

# Brexit: Possible implications for the seed potato trade

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## As things stand

- Potato production/seed trade is subject to EU plant varieties and seed, certification, marketing and plant health legislation



# As things stand: How this affects potato production

- Plant breeders' rights
  - Protected across all 28 EU countries
- Marketing
  - Only crop varieties that appear on the EU's Common Catalogue can be marketed
  - Common Catalogue based on plant variety registration by individual EU countries (National List)
- Plant health
  - Importation of seed potatoes from third countries (excepting Switzerland) is prohibited within the EU

# After EU Exit: Plant Breeders' Rights

- In a **no-deal** scenario:
  - Existing EU PBR will be recognised by the EU27 and the UK
  - For new varieties a dual application process will be required





# After EU Exit: Marketing

- In a **no-deal** scenario:
  - Varieties must be on the UK National List for marketing in UK
    - 418 varieties added to UK NL from the EU Common Catalogue
  - Dual application will be required to register varieties on the EU CC and UK NL



# After EU Exit: Marketing

- In a **no-deal** scenario:
  - Third country equivalence required to continue marketing in the EU
  - Defra have submitted an application to the EU for equivalence on two occasions - both applications rejected
  - Will not consider application until withdrawal negotiations have concluded
    - Likely equivalence negotiations may take at least 12 months





# After EU Exit: Exports

- In a **no-deal** scenario:
  - The EU market accounts for 22% of Scottish tonnage marketed outside of the UK
  - In order of market size; Spain, Ireland, France, Netherlands & Poland
  - EU legislation prohibits the importation of seed from 3<sup>rd</sup> countries (excl. Switzerland)



## After EU Exit: Exports contd.

- Currently, same approx. tonnage of seed is exported/imported from/to UK/EU
- England, Wales and NI will allow EU seed imports for a one year period (effectively covering the 2020 growing season)
- Scotland will not follow suit (- Industry voluntary ban)
- Equivalence agreement with the EU will not be considered until withdrawal negotiations have concluded





# After EU Exit: An important point to note –

- ISPM15
  - All wood packaging materials (WPM; pallets, boxes, etc.) moving between the UK and the EU must meet ISPM15 international standards by undergoing heat treatment and marking



# The Scottish Government's position...

- Negotiate the best possible deal to ensure the long-term health of the seed industry
- Seeks to maintain membership of the customs union and common market
  - .....or an outcome as close to that as possible
- Seeks to maintain tariff- and regulatory- free trade with the EU
- Seeks to maintain freedom of movement (access to labour)
- Concerned that in the event of a no-deal there could be.....
  - Possible loss of exports to the EU – knock-on effect on home market (price?)
  - Possible loss of access to FTA agreements between EU and third countries?
  - Increase in imports due to future FTAs



## Further information

- <https://www.mygov.scot/eu-exit/>
- <http://www.sasa.gov.uk/eu-exit-guidance>
- <https://www.gov.uk/brexit>

### Importing and exporting plants and plant products if there's a no-deal Brexit





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