STATUTORY INSTRUMENTS

1987 No. 547

SEEDS

The Seed Potatoes (Amendment) Regulations 1987

Made - - - -	*20th March 1987*
Laid before Parliament	*2nd April 1987*
Coming into force	
for the purposes of regulations 1, 2, 3, 5, 7 and 8	*23rd April 1987*
for all other purposes	*1st March 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), (1A), (2), (3) and (8) and 36 as read with section 38(1) of the Plant Varieties and Seeds Act 1964(**a**), and now vested in them(**b**) 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 1987 and shall come into force for the purposes of this regulation and regulations 2, 3, 5, 7 and 8 on 23rd April 1987 and for all other purposes on 1st March 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(**c**).

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 2(1)

3. In regulation 2(1) (Interpretation) in paragraph (a) of the definition of "package or container" for the words "any bag or sack" there shall be substituted the words "any bag, box or sack".

Amendment of regulation 7(1)

4. In regulation 7(1) (Classification of seed potatoes) for the Class '"Elite"' there shall be substituted the Classes '"Elite 1", "Elite 2", "Elite 3"'.

(**a**) 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.
(**b**) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.
(**c**) S.I. 1984/412.

Amendment of Schedule 3

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

(a) in the entry relating to Class Super Elite 1 (SE1) in column 2 for "VTSC" there shall be substituted "VTSC1 or VTSC2";

(b) for the entry relating to Class Elite (E) there shall be substituted the following entry:–

"Column 1	Column 2	Column 3
Class	*Requirements*	*Tolerances*
Elite (E)	The seed potatoes shall be seed potatoes derived from a stock of basic seed potatoes (other than Class AA) classified as such in the year preceding the planting of the crop, provided that any of the above seed potatoes may also be derived from seed potatoes classified under a scheme or other arrangements referred to in paragraph 4(1)(c)(ii) or (iii) of Schedule 1 as being seed potatoes which could be entered for the production of further seed potatoes for classification.	(i) deviations from variety and type and ground keepers - 0.05%. (ii) leafroll and severe mosaic (including tobacco veinal necrosis virus infection) - 0.1%. (iii) mild mosaic - 0.5%. (iv) blackleg - 0.5%.".

6. In Schedule 3, paragraph 2 for the entry relating to Class Elite (E) there shall be substituted the following entry:–

"Elite 1 (E1)	The seed potatoes shall be seed potatoes derived from a stock of basic seed potatoes (other than Class E1, E2 or E3 or AA) classified as such in the year preceding the planting of the crop, provided that any of the above seed potatoes may also be derived from seed potatoes classified under a scheme or other arrangements referred to in paragraph 4(1)(c)(ii) or (iii) of Schedule 1 as being seed potatoes which could be entered for the production of further seed potatoes for classification.	(i) deviations from variety and type and ground keepers - 0.05%. (ii) leafroll and severe mosaic (including tobacco veinal necrosis virus infection) - 0.1%. (iii) mild mosaic - 0.5%. (iv) blackleg - 0.5%.
Elite 2 (E2)	The seed potatoes shall be seed potatoes derived from a stock which was classified as E1 in the year preceding the planting of the crop.	As for Class E1 potatoes.
Elite 3 (E3)	The seed potatoes shall be seed potatoes derived from a stock which was classified as E2 in the year preceding the planting of the crop.	As for Class E1 potatoes.".

Amendment of Schedule 4

7. In Schedule 4, Part I, paragraph 4 (Official label), after the word "Variety" there shall be added the words "indicated at least in Roman characters".

Amendment of Schedule 5

8. In Schedule 5, Part II (Specified diseases etc. - VTSC Class), in the entry entitled Group VI, for the words "Dirt other than extraneous matter" there shall be substituted the words "Dirt or other extraneous matter".

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th March 1987.

L.S.

Michael Jopling
Minister of Agriculture, Fisheries and Food

Ian Lang
17th March 1987 Parliamentary Under Secretary of State, Scottish Office

Nicholas Edwards
20th March 1987 Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations which extend to Great Britain amend the Seed Potatoes Regulations 1984 ("the principal Regulations").

The principal amendments are (i) the inclusion of tobacco veinal necrosis virus infection in the existing leafroll and severe mosaic tolerance for the Elite Class of seed potatoes planted after 23rd April 1987 and (ii) the introduction from 1st March 1988 of 3 year generation control in that Class (regulations 4, 5 and 6).

The Regulations also amend the definition of "package or container" to include a reference to boxes (regulation 3), amend the requirements in relation to particulars stated on an official label (regulation 7) and correct a minor drafting error in the principal Regulations (regulation 8).