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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 391**

**The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) (Scotland) Regulations 2018**

**PART 7**

Amendments to legislation concerning agriculture

**The Marketing of Vegetable Plant Material Regulations 1995**

17. In regulation 8 (information to accompany plant material) of the Marketing of Vegetable Plant Material Regulations 1995(1)—

- (a) in paragraph (2), for “Council [Directive 77/93/EEC](#)” substitute “Council [Directive 2000/29/EC\(2\)](#)”, and
- (b) after paragraph (4) insert—

“(5) In this regulation, “Council [Directive 2000/29/EC](#)” means Council [Directive 2000/29/EC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community, as last amended by Commission Implementing Directive (EU) 2017/1920(3).”.

**The Crofting Counties Agricultural Grants (Scotland) Scheme 2006**

18. In paragraph 2(1) (interpretation) of the Crofting Counties Agricultural Grants (Scotland) Scheme 2006(4) omit the definition of “Commission Delegated Regulation 640/2014”.

**The EC Fertilisers (Scotland) Regulations 2006**

19. In regulation 2(1) (interpretation) of the EC Fertilisers (Scotland) Regulations 2006(5), in the definition of “the Community Regulation”, after “fertilisers” insert “, as last amended by Commission Regulation (EU) 2016/1618(6)”.

**The Marketing of Horticultural Produce (Scotland) Regulations 2009**

20.—(1) The Marketing of Horticultural Produce (Scotland) Regulations 2009(7) are amended as follows.

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(1) [S.I. 1995/2652](#); relevant amending instrument is [S.S.I. 2007/113](#).  
(2) OJ L 169, 10.7.2000, p.1.  
(3) OJ L 271, 20.10.2017, p.34.  
(4) [S.S.I. 2006/24](#); relevant amending instrument is [S.S.I. 2015/105](#).  
(5) [S.S.I. 2006/543](#).  
(6) OJ L 242, 9.9.2016, p.24.  
(7) [S.S.I. 2009/225](#).

(2) In regulation 2(1) (interpretation)(**8**), for the definition of “Council Regulation 2013” substitute—

““Council Regulation 2013” means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007(**9**), as amended from time to time.”.

(3) In regulation 10(3) (authorised officer: powers to control the movement of horticultural produce)(**10**), for “operator” substitute “person on whom the notice is served”.

### **The Less Favoured Area Support Scheme (Scotland) Regulations 2010**

**21.** In regulation 1(3) (citation, commencement, extent and application) of the Less Favoured Area Support Scheme (Scotland) Regulations 2010(**11**), after “2009” insert “or the Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) Regulations 2014(**12**)”.

### **The Seed Potatoes (Scotland) Regulations 2015**

**22.**—(1) The Seed Potatoes (Scotland) Regulations 2015(**13**) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “Commission Decision 2004/842/EC”, at the end insert “, as last amended by Commission Implementing Decision (EU) 2016/320(**14**)”.

(3) In paragraph 2 of schedule 2 (certification and grading: source material requirements, other requirements and tolerances), in Table I (pre-basic seed potatoes), in column 4 of the entry relating to Union Grade PB, for paragraph (c) substitute—

“(c) Potato Virus Y, Potato Virus A and Potato Leafroll Virus – nil.”.

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(**8**) Regulation 2(1) was relevantly amended by [S.I. 2013/3235](#).

(**9**) OJ L 347, 20.12.2013, p.671.

(**10**) Regulation 10(3) was amended by [S.S.I. 2011/324](#).

(**11**) [S.I. 2010/273](#), to which there are amendments not relevant to these Regulations.

(**12**) [S.I. 2014/3263](#), to which there are amendments not relevant to these Regulations.

(**13**) [S.S.I. 2015/395](#), to which there are amendments not relevant to these Regulations.

(**14**) OJ L 60, 5.3.2016, p.88.