

REPORT on a MEETING of the "CONDITIONS" sub-Committee of the SCOTTISH POTATO TRADE ASSOCIATION in 25 South Methven Street, PERTH at 3.00 p.m. on Wednesday, 3rd February, 1993.

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PRESENT: Messrs. R. Doig and D.Y. Stewart (both ex officio), G.S. Brass, K.A. McKenzie and J.O. Robertson, with R.D. Hunter (Secretary) and D. Blackmore (Assistant) in attendance.

APOLOGIES: Mr. Hunter intimated apologies for absence on behalf of Mr. J.M. Swinton.

COMPLAINTS PERIODS: The meeting had been arranged on Council's instructions to reconsider the Association's response to the National Association of Seed Potato Merchant's proposal that fourteen days be allowed to buyers of seed potatoes for notification of all complaints except for lightweight and for frost damage.

Mr. Doig tabled copies of a Fax message he had received from NFUS. It reported that following the earlier meeting with NASPM, the Union's Potato Committee had met on 21st January, 1993 to discuss the outcome. That Committee had "agreed to the adoption of a period of 14 days for buyers to make a complaint to sellers in respect of any other defect as defined in the Seed Potato Regulations 1991. However, the Committee wished to maintain a period of 3 days in respect of lightweight and frost damage".

The meeting expressed some surprise at this unexpected decision. Mr. Brass remained unconvinced that 3 days was not adequate for "visual" complaints, while accepting that the problem had always been what goes into the bag and not the Conditions themselves.

Copies of a four page Fax from NASPM to Mr. Doig were also tabled, giving details of draft amending clauses to be considered by NASPM Council at its own meeting today. This prompted Mr. McKenzie to raise a query regarding Arbiters' powers in Arbitrations which was discussed at length. It was felt that better legal versing should be available to Council members acting as Arbiters, whether by lectures/seminars or otherwise. It was agreed this be taken back to Council, to be placed on a later (midsummer) meeting Agenda.

Resuming consideration of NASPM's Fax and recognising that by virtue of the NFUS' decision, the sub-Committee was backed into having to recommend that Council adopt 14 days for all complaints except lightweight and frost, the draft amending clauses were carefully scrutinised. Two corrections were identified and it was agreed two instances of imprecision were unacceptable, Mr. Hunter particularly objecting to use of "(E.G. THE SEALS ARE STILL IN TACT)".

Mr. Hunter undertook to prepare amendments to the Association's Conditions of Sale and Conditions of Purchase for submission to the sub-Committee for its approval. Thereafter the amended Conditions should be submitted to Council in support of the sub-Committee's recommendation, before a further approach is made to NFUS.

ELECTRONIC  
TRADING:

Mr. Hunter reported and gave brief details of an enquiry he had received regarding the possible use of SPTA Conditions of Sale in a proposed electronic trading network venture. The sub-Committee envisaged two possible options: either the traders should be required to first become SPTA Members, or the venture itself should pay a substantial annual licence fee. It was recognised that the first option would not be appropriate for non-Scottish traders, while the second option would extend the protection of the Conditions to non-Association Members. It was agreed the enquiry be referred to Council for consideration and for further information.

The meeting was thereupon concluded.