

SCHEDULE 1

Regulation 2(1)

GROWING CROP CERTIFICATES

PART I

General

1. On receipt of an application for certification of any seed potatoes, an authorised officer shall—
 - (a) allocate to the person making such application a number to be known as a “producer’s identification number” (where one does not already exist for that person);
 - (b) following an official examination, determine in accordance with this Schedule and Schedule 4 the categories and classes at which the seed potatoes are capable of being marketed; and
 - (c) subject to paragraphs 3 to 11, issue a growing crop certificate in accordance with paragraph 2.
2. A growing crop certificate shall state—
 - (a) the name and address of the applicant;
 - (b) the categories and classes at which the authorised officer has determined the seed potatoes are capable of being marketed in accordance with paragraph 1(b);
 - (c) the name of the agricultural unit on which the crop was grown;
 - (d) the producer’s identification number;
 - (e) the date on which the growing crop was inspected;
 - (f) the variety of the seed potatoes;
 - (g) the area of the seed potatoes;
 - (h) the location of the field on which the seed potatoes were grown.
3. A growing crop certificate may only be issued where an authorised officer is satisfied that in relation to the seed potatoes examined by him—
 - (a) the seed potatoes are of a variety of potato species entered in a National List or the Common Catalogue;
 - (b) the seed potatoes in any one crop are of a single variety;
 - (c) the seed potatoes are taken from a crop which is free from the following diseases or pests—
 - (i) Wart Disease (*Synchytrium endobioticum* (Schilb.) Perc.);
 - (ii) Potato Cyst Nematode (*Globodera* species infesting potatoes);
 - (iii) Ring Rot (*Clavibacter michiganensis* (Smith) Davis et al. ssp. *Sepedonicus* (Spieck. & Kotth.) Davis et al.);
 - (iv) Brown Rot (*Ralstonia solanacearum* (Smith) Yabuuchi et al);
 - (v) Potato Spindle Tuber Viroid;
 - (vi) Colorado Beetle (*Leptinotarsa decemlineata* (Say)); and
 - (vii) Potato Tuber Eelworm (*Ditylenchus destructor* (Thorne));
 - (d) 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 (England) Order 2005(1) as

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contaminated with Wart Disease (*Synchytrium endobioticum* (Schilb.) Perc.) or is within a safety zone demarcated under that Order;

- (e) blanking in any of the growing crop of the seed potatoes is not or was not excessive;
- (f) the growing crop has not been over-rogued; and
- (g) all reasonable husbandry practices for the prevention of the occurrence, development or spread of pests and diseases have been effectively carried out.

PART II

Pre-basic seed potatoes

4. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as pre-basic seed potatoes of any class unless the authorised officer is satisfied that—

- (a) unless grown in a soil-free medium, the land on which the seed potatoes are growing or were grown is land which as a result of an official soil test carried out prior to the planting of the crop has been found not to be contaminated with potato cyst nematode (*Globodera* species infecting potatoes); and if potato cyst nematode has been found on that land at any time during the period of 12 years immediately preceding the planting of the crop that—
 - (i) the land is no longer demarcated under Schedule 15 to the Plant Health (England) Order 2005 as infected with potato cyst nematode;
 - (ii) six years have elapsed since the last positive finding of infection by potato cyst nematode on the land;
 - (iii) except as authorised under paragraph 5 of Schedule 15 to the Plant Health (England) Order 2005, the land has not been used for growing potatoes at any time during the period of 11 years immediately preceding the planting of the crop; and
- (b) the land on which the seed potatoes are growing or were grown is land which has not been used for growing potatoes at any time during the seven years immediately preceding the planting of the crop.

5. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as pre-basic seed potatoes of pre-basic TC class unless the authorised officer is satisfied that the immediately succeeding crop produced from the seed potatoes is not likely to contain—

- (a) plants of a different variety; or
- (b) plants affected by mild or severe virus.

6. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as pre-basic seed potatoes of pre-basic 1, pre-basic 2, pre-basic 3 or pre-basic 4 class unless, in the opinion of the authorised officer, the immediately succeeding crop produced from the seed potatoes is not likely to contain—

- (a) more than 0.01 per cent by number of growing plants which deviate from variety and type; or
- (b) more than 0.01 per cent by number of growing plants which show symptoms of either mild or severe virus diseases where those symptoms are attributable to infection in the mother crop.

PART III

Basic seed potatoes

7. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as basic seed potatoes of any class unless the authorised officer is satisfied that—

- (a) the land on which the seed potatoes are growing or were grown is land which as a result of an official soil test carried out prior to the planting of the crop has been found not to be contaminated with potato cyst nematode (*Globodera* species infecting potatoes); and if potato cyst nematode has been found on that land at any time during the period of 12 years immediately preceding the planting of the crop that—
 - (i) the land is no longer demarcated under Schedule 15 to the Plant Health (England) Order 2005 as infected with potato cyst nematode;
 - (ii) six years have elapsed since the last positive finding of infection by potato cyst nematode on the land; and
 - (iii) except as authorised under paragraph 5 of Schedule 15 to the Plant Health (England) Order 2005, the land has not been used for growing potatoes at any time during the period of 11 years immediately preceding the planting of the crop; and
- (b) the land on which the seed potatoes are growing or were grown is land which has not been used for growing potatoes at any time during the five years immediately preceding the planting of the crop.

8. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as basic seed potatoes of any class unless, in the opinion of the authorised officer, the immediately succeeding crop produced from the seed potatoes is likely to contain—

- (a) not more than 0.25 per cent by number of growing plants which do not breed true to variety and not more than 0.1 per cent by number of plants which are of a different variety; and
- (b) not more than 4 per cent by number of growing plants which show symptoms, other than slight symptoms, of either mild or severe virus diseases prevalent in Europe where those symptoms are attributable to infection in the mother crop.

PART IV

Certified seed potatoes

9. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as certified seed potatoes in the case of seed potatoes growing or grown in the protected region.

10. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as certified seed potatoes unless the authorised officer is satisfied that—

- (a) the land on which the seed potatoes are growing or were grown is land which as a result of an official soil test carried out prior to the planting of the crop has been found not to be contaminated with potato cyst nematode; and
- (b) the land on which the seed potatoes are growing or were grown is land which has not at any time during the period of four years immediately preceding the planting of that crop been used for growing potatoes.

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11. No growing crop certificate shall be issued containing a statement that seed potatoes are capable of being marketed as certified seed potatoes unless, in the opinion of the authorised officer, the immediately succeeding crop produced from the seed potatoes is likely to contain—

- (a) not more than 0.5 per cent by number of growing plants which do not breed true to variety and not more than 0.2 per cent by number of plants which are of a different variety; and
- (b) not more than 10 per cent by number of growing plants which show symptoms, other than slight symptoms, of severe virus diseases prevalent in Europe where those symptoms are attributable to infection in the mother crop (provided that light mosaics causing discoloration but not leaf deformation shall be ignored).

SCHEDULE 2

Regulation 2(1)

OFFICIAL LABEL AND OFFICIAL DOCUMENT

PART I

Official Label

1. An official label used in relation to pre-basic seed potatoes shall be coloured white with a diagonal violet line.
2. An official label used in relation to basic seed potatoes shall be coloured white.
3. An official label used in relation to certified seed potatoes shall be coloured blue.
4. An official label used in relation to test and trial seed potatoes shall be coloured orange.
5. An official label shall measure not less than 110 millimetres x 67 millimetres.
6. An official label for pre-basic seed potatoes shall, in relation to the seed potatoes to which it relates, state the following particulars—
 - (a) the Certification Authority and member State or their distinguishing abbreviation;
 - (b) the producer's identification number or a lot reference number;
 - (c) the month and year of sealing;
 - (d) the species, indicated at least in roman characters, under its botanical name, which may be given in abridged form and without the authors' names, or under its common name, or both;
 - (e) the variety, indicated at least in roman characters; and
 - (f) the description "pre-basic seed potatoes".
7. An official label for basic seed potatoes or certified seed potatoes shall—
 - (a) contain the statement "EC Rules and Standards"; and
 - (b) in relation to the seed potatoes to which it relates, state the following particulars—
 - (i) the Certification Authority and member State or their initials;
 - (ii) the producer's identification number or a lot reference number;
 - (iii) the month and year of sealing;
 - (iv) the variety, indicated at least in roman characters;
 - (v) the country of production;
 - (vi) the category;

- (vii) for basic seed potatoes, the Community Grade (if appropriate);
 - (viii) the size; and
 - (ix) the net weight.
- 8.** An official label for test and trial seed potatoes shall—
- (a) contain the statements “variety not yet officially listed” and “for tests and trials only”; and
 - (b) in relation to the seed potatoes to which it relates, shall state the following particulars—
 - (i) the Certification Authority and member State or their distinguishing abbreviations;
 - (ii) the producer’s identification number or a lot reference number;
 - (iii) the month and year of sealing;
 - (iv) the species;
 - (v) the denomination of the variety under which the seed potatoes are to be marketed (which may be the breeder’s reference, the proposed denomination or the approved denomination);
 - (vi) the reference number in respect of the application submitted in accordance with regulation 4(1)(a) of the Seeds (National Lists of Varieties) Regulations 2001 for acceptance of the variety concerned on to a National List;
 - (vii) the size; and
 - (viii) the net weight.
- 9.** Without prejudice to paragraphs 1 to 8, an official label may contain such further statements—
- (a) as are required or permitted to be included in an official label in accordance with any provision of these Regulations or the Plant Health (England) Order 2005; or
 - (b) as the Secretary of State considers appropriate.

PART II

Official document

- 10.** An official document used in relation to pre-basic seed potatoes shall be coloured white with a diagonal violet line.
- 11.** An official document used in relation to test and trial seed potatoes shall be coloured orange.
- 12.** An official document in relation to basic seed potatoes shall be predominantly white.
- 13.** An official document in relation to certified seed potatoes shall be predominantly blue.
- 14.** An official document shall, in relation to the seed potatoes to which it relates, state—
- (a) the producer’s identification number or a lot reference number;
 - (b) the month and year of sealing; and
 - (c) the country of production.

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SCHEDULE 3

Regulation 2(3)

SPECIFIED DISEASES OR PESTS, DAMAGE AND DEFECTS AND TOLERANCES

PART I

Pre-basic seed potatoes of pre-basic TC class produced in England

<i>Column 1</i>	<i>Column 2</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>
GROUP I	
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib.) Perc.)	Nil
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al. spp. <i>sepedonicus</i> (Spieck. & Kotth.) Davis et al.)	Nil
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil
Potato Spindle Tuber Viroid	Nil
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil
GROUP II	
Blight (<i>Phytophthora infestans</i> (Mont.) de Bary)	Nil
Blackleg (<i>Erwinia carotovora</i> (Jones) Bergey et al.spp) <i>atroseptica</i> (Hellmers & Dowson) Dye or <i>Erwinia chrysanthemi</i> Burkholder et al. or both	Nil
Soft Rots including: Watery Wound Rot (<i>Pythium ultimum</i> Trow)	Nil
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	Nil
Dry Rot (<i>Fusarium</i> species)	Nil
Gangrene (<i>Phoma</i> species)	Nil
Frost damaged tubers	Nil
GROUP III	

<i>Column 1</i>	<i>Column 2</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) M. B. Ellis)	Nil
GROUP IV	
Black Scurf (<i>Rhizoctonia solani</i> Kuhn)	Nil
Common Scab (<i>Streptomyces</i> species)	Nil
GROUP V	
Powdery scab (<i>Spongospora subterranea</i> (Wallr.) Legerh.)	Nil
GROUP VI	
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	3.0%
GROUP VII	
Dirt or other extraneous matter	1.0%

PART II

**Pre-basic seed potatoes of pre-basic 1, pre-basic 2,
pre-basic 3 or pre-basic 4 class produced in England**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
GROUP I			
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib.) Perc.)	Nil		
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil		
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil		
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al. spp.)	Nil		

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Column 1	Column 2	Column 3	Column 4
Specified diseases or pests, damage and defects	Individual tolerances	Group tolerances	Collective group tolerances
<i>sepedonicus</i> (Spieck. & Kotth.) Davis et al.)			
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil		
Potato Spindle Tuber Viroid	Nil		
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil		
GROUP II			
Blight (<i>Phytophthora infestans</i> (Mont.) de Bary)	0.2%		
Blackleg (<i>Erwinia carotovora</i> (Jones) Bergey et al.spp) atroseptica (<i>Hellmers & Dowson</i>) Dye or <i>Erwinia chrysanthemi</i> Burkholder et al. or both	Nil))
Soft Rots including: Watery Wound Rot (<i>Pythium ultimum</i> Trow)	0.2%))
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	0.2%) 0.2%)
Dry Rot (<i>Fusarium</i> species)	0.2%))
Gangrene (<i>Phoma</i> species)	0.2%))
Frost damaged tubers	0.2%))
GROUP III			
Skin spot (<i>Polyscytalum pustulans</i> (Owen &	0.2%)) 4.0%

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
Wakefield)) M. B. Ellis			
GROUP IV			
Black Scurf (<i>Rhizoctonia solani</i> Kuhn)	1.0%) 3.0%)
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-eighth of whose surface area has been affected shall be deemed to be unaffected by the disease.			
Common Scab (<i>Streptomyces</i> species)	3.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-quarter of whose surface area has been affected shall be deemed to be unaffected by the disease.			
GROUP V			
Powdery scab (<i>Spongospora subterranea</i> (Wallr.) Legerh.)	1.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-eighth of whose surface area has been affected shall be deemed to			

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
be unaffected by the disease.			
GROUP VI			
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	1.0%		
Superficial necrosis caused by potato virus Y	Nil		
GROUP VII			
Dirt or other extraneous matter	1.0%		

PART III

Basic seed potatoes and certified seed potatoes produced in England

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
GROUP I			
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib.) Perc.)	Nil		
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil		
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil		
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al. spp. <i>sepedonicus</i> (Spieck. & Kotth.) Davis et al.)	Nil		

Column 1	Column 2	Column 3	Column 4
Specified diseases or pests, damage and defects	Individual tolerances	Group tolerances	Collective group tolerances
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil		
Potato Spindle Tuber Viroid	Nil		
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil		
GROUP II			
Blight (<i>Phytophthora infestans</i> (Mont.) de Bary)	1.0%))
Blackleg (<i>Erwinia carotovora</i> (Jones) Bergey et al.spp) <i>atroseptica</i> (Hellmers & Dowson) Dye or <i>Erwinia chrysanthemi</i> Burkholder et al. or both	1.0%))
Soft Rots including Watery Wound Rot (<i>Pythium ultimum</i> Trow)	1.0%) 1.0%)
Pink Rot (<i>Phytophthora erythroseptica</i> Pethybridge) and Pit Rot	1.0%))
Dry Rot (<i>Fusarium</i> species)	1.0%))
Gangrene (<i>Phoma</i> species)	1.0%))
Frost damaged tubers	1.0%))
Provided that in respect of seed potatoes of a Community Grade the individual tolerances listed in column 2 and the group tolerances			

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Column 1	Column 2	Column 3	Column 4
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
listed in column 3 shall not exceed 0.5%.			
GROUP III			
Skin spot (<i>Polyscytalum pustulans</i> (Owen & Wakefield) M. B. Ellis)	0.5% except for A and CC classes; 2.0% for A and CC classes only))
Powdery scab (<i>Spongospora subterranea</i> (Wallr.) Legerh.)	3.0%) 4.0%) 4.0%
<p>Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-eighth of whose surface area has been affected shall be deemed to be unaffected by the disease (except where powdery scab takes its cankerous form).</p>			
GROUP IV			
Black Scurf (<i>Rhizoctonia solani</i> Kuhn)	3.0%))
<p>Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-quarter of whose surface area has been affected in respect of class A and class CC and one-eighth unaffected in respect of all other classes shall be deemed to</p>			

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Group tolerances</i>	<i>Collective group tolerances</i>
be unaffected by the disease.			
Common Scab (<i>Streptomyces</i> species)	4.0%))
Provided that seed potatoes which have at least two eyes at the rose end that are wholly unaffected and less than one-quarter of whose surface area has been affected shall be deemed to be unaffected by the disease.			
GROUP V			
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	2.0%	2.0%)
Superficial necrosis caused by strains of potato virus Y	0.1%		
GROUP VI			
Dirt or other extraneous matter	1.0%		

PART IV

Test and trial seed potatoes

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Collective tolerances</i>
Potato Tuber Eelworm (<i>Ditylenchus destructor</i> Thorne)	Nil	
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil	

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Specified diseases or pests, damage and defects</i>	<i>Individual tolerances</i>	<i>Collective tolerances</i>
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al. spp. <i>sepedonicus</i> (Spieck. & Kotth.) Davis et al.)	Nil	
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil	
Potato Spindle Tuber Viroid	Nil	
Colorado Beetle (<i>Lepinotarsa decemlineata</i> (Say))	Nil	
Wart Disease (<i>Synchytrium endobioticum</i> (Schlib.) Perc.)	Nil	
Potato Cyst Nematode (<i>Globodera</i> species infesting potatoes)	Nil	
Ring Rot (<i>Clavibacter michiganensis</i> (Smith) Davis et al. spp. <i>sepedonicus</i> (Spieck. & Kotth.) Davis et al.)	Nil	
Brown Rot (<i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	Nil	
Earth or other extraneous matter	2.0%	
Dry and wet rot, except if caused by <i>Synchytrium endobioticum</i> , <i>Clavibacter michiganensis</i> (Smith) Davis et al. ssp. <i>Sepedonicus</i> (Spieck. & Kotth.) Davis et al.) or <i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al)	1.0%)
External blemishes or tubers other than diseased tubers whose shape is atypical for the variety	3.0%) 6.0%
Common scab: tubers affected over more than one-third of their surface	5.0%)

SCHEDULE 4

Regulation 2(3)

CLASSIFICATION OF SEED POTATOES

PART I

Seed potatoes capable of being marketed as pre-basic seed potatoes

In the course of making a determination for the purposes of Schedule 1, paragraph 1(b), where an authorised officer determines that seed potatoes are capable of being marketed as pre-basic seed potatoes, he may classify them as being seed potatoes of any of the classes specified in column 1 of table 1 where he is satisfied following inspection that the requirements specified in column 2 in relation to that class have been met.

Table 1

<i>Column 1</i>	<i>Column 2</i>
<i>Class</i>	<i>Requirements</i>
Pre-basic TC	(1) The seed potatoes shall— <ul style="list-style-type: none"> (a) be derived from nuclear stock or tested tubers supplied by a source acceptable to the Secretary of State which have been grown on a unit where no material of the species <i>Solanaceae</i> or other material, other than that derived from nuclear stock or tested tubers from a source acceptable to the Secretary of State, has been grown; and (b) have been kept free from— <ul style="list-style-type: none"> (i) potato viruses A, M, S, X, Y, leafroll, potato mop top virus, tobacco rattle virus and tobacco vein necrosis or any other significant virus, (ii) witches' broom and blackleg, (iii) deviations of variety and type, and (iv) groundkeepers.
Pre-basic 1	(2) The seed potatoes shall— <ul style="list-style-type: none"> (a) be derived from— <ul style="list-style-type: none"> (i) nuclear stock or tested tubers supplied by a source acceptable to the Secretary of State which have been grown on a unit where no material of the species <i>Solanaceae</i> or other material, other than that derived from

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<i>Column 1</i>	<i>Column 2</i>
<i>Class</i>	<i>Requirements</i>
	<p>nuclear stock or tested tubers from a source acceptable to the Secretary of State, has been grown;</p> <p>(ii) a stock which was classified as pre-basic TC in the year preceding the planting of the crop; or</p> <p>(iii) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her; and</p> <p>(b) have been kept free from—</p> <p>(i) potato viruses A, M, S, X, Y, leafroll, potato mop top virus, tobacco rattle virus and tobacco vein necrosis or any other significant virus,</p> <p>(ii) witches' broom and blackleg,</p> <p>(iii) deviations of variety and type, and</p> <p>(iv) groundkeepers.</p>
Pre-basic 2	<p>(3) The seed potatoes shall—</p> <p>(a) be derived from—</p> <p>(i) a stock which was classified as pre-basic 1 in the year preceding the planting of the crop; or</p> <p>(ii) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her; and</p> <p>(b) have been kept free from—</p> <p>(i) potato viruses A, M, S, X, Y, leafroll, potato mop top virus, tobacco rattle virus and tobacco vein necrosis or any other significant virus,</p> <p>(ii) witches' broom and blackleg,</p> <p>(iii) deviations of variety and type, and</p> <p>(iv) groundkeepers.</p>

<i>Column 1</i>	<i>Column 2</i>
<i>Class</i>	<i>Requirements</i>
Pre-basic 3	<p>(4) The seed potatoes shall—</p> <ul style="list-style-type: none">(a) be derived from—<ul style="list-style-type: none">(i) a stock which was classified as pre-basic 2 in the year preceding the planting of the crop; or(ii) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her; and(b) have been kept free from—<ul style="list-style-type: none">(i) potato viruses A, M, S, X, Y, leafroll, potato mop top virus, tobacco rattle virus and tobacco veinal necrosis or any other significant virus,(ii) witches' broom and blackleg,(iii) deviations of variety and type, and(iv) groundkeepers.
Pre-basic 4	<p>(5) The seed potatoes shall—</p> <ul style="list-style-type: none">(a) be derived from—<ul style="list-style-type: none">(i) a stock which was classified as pre-basic 3 in the year preceding the planting of the crop; or(ii) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her; and(b) have been kept free from—<ul style="list-style-type: none">(i) potato viruses A, M, S, X, Y, leafroll, potato mop top virus, tobacco rattle virus and tobacco veinal necrosis or any other significant virus,(ii) witches' broom and blackleg,(iii) deviations of variety and type, and(iv) groundkeepers.

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PART II

Seed potatoes capable of being marketed as basic seed potatoes

In the course of making a determination for the purposes of Schedule 1, paragraph 1(b), where an authorised officer determines that seed potatoes are capable of being marketed as basic seed potatoes, he may classify them as being seed potatoes of—

- (a) any of the classes specified in column 1 of table 2 where he is satisfied following inspection that the requirements specified in column 2 in relation to that class have been met and that the tolerances specified in column 3 have not been exceeded in respect of those seed potatoes; or
- (b) a Community Grade where he is satisfied following inspection that the requirements of Commission Directive 93/17/EEC of 30 March 1993 determining Community Grades of basic seed potatoes, together with the conditions and designations applicable to such grades⁽²⁾ have been met.

Table 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Class</i>	<i>Requirements</i>	<i>Tolerances</i>
Super Elite 1 (SE1)	<p>(1) The seed potatoes shall be derived from—</p> <ul style="list-style-type: none"> (a) a stock of pre-basic seed potatoes or a stock classified under the Seed Potatoes Regulations 1991 as VTSC 1 or VTSC 2 in the year preceding the planting of the crop; or (b) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her. 	<ul style="list-style-type: none"> (i) deviations from variety and type and groundkeepers – 0.05%. (ii) severe mosaic – nil. (iii) leafroll – 0.01%. (iv) mild mosaic – 0.05%. (v) blackleg – 0.25%.
Super Elite 2 (SE2)	<p>(2) The seed potatoes shall be derived from—</p> <ul style="list-style-type: none"> (a) a stock which was classified as SE1 in the year preceding the 	As for class SE1 potatoes.

⁽²⁾ OJ L106, 30.4.1993, p7.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Class</i>	<i>Requirements</i>	<i>Tolerances</i>
	planting of the crop; or (b) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her.	
Super Elite 3 (SE3)	(3) The seed potatoes shall be derived from— (a) a stock which was classified as SE2 in the year preceding the planting of the crop; or (b) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her.	As for class SE1 potatoes.
Elite 1 (E1)	(4) The seed potatoes shall be derived from— (a) a stock which was certified as pre-basic seed potatoes or basic seed potatoes (other than E1, E2, E3 or A class) in the year preceding the planting of the crop; or (b) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her.	(i) deviations from variety and type and groundkeepers – 0.05%. (ii) total virus disease (leafroll, severe mosaic and mild mosaic) – 0.5% of which not more than 0.1% in total shall be leafroll and severe mosaic. (iii) blackleg – 0.5%.
Elite 2 (E2)	(5) The seed potatoes shall be derived from—	As for class E1 potatoes.

Status: This is the original version (as it was originally made).

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Class</i>	<i>Requirements</i>	<i>Tolerances</i>
	<ul style="list-style-type: none"> (a) a stock which was classified as E1 in the year preceding the planting of the crop; (b) basic seed potatoes of Community Grade EC grade 1 or EC grade 2; or (c) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her. 	
Elite 3 (E3)	<p>(6) The seed potatoes shall be derived from—</p> <ul style="list-style-type: none"> (a) a stock which was classified as E2 in the year preceding the planting of the crop; or (b) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her. 	As for class E1 potatoes.
A	<p>(7) The seed potatoes shall be derived from—</p> <ul style="list-style-type: none"> (a) inside the protected region, a stock which was certified as pre-basic seed potatoes or basic seed potatoes (other than A class) in the year preceding the planting of the crop; 	<ul style="list-style-type: none"> (i) deviations from variety and type and groundkeepers – 0.1%. (ii) total virus disease – 0.8% of which not more than 0.4% in total shall be leafroll and severe mosaic. (iii) blackleg – 1.0%.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Class</i>	<i>Requirements</i>	<i>Tolerances</i>
	(b) outside the protected region, a stock of pre-basic seed potatoes or basic seed potatoes of Community Grade EC grade 3; or (c) such other seed potatoes as shall have been notified in writing by the Secretary of State as being acceptable to her.	

PART III

Seed potatoes capable of being marketed as certified seed potatoes

In the course of making a determination for the purposes of Schedule 1, paragraph 1(b), where an authorised officer determines that seed potatoes are capable of being marketed as certified seed potatoes, he shall classify them as seed potatoes of a class known as CC class where he is satisfied on a sample that the requirements specified in column 2 of table 3 in relation to that class have been met and that the tolerances specified in column 3 have not been exceeded in respect of those potatoes.

Table 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Class</i>	<i>Requirements</i>	<i>Tolerances</i>
CC	The seed potatoes shall be produced— (a) directly from pre-basic seed potatoes, basic seed potatoes or certified seed potatoes; or (b) from a crop grown with the authority of or in circumstances notified in writing as being acceptable to the Secretary of State.	(i) leafroll and severe mosaic – 2.0%; (ii) mild mosaic – 5.0%, providing that the total of leafroll and mild mosaic shall not exceed 5%; (iii) blackleg – 2.0%; (iv) deviations from variety and type and groundkeepers – 0.5%, of which deviation from variety – 0.2%.

SCHEDULE 5

Regulation 8

AUTHORISATION FOR MARKETING SEED
POTATOES FOR TEST AND TRIAL PURPOSES

1. On receipt of an application for authorisation made in accordance with regulation 8, an authorised officer shall—

- (a) allocate to the person making such application a number to be known as a “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 IV of Schedule 3 have been met; and
- (c) subject to paragraph 3 and regulation 8, issue an authorisation to market seed potatoes for test and trial purposes.

2. An authorisation shall 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 shall be issued by an authorised officer unless he 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 Seeds (National Lists of Varieties) Regulations 2001 for acceptance of the variety concerned on to a National List and which 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 (England) Order 2005 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 per cent;
- (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 per cent by number of growing plants which do not breed true to variety and not more than 0.2 per cent by number of growing plants which are of a different variety; and
 - (ii) not more than 10 per cent 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 shall be ignored);
- (g) the seed potatoes are ascertained not to be affected by any of the tolerances for diseases, pests, damage or defects specified in Part IV of Schedule 3.

SCHEDULE 6

Regulation 15

INFORMATION IN RESPECT OF SEED POTATOES OF MORE THAN TWO KILOGRAMS PRODUCED IN A COUNTRY OTHER THAN A MEMBER STATE

Species
 Variety
 Category
 Country of production and Certification Authority
 Country of despatch
 Importer
 Quantity of seed potatoes

SCHEDULE 7

Regulation 16

PARTICULARS TO BE SPECIFIED IN A SALE NOTE, ETC

Name and address of the seller
 Net weight (except pre-basic seed potatoes)
 Species (except basic seed potatoes and certified seed potatoes)
 Variety
 Category
 Class (as appropriate)
 Community Grade (if applicable)
 Size (except pre-basic seed potatoes)
 Producer's identification number or (except for seed potatoes produced in England) seed lot reference number
 Particulars of any chemical treatment

SCHEDULE 8

Regulation 24

REVOCATIONS

<i>(1)</i> <i>Regulations revoked</i>	<i>(2)</i> <i>References</i>
The Seed Potatoes Regulations 1991	SI 1991/2206
The Seed Potatoes (Amendment) Regulations 1992	SI 1992/1031
The Seed Potatoes (Amendment) Regulations 1993	SI 1993/1878
The Seed Potatoes (Amendment) Regulations 1994	SI 1994/2592

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<i>(1)</i> <i>Regulations revoked</i>	<i>(2)</i> <i>References</i>
The Seed Potatoes (Amendment) Regulations 1997	SI 1997/1474
The Seed Potatoes (Amendment) (England) Regulations 2000	SI 2000/1788
