

SCHEDULE 5

Regulation 9

Authorisation for marketing seed potatoes for test and trial purposes

1. On receipt of an application for authorisation made in accordance with regulation 9, an authorised officer must—
 - (a) allocate to the person making the application a number to be known as the “producer’s identification number” (where one does not already exist for that person);
 - (b) conduct an official examination of the seed potatoes in order to determine whether the requirements of this Schedule and Part 4 of Schedule 3 have been met; and
 - (c) subject to paragraph 3 and regulation 9, issue an authorisation to market seed potatoes for test and trial purposes.
2. An authorisation must state—
 - (a) the name and address of the applicant;
 - (b) the producer’s identification number;
 - (c) the amount of seed potatoes for which marketing is authorised;
 - (d) the period for which marketing is authorised;
 - (e) the date on which the authorisation was issued; and
 - (f) the proposed name of the variety of the seed potatoes.
3. No authorisation is to be issued by an authorised officer unless that officer is satisfied that—
 - (a) the seed potatoes are of a variety for which an application has been made under regulation 4(1)(a) of the National Lists Regulations for acceptance of the variety concerned on to a National List and that application has not been withdrawn or finally determined;
 - (b) the land on which the seed potatoes are growing or were grown is not land which is demarcated under Schedule 14 to the Plant Health (Wales) Order 2006(1) as contaminated with Wart Disease (*Synchytrium endobioticum* (Schilb) Perc) or is within a safety zone demarcated under that Order;
 - (c) the land on which the seed potatoes are growing or were grown is land which is not contaminated by *Globodera* species infesting potatoes;
 - (d) the seed potatoes are taken from a crop of seed potatoes free from *Globodera* species infesting potatoes, *Synchytrium endobioticum* (Schilb) Perc, *Clavibacter michiganensis* (Smith) Davis et al ssp *Sepedonicus* (Spieck & Koth) Davis et al) and *Ralstonia solanacearum* (Smith) Yabuuchi et al);
 - (e) the number of growing plants affected by blackleg does not exceed 4%;
 - (f) the immediately succeeding crop produced from the seed potatoes is, in the opinion of the authorised officer, likely to contain—
 - (i) not more than 0.5% by number of growing plants which do not breed true to variety and not more than 0.2% by number of growing plants which are of a different variety; and
 - (ii) not more than 10% by number of growing plants which show symptoms, other than slight symptoms, of severe virus diseases prevalent in Europe (light mosaics causing discoloration and not leaf deformation are to be ignored); and
 - (g) the seed potatoes are ascertained not to be affected by any of the tolerances for diseases or pests, damage or defects specified in Part 4 of Schedule 3.

(1) S.I. 2006/1643 (W. 158), amended by S.I. 2010/1795 (W. 171); there are other amending instruments but none is relevant.

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