

SCHEDULE 3

Regulation 4(2)(b) and 10(9)(a) and (b)

REQUIREMENTS AS TO VARIETAL PURITY AND SIZE

Requirements as to varietal purity and size

1. For the purposes of regulation 4(2)(b), the applicable requirements as regards varietal purity and size are as specified in paragraphs 2, 3, 4 and 5.

Union grade PBTC

2.—(1) This paragraph applies to seed potatoes produced in Scotland where the applicable Union grade determined under regulation 8(2)(a) is Union grade PBTC.

(2) In the case of seed potatoes to which this paragraph applies, there must be no deviation from variety.

Union grade PB

3.—(1) This paragraph applies to seed potatoes produced in Scotland where the applicable Union grade determined under regulation 8(2)(a) or, as the case may be, under regulation 15(2), is Union grade PB.

(2) Subject to sub-paragraphs (3) and (4), in the case of seed potatoes to which this paragraph applies—

- (a) there must be no deviation from variety;
- (b) the minimum size must be such that the seed potatoes do not pass through a square mesh of 25 millimetres by 25 millimetres; and
- (c) the maximum variation in size between tubers in a lot must not exceed 25 millimetres.

(3) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(a), the variety of any seed potatoes is deemed to be as stated on the official label or official document in respect of the lot, if on a sample taken in accordance with regulation 17(3) and Schedule 8, the proportion of the weight of potatoes which deviate from the variety does not exceed 0.01% of the total weight of the sample.

(4) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(b) or (c), the size of any seed potatoes is deemed to be as stated on the official label or official document in respect of the lot, if on a sample taken in accordance with regulation 17(3) and Schedule 8, the proportion of the weight of the potatoes which are smaller than the minimum size stated on the official label or official document and larger than the maximum size stated on the official label or official document does not exceed 3% of the total weight of the sample.

Union grade S, SE, E and test and trial seed potatoes

4.—(1) This paragraph applies to seed potatoes produced in Scotland—

- (a) where the applicable Union grade determined under regulation 8(2)(a) or, as the case may be, regulation 15(2), is Union grade S, SE, or E; or
- (b) which have been certified under these Regulations as test and trial seed potatoes.

(2) Subject to sub-paragraphs (3) and (4), in the case of seed potatoes to which this paragraph applies—

- (a) there must be no deviation from variety;

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- (b) the minimum size must be such that the seed potatoes do not pass through a square mesh of 25 millimetres by 25 millimetres; and
- (c) the maximum variation in size between tubers in a lot must not exceed 25 millimetres.

(3) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(a), the variety of any seed potatoes is deemed to be as stated on the official label or official document in respect of the lot, if on a sample taken in accordance with regulation 17(3) and Schedule 8, the proportion of the weight of potatoes which deviate from the variety does not exceed 0.1% of the total weight of the sample.

(4) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(b) or (c), the size of any seed potatoes is deemed to be as stated on the official label or official document in respect of the lot, if on a sample taken in accordance with regulation 17(3) and Schedule 8, the proportion of the weight of potatoes which are smaller than the minimum size stated on the official label or official document and larger than the maximum size stated on the official label or official document does not exceed 3% of the total weight of the sample.

Seed potatoes produced outside Scotland

5.—(1) This paragraph applies to seed potatoes produced outside Scotland.

(2) In the case of seed potatoes to which this paragraph applies, the lot must—

- (a) comply with the requirements relating to size in Article 10 of Council Directive 2002/56/EC; and
- (b) be sufficiently homogeneous in accordance with the standards imposed by the relevant authority.

(3) For the purposes of determining whether a lot of seed potatoes to which this paragraph applies meets the requirements specified in sub-paragraph (2)(a), the size of any seed potatoes is deemed to be as stated on the official label or official document in respect of the lot, if on a sample taken in accordance with regulation 17(3) and Schedule 8, the proportion of the weight of potatoes which are smaller than the minimum size stated on the official label or official document and larger than the maximum size stated on the official label or official document does not exceed 3% of the total weight of the sample.