

SCHEDULE 1

Regulation 8(4) and 15(1)(a)

CONDITIONS FOR CERTIFICATION AND GRADING OF SCOTTISH SEED POTATOES

PART I

General

1. On receipt of an application for certification of any crop of seed potatoes under regulation 8(1), an authorised officer must—
 - (a) allocate to the applicant the producer’s identification number (“producer’s identification number”);
 - (b) allocate an identification number to the crop to which the application relates (“crop identification number”);
 - (c) conduct an official examination of the crop in order to determine—
 - (i) whether the seed potatoes may be certified as pre-basic seed potatoes, basic seed potatoes or test and trial seed potatoes; and
 - (ii) in respect of pre-basic seed potatoes and basic seed potatoes, the applicable Union grade; and
 - (d) subject to paragraphs 3 to 15, issue a crop inspection report complying with paragraph 2.
2. A crop inspection report must contain the following particulars—
 - (a) the name and address of the applicant;
 - (b) the name of the agricultural unit on which the crop was grown;
 - (c) the producer’s identification number;
 - (d) the crop identification number;
 - (e) whether the seed potatoes are certified as pre-basic seed potatoes, basic seed potatoes or, as the case may be, test and trial seed potatoes;
 - (f) the applicable Union grade and field generation;
 - (g) the date on which the crop inspection report was issued;
 - (h) the variety of the crop inspected;
 - (i) the area of the crop inspected; and
 - (j) the location (O.S. No. or F.I.D. No.) of the field on which the crop was grown.
3. An authorised officer may only issue a crop inspection report if the seed potatoes are of a variety—
 - (a) for the time being listed in the National List or in the Common Catalogue; or
 - (b) for which an application has been submitted, but not withdrawn or finally determined, for acceptance on to the National List.
4. An authorised officer may only issue a crop inspection report if satisfied that the seed potatoes are or were grown on land which has not been demarcated as a contaminated plot or part of a safety zone for the purposes of paragraph 1 of Schedule 14 to the Plant Health (Scotland) Order 2005 (special measures for the control of Potato Wart Disease)(1).
- 5.—(1) An authorised officer may only issue a crop inspection report if satisfied that—

(1) [S.S.I. 2005/613](#), to which there are no relevant amendments.

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- (a) except where sub-paragraph (2) applies, the seed potatoes have not at any stage of their production come into contact with—
 - (i) potatoes other than seed potatoes; or
 - (ii) any plant, machinery, equipment, container, store or vehicle previously used in the production of potatoes other than seed potatoes;
 - (b) the seed potatoes have, at all stages of production, been kept separate from seed potatoes of any other grade or variety;
 - (c) the propagation, growing and storage of the seed potatoes, has been carried out effectively in accordance with any notice given, or guidance published, from time to time by the Scottish Ministers for the purposes of the prevention of the occurrence, development or spread of pests and diseases;
 - (d) the seed potatoes are or were grown on an agricultural unit on which only pre-basic seed potatoes or basic seed potatoes permitted to be planted in accordance with article 39(3) of the Plant Health (Scotland) Order 2005(2), are or were grown in the same year;
 - (e) blanking in any of the growing crop of the seed potatoes is not or was not excessive;
 - (f) roguing of the growing crop of the seed potatoes has been carried out and the growing crop has not been over-rogued;
 - (g) the seed potatoes in any one crop are of a single variety; and
 - (h) the seed potatoes are taken from a crop which is free from all of the following diseases or pests—
 - (i) Potato Wart Disease (*Synchytrium endobioticum* (Schilb) Perc.);
 - (ii) Potato Cyst Nematode (*Globodera* spp. infesting potatoes);
 - (iii) Ring Rot (*Clavibacter michiganensis* subsp. *sepedonicus* (Spieck & Kotth) Davis *et al.*);
 - (iv) Brown Rot (*Ralstonia solanacearum* (Smith) Yabuuchi *et al.*);
 - (v) Potato Tuber Moth (*Phthorimaea operculella* (Zell));
 - (vi) Potato Spindle Tuber Viroid;
 - (vii) Colorado Beetle (*Leptinotarsa decemlineata* (Say)); and
 - (viii) Potato Tuber Eelworm (*Ditylenchus destructor* Thorne).
- (2) This sub-paragraph applies where—
- (a) the seed potatoes and potatoes other than seed potatoes were produced on the same agricultural unit; or
 - (b) the production of the seed potatoes was in accordance with arrangements approved in writing by the Scottish Ministers, prior to the use of the relevant plant, machinery, equipment, container, store or vehicle.

PART II

Pre-basic seed potatoes

6. An authorised officer may only certify seed potatoes as pre-basic seed potatoes if, following an official examination, the officer is satisfied that the seed potatoes meet the requirements specified

(2) S.S.I. 2005/613. Regulation 22 of these Regulations makes an amendment to the Plant Health (Scotland) Order 2005, which affects the interpretation of article 39(3).

in columns 2, 3 and 4 of Table I in Schedule 2 corresponding to at least one of the Union grades specified in column 1 of that Table.

7. An authorised officer may not certify seed potatoes as pre-basic seed potatoes unless the officer is satisfied that the land on which the seed potatoes are or were grown—

- (a) has, following an official examination performed prior to the planting of the crop, been found not to be contaminated with Potato Cyst Nematode (*Globodera* spp. infesting potatoes);
- (b) is not land notified as infested with Potato Cyst Nematode (*Globodera* spp. infesting potatoes) under paragraph 7 of Schedule 15 to the Plant Health (Scotland) Order 2005;
- (c) has not been found to have been contaminated with Potato Cyst Nematode (*Globodera* spp. infesting potatoes) for at least 6 years prior to the planting of the crop; and
- (d) has not been used for growing potatoes at any time during the 7 years immediately preceding the planting of the crop.

8. An authorised officer may not determine the seed potatoes as meeting the requirements of Union grade PBTC, if the immediately succeeding crop produced from those potatoes is likely to contain—

- (a) plants of another variety; or
- (b) plants infected by virus.

9. An authorised officer may not determine the seed potatoes as meeting the requirements of Union grade PB, if, in relation to the immediately succeeding crop produced from those potatoes, the number of growing plants which—

- (a) deviate from variety and type, is likely to exceed 0.01% of the total number of plants in that crop; or
- (b) show symptoms of any virus attributable to infection in the mother crop, is likely to exceed 0.5% of that total number.

PART III

Basic seed potatoes

10. An authorised officer may only certify seed potatoes as basic seed potatoes if, following an official examination, the officer is satisfied that the seed potatoes meet the requirements specified in columns 2, 3 and 4 of Table II in Schedule 2 corresponding to at least one of the grades specified in column 1 of that Table.

11. An authorised officer may not certify seed potatoes as basic seed potatoes unless the officer is satisfied that the land on which the seed potatoes are or were grown—

- (a) has, following an official examination performed prior to the planting of the crop, been found not to be contaminated with Potato Cyst Nematode (*Globodera* spp. infesting potatoes);
- (b) is not land notified as infested with Potato Cyst Nematode (*Globodera* spp. infesting potatoes) under paragraph 7 of Schedule 15 to the Plant Health (Scotland) Order 2005;
- (c) has not been found to have been contaminated with Potato Cyst Nematode (*Globodera* spp. infesting potatoes) for at least 6 years prior to the planting of the crop; and
- (d) has not been used for growing potatoes at any time during the 5 years immediately preceding the planting of the crop.

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12. An authorised officer may not determine the seed potatoes as meeting the requirements of Union grade S, SE or, as the case may be, E if, in relation to the immediately succeeding crop produced from those potatoes, the number of growing plants which—

- (a) deviate from variety, is likely to exceed 0.1% of the total number of plants in that crop;
- (b) deviate from variety and type, is likely to exceed 0.25% of that total number; or
- (c) show symptoms of any virus attributable to infection in the mother crop, is likely to exceed 4% of that total number.

PART IV

Test and trial seed potatoes

13. An authorised officer may only certify seed potatoes as test and trial seed potatoes if, following an official examination, the officer is satisfied that the seed potatoes meet the requirements specified in columns 2, 3 and 4 of Table II in Schedule 2 corresponding to at least one of the Union grades specified in column 1 of that Table.

14. An authorised officer may not certify seed potatoes as test and trial seed potatoes unless the officer is satisfied that the land on which the seed potatoes are or were grown—

- (a) has, following an official examination performed prior to the planting of the crop, been found not to be contaminated with Potato Cyst Nematode (*Globodera* spp. infesting potatoes);
- (b) is not land notified as infested with Potato Cyst Nematode (*Globodera* spp. infesting potatoes) under paragraph 7 of Schedule 15 to the Plant Health (Scotland) Order 2005;
- (c) has not been found to have been contaminated with Potato Cyst Nematode (*Globodera* spp. infesting potatoes) for at least 6 years prior to the planting of the crop; and
- (d) has not been used for growing potatoes at any time during the 5 years immediately preceding the planting of the crop.

15. An authorised officer may not certify any seed potatoes as test and trial seed potatoes if, in relation to the immediately succeeding crop produced from those potatoes, the number of growing plants which—

- (a) deviate from variety, is likely to exceed 0.1% of the total number of plants in that crop;
- (b) deviate from variety and type, is likely to exceed 0.25% of that total number; or
- (c) show symptoms of any virus attributable to infection in the mother crop, is likely to exceed 4% of that total number.

SCHEDULE 2

Regulations 2(1) and 8(2) and (4)

CERTIFICATION AND GRADING: SOURCE MATERIAL REQUIREMENTS, OTHER REQUIREMENTS AND TOLERANCES

1. In this Schedule.—

- (a) Table I sets out the applicable requirements as regards source material, other requirements and tolerances in respect of the certification and grading of pre-basic seed potatoes; and
- (b) Table II sets out the applicable requirements as regards source material, other requirements and tolerances in respect of—

- (i) the certification and grading of basic seed potatoes; and
- (ii) the certification of test and trial seed potatoes.

2. The percentages specified in column 4 of Tables I and II reflect the maximum permitted proportion, expressed as a percentage, which the number of growing plants affected by the disease or varietal impurity may bear against the total number of plants in the sample.

TABLE I
PRE-BASIC SEED POTATOES

<i>Column 1</i> <i>Union</i> <i>Grade</i>	<i>Column 2</i> <i>Source Material</i>	<i>Column 3</i> <i>Other Requirements</i>	<i>Column 4</i> <i>Tolerances</i>
PBTC	Nuclear stock or a crop which has been approved in writing by the Scottish Ministers.	The seed potatoes are— (a) grown in a unit officially approved for production of seed potatoes of the Union grade PBTC; (b) kept free, as far as practicable, from diseases and aphids by appropriate husbandry measures; and (c) the first generation of this stock.	A sample of the seed potatoes taken during an official examination must not exceed the following tolerances— (a) deviations from variety and type – nil; (b) Blackleg (<i>Pectobacterium</i> spp.) – nil; (c) Potato Virus Y, Potato Virus A and Potato Leafroll Virus – nil; (d) total virus (including those mentioned in paragraph (c)) - nil; (e) <i>Dickeya</i> spp. – nil; and (f) virus in direct progeny – nil.
PB	(a) Stock of seed potatoes of the Union grade PBTC produced in the immediately preceding growing season which was either— (i) certified and determined to meet the requirements of that grade; or	The seed potatoes— (a) are grown by a person whose facilities, test methods, planting arrangements and procedure for keeping records in relation to production of seed potatoes are acceptable to the Scottish Ministers;	A sample of the seed potatoes taken during an official examination must not exceed the following tolerances— (a) deviations from variety and type – 0.01%; (b) Blackleg (<i>Pectobacterium</i> spp.) – nil; (c) Potato Virus Y, Potato Virus A and

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<i>Column 1</i> <i>Union</i> <i>Grade</i>	<i>Column 2</i> <i>Source Material</i>	<i>Column 3</i> <i>Other Requirements</i>	<i>Column 4</i> <i>Tolerances</i>
	<p>(ii) inspected by an authorised officer and found to have met the requirements of that grade and retained by the grower; or</p> <p>(b) a crop which has been approved in writing by the Scottish Ministers.</p>	<p>(b) are grown in the year of application for certification on an agricultural unit on which are grown only—</p> <p>(i) pre-basic seed potatoes; or</p> <p>(ii) basic seed potatoes of Union grade S which are grown directly from pre-basic seed potatoes; and</p> <p>(c) must not exceed the fourth field generation of the particular stock.</p>	<p>Potato Leafroll Virus – 0.1%;</p> <p>(d) total virus (including those mentioned in paragraph (c)) – 0.1%;</p> <p>(e) <i>Dickeya</i> spp. –nil; and</p> <p>(f) virus in direct progeny – 0.5%.</p>

TABLE II

BASIC SEED POTATOES AND TEST AND TRIAL SEED POTATOES

<i>Column 1</i> <i>Union</i> <i>Grade</i>	<i>Column 2</i> <i>Source Material</i>	<i>Column 3</i> <i>Other requirements</i>	<i>Column 4</i> <i>Tolerances</i>
S	<p>(a) Stock of seed potatoes of the Union grade PBTC or PB produced in the immediately preceding growing season which was either—</p> <p>(i) certified and determined to be of the relevant grade; or</p> <p>(ii) inspected by an authorised</p>	<p>The seed potatoes must not exceed the fifth field generation of the particular stock.</p>	<p>A sample of the seed potatoes taken during an official examination must not exceed the following tolerances—</p> <p>(a) deviations from variety and type - 0.1%;</p> <p>(b) Blackleg (<i>Pectobacterium</i>spp.) - 0.1%;</p> <p>(c) Potato Virus Y, Potato Virus A and Potato Leafroll Virus - 0.02%;</p>

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Union</i>	<i>Source Material</i>	<i>Other requirements</i>	<i>Tolerances</i>
<i>Grade</i>			
	<p>officer and found to have met the requirements of the relevant grade and retained by the grower; or</p> <p>(b) a crop which has been approved in writing by the Scottish Ministers.</p>		<p>(d) total virus (including those mentioned in paragraph (c)) - 0.2%;</p> <p>(e) <i>Dickeya</i> spp. –nil; and</p> <p>(f) virus in direct progeny – 1.0%.</p>
SE	<p>(a) Stock of seed potatoes of the Union grade PBTC, PB, or S produced in the immediately preceding growing season which was either—</p> <p>(i) certified and determined to be of the relevant grade; or</p> <p>(ii) inspected by an authorised officer and found to have met the requirements of the relevant grade and retained by the grower; or</p> <p>(b) a crop which has been approved in writing by the Scottish Ministers.</p>	The seed potatoes must not exceed the sixth field generation of the particular stock.	<p>A sample of the seed potatoes taken during an official examination must not exceed the following tolerances—</p> <p>(a) deviations from variety and type - 0.1%;</p> <p>(b) Blackleg (<i>Pectobacterium</i>spp.) - 0.5%;</p> <p>(c) Potato Virus Y, Potato Virus A and Potato Leafroll Virus - 0.1%;</p> <p>(d) total virus (including those mentioned in paragraph (c)) - 0.5%;</p> <p>(e) <i>Dickeya</i> spp. – nil; and</p> <p>(f) virus in direct progeny – 2.0%.</p>
E	<p>(a) Stock of seed potatoes of the Union grade PBTC, PB, S or SE produced in the immediately preceding growing</p>	The seed potatoes must not exceed the seventh field generation of the particular stock.	A sample of the seed potatoes taking during an official examination must not exceed the following tolerances—

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Union</i>	<i>Source Material</i>	<i>Other requirements</i>	<i>Tolerances</i>
<i>Grade</i>			
	season which was either— (i) certified and determined to be of the relevant grade; or (ii) inspected by an authorised officer and found to have met the requirements of the relevant grade and retained by the grower; or (b) a crop which has been approved in writing by the Scottish Ministers.		(a) deviations from variety and type -0.1%; (b) Blackleg (<i>Pectobacterium</i> spp.) - 1.0%; (c) Potato Virus Y, Potato Virus A and Potato Leafroll Virus - 0.4%; (d) total virus (including those mentioned in paragraph (c)) - 0.8%; (e) <i>Dickeya</i> spp.- nil; and (f) virus in direct progeny - 4.0%.

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;
- (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—

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- (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.

SCHEDULE 4

Regulation 20

PARTICULARS TO BE PROVIDED IN RESPECT OF SEED POTATOES PRODUCED OUTSIDE THE EUROPEAN UNION

1. Species
2. Variety
3. Category
4. Country of production and inspection authority
5. Country of despatch
6. Importer
7. Quantity of seed potatoes

SCHEDULE 5

Regulations 2(1) and 10(1) and (9)

OFFICIAL LABELS

Pre-basic seed potatoes

1.—(1) The requirements set out in this paragraph apply to an official label attached to a package or container of pre-basic seed potatoes.

- (2) An official label to which this paragraph applies must—
 - (a) be white with a diagonal violet line;
 - (b) measure not less than 110 millimetres by 67 millimetres;
 - (c) state the following particulars—

Certification authority and member State or their initials;

Country of production;

Pre-basic seed potatoes;

Species indicated at least in Roman characters, under its botanical name which may be given in abridged form and without the authors' names or under its common name or both;

Crop identification number including producer's identification number⁽³⁾ (or equivalent);
Variety indicated at least in Roman characters;
Genetically modified (if appropriate);
Grade;
Field generation (unless otherwise requested by the applicant);
Size;
Month and year when officially sealed;
Declared net weight;
Conservation Variety (if appropriate); and
Region of origin (if appropriate).

Basic seed potatoes

2.—(1) The requirements set out in this paragraph apply to an official label attached to a package or container of basic seed potatoes.

(2) An official label to which this paragraph applies must—

- (a) be predominately white;
- (b) measure not less than 110 millimetres by 67 millimetres and unless the package or container is intended for export to countries outside the European Union, have printed on it the words “EU Rules and Standards”; and
- (c) state the following particulars—

Certification authority and member State or their initials;
Country of production;
Basic seed potatoes;
Species indicated at least in Roman characters, under its botanical name which may be given in abridged form and without the authors' names or under its common name or both;
Crop identification number including producer's identification number⁽⁴⁾ (or equivalent);
Variety indicated at least in Roman characters;
Genetically modified (if appropriate);
Grade;
Field generation (unless otherwise requested by the applicant);
Size;
Month and year when officially sealed;
Declared net weight;
Conservation Variety (if appropriate); and
Region of origin (if appropriate).

⁽³⁾ These terms are referred to in Schedule 1, Part I, paragraphs 1(a) and (b).

⁽⁴⁾ These terms are referred to in Schedule 1, Part I, paragraphs 1(a) and (b).

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Test and trial seed potatoes

3.—(1) The requirements set out in this paragraph apply to an official label attached to a package or container of test and trial seed potatoes.

(2) An official label to which this paragraph applies must—

- (a) be orange;
- (b) measure not less than 110 millimetres by 67 millimetres and, unless the package or container is intended for export to countries outside the European Union, have printed on it the words “EU Rules and Standards”;
- (c) contain the words “variety not yet officially listed” and “for tests and trials only”; and
- (d) state the following particulars—

Certification authority and member State or their initials;

Country of production;

Species indicated at least in Roman characters, under its botanical name which may be given in abridged form and without the authors names or under its common name or both;

Crop identification number including producer’s identification number⁽⁵⁾ (or equivalent);

Variety and official application number, indicated at least in Roman characters;

Genetically modified (if appropriate);

Size;

Month and year when officially sealed; and

Declared net weight.

4. The size stated in accordance with paragraphs 1(2)(c), 2(2)(c) and 3(2)(d) must, in the case of sizes over 35 millimetres, be stated in multiples of 5 millimetres.

SCHEDULE 6

Regulations 9, 10(3)(c) and 16(1) and (3)

(a)

TOLERANCES FOR DISEASES, PESTS, DAMAGE AND DEFECTS

Tolerances

1.—(1) For the purposes of regulations 9 and 16—

- (a) Table I 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 PBTC;
- (b) Table II 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; and
- (c) Table III (a) 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 S;

⁽⁵⁾ These terms are referred to in Schedule 1, Part I, paragraphs 1(a) and (b).

- (d) Table III (b) 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 SE; and
- (e) Table III (c) applies to—
 - (i) 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 E; and
 - (ii) seed potatoes produced in Scotland and certified under these Regulations as being of test and trial seed potatoes; and
- (f) Table IV applies to seed potatoes produced in Scotland, certified as basic seed potatoes and intended for markets outside the European Union.

(2) Subject to sub-paragraph (3), any tolerance in column 2, or, as the case may be, column 3 or 4 of any of the Tables in this Schedule which is expressed as a percentage, is a reference to the maximum proportion which the weight of potatoes affected by the disease, pest, damage or defect may bear to the total weight of the sample taken, expressed as a percentage.

(3) In the case of dirt or other extraneous matter, any tolerance in column 2 or, as the case may be, column 3 or 4 of any of the Tables in this Schedule which is expressed as a percentage is a reference to the maximum proportion which the weight of such matter may bear to the total weight of the sample taken, expressed as a percentage.

Individual tolerances

2. The individual tolerance set out in the entry in column 2 of Table I, II, III (a), (b) or (c), or IV is specified, in relation to the disease, pest, damage or defect specified in column 1 of the Table to which the entry corresponds.

Group tolerances

3. The group tolerance set out in the entry in column 3 of Table II, III (a), (b) or (c) or IV is specified, in relation to the Group of diseases, pests, damage or defects specified in column 1 of the Table to which the entry corresponds.

Collective group tolerances

4. The collective group tolerance set out in the entry in column 4 of Table II, III (a), (b) or (c) or IV is specified, in relation to the diseases, pests, damage or defects specified in Groups II, III and IV specified in column 1 of those Tables.

Allowable surface area cover

5.—(1) This paragraph applies, for the purposes of regulation 16(1) and (3), to seed potatoes to which Table II, III (a), (b) or (c) or IV applies.

(2) Subject to sub-paragraph (3), an authorised officer may deem a potato in any sample of seed potatoes to which this paragraph applies not to be affected by a disease in Group III, specified in column 1 of the Table in relation to a potato of that grade when, in the officer's opinion—

- (a) the surface area of the potato affected by the disease is less than the percentage surface area in the entry corresponding to the disease in column 5 of the Table; and
- (b) the potato has at least two eyes at the rose end wholly unaffected by the disease.

(3) Sub-paragraph (2) does not apply when the disease Powdery Scab (*Spongospora subterranea* (Wallr.) Lagerh) takes its cankerous form.

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TABLE I
UNION GRADE PBTC PRODUCED IN SCOTLAND

<i>Column 1</i>	<i>Column 2</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>
Group I	
Potato Wart Disease (<i>Synchytrium endobioticum</i> (Schilb) Perc.)	Nil
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil
Potato Cyst Nematode (<i>Globodera</i> spp. infesting potatoes)	Nil
Ring Rot (<i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al.)	Nil
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.)	Nil
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell))	Nil
Potato Spindle Tuber Viroid	Nil
Colorado Beetle (<i>Leptinotarsa decemlineata</i> (Say))	Nil
Group II	
Blackleg (<i>Pectobacterium</i> spp.)	Nil
<i>Dickeya</i> spp.	Nil
Rots including Wet Rot but other than rots specified in Group I	Nil
Frost damaged tubers	Nil
Group III	
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) Ellis)	Nil
Black scurf (<i>Rhizoctonia solani</i> Kühn)	Nil
Common scab (<i>Streptomyces</i> spp.)	Nil
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Lagerh. f.sp. <i>subterranea</i>)	Nil
Group IV	
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	Nil
Superficial necrosis caused by strains of Potato Virus Y	Nil

<i>Column 1</i>	<i>Column 2</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>
Shrivelled tubers	Nil
Group V	
Dirt or extraneous matter	1.0%

TABLE II

UNION GRADE PB PRODUCED IN SCOTLAND

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Group I				
Potato Wart Disease (<i>Synchytrium endobioticum</i> (Schilb) Perc.)	Nil			
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil			
Potato Cyst Nematode (<i>Globodera</i> spp. infesting potatoes)	Nil			
Ring Rot (<i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al.)	Nil			
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.)	Nil			
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell))	Nil			
Potato Spindle Tuber Viroid	Nil			
Colorado Beetle (<i>Leptinotarsa decemlineata</i> (Say))	Nil			
Group II				

Status: This is the original version (as it was originally made).

Column 1	Column 2	Column 3	Column 4	Column 5		
Diseases, pests, damage and defects	Individual Tolerances	Group Tolerances	Collective Group Tolerances	Allowable % surface area cover		
Blackleg (<i>Pectobacterium</i> spp.)	Nil	0.2%	}			
<i>Dickeya</i> spp.	Nil					
Rots, other than rots specified in Group I	0.2%					
Frost damaged tubers	0.2%					
Group III			}			
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) Ellis)	0.2%	5.0%				
Black scurf (<i>Rhizoctonia solani</i> Kühn)	1.0%				6.0%	10.0%
Common scab (<i>Streptomyces</i> spp.)	5.0%					33.3%
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Lagerh.f.sp. <i>subterranea</i>)	1.0%			10.0%		
Group IV			}			
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	3.0%	3.0%				
Superficial necrosis caused by strains of Potato Virus Y	Nil					
Shrivelled tubers	0.5%					
Group V						
Dirt or extraneous matter	1%	1%				

TABLE III

UNION GRADE S, SE AND E AND TEST AND TRIAL SEED POTATOES

a) UNION GRADE S PRODUCED IN SCOTLAND

Column 1	Column 2	Column 3	Column 4	Column 5
Diseases, pests, damage and defects	Individual Tolerances	Group Tolerances	Collective Group Tolerances	Allowable % surface area cover
Group I				
Potato Wart Disease (<i>Synchytrium endobioticum</i> (Schilb) Perc.)	Nil			
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil			
Potato Cyst Nematode (<i>Globodera</i> spp. infesting potatoes)	Nil			
Ring Rot (<i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al.)	Nil			
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.)	Nil			
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell))	Nil			
Potato Spindle Tuber Viroid	Nil			
Colorado Beetle (<i>Leptinotarsa decemlineata</i> (Say))	Nil			
Group II				
<i>Dickeya</i> spp.	Nil		}	
Rots, other than rots specified in Group I	0.5%	0.5%	}	
(of which Wet Rot)	(0.2%)		}	
Frost damaged tubers	0.5%		}	
Group III				
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) Ellis)	0.5%	5.0%	}	12.5%
Black scurf (<i>Rhizoctonia solani</i> Kühn)	5.0%		}	10.0%
			6.0%	

Status: This is the original version (as it was originally made).

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Common scab (<i>Streptomyces</i> spp.)	5.0%		}	33.3%
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Lagerh.f.sp. <i>subterranea</i>)	3.0%			}
Group IV				
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	3.0%	3.0%	}	
Superficial necrosis caused by strains of Potato Virus Y	0.1%		}	
Shrivelled tubers	1.0%		}	
Group V				
Dirt or extraneous matter	1.0%	1.0%		

b) UNION GRADE SE PRODUCED IN SCOTLAND

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Group I				
Potato Wart Disease (<i>Synchytrium endobioticum</i> (Schilb) Perc.)	Nil			
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil			
Potato Cyst Nematode (<i>Globodera</i> spp. infesting potatoes)	Nil			
Ring Rot (<i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al.)	Nil			

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.)	Nil			
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell))	Nil			
Potato Spindle Tuber Viroid	Nil			
Colorado Beetle (<i>Leptinotarsa decemlineata</i> (Say))	Nil			
Group II				
<i>Dickeya</i> spp.	Nil		}	
Rots, other than rots specified in Group I (of which Wet Rot)	0.5% (0.2%)		}	
Frost damaged tubers	0.5%		}	
Group III				
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) Ellis)	0.5%	5.0%	}	12.5%
Black scurf (<i>Rhizoctonia solani</i> Kühn)	5.0%		}	6.0%
Common scab (<i>Streptomyces</i> spp.)	5.0%		}	33.3%
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Lagerh.f.sp. <i>subterranea</i>)	3.0%		}	10.0%
Group IV				
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	3.0%	3.0%	}	
Superficial necrosis caused by strains of Potato Virus Y	0.1%		}	

Status: This is the original version (as it was originally made).

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Shrivelled tubers	1.0%		}	
Group V Dirt or extraneous matter	1.0%	1.0%		

c) UNION GRADE E AND TEST AND TRIAL SEED POTATOES PRODUCED IN SCOTLAND

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Group I				
Potato Wart Disease (<i>Synchytrium endobioticum</i> (Schilb) Perc.)	Nil			
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil			
Potato Cyst Nematode (<i>Globodera</i> spp. infesting potatoes)	Nil			
Ring Rot (<i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al.)	Nil			
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.)	Nil			
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell))	Nil			
Potato Spindle Tuber Viroid	Nil			
Colorado Beetle (<i>Leptinotarsa decemlineata</i> (Say))	Nil			
Group II				
<i>Dickeya</i> spp.	Nil		}	
Rots, other than rots specified in Group I	0.5%	0.5%	}	

Status: This is the original version (as it was originally made).

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>	
(of which Wet Rot)	(0.2%)		}		
Frost damaged tubers	0.5%			}	
Group III			}		
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) Ellis)	0.5%	5.0%		}	12.5%
Black scurf (<i>Rhizoctonia solani</i> Kühn)	5.0%			}	10.0%
Common scab (<i>Streptomyces</i> spp.)	5.0%			}	6.0%
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Lagerh.f.sp. <i>subterranea</i>)	3.0%			}	10.0%
Group IV			}		
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	3.0%	3.0%		}	
Superficial necrosis caused by strains of Potato Virus Y	0.1%			}	
Shrivelled tubers	1.0%		}		
Group V					
Dirt or extraneous matter	1.0%				

TABLE IV

BASIC SEED POTATOES INTENDED FOR MARKETS OUTSIDE THE EU

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Group I				

Status: This is the original version (as it was originally made).

Column 1	Column 2	Column 3	Column 4	Column 5
Diseases, pests, damage and defects	Individual Tolerances	Group Tolerances	Collective Group Tolerances	Allowable % surface area cover
Potato Wart Disease (<i>Synchytrium endobioticum</i> (Schilb) Perc.)	Nil			
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil			
Potato Cyst Nematode (<i>Globodera</i> spp. infesting potatoes)	Nil			
Ring Rot (<i>Clavibacter michiganensis</i> subsp. <i>sepedonicus</i> (Spieck & Kotth) Davis et al.)	Nil			
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.)	Nil			
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell))	Nil			
Potato Spindle Tuber Viroid	Nil			
Colorado Beetle (<i>Leptinotarsa decemlineata</i> (Say))	Nil			
Group II				
<i>Dickeya</i> spp.	Nil		}	
Rots including Wet Rot but other than rots specified in Group I	0.2%	0.2%	}	
Frost damaged tubers	0.2%		}	
Group III				
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) Ellis)	0.5%	1.5%	}	12.5%
Black scurf (<i>Rhizoctonia solani</i> Kühn)	1.5%		}	4.7% 12.5%
Common scab (<i>Streptomyces</i> spp.)	1.5%		}	12.5%

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Diseases, pests, damage and defects</i>	<i>Individual Tolerances</i>	<i>Group Tolerances</i>	<i>Collective Group Tolerances</i>	<i>Allowable % surface area cover</i>
Powdery scab (<i>Spongospora subterranea</i> (Wallr) Lagerh.f.sp. <i>subterranea</i>)	1.5%		}	12.5%
Group IV				
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	1.0%	3.0%		
Superficial necrosis caused by strains of Potato Virus Y	0.1%			
External necrosis (caused by viruses other than Potato Virus Y)	2.0%			
Shrivelled tubers	2.0%			
Group V				
Dirt or extraneous matter	0.5%			

SCHEDULE 7

Regulations 12 and 13

PARTICULARS TO BE SPECIFIED IN A SALE NOTE, DELIVERY NOTE, INVOICE, ETC.

Pre basic seed potatoes

- Name and address of the seller
- Declared net weight
- Variety
- Genetically modified (if appropriate)
- Pre basic seed potatoes
- Grade
- Field generation (if shown on official label)
- Size
- Crop identification number including producer’s identification number
- Particulars of any chemical treatment

Status: This is the original version (as it was originally made).

Basic Seed potatoes

- Name and address of the seller
- Declared net weight
- Variety
- Genetically modified (if appropriate)
- Basic seed potatoes
- Grade
- Field generation (if shown on official label)
- Size
- Crop identification number including producer’s identification number
- Particulars of any chemical treatment

SCHEDULE 8

Regulation 17(3)

SAMPLING

1. Where the bulk consists of seed potatoes comprising more than one consignment, or associated with more than one crop inspection report, the bulk must be divided so that each consignment or, as the case may be, the quantity of potatoes associated with each report, constitutes a separate lot and a separate sample of seed potatoes must be taken from each lot.
2. Where the total quantity of seed potatoes being sampled separately does not exceed 50 kilograms, all the seed potatoes must be examined.
3. Where the total quantity of seed potatoes being sampled separately exceeds 50 kilograms, but does not exceed 5 tonnes, a sample of the greater of at least 5 per cent of the weight of the quantity or 50 kilograms must be selected at random.
4. Where the total quantity of seed potatoes being sampled separately exceeds 5 tonnes, a sample of at least 250 kilograms must be selected at random.

SCHEDULE 9

Regulation 24

REVOCATIONS

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Regulations</i>	<i>Citation</i>	<i>Extent to which revoked</i>
The Seed Potatoes (Scotland) Regulations 2000	S.S.I. 2000/201	The whole Regulations
The Seeds (National Lists of Varieties) Regulations 2001	S.S.I. 2001/3510	Regulation 25(6)(b)
The Seed Potatoes (Scotland) Amendment Regulations 2005	S.S.I. 2005/280	The whole Regulations

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Regulations</i>	<i>Citation</i>	<i>Extent to which revoked</i>
The Seed Potatoes (Scotland) Amendment Regulations 2007	S.S.I. 2007/418	The whole Regulations
The Seed Potatoes (Scotland) Amendment Regulations 2009	S.S.I. 2009/226	The whole Regulations
The Seed Potatoes (Scotland) Amendment Regulations 2010	S.S.I. 2010/71	The whole Regulations