

**REGULATION No. 15 OF 24 JULY 2015 ON THE MARKETING OF PRE-BASIC,
BASIC AND CERTIFIED SEED POTATOES OF THE RELEVANT GRADES
WITHIN THE EUROPEAN UNION**

Effective date 1 January 2016

Issued by the Minister of Agriculture and Food

Promulgated, SG No. 59 of 4 August 2015, amended and supplemented, SG No. 57 of 26 June 2020

**Chapter One
GENERAL PROVISIONS**

Article 1. This Regulation shall apply to the requirements to pre-basic, basic and certified seed potatoes of the relevant grades which may be marketed within the European Union.

**Chapter Two
MINIMUM CONDITIONS FOR PRE-BASIC SEED POTATOES**

Article 2. (Amended, SG No. 57/2020, effective date 26.06.2020) (1) Pre-basic seed potatoes shall satisfy the following minimum conditions:

1. they shall be the direct progeny of plants which are free from the following harmful organisms: *Pectobacterium* spp., *Dickeya* spp., *Candidatus Liberibacter solanacearum*, *Candidatus Phytoplasma solani*, Potato spindle tuber viroid, Potato leaf roll virus, Potato virus A, Potato virus M, Potato virus S, Potato virus X и Potato virus Y;
2. the total number of growing plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0,1%;
3. the number of generations in the field shall be restricted to four;
4. pre-basic seed potatoes shall not exhibit RNQP or symptoms caused by the relevant RNQP above the thresholds in the following table:

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the plants grown for pre-basic seed potatoes
Blackleg disease (<i>Dickeya Samson et al. spp.</i> [1DICKG]; <i>Pectobacterium Waldee emend. Hauben et al. spp.</i> [1PECBG])	0%
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	0%
<i>Candidatus Phytoplasma solani</i> Quaglino <i>et al.</i> [PHYPSO]	0%
Formation of mosaic spots caused by viruses and symptoms caused by the potato leaf roll virus [PLRV00]	0.1%
Potato spindle tuber viroid [PSTVD0]	0%

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the direct progeny of pre-basic seed potatoes
Symptoms of a viral infection	0.5%

(2) Pre-basic seed potatoes may be marketed as Union grade PBTC and Union grade PB provided that they satisfy the conditions set out in Annex No. 1.

(3) The compliance with the requirements under paragraph 1, subparagraphs 2 and 4 shall be established through the conduct of official field inspections. In case of doubt, inspections shall be supplemented by official testing of the leaves.

(4) Where methods of micro-propagation are used, compliance with the requirement under paragraph 1(1) shall be established by official testing, or testing under official supervision, of the mother plant.

(4) Where methods of clonal selection are used, compliance with the requirement under paragraph 1(1) shall be established by official testing, or testing under official supervision, of the clonal stock.

Article 3. (Amended, SG No. 57/2020, effective date 26.06.2020) The following minimum requirements shall apply to the lots of pre-basic seed potatoes:

1. presence of earth and extraneous matter shall not exceed 1,0% by mass of the lot;
2. the number of potatoes affected by rots, other than ring rot or brown rot, shall not be present in a quantity exceeding 0,2% by mass of the lot;
3. the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3,0% by mass of the lot;
4. the number of potatoes affected by common scab over more than one third of their surface, shall not exceed 5,0% by mass of the lot;
5. shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 0,5% by mass of the lot;
6. lots of pre-basic seed potatoes shall satisfy the following conditions for the presence of RNQP or diseases caused by the relevant RNQP as indicated in the table below:

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the lots of pre-basic seed potatoes
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	0%
<i>Ditylenchus destructor</i> Thorne [DITYDE]	0%
Black scurf affecting more than 10% of the surface of the tubers caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk [RHIZSO]	1.0%
Powdery scab affecting more than 10% of the surface of the tubers caused by <i>Spongospora subterranea</i> (Wallr.) Lagerh. [SPONSU]	1.0%

7. the total number of potatoes, as referred to in subparagraphs 2, 3, 4 and 5, shall not exceed 6,0% by mass of the lot.

Chapter Three **CONDITIONS FOR BASIC SEED POTATOES**

Article 4. (1) Basic seed potatoes may be marketed as ‘Union grade S’ if they satisfy the following conditions:

1. the potatoes have been found by official inspection to satisfy the conditions, as set out in Annex No. 2, item 1, point 1.1;
2. their lots have been found by official inspection to satisfy the conditions, as set out in Annex No. 2, item 1, point 1.2.

2. Basic seed potatoes may be marketed as ‘Union grade SE’ if they satisfy the following conditions:

1. the potatoes have been found by official inspection to satisfy the conditions, as set out in Annex No. 2, item 2, point 2.1; and
 2. their lots have been found by official inspection to satisfy the conditions, as set out in Annex No. 2, item 2, point 2.2.
- (3) Basic seed potatoes may be marketed as ‘Union grade E’ if they satisfy the following conditions:
1. the potatoes have been found by official inspection to satisfy the conditions, as set out in Annex No. 2, item 3, point 3.1; and
 2. their lots have been found by official inspection to satisfy the conditions, as set out in Annex No. 2, item 3, point 3.1.

Chapter Four

CONDITIONS FOR CERTIFIED SEED POTATOES

Article 5. (1) Certified seed potatoes may be marketed as ‘Union grade A’ if they satisfy the following conditions:

1. the potatoes have been found by official inspection to satisfy the conditions, as set out in Annex No. 3, item 1, point 1.1; and
2. their lots have been found by official inspection to satisfy the conditions, as set out in Annex No. 3, item 1, point 1.2.

(2) Certified seed potatoes may be marketed as ‘Union grade B’ if they satisfy the following conditions:

1. the potatoes have been found by official inspection to satisfy the conditions, as set out in Annex No. 3, item 2, point 2.1; and
1. their lots have been found by official inspection to satisfy the conditions, as set out in Annex No. 3, item 2, point 2.2.

SUPPLEMENTARY PROVISIONS

§ 1. For the purposes of this Regulation:

1. ‘Micro-propagation’ means the practice of rapidly multiplying plant material to produce a large number of plants, using culture in vitro of differentiated vegetative buds or meristem taken from a plant.
2. ‘Mother plant’ means an identified plant from which material is taken for propagation.

§ 2. This Regulation transposes the conditions set out in:

1. Commission Implementing Directive 2014/20/EU of 6 February 2014 determining Union grades of basic and certified seed potatoes, and the conditions and designations applicable to such grades (OJ, L 38 of 7.02.2014);
2. Commission Implementing Directive 2014/21/EU of 6 February 2014 determining minimum conditions and Union grades for pre-basic seed potatoes (OJ, L 38 of 7.02.2014).
3. (New, SG No. 57/2020, effective date 26.06.2020) Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material (OJ, L 41 of 13.02.2020).

FINAL PROVISIONS

§ 3. This Regulation is issued pursuant to Article 29(6) of the Seed and Propagating Material Act.

§ 4. This Regulation repeals Regulation No. 78 of 2006 on the production and marketing of basic seed potatoes of the relevant grades on the market of the European Union (SG No. 51/2006).

§ 5. This Regulation shall enter into force on 1 January 2016.

Final Provisions
AMENDING REGULATION TO REGULATION No. 99 OF 2006 ON THE
MARKETING OF FODDER PLANT SEED WITHIN THE EUROPEAN UNION

(PROMULGATED, SG No. 57/2020, EFFECTIVE DATE 26.06.2020)

§ 15. This Regulation shall enter into force on the day of its publication in the State Gazette.

Annex 1 to Article 2 (2)

(Amended, SG No. 57/2020, effective date 26.06.2020)

Conditions for the marketing of pre-basic seed potatoes Union grade PBTC and Union grade PB

1. Conditions for the marketing of pre-basic seed potatoes Union grade PBTC

1.1. Conditions for seed potatoes:

- (a) plants shall breed true to the variety and there shall be no plants of a different variety;
- (b) plants, including tubers, shall be derived through micro-propagation;
- (c) plants, including tubers, shall be grown on protected premises and in a pest-free growth environment;
- (d) tubers shall not be propagated after the first generation;
- (e) plants satisfy the following thresholds for the presence of RNQP or symptoms caused by the relevant RNQP as indicated in the table below:

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the plants grown for pre-basic seed potatoes of Union grade PBTC
Blackleg disease (<i>Dickeya Samson et al. spp.</i> [1DICKG]; <i>Pectobacterium Waldee emend. Hauben et al. spp.</i> [1PECBG])	0%
<i>Candidatus Liberibacter solanacearum Liefting et al.</i> [LIBEPS]	0%
<i>Candidatus Phytoplasma solani Quaglino et al.</i> [PHYPSO]	0%
Formation of mosaic spots caused by viruses and symptoms caused by the potato leaf roll virus [PLRV00]	0%
Potato spindle tuber viroid [PSTVD0]	0%

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the direct progeny of pre-basic seed potatoes of Union grade PBTC
Symptoms of a viral infection	0%

1.2. The lots of seed potatoes of Union grade PBTC shall not contain seeds that:

- (a) are affected by rots;
- (b) are affected by common scab;
- (c) are shrivelled due to excessive dehydration;
- (d) have external blemishes, including misshapen or damaged tubers;

(e) the lots of pre-basic seed potatoes shall satisfy the following requirements to the presence of RNQP or diseases caused by the relevant RNQP as indicated in the table below:

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the lots of pre-basic seed potatoes of Union grade PBTC by mass
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	0%
<i>Ditylenchus destructor</i> Thorne [DITYDE]	0%
Black scurf caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk [RHIZSO]	0%
Powdery scab caused by <i>Spongospora subterranea</i> (Wallr.) Lagerh. [SPONSU]	0%

2. Conditions for the marketing of pre-basic seed potatoes Union grade PB

2.1. Conditions for seed potatoes:

- (a) the total number of plants not breeding true to the variety and the number of plants of a different variety shall not exceed 0.01%;
- (b) the plants satisfy the following thresholds for the presence of RNQP or symptoms caused by the relevant RNQP as indicated in the table below:

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the plants grown for pre-basic seed potatoes of Union grade PB
Blackleg disease (<i>Dickeya Samson et al. spp.</i> [1DICKG]; <i>Pectobacterium Waldee emend. Hauben et al. spp.</i> [1PECBG])	0%
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	0%
<i>Candidatus Phytoplasma solani</i> Quaglino <i>et al.</i> [PHYPSO]	0%
Formation of mosaic spots caused by viruses and symptoms caused by the potato leaf roll virus [PLRV00]	0.1%
Potato spindle tuber viroid [PSTVD0]	0%

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the direct progeny of pre-basic seed potatoes of Union grade PB
Symptoms of a viral infection	0.5%

2.2. Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

- (a) the number of potatoes affected by rots, other than ring rot or brown rot, shall not be present in a quantity exceeding 0.2% by mass;
- (b) the number of potatoes affected by common scab over more than one third of their surface, shall not exceed 5.0% by mass;
- (c) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 0.5% by mass;
- (d) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

- (e) presence of earth and extraneous matter shall not exceed 1.0% by mass;
- (f) the lots of pre-basic seed potatoes shall satisfy the following requirements to the presence of RNQP or diseases caused by the relevant RNQP as indicated in the table below:

RNQP or symptoms caused by RNQP	Threshold for the presence of RNQP in the lots of pre-basic seed potatoes of Union grade PB by mass
<i>Candidatus Liberibacter solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	0%
<i>Ditylenchus destructor</i> Thorne [DITYDE]	0%
Black scurf affecting more than 10% of the surface of the tubers caused by <i>Thanatephorus cucumeris</i> (A.B. Frank) Donk [RHIZSO]	1.0%
Powdery scab affecting more than 10% of the surface of the tubers caused by <i>Spongospora subterranea</i> (Wallr.) Lagerh. [SPONSU]	1.0%

- (g) the total percentage of seed potatoes covered by tolerances, as referred to in points (a) through (d) and (f) shall not exceed 6.0% by mass.

Annex No. 2 to Article 4

Conditions for basic seed potatoes

1. Conditions for basic seed potatoes Union grade S

1.1. Conditions for seed potatoes:

- (a) the total number of plants not breeding true to the variety and the number of plants of a different variety shall not exceed 0.1 per cent;
- (b) the number of plants affected by the blackleg diseases shall not exceed 0.1 per cent;
- (c) the number of plants in the direct progeny with symptoms of a viral infection shall not exceed 1 per cent;
- (d) the total number of plants with mosaic spots and the number of plants with signs of the potato leaf roll virus shall not exceed 0.2 per cent;
- (e) the number of generations, including pre-basic in the field and basic generations, shall be restricted to five;
- (f) if the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the fifth generation.

1.2. Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

- (a) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5 per cent by mass, of which seed potatoes affected by wet rot shall not exceed 0.2 per cent by mass of the lot;
- (b) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass of the lot;
- (c) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0 per cent by mass of the lot;
- (d) seed potatoes affected by powdery scab over more than 10 per cent of their surface shall not exceed 3 per cent by mass of the lot;
- (e) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 1.0 per cent by mass of the lot;
- (f) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3 per cent by mass;
- (g) presence of earth and extraneous matter shall not exceed 1.0 per cent by mass of the lot;

(h) the total percentage of seed potatoes covered by tolerances, as referred to in points (a) through (f) shall not exceed 6 per cent by mass.

2. Conditions for basic seed potatoes Union grade SE

2.1. Conditions for seed potatoes:

(a) the total number of plants not breeding true to the variety and the number of plants of a different variety shall not exceed 0.1 per cent;

(b) the number of plants affected by the blackleg diseases shall not exceed 0.5 per cent;

(c) the number of plants in the direct progeny with symptoms of a viral infection shall not exceed 2 per cent;

(d) the total number of plants with mosaic spots or symptoms of the potato leaf roll virus shall not exceed 0.5 per cent;

(f) the number of generations, including pre-basic in the field and basic generations, shall be restricted to six;

(f) if the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the sixth generation.

2.2. Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(a) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5 per cent by mass, of which seed potatoes affected by wet rot shall not exceed 0.2 per cent by mass of the lot;

(b) seed potatoes affected by black scurf over more than 10 per cent of their surface shall not exceed 5.0 per cent by mass of the lot;

(c) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0 per cent by mass of the lot;

(d) seed potatoes affected by powdery scab over more than 10 per cent of their surface shall not exceed 3.0 per cent by mass of the lot;

(e) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 1.0 per cent by mass of the lot;

(f) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3 per cent by mass;

(g) presence of earth and extraneous matter shall not exceed 1.0 per cent by mass of the lot;

(h) the total percentage of seed potatoes covered by tolerances, as referred to in points (a) through (f) shall not exceed 6 per cent by mass.

3. Conditions for basic seed potatoes Union grade E

3.1. Conditions for seed potatoes:

(a) the total number of plants not breeding true to the variety and the number of plants of a different variety shall not exceed 0.1 per cent;

(b) the number of plants affected by the blackleg diseases shall not exceed 1 per cent;

(c) the number of plants in the direct progeny with symptoms of a viral infection shall not exceed 4 per cent;

(d) the total number of plants with mosaic spots or symptoms of the potato leaf roll virus shall not exceed 0.8 per cent;

(f) the number of generations, including pre-basic in the field and basic generations, shall be restricted to seven;

(f) if the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the seventh generation.

3.2. Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(a) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5 per cent by mass, of which seed potatoes affected by wet rot shall not exceed 0.2 per cent by mass of the lot;

(b) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass of the lot;

- (c) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0 per cent by mass of the lot;
- (d) seed potatoes affected by powdery scab over more than 10 per cent of their surface shall not exceed 3.0 per cent by mass of the lot;
- (e) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 1.0 per cent by mass of the lot;
- (f) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3 per cent by mass;
- (g) presence of earth and extraneous matter shall not exceed 1.0 per cent by mass of the lot;
- (h) the total percentage of seed potatoes covered by tolerances, as referred to in points (a) through (e) shall not exceed 6 per cent by mass of the lot.

Annex No. 3 to Article 5

Minimum conditions for certified seed potatoes

1. Conditions for certified seed potatoes Union grade A:

1.1. Conditions for seed potatoes:

- (a) the total number of plants not breeding true to the variety and the number of plants of a different variety shall not exceed 0.2 per cent;
- (b) the number of plants affected by the blackleg diseases shall not exceed 2 per cent;
- (c) the number of plants in the direct progeny with symptoms of a viral infection shall not exceed 8 per cent;
- (d) the total number of plants with mosaic spots or symptoms of the potato leaf roll virus shall not exceed 2 per cent.

1.2. Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

- (a) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5 per cent by mass, of which seed potatoes affected by wet rot shall not exceed 0.2 per cent by mass of the lot;
- (b) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass of the lot;
- (c) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0 per cent by mass of the lot;
- (d) seed potatoes affected by powdery scab over more than 10 per cent of their surface shall not exceed 3.0 per cent by mass of the lot;
- (e) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 1,0 per cent by mass of the lot;
- (f) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3 per cent by mass;
- (g) presence of earth and extraneous matter shall not exceed 2.0 per cent by mass of the lot;
- (h) the total percentage of seed potatoes covered by tolerances, as referred to in points (a), (b), (c), (d), (e) and (f) shall not exceed 8 per cent by mass of the lot.

2. Conditions for certified seed potatoes Union grade B:

2.1. Conditions for seed potatoes:

- (a) the total number of plants not breeding true to the variety and the number of plants of a different variety shall not exceed 0.5 per cent;
- (b) the number of plants affected by the blackleg diseases shall not exceed 4 per cent;
- (c) the number of plants in the direct progeny with symptoms of a viral infection shall not exceed 10 per cent;
- (d) the total number of plants with mosaic spots or symptoms of the potato leaf roll virus shall not exceed 6 per cent.

2.2. Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

- (a) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5 per cent by mass, of which seed potatoes affected by wet rot shall not exceed 0.2 per cent by mass of the lot;
- (b) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass of the lot;
- (b) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0 per cent by mass of the lot;
- (c) seed potatoes affected by powdery scab over more than 10 per cent of their surface shall not exceed 3.0 per cent by mass of the lot;
- (d) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 1.0 per cent by mass of the lot;
- (e) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3 per cent by mass;
- (f) presence of earth and extraneous matter shall not exceed 2.0 per cent by mass of the lot;
- (g) the total percentage of seed potatoes covered by tolerances, as referred to in points (a) through (f) shall not exceed 8 per cent by mass.