3, para 9(b).
Annex II	Minimum quality conditions for lots of seed potatoes	
(1)		Schedule 3, Table 2, Group II, item (viii)
(2)		Schedule 3, Table 2, Group II, item (i).
(3)		Schedule 3, Table 2, Group II, item (vii).
(4)		Schedule 3, Table 2, Group II, item (iii).
(5)		Schedule 3, Table 2, Group II, item (ii).
(6)		Schedule 3, Table 2, Group II, item (iv).
(7)		Schedule 3, Table 2, Group II, item (vi).
Additional test "Total tolerance ..."	Schedule 3, Table 2, Group II, item (ix).	
Annex III	Labelling requirements	
A		Schedule 2, Part 1, para (3)(b).
B		Schedule 2, Part 1, para (2).

Annex IV		No transposition required.
Annex V		No transposition required.

Transposition of Commission Implementing Directive 2014/20/EU

Article of Directive 2014/20/EU	Purpose	Implementation
Article 1(a); point (1)(a) of Annex I (grade S)	Seed potatoes marketed as "Union Grade S".	Reg. 4(1)(b) and (c); reg. 10(5); Schedule 4, Table 2.
Point (1)(a)(i) of Annex I	"Union Grade S" requirements.	Schedule 4, Table 2 (Union Grade S), Column 3, point (a)(i).
Point (1)(a)(ii) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (a)(iv)
Point (1)(a)(iii) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (a)(v).
Point (1)(a)(iv) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (a)(ii) and (iii) (standards are tighter in reliance of Article 5 of the principle Directive).
Point (1)(a)(v) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 2.
Point (1)(a)(vi) of Annex I		Reg. 11(6)(b)(i).
Article 1(b); point (1)(b) of Annex I	Seed potatoes marketed as "Union Grade S".	Reg. 4(1)(b) and (c); reg. 10(5); Schedule 4, Table 2.
Point (1)(b)(i) of Annex I	Tolerance applicable to lots of seed potatoes in respect of "Union Grade S".	Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(i).
Point (1)(b)(ii) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(ii).
Point (1)(b)(iii) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(iii).
Point (1)(b)(iv) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(iv).
Point (1)(b)(v) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(vi).
Point (1)(b)(vi) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(vii)
Point (1)(b)(vii) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(viii)

Point (1)(b)(viii) of Annex I		Schedule 4, Table 2 (Union Grade S), Column 3, point (b)(ix).
Article 2(a); point (2)(a) of Annex I (grade SE)	Seed potatoes marketed as "Union Grade SE".	Reg. 4(1)(b) and (c); reg. 10(5); Schedule 4, Table 2.
Point (2)(a)(i) of Annex I	"Union Grade SE" requirements.	Schedule 4, Table 2 (Union Grade SE), Column 3, point (a)(i).
Point (2)(a)(ii) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (a)(iv).
Point (2)(a)(iii) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (a)(v).
Point (2)(a)(iv) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (a)(ii) and (iii) (standards are tighter in reliance of Article 5 of the principle Directive).
Point (2)(a)(v) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 2.
Point (2)(a)(vi) of Annex I		Reg. 11(6)(b)(ii).
Article 2(b); point (2)(b) of Annex I (grade SE)		Seed potatoes marketed as "Union Grade SE".
Point (2)(b)(i) of Annex I	Tolerance applicable to lots of seed potatoes in respect of "Union Grade SE".	Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(i).
Point (2)(b)(ii) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(ii).
Point (2)(b)(iii) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(iii).
Point (2)(b)(iv) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(iv).
Point (2)(b)(v) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(vi).
Point (2)(b)(vi) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(vii).
Point (2)(b)(vii) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(viii).
Point (2)(b)(viii) of Annex I		Schedule 4, Table 2 (Union Grade SE), Column 3, point (b)(ix).
Article 3(a); point (3)(a) of Annex I		Seed potatoes marketed as "Union Grade E".

(grade E)		
Point (3)(a)(i) of Annex I	"Union Grade E" requirements.	Schedule 4, Table 2 (Union Grade E), Column 3, point (a)(i).
Point (3)(a)(ii) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (a)(iv).
Point (3)(a)(iii) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (a)(v).
Point (3)(a)(iv) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (a)(ii) and (iii) (standards are tighter in reliance of Article 5 of the principle Directive).
Point (3)(a)(v) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 2.
Point (3)(a)(vi) of Annex I		Reg. 11(6)(b)(iii).
Article 3(b); point (3)(b) of Annex I (grade SE)	Seed potatoes marketed as "Union Grade E".	Reg. 4(1)(c); reg. 10(5); Schedule 4, Table 2.
Point (3)(b)(i) of Annex I	Tolerance applicable to lots of seed potatoes in respect of "Union Grade E".	Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(i).
Point (3)(b)(ii) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(ii).
Point (3)(b)(iii) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(iii).
Point (3)(b)(iv) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(iv).
Point (3)(b)(v) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(vi).
Point (3)(b)(vi) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(vii).
Point (3)(b)(vii) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(viii).
Point (3)(b)(viii) of Annex I		Schedule 4, Table 2 (Union Grade E), Column 3, point (b)(ix).
Article 2		
Article 3		No transposition required.
Article 4		No transposition required.
Article 5		No transposition required.
Article 6		No transposition required.

Article 7		No transposition required.
Annex I		As above
Annex II		Not transposed – no certified seed potatoes in Northern Ireland.

Transposition of Commission Implementing Directive 2014/21/EU

Article of Directive 2014/21/EU	Purpose	Implementation
Article 1		No transposition required.
Article 2	Minimum conditions for pre-basic seed potatoes.	Reg. 4(1)(a); reg. 10; Schedules 1 and 3.
Article 2(1)(a)		Schedule 1, Part 2, par 5(a).
Article 2(1)(b)		Schedule 1, Part 2, par 5(1)(c).
Article 2(1)(c)		Schedule 1, Part 2, par 5(1)(d).
Article 2(1)(d)		Schedule 1, Part 2, par 5(1)(e).
Article 2(1)(e)		Schedule 1, Part 2, par 5(1)(f) and (g) (standards are tighter in reliance of Article 5 of the principle Directive).
Article 2(1)(f)		Schedule 1, Part 2, part 5(1)(h).
Article 2(2)	Provision to market pre-basic seed potatoes as “Union Grade PBTC” and “Union Grade PB”	Reg. 10(5); Schedules 1 and 3 (certification) and Schedule 4 (grading).
Article 2(3)	Requirement for official inspection of growing crop.	Reg. 10(3)(a) and Schedule 1.
Article 3	Minimum conditions for lots of pre-basic seed potatoes.	Reg. 4(1)(a); reg. 10; Schedules 1 and 3.
Article 3(a)		Schedule 3, Table 1, Group II, item (viii).
Article 3(b)		Schedule 3, Table 1, Group II, item (i).
Article 3(c)		Schedule 3, Table 1, Group II, item (vii).
Article 3(d)		Schedule 3, Table 1, Group II, item (iii).
Article 3(e)		Schedule 3, Table 1, Group II, item (ii).
Article 3(f)		Schedule 3, Table 1, Group II, item (iv).
Article 3(g)		Schedule 3, Table 1, Group II, item (vi).
Article 3(h)		Schedule 3, Table 1, Group II, item (ix).
Article 4		No transposition required.

Article 5		No transposition required.
Article 6		No transposition required.
Annex, point (1) (Grade PBTC)	"Union Grade PBTC" requirements	Reg. 4(1)(a); reg. 10(5); Schedule 4, Table 1.
Annex, point 1(a)(i)		Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (a)(i).
Annex, point 1(a)(ii)		Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (a)(iv).
Annex, point 1(a)(iii)		Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (a)(v).
Annex, point 1(a)(iv)		Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (a)(ii) and (iii).
Annex, point 1(a)(v)		Schedule 4, Table 1 (Union Grade PBTC), Column 3, point (b).
Annex, point 1(a)(vi)		Schedule 4, Table 1 (Union Grade PBTC), Column 3, points (a) and (c).
Annex, point 1(a)(vii)		Schedule 4, Table 1 (Union Grade PBTC), Column 3, point (d).
Annex, point (1)(b)(i)		Tolerance applicable to lots of seed potatoes in respect of "Union Grade PBTC".
Annex, point (1)(b)(ii)	Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (b)(ii).	
Annex, point (1)(b)(iii)	Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (b)(iii).	
Annex, point (1)(b)(iv)	Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (b)(iv).	
Annex, point (1)(b)(v)	Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (b)(vi).	
Annex, point (1)(b)(vi)	Schedule 4, Table 1 (Union Grade PBTC), Column 4, point (b)(vii).	
Annex, point (2) (Grade PB)	"Union Grade PB" requirements	
Annex, point (2)(a)(i)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (a)(i).
Annex, point (2)(a)(ii)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (a)(iv).
Annex, point (2)(a)(iii)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (a)(ii) and (iii)

		(standards are tighter in reliance of Article 5 of the principle Directive).
Annex, point (2)(a)(iv)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (a)(v).
Annex, point (2)(b)(i)	Tolerance applicable to lots of seed potatoes in respect of "Union Grade PB".	Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(i).
Annex, point (2)(b)(ii)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(ii).
Annex, point (2)(b)(iii)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(iii).
Annex, point (2)(b)(iv)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(iv).
Annex, point (2)(b)(v)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(vi).
Annex, point (2)(b)(vi)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(vii).
Annex, point (2)(b)(vii)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(viii).
Annex, point (2)(b)(viii)		Schedule 4, Table 1 (Union Grade PB), Column 4, point (b)(ix).

END.