EXECUTIVE NOTE TO

THE POTATOES ORIGINATING IN POLAND (NOTIFICATION) (SCOTLAND) AMENDMENT ORDER 2008
SSI/2008/299

Introduction

1. The above instrument is made by the Scottish Ministers in exercise of powers conferred by sections 2, 3 and 4(1) of the Plant Health Act 1967 as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972, and all other powers enabling them to do so. The instrument is subject to negative resolution procedure.

Policy Objective

2. The purpose of this Order is to amend the requirements for notification of potatoes imported into Scotland from Poland, Germany and the Netherlands.

3. Regulations currently require importers to inform Scottish Government inspectors at least 48 hours before introducing any potatoes from Germany, Poland or the Netherlands. This follows outbreaks of ring rot and brown rot in those countries in the past.

4. Annual surveys carried out across Europe demonstrate that the relative prevalence of brown rot and ring rot in Member States changes over time. Potatoes from Germany and the Netherlands no longer pose a significantly greater risk than those from elsewhere, but outbreaks are now occurring at an equivalent level in some other Member States. As a result, the Scottish Government consulted the potato industry in February 2008 on possible changes to the notification arrangements for imported potatoes. The consultation paper and a summary of responses are available on the Scottish Government website at www.scotland.gov.uk/consultations and http://www.scotland.gov.uk/Publications/2008/06/Summaryofresponsesnotific

5. An amendment is being introduced to the Plant Health (Scotland) Order 2005 to introduce a statutory requirement for notification of all seed potatoes introduced into Scotland. This recognises that seed potatoes pose the greatest threat of introducing quarantine disease, and ensures that imports from all sources can be monitored, as levels of disease rise and fall. Article 5 of this Order revokes the Potatoes Originating in Germany (Notification) (Scotland) Order 2001 and the Potatoes Originating in the Netherland (Notification) (Scotland) Order 2005. Seed potatoes will be caught by the new general notification requirement, but there will be no requirement to notify consignments of ware potatoes (for eating or processing) from those countries.

6. Poland continues to have significantly higher incidence of ring rot than any other Member State. We therefore propose to continue the requirement for statutory notification of Polish ware potatoes prior to entry. This position will be kept under review in light of the

results of annual surveys for brown rot and ring rot in all Member States. Articles 3 and 4 amend the Potatoes Originating in Poland (Notification) (Scotland) Order 2004 to restrict its application to ware potatoes.

7. These changes are not expected to have any impact on businesses, therefore no Regulatory Impact Assessment has been carried out.

Scottish Government
Rural Directorate

September 2008