



STATUTORY INSTRUMENTS.

**S.I. No. 34 of 2010**



EUROPEAN COMMUNITIES (SEED POTATOES) (AMENDMENT)  
REGULATIONS 2010

**(Prn. A10/0156)**

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I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Council Directive 2002/56/EC of 13 June 2002<sup>1</sup> hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Seed Potatoes) (Amendment) Regulations 2010.

2. In these Regulations:

“Principal Regulations” means the European Communities (Seed Potatoes) Regulations 1980 (S.I. No. 343 of 1980);

“Regulations of 1999” means the European Communities (Seed Potatoes) (Amendment) Regulations 1999 (S.I. No. 381 of 1999).

3. Regulation 2(1) of the Principal Regulations (inserted by the Regulations of 1999) is amended by substituting for the definition of “Class” or “classification” the following text:

“ ‘class’ means—

— in the case of seed potatoes produced in the State, the class specified on the official label attached to the package or container associated with those potatoes, being one of the classes entered in column 1, Part I of the Schedule, and

— in the case of seed potatoes produced outside the State, the class specified on a label or document attached to or contained in the package or container in which the seed potatoes are moved into the State, where such label or document has been approved by the authority concerned with the certification of seed potatoes for the purposes of Directive 2002/56/EC in the country or place where the seed potatoes were produced;”.

4. The Schedule to the Principal Regulations (inserted by the Regulations of 1999) is amended—

(a) by substituting for the title of Part I the following text:

<sup>1</sup> OJ L 193, 20.7.2002, p60

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 5th February, 2010.*

“PART 1 — GROWING CROP REQUIREMENTS AND SOURCE MATERIAL FOR PLANTING”, and

(b) by substituting for Part IV the following text:

“PART IV — OFFICIAL LABELS/PLANT PASSPORTS

Every official label/plant passport attached to a package or container containing seed potatoes shall contain at least the following information:

- (a) The words ‘EC Rules and Standards’
- (b) Certification Authority and Member State, or their initials
- (c) Producer's identification number or reference number of lot
- (d) Date of sealing
- (e) Variety of seed potatoes, indicated at least in Roman characters.
- (f) Category
- (g) Class
- (h) Size
- (i) Country of production
- (j) Declared net weight
- (k) EC grade

Every label/plant passport attached, pursuant to these Regulations, to a package or container containing seed potatoes shall be not less than 110 mm by 67 mm in size”, and

(c) by deleting paragraph (4) of Part V.



Given under my Official Seal,  
28 January 2010.

BRENDAN SMITH,  
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

These regulations amend the European Communities (Seed Potatoes) Regulations 1980 (S.I. No. 343 of 1980) to permit seed potato producers to meet market demand in a manner that is compliant with the overall requirements of Council Directive 2002/56/EC on the Marketing of Seed Potatoes (O.J. No. L193 20.07.2002, p.60) by marketing at the class awarded at crop inspection and all lower classes.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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