Draft working paper of the Commission services,
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for consultation of experts of the Standing Committee on Seeds and Propagating Material on Agriculture, Horticulture, Forestry and Vine only – 4 March 2013

Revision of Annexes I and II to Council Directive 2002/56/EC

Explanatory Note

In order to update Annexes I and II of Council Directive 2002/56/EC and to introduce harmonised grades of seed potatoes, three separate legal acts are required:

(1) A Commission Implementing Directive amending certain Annexes of Council Directive 2002/56/EC as regards minimum conditions to be satisfied by seed potatoes and lots of seed potatoes;

(2) A Commission Implementing Directive determining Union grades of pre-basic, basic and certified seed potatoes, together with the conditions and designations applicable to such grades;

(3) A Commission Implementing Decision on amending Commission Decision 2004/3/EC authorising, in respect of the marketing of seed potatoes in all or part of the territory of certain Member States, more stringent measures against certain diseases than are provided for in Annexes I and II to Council Directive 2002/56/EC.

The reasons for this approach are the following:

(a) Article 3(1) of Council Directive 2002/56/EC states that the minimum conditions for the categories of basic and certified seed potatoes shall be laid down in Annexes I and II. In the revised version, the minimum conditions for basic or certified seed potatoes are defined as the minimum conditions applying to the lowest grade within the respective category. The minimum conditions applying to pre-basic seed potatoes (based on Article 18(c)) and the grades have to be determined in a separate legal act.

(b) In the legal act determining minimum conditions for pre-basic seed potatoes as well as the grades for all categories, Commission Directive 93/17/EEC has to be repealed. This Commission Directive has Article 3(3) of the basic act as its legal base. This article is also the legal base to determine the new, harmonised grades for all categories. As the expert group agreed to maintain the system of high-grade regions, new grade designations and updated stricter requirements for seed potato production in these regions have to be determined as well.

(c) Commission Decision 2004/3/EC which determines the high-grade regions has as a consequence to be amended as well.

1. Amendments to Directive 2002/56/EC

1.1. Annex I to Directive 2002/56/EC shall be replaced by the following:

ANNEX I

MINIMUM CONDITIONS TO BE SATISFIED BY BASIC AND CERTIFIED SEED POTATOES

1. Basic seed potatoes shall be multiplied for a maximum of four field generations. Certified seed potatoes shall be multiplied for a maximum of two field generations on the same holding.

2. Basic and certified seed potatoes shall satisfy the following minimum conditions concerning the tolerances to the presence of particular harmful organisms and must not exceed the maximum percentages provided below:

	Basic	**Certified**
Crop tolerances (% of plants)		
Not True to Type (other varieties and off-types)	0.1	0.5
Blackleg	0.5	2.0
Plants showing visible virus symptoms (Mosaic/leaf roll)	0.8	6.0
Direct progeny tolerances (% of plants)		
Total virus	4.0	10

3. The references in Article 20(7) to points 1(c), 2(c), 3 and 4 in Annex I shall be read as references to the tolerances to total virus in direct progeny for basic and certified seed potatoes in point 2.

2. Determination of Union grades of pre-basic, basic and certified seed potatoes, together with the conditions and designations applicable to such grades

2.1. Pre-basic seed potatoes

Pre-basic seed potatoes shall satisfy the minimum conditions laid down in Annex I.

ANNEX I

MINIMUM CONDITIONS TO BE SATISFIED BY PRE-BASIC SEED POTATOES

1. Pre-basic seed potatoes shall satisfy the following conditions concerning the tolerances to the presence of particular harmful organisms:

	Pre-Basic
Crop tolerances (% of plants)	
Not True to Type (off-types and other varieties)	0.01
Blackleg	0.0
Plants showing visible virus symptoms (Mosaic/leaf roll)	0.1
Direct progeny tolerances (% of plants)	
Total virus	0.5

2. Pre-basic seed potatoes shall satisfy the following quality conditions per lot concerning the tolerances to rots, wet rot, black scurf, common scab, powdery scab, shrivelled tubers, damages/defects and soil/extraneous matter:

	Pre-Basic
Lot tolerances (% by tuber weight)	
Rots (other than ring rot or brown rot)	0.2
- of which wet rot	0
Black Scurf	1.0 (or 5% surface cover)
Common scab	5.0 (or 1/3rd surface cover)
Powdery scab	1.0 (or 10% surface cover)
Shrivelled tubers	0.5
Damage or defects	3.0

1.2. Annex II to Directive 2002/56/EC shall be replaced by the following:

ANNEX II

MINIMUM QUALITY CONDITIONS FOR LOTS OF BASIC AND CERTIFIED SEED POTATOES

Basic and certified seed potatoes shall satisfy the following quality conditions per lot concerning the tolerances to rots, wet rot, black scurf, common scab, powdery scab, shrivelled tubers, damages or defects and soil or extraneous matter:

	Basic	**Certified**
Lot tolerances (% of tuber weight)		
Rots (other than ring rot or brown rot)	0.5	0.5
- of which wet rot	0.2	0.2
Black Scurf	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)
Common scab	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)
Powdery scab	3.0 (or 10% surface cover)	3.0 (or 10% surface cover)
Shrivelled tubers (includes deterioration caused by silver scurf)	1.0	1.0
Damage or defects	3.0	3.0
Soil or extraneous matter	2.0	2.0
Total tolerance (for all the items except tolerance to soil or extraneous matter)	6.0	6.0

1.3. Point A.7. in Annex III to Directive 2002/56/EC is replaced by the following: "Category and grade".

Soil or extraneous matter	1.0
Total tolerance (for all the items except tolerance to soil or extraneous matter)	6.0

2.2. Grades of pre-basic, basic and certified seed potatoes

Union grades of pre-basic, basic and certified seed potatoes are hereby determined.

Seed potatoes eligible for these grades are those which qualify for the official certification as 'pre-basic seed potatoes', 'basic seed potatoes' or 'certified seed potatoes' in accordance with Articles 18(a), 2(b)i, and 2(c)i respectively of Council Directive 2002/56/EC, and which moreover satisfy the conditions specified in Annexes II and III for the relevant grade. The fulfilment of the conditions for the grades shall be established by official examination.

2.3. Designations of grades

1. The designations of the Union grades of pre-basic seed potatoes shall be:

(a) 'PBTC';

(b) 'PB'.

2. The designations of the Union grades of basic seed potatoes shall be:

(a) 'S*';

(b) 'S';

(c) 'SE*';

(d) 'SE';

(e) 'E*';

(f) 'E'.

3. The designations of the Union grades of certified seed potatoes shall be:

(a) 'A';

(b) 'B'.

4. The grade shall be indicated on the official label provided for in Annex III of Council Directive 2002/56/EC under the heading 'grade'.

ANNEX II

MINIMUM CONDITIONS TO BE SATISFIED BY GRADES OF PRE-BASIC, BASIC AND CERTIFIED SEED POTATOES

1. Pre-basic, basic and certified seed potatoes shall satisfy the following conditions per grade concerning the tolerances to the presence of particular harmful organisms:

	Pre-Basic		**Basic**						**Certified**	
Crop tolerances (% of plants)	**PBTC**	**PB**	**S***	**S**	**SE***	**SE**	**E***	**E**	**A**	**B**
Not True to Type (off-types and other varieties)	0	0.01	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.5
Blackleg	0	0	0	0.1	0.25	0.25	0.25	0.5	1.0	2.0
Plants showing visible virus symptoms (Mosaic/leaf roll)	0	0	0.1	0.2	0.2	0.5	0.4	0.8	2.0	6.0
Direct progeny tolerances (% of plants)										
Total virus	0	0.5	0.5	1.0	0.5	2.0	1.0	4.0	8.0	10

2. The crop of grades S*, SE* and E* shall be raised in a production ground where three years at least have elapsed since potatoes were last grown.

3. The crop of grades S*, SE* and E* shall, where official field inspection is provided for, be subject to at least two official field inspections.

ANNEX III

MINIMUM QUALITY CONDITIONS FOR LOTS OF PRE-BASIC, BASIC AND CERTIFIED SEED POTATOES

Pre-basic, basic and certified seed potatoes shall satisfy the following quality conditions per grade and per lot concerning the tolerances to rots, wet rot, black scurf, common scab, powdery scab, shrivelled tubers, damages/defects and soil/extraneous matter:

	Pre-basic		**Basic**						**Certified**	
Lot tolerances (% of tuber weight)	**PBTC**	**PB**	**S***	**S**	**SE***	**SE**	**E***	**E**	**A**	**B**
Rots (other than ring rot or brown rot)	0	0.2	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
- of which wet rot	0	0	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Black Scurf	0	1.0 (or 5% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)	5.0 (or 10% surface cover)
Common scab	0	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)	5.0 (or 1/3rd surface cover)
Powdery scab	0	1.0 (or 10% surface cover)	3.0 (or 10% surface cover	3.0 (or 10% surface cover)	3.0 (or 10% surface cover	3.0 (or 10% surface cover)	3.0 (or 10% surface cover	3.0 (or 10% surface cover)	3.0 (or 10% surface cover)	3.0 (or 10% surface cover)
Shrivelled tubers		0.5	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Damage or defects		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Soil or extraneous matter		1.0	1.0	2.0	1.0	2.0	1.0	2.0	2.0	2.0

Total tolerance (for all the items except tolerance to soil or extraneous matter)	0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0

2.4. Generations of seed potatoes

1. Grade "PBTC" shall be given to pre-basic seed potatoes in cases where the tubers are produced from potato micropropagative material in pest-free growing medium in a facility under specified protected conditions.

2. The grades of pre-basic, basic and certified seed potatoes shall be multiplied over the following numbers of field generations:

(a) PB: 1, 2, 3 or 4

(b) S and S*: 2, 3, 4 or 5

(c) SE and SE*: 2, 3, 4, 5, 6, or 7

(d) E and E*: 2, 3, 4, 5, 6 or 7

(e) A: 8 or 9

(f) B: 8 or 9

3.

2.5. Repeal

Commission Directive 93/17/EEC is hereby repealed. References to Commission Directive 93/17/EEC shall be read as references to this Directive.

3. *Amendment of Commission Decision 2004/3/EC authorising, in respect of the marketing of seed potatoes in all or part of the territory of certain Member States, more stringent measures against certain diseases than are provided for in Annexes I and II to Council Directive 2002/56/EC*

Article 1 of Commission Decision 2004/3/EC is amended as follows:

(a) Point (a) is replaced by the following: "for seed potato production to 'S*', or 'SE*'";

(b) Point (b) is replaced by the following: "for potato production to 'S*', 'SE*' or 'E*'".