

REPORT on a JOINT INFORMAL MEETING
between the SCOTTISH POTATO TRADE ASSOCIATION
and the DEPARTMENT of AGRICULTURE and
FISHERIES for SCOTLAND held at Chesser House,
EDINBURGH at 10.30a.m. on TUESDAY, 14th
AUGUST, 1979.

PRESENT:

S.P.T.A. - Messrs. J.H. Barr, J.G.H. Fenton, D. H. Lindsay and
J.R. McArthur, with D. Blackmore in attendance.

D.A.F.S. - Messrs. L.V. McEwan, D.C. Todd, Dr. Hall, W. Bremner and
A. Edwards, with Mrs. C. Allan in attendance.

Mr. L.V. McEwan occupied the Chair.

APOLOGIES:

Mr. Blackmore intimated apologies on behalf of Messrs. R. Doig and
R. D. Hunter.

After welcoming the delegates the Chairman began the discussions by
explaining, further to the Association's suggestions of 7th February,
1979 that the design of the proposed Seed Potato Consultative Panel
had included representation of the Agricultural Colleges to ensure
advisory facilities at the practical producer level.

Mr. Barr explained that consultations with N.F.U.S. on the S.P.T.A.
suggestions had been delayed but would take place in the near future.
The Association's dis-satisfaction with aspects of the Department's
position under the Inspection Scheme had in some respects been
increased under the new Regulations. As with the former Seed Potato
Working Party, so now with the proposed new Seed Potato Consultative
Panel, meetings would be once a year which the Association regarded
as too infrequent. Having also held the view that the Working Party's
diversity had impeded the effectiveness and directness of Trade/
Departmental dialogue, the Association was dismayed at the prospect
of that situation being further eroded by the still more widely
diversified composition proposed for the new Consultative Panel.

From these views the Association had formulated its proposals for a
small Seed Trade Committee to provide a direct close liaison between
the Department and the practical industry, an added facility to
improve the effectiveness of the new Panel. It was felt the Committee
could discuss formulation of an Appeals Procedure for the more serious
disputes that might arise in respect of both growing crop and tuber
inspections under the now Statutory Regulations.

The Regulations placed the Department in the potentially very
embarrassing position of being "prosecuting Counsel, Judge and Jury"
in any dispute. It was felt that existence of an independant body
between the parties to such disputes would reduce friction between
the Department and the practical industry, at the same time
increasing the mutual confidence of all concerned.

The Association was also concerned at evidence of some laxity in
tuber inspections resulting in different decisions by Department
Inspectors and Ministry Inspectors for the same consignment under the
same (now common) statutory Regulations. Clearly, that the Department
and/or the Ministry and the practical industry should be at cross-
purposes in the face of serious foreign competition was not only most
undesirable - it was suicidal.

Mr. McEwan stated that the Appeals Procedure proposals caused him the
most concern. In his view the Scheme works better without one and
provides more than adequate cross-checks. He regarded the "lighting
response" requirement of any Appeals Procedure as a major difficulty.
He agreed the Department do not like Department/Ministry Inspections
differences which have occurred.

Mr. Barr did not envisage frequent use of any Procedure, some form
of anti-frivolous sanction being a prime requirement to ensure that
the procedure is confined to the most serious cases only. However,
with sales of uncertified seed now prohibited, the financial difference
between/

between a graded crop and that same crop having to be sold as ware is nowadays very considerable indeed.

Mr. Edwards felt that a re-inforced lower level compromise mechanism would largely prevent serious problems occurring. Mr. Todd regarded the problem as having two parts. He could accept the proposed formation of a Seed Trade Committee, that it should remain completely informal and should deal with practical matters as and when they arise. He envisaged an appeals Procedure requirement in perhaps fewer than one in a hundred individual "turned down at inspection" cases which would be best treated at local level anyway, with a panel of farmers and a panel of merchants on call to an area/for a strictly informal arbitration-type solution. Thought would need to be given to responsibility for fees and expenses involved. Mr. Edwards pointed out that if laboratory tests were involved an instant, on-the-spot decision could not be made and that, while field inspections involved a rapidly changing situation, tuber inspection situations were generally more static.

Mr. Barr again stressed that trivial appeals must be severely precluded to ensure that only the few most serious cases are concerned. It was important to avoid exaggerating the problem and felt that Mr. Todd's suggestions were on the right lines. He also foresaw N.F.U.S. sympathy, both with the problems and with the views and suggestions made. With the unanimous support of the Department's representatives Mr. Edwards insisted that, as the Department is the statutory certifying authority and signatory of the Certificate, the decision authority in disputes must remain with the Department. Dr. Hall added that the Scheme bases on technically sophisticated statistical techniques in which respect disputes, in his experience, had concerned trivialities.

Mr. McArthur pointed out that a high grade seed crop could be down graded to ware for only one faulted plant and felt that F.S. tolerances should be eased. A sample 6-plant laboratory test where 2 pass and 4 fail, the standard is beyond human capability to achieve, as the Department's own earlier VTSC problems had illustrated. Dr. Hall insisted the standards must be maintained, although he sympathised with the commercial and financial problems involved.

Re-emphasising the advantages of informal coming together of all interests on strictly practical matters, Mr. Barr cited the example of Dutch methods. Mr. McEwan agreed there was much to be said for it and, in reply to Mr. Edwards, Mr. Barr stated the Association's experience of field level liaison was that it varied in patches but overall was quite good. During discussion of the Department's changing role it was agreed the new Regulations seemed to encourage it to become more remote but Mr. Todd made clear that in the event of a formal complaint under the Regulations the Department is bound to carry out a re-inspection.

Mr. Lindsay raised the question of E.E.C. labelling requirements for Community trading and asked for the Department's views on the issue of 57mm. labels for use within the U.K. only. Mr. Todd replied firmly in the negative, explaining that the Department is bound to issue only 55mm or 60mm labels. The machines cannot print additional second line information (e.g. "dressed over a 57mm riddle") nor would the Department wish to, or to seek a special dispensation either, for fear of drawing attention and providing an opportunity for the Commission to question its validity and rule it to be illegal, thus ending the unofficial compromise solution presently being used.

Mr. Barr asked why Serum Test Kits are not available to farmers. Mr. Todd explained the Kit would be the easy part but the serum itself is simply not commercially available in the U.K. Mr. Fenton also raised the question of compulsory Scottish Burning Down dates, explaining that although Scottish growers do not want them, English customers do not understand why not. Discussion agreed they are just not practical in Scotland and for good husbandry considerations burning/

burning down is already practised throughout Scotland anyway. Mr. Edwards suggested the Colleges should include relevant information in their published Bulletins. In a further reply the Department stated that a full statistically-supported analysis of the incidence of Blackleg in 1979 Scottish potato crops will not be fully available until nearer the end of the year.

Returning to earlier matters in reply to Mr. Barr, Mr. McEwan clearly confirmed it to be in order for SPTA inform N.F.U.S. in their forthcoming discussions that the Department is in favour of the proposed formation of an informal Seed Trade Committee, especially in respect of investigating the setting up of an Appeals Procedure. Mr. Todd felt the possibility of forming Consultative Panel sub-Committees to report back, on much the same lines, could be usefully considered.

In reply to Mr. Blackmore's earlier telephoned enquiry, Mr. Todd explained the E.E.C. were reluctant to provide comparative inter-country "Trial Plot Inspections" results, each country being provided with its own results. In this year's Inspections the U.K. results showed all the English samples (including CC grade) passed, 59 out of 60 Scottish samples passed (the failure showed 9% leaf roll and was being investigated) and one of the Northern Ireland samples also failed to comply.

There was a brief discussion of the Department's recently circulated Consultative Paper on Plant Health Frontier Controls. Mr. Todd explained he would have preferred that this Paper had not been circularised and Association comment could be deferred until a joint Ministry/Departments Paper entitled "Safeguarding Plant Health", due to be issued in about two weeks time, had been considered.

He accepted that treating all plant species, pests and diseases together in line with the E.E.C. Directive made for an extremely complex document in which it was very difficult for individual industries to readily identify their own relevant parts. He made the overall comment that the government had to accept the validity of other Member States' health certificates in respect of re-export of their imports instead of, as heretofore, being concerned only with certificates issued by the producing country. Coupled with the requirement that not more than one in three consignments may be inspected an increased risk potential had been created and would be very carefully watched. Drafting of the necessary new legislation, which will come into force on 1st January, 1980, had already commenced.

The meeting was then concluded.