

REPORT on a MEETING between
R. DAVID HUNTER, ESQ., and
representatives of the NATIONAL
FARMERS UNION OF SCOTLAND held
at 25 South Methven Street,
PERTH at 2 p.m. on Tuesday,
24th MAY, 1983

PRESENT:

N.F.U.S. - Messrs. J.W. Hay and J.A. McLaren (representing the Potatoes Committee), with Mrs. Judith Armstrong in attendance.

S.P.T.A. - Mr. R. David Hunter (representing the "Conditions" sub-Committee), with D. Blackmore in attendance.

DISCUSSIONS:

In opening the meeting, Mr. Hunter explained that while the bulk of the proposed revision of the jointly adopted Conditions of Purchase for Seed Potatoes had been agreed some considerable time ago, delay had occurred in resolving differing views on Condition 17 thereof. The S.P.T.A. felt it had not clarified the need for and the basis of this Condition sufficiently well, and was glad of this further opportunity to discuss the matter again. Briefly, but carefully, he re-explained the underlying reasons for inclusion of Condition 17, albeit perhaps in a slightly amended form, in the final version of the whole Conditions before their joint adoption.

For N.F.U.S., Mr. Hay thanked Mr. Hunter for his re-explanation. He assured him, however, that the Potato Committee's consideration of the proposed Condition 17 had understood the S.P.T.A.'s points very well. In the Committee's view, the proposed Condition 17 would have the effect of extending the three-day and ten-day "complaints periods" (in some circumstances the insertion of the Condition might even encourage some buyers to regard the limits of the "complaints periods" as "negotiable"), which limits are held sacrosanct by N.F.U.S. The N.F.U.S. representatives, therefore, had no mandate today to negotiate amendment of Clause 17, since it was unacceptable. In this light, direct discussions with the Union's Legal Department were not appropriate.

Mr. Hunter expressed disappointment that this view concentrated on the disease aspects of the problem when the Condition's prime motivation had concerned crop-failure problems (admixture etc.), Mr. Blackmore adding that it might also perhaps cover chemical problems. Mr. Hay expressed N.F.U.S. willingness to consider inclusion of a clause for admixture only, but felt chemicals problems were potentially far too complex to be covered in this way.

Mr. Hunter further explained the S.P.T.A. was seeking early resolution of this Clause 17 difference to permit joint adoption and immediate introduction, to meet pressure from many S.P.T.A. members already engaged in future trading. While he would be unhappy for S.P.T.A. to adopt the Conditions alone ("imposed" Conditions could diminish their enforceability), he could not predetermine decisions of Council, or even individual S.P.T.A. members, whether to adopt the whole Conditions (including 17) unilaterally or not. His next step must be to report today's proceedings to S.P.T.A. "Conditions" sub-Committee for further instructions.

The meeting was thereupon concluded.