24 December 2020

Dear Stakeholder

As you may be aware, discussions have been ongoing with the European Commission on the subject of equivalence for plant reproductive material, plant health prohibitions and changes to the Northern Ireland Protocol. We understand from Defra that seed potatoes will not be listed. This is expected to be formally confirmed when the listings are made public via the Official Journal of the European Union (OJEU), expected on 28 December.

We are very disappointed to learn of this outcome, which we understand is due to failing to reach agreement on the alignment of related rules. It will continue to be our priority to work with the UK Government to request that prohibitions are lifted, and we will be urgently pursuing this course of action. The seed potato sector is a vital industry for Scotland, producing a quality product, with exceptionally high standards, and we believe it is a valued product in the EU and Northern Ireland.

The Scottish Government has now successfully taken its Continuity Bill through the Scottish Parliament, creating a power to keep pace with EU legislation. It is the intention of Scottish Ministers to stay aligned with EU legislation wherever it is feasible and practically possible to do so. Scottish Ministers will be reiterating this commitment to the European Commission, highlighting that Scottish seed potatoes will remain in step with EU standards and, where possible, exceed them.

We will keep you informed of our actions as we continue to make the case for your industry.

You may be aware that there was some better news on ware potatoes. The EU have voted in the PAFF Committee to list as equivalent on ware potatoes for export to the EU and NI. It was also decided to remove certain other plant prohibitions and restrictions in the Annexes of the EU’s Phytosanitary Conditions Regulation (i.e., those which do not apply to ‘European’ countries).
For other seed and propagating material the EU have indicated that they intend to grant bi-
lateral equivalence for fruit and vegetable propagating material following a vote in the
PAFF committee and they also intend to progress with a Council Decision for agricultural
species and forest reproductive material. At this stage we do not have confirmation of
timings, but we will continue to press for further details.

Under the recent agreement between the UK and the EU for Northern Ireland, the UK has
agreed to the addition of the missing seed marketing directives for fodder, ornamentals
and vegetable. This means that the normal rules for marketing seed in these directives
into the EU post transition period will apply to movement into Northern Ireland. However,
the EU has indicated that it intends to grant equivalence to the UK and this means that the
impact on NI and EU trade should be resolved when this is finalised.

Following the votes referred to above, confirmation of the decisions and full details are
expected to be published by the EU on 28 December.

The Q&A document on the plant health portal has also been updated with further
information, updates are highlighted in yellow:
https://planthealthportal.defra.gov.uk/assets/uploads/Collated-Comms-Document-External-
20201223.pdf

Yours faithfully

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