SASA

The Scottish Government

The New EU Seed Potato Classification Scheme:

Options for Scottish Implementation

John Kerr

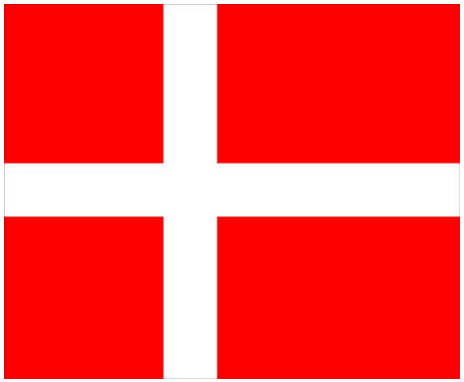
The process

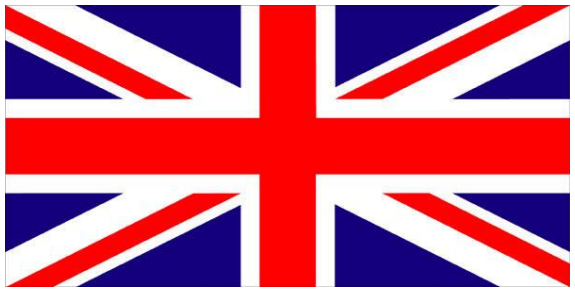
- Reviewing and changing the seed potato annexes is deemed to fall under the so called comitology procedure. This means the law can be changed by the relevant Standing Committee of the EU. In other words officials decide on the change.
- Preparing the detailed of proposals is delegated to an experts working group.
- Standing committee then take a decision on whether to proceed with the change or not or to give it back to the experts for revision.
- Decision making in the Sanding Committee is normally by consensus but (since the Lisbon Treaty) in the absence of a consensus a qualified majority vote is also possible.

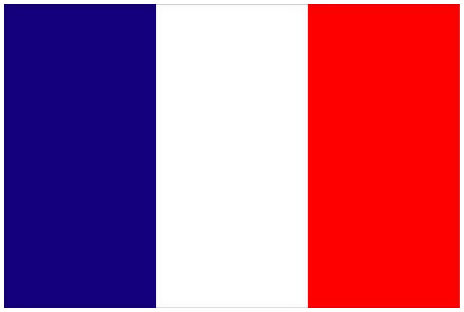
The Journey

- I as the UK expert received an invited to the first meeting on the topic the 19th of May 2009 for a meeting that June.
- 10 other participants were invited by the commission to Brussels
- Belgium, Germany, Italy, Chech Republic, Bulgaria, Netherlands, Denmark, France, UK, Luxembourg, Finland (all members of the UNECE group) and Portugal
- Expert meetings have taken place over the subsequent period in May, September November and December 2010 then in April 2012 and again in April 2013. Seven in total over five years!
- The Standing Committee (all Member States with Defra representing the UK) also discussed the issue at several meetings over the period.

The Experts







The big hitters

The issues

- Class nomenclature and the number of classes

  NL/UK hybrid proposed by ESA: France not keen on S class

- Number of generations permitted and how to count them

  A total of 9 quickly agreed but no agreement on counting them UK wanted maximum flexibility other wanted none led by Denmark

- Diseases that should be regulated

  Quickly agreed on UNECE list but powdery scab and blackleg thorny issues (France and Netherlands versus UK – Ireland to the rescue)

- Tolerances

  Generally this was a quality versus production debate with North West Europe wanting stricter controls than South and Eastern states

The issues

- Community Grade region

  UK, Germany, Finland, Ierland and Portugal all supported retention of the provisions. Commission supported this.

- Multiplication of certified category seed

  In the end this was the most contentious issue with Spain the vocal opponent to the ESA view expressed through several mid European countries and directly to the commission outside the meetings

  ESA wanted prohibition of planting certified category seed to produce a further seed crop. Spain explained that their producers could not source Basic seed of certain varieties and their industry would be destroyed by this provision

  The commission have hopefully Brocken this deadlock with the following text: “_____”

Wins

- Retention of high grade region provisions
  - Unexpected bonus of Initial stock testing requirements accepted across the union!
- Harmonised class names and tolerances (similar to existing UK classes)
- Retention of field blackleg tolerances (thanks Ireland)
- Some flexibility in Basic category retained

Future Scheme

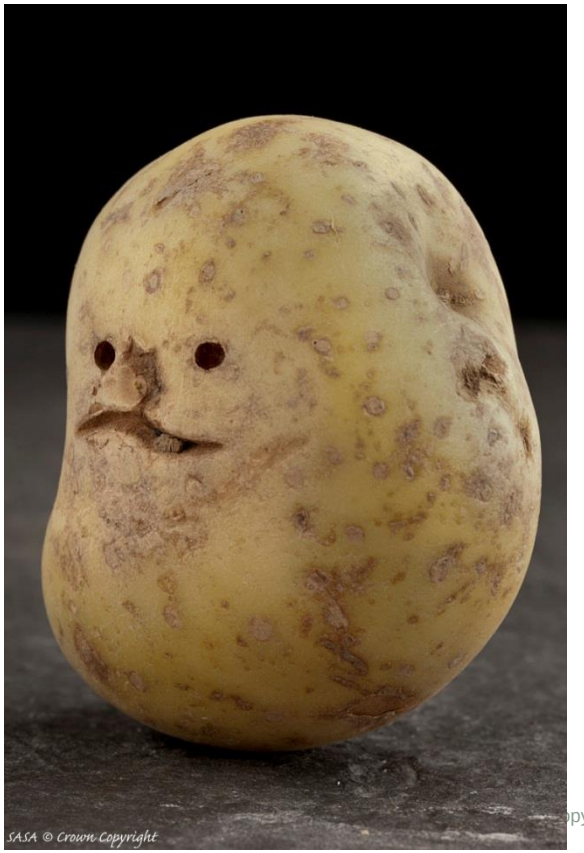
	Pre-basic			Basic						Certified	
Crop Tolerances	PBTC	EU PB	Scot PB	EU S	Scot SE	EU SE	Scot E	EU E	Scot A	EU A	EU B
Not True to type	0	0.01	0	0.1	0.05	0.1	0.05	0.1	0.1	0.2	0.5
Blackleg	0	0	0	0.1	0.25	0.5	0.5	1.0	1	2	4
Virus	0	0.1	0	0.2	0 SM 0.01 LR 0.05 MM	0.5	0.5 (0.1 MM/LR)	0.8	0.8 (0.4 MM/LR)	2	6
Progeny Virus	0	0.5	0.5	1	4	2	4	4	4	8	10
Lot tolerances											
Rots	0	0.2	0.2 (0 BL)	0.5 (0.2)	0.5	0.5 (0.2)	0.5	0.5 (0.2)	0.5	0.5 (0.2)	0.5 (0.2)
Black Scurf	0	1 (10%)	1 (1/8)	5 (10%)	3 (1/8)	5 (10%)	3 (1/8)	5 (10%)	3 (1/4)	5 (10%)	5 (10%)
Common Scab	0	5 (33%)	5 (33%)	5 (33%)	4 (25%)	5 (33%)	4 (25%)	5 (33%)	5 (33%)	5 (33%)	5 (33%)
Powdery Scab	0	1(10%)	1 (1/8)	3 (10%)	3 (1/8)	3 (10%)	3 (1/8)	3 (10%)	3 (1/8)	3 (10%)	3 (10%)
Shrivelled tubers		0.5	1 (0 Y^{ntn})	1	2 (0.1 Y^{ntn})	1	2 (0.1 Y^{ntn})	1	2 (0.1 Y^{ntn})	1	1
Damage/defects		3		3		3		3		3	3
Soil/extraneous		1	1	2	1	2	1	2	1	2	2
Total Lot faults		6		6		6		6		8	8

Compromises

- Relaxation of some tolerances especially field virus levels
- Loss of some flexibility in the basic category (maximum of six generations reduced to four but depends on no of PB used).
- Lost class A as a class name available for basic seed and adoption of S class name.
- Virus tolerances are too lenient

Actually we pretty much

achieved what we wanted!



Future Seed Potato Classification Scheme

Categories	Scottish Classes	EU Grades
Pre-basic	Pre-basic TC	PBTC
	PB 1 - 4	PB (4)
Basic	Super Elite (3)	S (5)
	Elite (3)	SE (6)
	A	E (7)
Certified		A
		B

Remaining issues

- Field Virus Tolerances

The proposed virus tolerances for PB S and SE are a marked relaxation in comparison to our current tolerances:

EU	PBTC*	PB	S	SE	E	A	B
Virus	0	0.1	0.2	0.5	0.8	2	6

Current	PBTC	PB	SE	E	A
Virus	0	0	0 SM 0.01 LR 0.05 MM	0.5 (0.1 SM/LR)	0.8 (0.4 SM/LR)

Preferred solution

- Adopt the Community Grades and tolerances but apply the following statutory controls for production within our territory:
  - Maintain nil tolerance for *Dickeya* spp (in crop and lots)
  - Implement stricter field tolerances for PVY and PVA and possibly leafroll
  - Maintain current lot tolerance for PTNRD (PVY^{ntn})

(note that any additional conditions we seek to apply compulsorily would have to be objectively justified and approved by the EU standing committee)

Preferred solution

- If we elect to implement stricter measures for virus for the specific organisms PVY and PVA and possibly PLRV then we need to establish what tolerance to apply.
- Given the current virus levels we may wish to err on the strict side and implement the current Scottish Severe tolerances i.e.

Crop Tolerances	PBTC*	PB	S	SE	E
Virus	0	0.1	0.2	0.5	0.8
PVY/PVA/PLRV	0	0	0.02	0.1	0.4

Potential Outcome (virus only)

- An analysis of these proposals was conducted on the existing Spuds data for Scottish crops over the last five years (2009-2013 inclusive). The results were as follows:

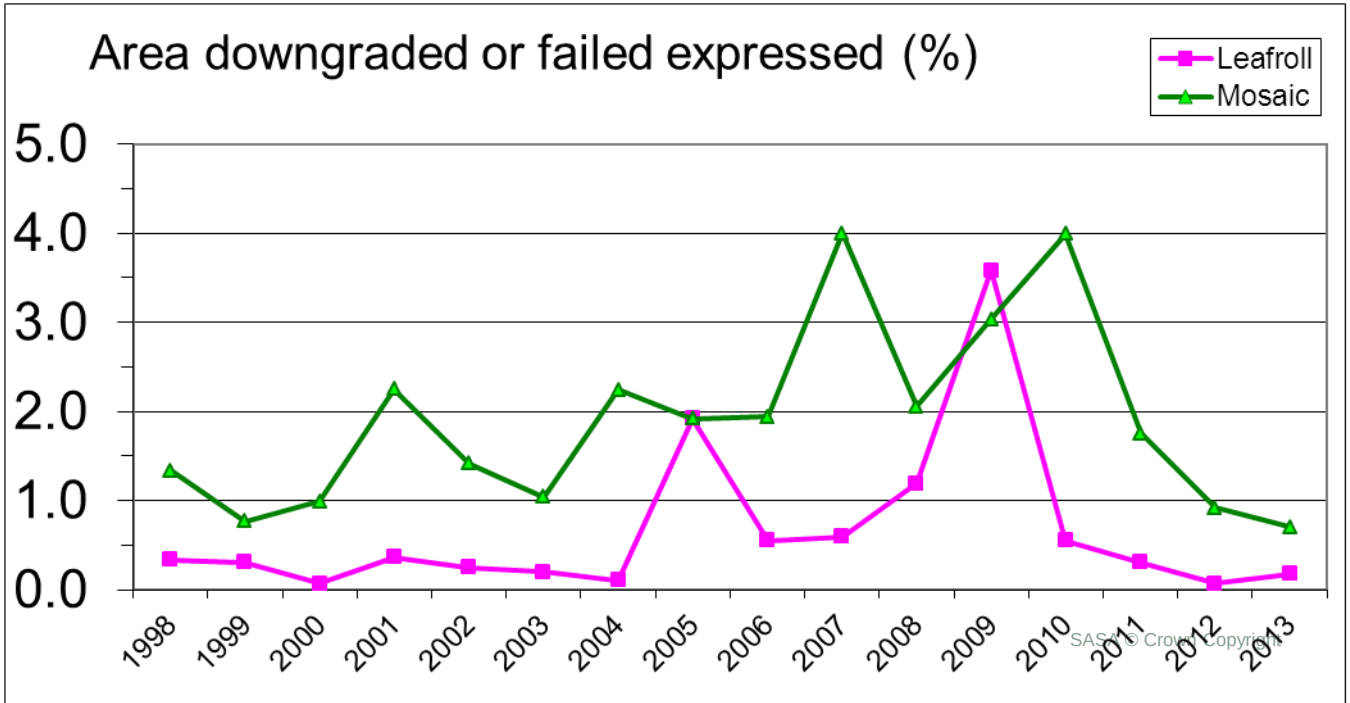
	Area meeting the proposed Grades using proposed Scottish stricter tolerances (ha)				
Year	S at 0.02%	SE at 0.1%	E at 0.4%	Rejected >0.4%	Area entered
2013	9846.2	291.4	67.8	6.0	10211.4
2012	10124.6	311.2	53.6	3.2	10492.6
2011	10088.6	635.5	131.9	4.9	10860.9
2010	9315.4	1313.7	319.4	71.0	11019.5
2009	9787.9	1140.6	239.7	80.5	11248.7

Potential Outcome (virus only)

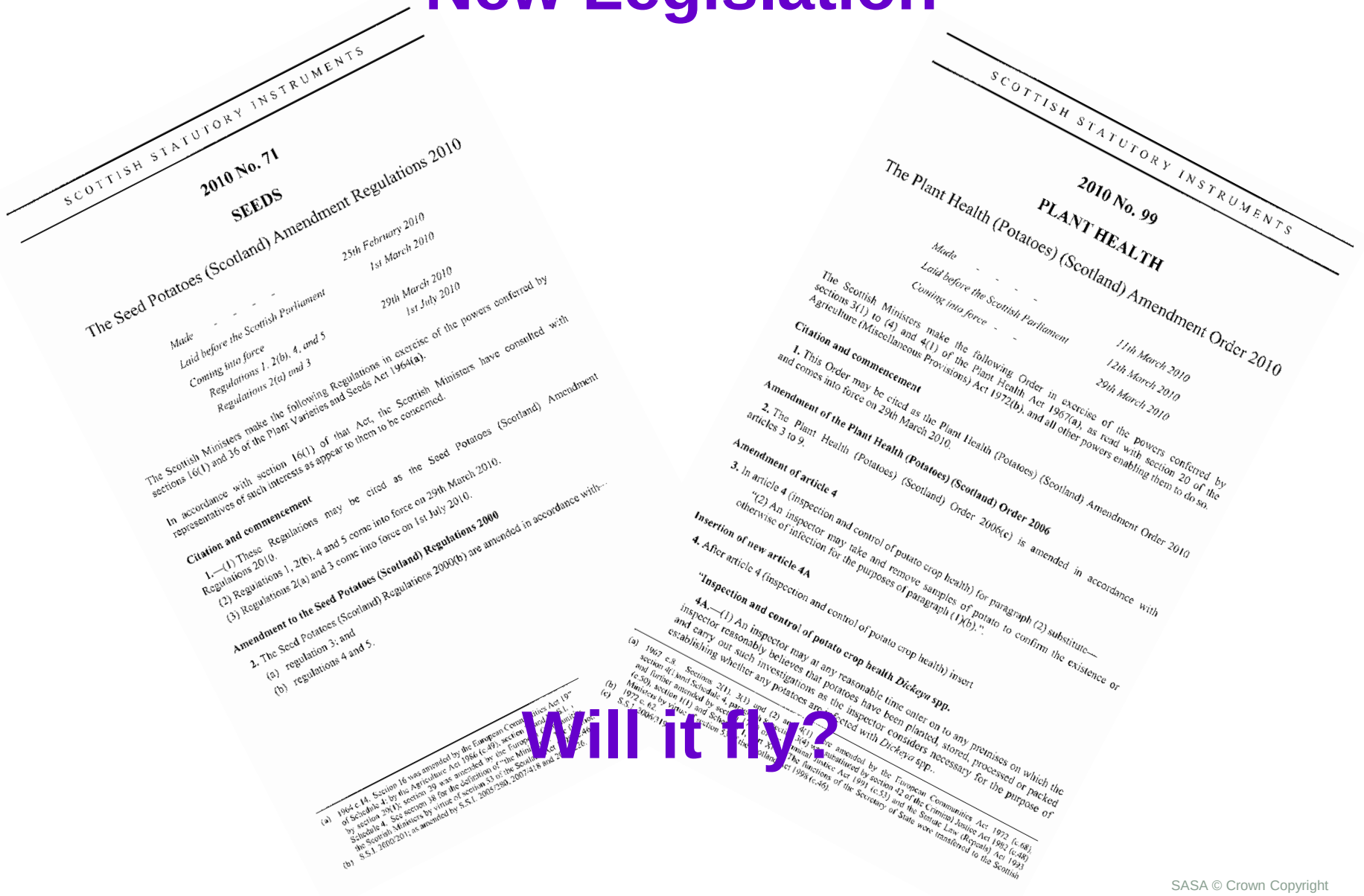
	Area meeting the proposed Grades using proposed Scottish stricter tolerances (%)			
Year	S at 0.02%	SE at 0.1%	E at 0.4%	Rejected >0.4%
2013	96.4	2.9	0.7	0.1
2012	96.5	3.0	0.5	0.0
2011	92.9	5.9	1.2	0.0
2010	84.5	11.9	2.9	0.7
2009	87.0	10.1	2.1	0.7
Average	**91.5**	**6.8**	**1.5**	**0.3**

Good control in future

Favourable comparison with present



New Legislation



SCOTTISH STATUTORY INSTRUMENTS

2010 No. 71

SEEDS

The Seed Potatoes (Scotland) Amendment Regulations 2010

Made - - - - *25th February 2010*
Laid before the Scottish Parliament *1st March 2010*
Coming into force - - *29th March 2010*
Regulations 1, 2(b), 4, and 5 *1st July 2010*
Regulations 2(a) and 3

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 16(1) and 36 of the Plant Varieties and Seeds Act 1964(a).

In accordance with section 16(1) of that Act, the Scottish Ministers have consulted with representatives of such interests as appear to them to be concerned.

Citation and commencement

1.—(1) These Regulations may be cited as the Seed Potatoes (Scotland) Amendment Regulations 2010.

(2) Regulations 1, 2(b), 4 and 5 come into force on 29th March 2010.

(3) Regulations 2(a) and 3 come into force on 1st July 2010.

Amendment to the Seed Potatoes (Scotland) Regulations 2000

2. The Seed Potatoes (Scotland) Regulations 2000(b) are amended in accordance with—

(a) regulation 3; and

(b) regulations 4 and 5.

(a) 1964 c.14. Section 16 was amended by the European Communities Act 19[illegible] of Schedule 4; by the Agriculture Act 1986 (c.49), section [illegible] by section 20(1); section 38 for the definition of "the Minister" and "the Ministers" Schedule 4. See section 38 for the definition of "the Minister" and "the Ministers" the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2000/201; as amended by S.S.I. 2005/280, 2007/418 and [illegible]

(c) [illegible]

SCOTTISH STATUTORY INSTRUMENTS

2010 No. 99

PLANT HEALTH

The Plant Health (Potatoes) (Scotland) Amendment Order 2010

Made - - - - *11th March 2010*
Laid before the Scottish Parliament *12th March 2010*
Coming into force - - *29th March 2010*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 3(1) to (4) and 4(1) of the Plant Health Act 1967(a), as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972(b), and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Plant Health (Potatoes) (Scotland) Amendment Order 2010 and comes into force on 29th March 2010.

Amendment of the Plant Health (Potatoes) (Scotland) Order 2006

2. The Plant Health (Potatoes) (Scotland) Order 2006(c) is amended in accordance with articles 3 to 9.

Amendment of article 4

3. In article 4 (inspection and control of potato crop health) for paragraph (2) substitute—

"(2) An inspector may take and remove samples of potato to confirm the existence or otherwise of infection for the purposes of paragraph (1)(b).".

Insertion of new article 4A

4. After article 4 (inspection and control of potato crop health) insert

"**Inspection and control of potato crop health *Dickeya* spp.**

4A.—(1) An inspector may at any reasonable time enter on to any premises on which the inspector reasonably believes that potatoes have been planted, stored, processed or packed and carry out such investigations as the inspector considers necessary for the purpose of establishing whether any potatoes are affected with *Dickeya* spp..

(a) 1967 c.8. Sections 2(1), 3(1), and (2) [illegible] section 4(1) and Schedule 4, para. [illegible] 4(1) [illegible] and further amended by section 42 of the Criminal Justice Act 1982 (c.48), section 1(1) and Schedule 4 [illegible] Criminal Justice Act 1991 (c.53) and the Statute Law (Repeals) Act 1993 (c.50), section 1(1) and Schedule 1. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) 1972 c.62.

(c) S.S.I. 2006/[illegible]

Will it fly?

Conclusion

- The analysis suggests that Scotland can adopt the stricter proposed tolerances with a minimal impact on commercial crops. The critical issue is the percentage of the total crop area that would be rejected outright from the SPCS under this proposal and the impact is on average less than 0.2% of the total seed area and not more than 48 hectares in any one of the last five years.

- With respect to changes in grade purely due to virus, the impact of the new scheme amounts to not more than 64 hectares in any one of the last five years. The data supports the proposal to regulate PVY, PVA and probably PLRV at tolerances based on the current Scottish minimums to help maintain the regions low virus status.

Dr John Kerr
Head of Potato and Vegetable Crops

Tel. ++ 44 131 2448945

SASA
Roddinglaw Road,
Edinburgh EH12 9FJ, Scotland
Fax ++ 44 131 2448920
www.sasa.gov.uk

Thanks to
Stephen Fotheringham
John Ellicott