

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2000 No. 201**

**The Seed Potatoes (Scotland) Regulations 2000**

**PART III**

**MARKETING AND LABELLING OF SEED POTATOES**

**Compliance and disease control measures**

**13.**—(1) Where in the course of any official examination of seed potatoes an authorised officer is satisfied that in relation to the seed potatoes—

- (a) any requirement specified in these Regulations has not been met; or
- (b) any of the tolerances specified in the Table set out in Schedule 7 applicable to those potatoes are exceeded,

the authorised officer may serve a notice on the person in whose possession or charge the potatoes appear to be informing that person accordingly and requiring him—

- (i) not to move or permit or cause to be moved the seed potatoes specified in the notice from the premises specified in the notice except in accordance with the written consent of an authorised officer; or
- (ii) to move or permit or cause to be moved such seed potatoes within the period specified in the notice to such premises as may be so specified and thereafter not to move or permit or cause to be moved the seed potatoes from those premises except as provided in the notice.

(2) A notice served on a person by an authorised officer under paragraph (1) of this regulation may require that person to carry out on such premises at such time, within such period and in accordance with such methods as may be specified in the notice, such measures as may be specified being measures which in the opinion of the authorised officer are necessary—

- (a) to ensure that the requirements specified in these Regulations are met; or
- (b) to prevent the spread of any of the specified diseases or pests by means of the seed potatoes.

(3) The measures specified pursuant to paragraph (2) shall—

- (a) not be varied except by or in accordance with the written consent of an authorised officer; and
- (b) be carried out to the satisfaction of an authorised officer by and at the expense of the person on whom the notice has been served.

(4) Where in the course of any official examination an authorised officer is of the opinion that any seed potatoes are affected by any disease, pest or damage mentioned in the Table set out in Schedule 7 applicable to those potatoes, the authorised officer may serve on the person in whose possession or charge the potatoes appear to be a notice—

- (a) making any requirement and specifying any measure which may be made or specified pursuant to paragraph (2) in a notice served under paragraph (1);

---

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

---

- (b) specifying a period not exceeding 14 days beginning with the date of service of the notice during which the potatoes shall not be moved from the premises specified in the notice except in accordance with the written consent of an authorised officer.
- (5) Where a notice has been served under paragraphs (1) or (4) and until such time as the requirements of the notice have been complied with to his satisfaction, an authorised officer may remove and retain or direct the person in whose possession or charge the potatoes appear to be to remove and deliver to the authorised officer—
- (a) any official label; and
  - (b) in the case of seed potatoes produced outside Scotland, any document of the kind referred to in regulation 9(1)(c).