
STATUTORY INSTRUMENTS

1988 No. 1759

SEEDS

The Seed Potatoes (Amendment) Regulations 1988

Made - - - 10th October 1988

Laid before Parliament 25th October 1988

Coming into force - - 15th November 1988

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales acting jointly, in exercise of the powers conferred on them by sections 16(1), (3) and (8) and 36 as read with section 38(1) of the Plant Varieties and Seeds Act 1964⁽¹⁾, and of all other powers enabling them in that behalf, after consultation in accordance with section 16(1) of that Act with representatives of such interests as appear to them to be concerned, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Seed Potatoes (Amendment) Regulations 1988 and shall come into force on 15th November 1988.

(2) In these Regulations, unless the context otherwise requires, any reference to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in the Seed Potatoes Regulations 1984⁽²⁾.

Amendment of the Seed Potatoes Regulations 1984

2. The Seed Potatoes Regulations 1984 shall be amended in accordance with the following provisions of these Regulations.

Amendment of regulation 16

3. In regulation 16(1)(a)(ii) (Tolerances for size and varietal purity) for the figure “3%” there shall be substituted the figure “2%”.

(1) 1964 c. 14; section 16 was amended by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 5(1)(2) and (3); section 16 is applied to seed potatoes by section 29(1); section 29 was amended by the European Communities Act 1972, Schedule 4, paragraph 5(4); section 38(1) was amended by S.I. 1978/272

(2) S.I. 1984/412, amended by S.I. 1987/547

Amendment of regulation 18

4. For regulation 18(6)(a) (Prevention of marketing of sub-standard potatoes and the prevention of spread of disease by marketing of potatoes) there shall be substituted the following:—

- “(a) in relation to the pests and diseases specified in Group III of Part I and Group V of Part II of Schedule 5 deem a potato in any such sample not to be affected by disease when in his opinion—
 - (i) less than one-eighth of its surface area has been affected, and
 - (ii) it has at least 2 eyes at the rose end wholly unaffected by the disease;
- (aa) in relation to the pests and diseases specified in Group IV of Parts I and II of Schedule 5 deem a potato in any such sample not to be affected by disease when in his opinion—
 - (i) less than one-quarter of its surface area has been affected, and
 - (ii) it has at least 2 eyes at the rose end wholly unaffected by the disease;”.

Amendment of Schedule 3

5. In Schedule 3, paragraph 2 (Classification of basic seed potatoes)—

- (a) in the entry relating to Class VTSC I and Super Elite 2 (SE2) the words “FS1 or” shall be deleted.
- (b) in the entry relating to Class Super Elite 3 (SE3) the words “FS2 or” shall be deleted.

Amendment of Parts I and II of Schedule 5

6. For Part I (Specified diseases or pests, damage and defects and tolerances-potatoes other than VTSC Class produced in Great Britain) and Part II (Specified diseases or pests, damage and defects and tolerances-VTSC Class) of Schedule 5 there shall be substituted the provisions of the Schedule to these Regulations.

Amendment of Part III of Schedule 5

7.—(1) In Group I in Part III (Specified diseases or pests, damage and defects and tolerances-potatoes produced outside Great Britain) of Schedule 5, for the specified disease “Ring Rot (*Corynebacterium sepedonicum* (Spieck. & Kotth.) Skapt. & Burkh.)” there shall be substituted “Ring Rot (*Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieck. & Kotth.) Davis et al.)”.

(2) In Group I in Part III of Schedule 5 for the specified disease “Brown Rot (*Pseudomonas solanacearum* (E.F. Smith) E.F. Smith)” there shall be substituted “Brown Rot (*Pseudomonas solanacearum* (E.F. Smith) Jensen)”.

(3) In Group II in Part III of Schedule 5 for the specified disease “Blackleg (*Erwinia carotovora* var *atroseptica* (Hellmers & Dowson) Dye)” there shall be substituted “Blackleg (*Erwinia carotovora* (Jones) Bergey et al. ssp. *atroseptica* (Hellmers & Dowson) Dye)”.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food hereunto affixed on the 7th October 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

5th October 1988

Sanderson of Bowden
Minister of State, Scottish Office

10th October 1988

Peter Walker
Secretary of State for Wales

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 6

Provisions to be substituted for Parts I and II of Schedule 5 to the Seed Potatoes Regulations 1984

“SCHEDULE 5

Regulations 2(1), 12(e), 18(1)(b) and 18(6)

PART I

SPECIFIED DISEASES OR PESTS, DAMAGE AND
DEFECTS AND TOLERANCES—POTATOES (OTHER
THAN VTSC CLASS) PRODUCED IN GREAT BRITAIN

<i>Column 1</i> <i>Specified diseases or pests, damage and defects</i>	<i>Column 2</i> <i>Individual tolerances</i>	<i>Column 3</i> <i>Group tolerances</i>	<i>Column 4</i> <i>Collective group tolerances</i>
GROUP I			
Wart Disease (<i>Synchytrium endobioticum</i> (Schilb.) Perc.)	NIL	—	—
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	NIL	—	—
Potato Cyst Eelworm (<i>Globodera</i> species infesting potatoes)	NIL	—	—
Ring Rot (<i>Clavibacater michiganensis</i> (Smith) Davis <i>et al.</i> <i>ssp.sepedonicus</i> (Spieck. & Kotth.) Davis <i>et al.</i>)	NIL	—	—
Brown Rot (<i>Pseudomonas solanacearum</i> (E. F. Smith) Jensen)	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			

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<i>Column 1</i> <i>Specified diseases or pests, damage and defects</i>	<i>Column 2</i> <i>Individual tolerances</i>	<i>Column 3</i> <i>Group tolerances</i>	<i>Column 4</i> <i>Collective group tolerances</i>
Blight (<i>Phytophthora infestans</i> (Mont.) de Bary)	1.0%	1.0%	4.0%
Blackleg (<i>Erwinia carotovora</i> (Jones) Bergey <i>et al.</i> ssp. <i>atroseptica</i> (Hellmers & Dowson) Dye)	1.0%	1.0%	4.0%
Soft Rots including: Watery Wound Rot (<i>Pythium ultimum</i> Trow)	1.0%	1.0%	4.0%
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	1.0%	1.0%	4.0%
Dry Rot (<i>Fusarium</i> species)	1.0%	1.0%	4.0%
Gengrene (<i>Phoma</i> species)	1.0%	1.0%	4.0%
Frost damaged tubers	1.0%	1.0%	4.0%
GROUP III			
Skin Spot (<i>Polyscytalum</i> (Owen & Wakefield) M. B. Ellis)	2.0%	4.0%	4.0%
Powdery Scab (<i>Spongospora subterranea</i> (Wallr.) Lageth.)	3.0%	4.0%	4.0%
GROUP IV			
Black Scurf (<i>Rhizoctonia solani</i> Kühn)	3.0%	4.0%	4.0%
Common Scab (<i>Streptomyces</i> species)	4.0%	4.0%	4.0%
GROUP V			
External blemishes or tubers other than diseased tubers whose	2.0%	2.0%	4.0%

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<i>Column 1</i> <i>Specified diseases or pests, damage and defects</i>	<i>Column 2</i> <i>Individual tolerances</i>	<i>Column 3</i> <i>Group tolerances</i>	<i>Column 4</i> <i>Collective group tolerances</i>
shape is atypical for the variety			
GROUP VI			
Dirt or other extraneous matter	1.0%	1.0%	

PART II

SPECIFIED DISEASES OR PESTS, DAMAGE AND DEFECTS AND TOLERANCES—VTSC CLASS

<i>Column 1</i> <i>Specified diseases or pests, damage and defects</i>	<i>Column 2</i> <i>Individual tolerances</i>	<i>Column 3</i> <i>Group tolerances</i>	<i>Column 4</i> <i>Collective group tolerances</i>
GROUP I			
Wart Disease (<i>Synchytrium endobioticum</i> (Schilb.) Perc.)	NIL	—	—
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	NIL	—	—
Potato Cyst Eelworm (<i>Globodera</i> species infesting potatoes)	NIL	—	—
Ring Rot (<i>Clavibacater michiganensis</i> (Smith) Davis <i>et al.</i> ssp. <i>sepedonicus</i> (Spieck. & Kotth.) Davis <i>et al.</i>)	NIL	—	—
Brown Rot (<i>Pseudomonas solanacearum</i> (E. F. Smith) Jensen)	NIL	—	—
Potato Tuber Moth (<i>Phthorimaea operculella</i> (Zell.))	NIL	—	—
Potato Spindle Tuber Viroid	NIL	—	—

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<i>Column 1</i> <i>Specified diseases or pests, damage and defects</i>	<i>Column 2</i> <i>Individual tolerances</i>	<i>Column 3</i> <i>Group tolerances</i>	<i>Column 4</i> <i>Collective group tolerances</i>
Colorado Beetle (<i>Leptinotarsa decehlineata</i> (Say))	NIL	—	—
GROUP II			
Blight (<i>Phytophthora infestans</i> (Mont.) de Bary)	0.5%	1.0%	4.0%
Blackleg (<i>Erwinia carotovora</i> (Jones) Bergey <i>et al.</i> ssp. <i>atroseptica</i> (Hellmers & Dowson) Dye)	NIL	1.0%	4.0%
Soft Rots including: Watery Wound Rot (<i>Pythium ultimum</i> Trow)	0.5%	1.0%	4.0%
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	0.5%	1.0%	4.0%
Dry Rot (<i>Fusarium species</i>)	0.5%	1.0%	4.0%
Gengrene (<i>Phoma species</i>)	0.5%	1.0%	4.0%
Frost damaged tubers	0.5%	1.0%	4.0%
GROUP III			
Skin Spot (<i>Polyscytalum</i> (Owen & Wakefield) M. B. Ellis)	0.5%	3.0%	4.0%
GROUP IV			
Black Scurf (<i>Rhizoctonia solant</i> Kühn)	1.5%	3.0%	4.0%
Common Scab (<i>Streptomyces species</i>)	3.0%	3.0%	4.0%
GROUP V			
Powdery Scab (<i>Spongospora subterranea</i> (Wallr.) Lageth.)	1.5%	3.0%	4.0%

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<i>Column 1</i> <i>Specified diseases or</i> <i>pests, damage and</i> <i>defects</i>	<i>Column 2</i> <i>Individual tolerances</i>	<i>Column 3</i> <i>Group tolerances</i>	<i>Column 4</i> <i>Collective group</i> <i>tolerances</i>
GROUP VI			
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	2.0%	2.0%	4.0%
GROUP VII			
Dirt or other extraneous matter	1.0%	1.0%”	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Great Britain, further amend the Seed Potatoes Regulations 1984.

The main changes are—

- (i) in the case of seed potatoes produced in Great Britain, the reduction of the tolerance for stated size from 3% to 2% by weight above or below the stated size range (regulation 3).
- (ii) the reduction from one quarter to one eighth for the surface area tolerance in relation to the pests and diseases specified in Group III of Part I and Group V of Part II of Schedule 5 (regulation 4).
- (iii) the removal of the references to Classes FS1 and FS2 from the requirements in the course of classification of seed potatoes as basic seed potatoes (regulation 5).
- (iv) tighter tuber health tolerances for all classes of seed potatoes produced in Great Britain (regulation 6 and Schedule).