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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1573**

**The Marketing of Seeds and Plant Propagating Material  
(Amendment) (Wales) (EU Exit) Regulations 2020**

**The Seed Potato (Wales) (Amendment) (EU Exit) Regulations 2019**

2.—(1) The Seed Potato (Wales) (Amendment) (EU Exit) Regulations 2019(1) are amended as follows.

(2) In regulation 1—

- (a) in paragraph (2), omit “, apart from regulations 3 and 4,”;
- (b) omit paragraph (3).

(3) In regulation 2—

(a) in paragraph (2)—

(i) in sub-paragraphs (a), (c), (d), (i), (j), (k) and (o)—

(aa) in the new sub-paragraph (ii) to be inserted by each of those sub-paragraphs, after “Crown Dependency” insert “or a country granted equivalence”;

(bb) omit the new sub-paragraph (iii) to be inserted by each of those sub-paragraphs;

(ii) in sub-paragraph (b), for “in accordance with the Swiss trade agreement” substitute “from “(or, in relation” to the end”;

(iii) in sub-paragraph (d), for the new sub-paragraph (i) to be inserted by that sub-paragraph substitute—

“(i) in the case of seed potatoes produced in England, Part 1 of Schedule 2 to the Seed Potatoes (England) Regulations 2015(2);”;

(iv) in sub-paragraphs (e), (f) and (n), for the words before the new definitions to be inserted by those sub-paragraphs substitute “in paragraph (1), at the appropriate place insert—”;

(v) in sub-paragraph (g), for the new definition of “grade” to be inserted by that sub-paragraph substitute—

““grade” (“*gradd*”) includes the GB grade;”;

(vi) for sub-paragraph (h) substitute—

“(h) omit the definition of “National List”;”;

(vii) in sub-paragraph (l), in the new definition of “seed potatoes of a conservation variety” to be inserted by that sub-paragraph, for “National List” substitute “GB Variety List”;

(viii) in sub-paragraph (m), for “in paragraph (b) omit “other than the United Kingdom””

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(1) [S.I. 2019/738 \(W. 141\)](#), prospectively amended by [S.I. 2019/1281 \(W. 225\)](#), regulation 5: that regulation is being omitted by these Regulations.

(2) [S.I. 2015/1953](#), amended by [S.I. 2017/288](#), [S.I. 2019/472](#), [S.I. 2019/1517](#) and prospectively amended by [S.I. 2019/809](#).

“ substitute omit paragraphs (b) and (c) and, at the end insert—

“or

(b) seed potatoes produced in a country granted equivalence;”

(ix) in sub-paragraph (p), in the new definition of “Union grade” to be inserted by that sub-paragraph, for “a member State or Switzerland” substitute “Northern Ireland”;

(x) for sub-paragraph (q) substitute—

“(q) in paragraph (1), at the appropriate places insert—

““country granted equivalence” (“*gwlad y caniatawyd cywerthedd iddi*”) means a country that has been assessed by the Welsh Ministers that seed potatoes from that country are produced under conditions equivalent to the requirements of these Regulations;”;

““equivalent grade” (“*gradd gyfatebol*”) means—

(a) for Northern Ireland, an equivalent Union grade;

(b) for a Crown Dependency or a country granted equivalence, a grade recognised by the Welsh Ministers as being equivalent to a GB grade;”;

““equivalent Union grade” (“*gradd Undeb gyfatebol*”) means—

(a) for “GB Grade PBTC”, “Union grade PBTC”;

(b) for “GB Grade PB”, “Union grade PB”;

(c) for “GB Grade S”, “Union grade S”;

(d) for “GB Grade SE”, “Union grade SE”;

(e) for “GB Grade E”, “Union grade E”;

(f) for “GB Grade A”, “Union grade A”;

(g) for “GB Grade B”, “Union grade B”,”;

““GB grade” (“*gradd Prydain Fawr*”) means—

(a) in relation to seed potatoes produced in Wales, the GB grade determined in accordance with Schedule 4 during certification, this being—

(i) in the case of pre-basic seed potatoes, GB grade PBTC or GB grade PB;

(ii) in the case of basic seed potatoes, GB grade S, GB grade SE or GB grade E;

(iii) in the case of certified seed potatoes, GB grade A or GB grade B;

(b) in relation to seed potatoes produced in England or Scotland, the GB grade determined in accordance with the relevant seed potatoes regulations;”;

““GB Variety List” (“*Rhestr Amrywogaethau Prydain Fawr*”) means a list of varieties of potato species prepared and published in accordance with regulation 3 of the National Lists Regulations;”;

(xi) for sub-paragraph (r) substitute—

“(r) omit paragraph (2);”;

(b) for paragraph (3) substitute—

- “(3) In regulation 4, for “the European Union” substitute “Great Britain”.”;
- (c) in paragraph (4)—
- (i) in the English language text, after “accordance with”, in the first place where it occurs, insert “to the end substitute”;
  - (ii) in the new paragraph (ii), after “Crown Dependency” insert “or a country granted equivalence”;
  - (iii) omit the new paragraph (iii) to be inserted by that paragraph;
- (d) in paragraph (5)—
- (i) before sub-paragraph (a) insert—
    - “(za) in paragraph (1)(a), for “National List” substitute “GB Variety List”.”;
  - (ii) in sub-paragraph (b), in the new paragraph (3A), for “the United Kingdom”, in each place where it occurs, substitute “Great Britain”;
- (e) in paragraph (6), in the new sub-paragraph (c) to be inserted by that paragraph, for “exit day” substitute “implementation period completion day”;
- (f) in paragraph (7)—
- (i) in sub-paragraph (a)—
    - (aa) in paragraph (i), for “the United Kingdom” substitute “Great Britain”;
    - (bb) in paragraph (ii), in the new sub-paragraph (iii) to be inserted by that paragraph, for “exit day” substitute “implementation period completion day”;
  - (ii) for sub-paragraph (b) substitute—
    - “(b) in paragraph (6)(b), for “National List or the Common Catalogue” substitute “GB Variety List”.”;
- (g) in paragraphs (8) and (9)—
- (i) in the new paragraph (ii) to be inserted by those paragraphs, after “Crown Dependency” insert “or a country granted equivalence”;
  - (ii) omit the new paragraph (iii) to be inserted by those paragraphs;
- (h) for paragraph (10) substitute—
- “(10) In regulation 16 and in the heading, for “European Union” substitute “British Islands”.”;
- (i) in paragraph (11), in the new regulation 23A and its heading, to be inserted by that paragraph—
- (i) for “exit day”, in each place where it occurs, substitute “implementation period completion day”;
  - (ii) after “official label for”, in the second place where it occurs, insert “basic seed potatoes or certified seed potatoes for”;
- (j) for paragraph (12) substitute—
- “(12) In Schedule 1—
- (a) in paragraph 3(a), for “National List or the Common Catalogue” substitute “GB Variety List”;
  - (b) in paragraphs 5, 6 and 10, for “Union”, in each place where it occurs, substitute “GB”;

- (c) in paragraph 8(b)—
  - (i) in the English language text, for “Union”, in each place where it occurs, substitute “GB”;
  - (ii) in the Welsh language text—
    - (aa) in paragraph (i), after “gradd S” insert “Prydain Fawr”;
    - (bb) in paragraph (ii), after “gradd SE” insert “Prydain Fawr”; and
    - (cc) in paragraph (iii), after “gradd E” insert “Prydain Fawr”.”;
- (k) in paragraph (13)—
  - (i) in sub-paragraph (b)(i), for “UK” substitute “GB”;
  - (ii) for sub-paragraph (c) substitute—
    - “(c) in paragraph 8(b)—
      - (i) in paragraph (i), for “member State” substitute “country”;
      - (ii) in paragraph (vi), for “a National List” substitute “a GB Variety List”.”;
    - (iii) in sub-paragraphs (d)(ii) and (e), for “UK” substitute “GB”;
  - (l) in paragraph (14)(a) and (b), for “UK” substitute “GB”;
- (m) in paragraph (16)—
  - (i) in sub-paragraph (a), for “United Kingdom” substitute “GB”;
  - (ii) in sub-paragraph (b)(i), for “UK” substitute “GB”;
  - (iii) for sub-paragraph (b)(ii) substitute—
    - “(ii) in the row relating to grade “PB” in column 2, in paragraph (1)(b), for “Union grade PB” substitute “GB grade PB or equivalent grade”.”;
- (n) in paragraph (17)—
  - (i) in sub-paragraph (a), for “United Kingdom” substitute “GB”;
  - (ii) in sub-paragraph (b)(i), for “UK” substitute “GB”;
  - (iii) for sub-paragraph (b)(ii) to (iv) substitute—
    - “(ii) in the row relating to grade “S”, in column 2, in paragraph (1)(a), for “Union grade S” substitute “GB grade S or equivalent grade”;
    - (iii) in the row relating to grade “SE”, in column 2, in paragraph (1)(a), for “Union grade S or Union grade SE” substitute “GB grade S, GB grade SE or equivalent grade”;
    - (iv) in the row relating to grade “E”, in column 2—
      - (aa) in paragraph (1)(a), for “Union grade S or Union grade SE” substitute “GB grade S, GB grade SE or equivalent grade”;
      - (bb) in paragraph (1)(b), for “Union grade S, Union grade SE or Union grade E” substitute “GB grade S, GB grade SE, GB grade E or equivalent grade.”;
- (o) for paragraph (18) substitute—
  - “(18) In Part 3, in Table 3—
    - (a) in the heading to column 1, for “Union” substitute “GB”;
    - (b) in column 2, for “Union grade A”, in both places where it occurs, substitute “GB grade A or equivalent grade”;

- (c) in column 2, for “Union grade B” substitute “GB grade B or equivalent grade.”
- (4) Omit regulations 3 and 4.