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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 123**

**The Action Programme for Nitrate Vulnerable  
Zones (Scotland) Amendment Regulations 2013**

**Amendment of regulation 12**

6.—(1) Regulation 12 (maximum application of nitrogen fertiliser) is amended as follows.

(2) For paragraph (4), substitute—

“(4) Before planting any crop which is not referred to in paragraph (2) or (3), the maximum amount of nitrogen fertiliser which can be applied to that crop shall be calculated in accordance with the recommendations for that crop type specified in—

- (a) the Scottish Agricultural College’s Technical Note TN651 (Nitrogen recommendations for cereals, oilseed rape and potatoes)(1);
- (b) the Scottish Agricultural College’s Technical Note TN623 (Fertiliser recommendations for soft fruit and rhubarb crops)(2); or
- (c) the Scottish Agricultural College’s Technical Note TN649 (Fertiliser recommendations for vegetable, minority arable crops and bulbs)(3),

and no nitrogen shall be applied in excess of that figure.”.

(3) After paragraph (6), insert—

“(7) Where the calculation of the maximum amount of nitrogen fertiliser that may be applied on the farm to a crop has been adjusted upwards in accordance with paragraph (2) (c) and Schedule 3 based on an expected yield, the expected yield must be based upon—

- (a) evidence of historic yields previously achieved by that crop at that farm; or
- (b) where a new crop management system is to be introduced for that crop at that farm, evidence from another farm within the same nitrate vulnerable zone with similar soil type and soil nutrient status of historic yields previously achieved by that crop at that other farm using that crop management system.”.

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(1) <http://www.sruc.ac.uk/tn651> (March 2013).

(2) [http://www.sruc.ac.uk/downloads/download/211/tn623\\_fertiliser\\_recommendations\\_for\\_soft\\_fruit\\_and\\_rhubarb\\_crops](http://www.sruc.ac.uk/downloads/download/211/tn623_fertiliser_recommendations_for_soft_fruit_and_rhubarb_crops) (November 2009).

(3) <http://www.sruc.ac.uk/tn649> (March 2013).