

L.N. 277 of 2004**PLANT QUARANTINE ACT, 2001
(ACT NO. XVIII OF 2001)****Vegetable Propagation and Planting Material
Regulations, 2004**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, 2001, the Minister for Rural Affairs and the Environment has made the following regulations:-

1. (1) The title of these regulations is the Vegetable Propagation and Planting Material Regulations, 2004. Title and commencement.

(2) These regulations shall come in force on the 15th May, 2004.

2. (1) The scope of these regulations is to make provisions for assuring that any propagation and planting material of vegetables other than seed produced, placed on the market in Malta or being transhipped through Malta prior to its transport to another Member State meets specified standards of quality. Scope.

(2) These regulations shall apply to vegetable propagation and planting material, other than seeds, of the genera, species and their hybrids, listed in Schedule I of these regulations. Rootstocks and other parts of plants of other genera or species or their hybrids shall also be subject to these regulations if material of one of the said genera or species, or of their hybrids is, or has to be, grafted on to them.

(3) These regulations shall not apply to propagation or planting material intended to be exported to third countries, if properly identified as such and kept sufficiently isolated, without prejudice to the health rules laid down in the Act.

3. For the purpose of these regulations, the following definitions shall apply: Interpretation.

“the Act” means the Plant Quarantine Act, 2001;

“breeder” means the person who bred, discovered and developed a variety, or his successor in title;

“the Department” means the department responsible for plant health;

“the Director” means the Director responsible for the department and includes to the extent of the authority given, any officer authorised by him, in writing, to act in that behalf for any of the purposes of the Act;

“laboratory” refers to a public or private law entity carrying out analysis and proper diagnosis, enabling the producer to monitor production quality;

“lot” is a number of units of a single commodity, identifiable by its homogeneity of composition and origin;

“marketing” refers to the holding available or in stock, displaying or offering for sale, selling and, or delivering to another person, in whatever form, propagation or planting material;

“official inspection” is an inspection carried out by the responsible official body;

“official measures” are measures taken by the responsible official body;

“official statement” is a statement issued by or under the responsibility of the responsible official body;

“planting material” refers to whole plants and parts of plants including the grafted components (in the case of grafted plants), intended for planting for the production of vegetables;

“propagation material” refers to parts of plants and all plant material, including rootstocks, intended for the propagation and production of vegetables;

“responsible official body” is the Plant Health Department;

“supplier” means any natural or legal person carrying out professionally at least one of the following activities with regards to vegetable propagation and planting material, namely

reproducing, producing, preserving and, or treating such material and the marketing thereof.

4. No person shall produce, place on the market in Malta or tranship through Malta prior to its transport to another Member State any propagation material unless this has been certified by the Director for any such purpose. Certification.

5. (1) Any person producing, placing on the market in Malta or transshipping through Malta prior to its transport to another Member State any propagation material shall notify the Director. Notification.

(2) A notice submitted in accordance with subregulation (1) of this regulation shall be submitted on such form and in such manner and within such time as the Director may from time to time by notice in the Gazette, establish.

6. (1) Upon receipt of a notice in accordance with the provisions of regulation 5 hereof, the Director shall ascertain that the conditions for certification have been met and the Director shall issue such a certificate only if the propagation material meets such conditions or standards. General certification procedure.

(2) Prior to certifying any propagation material in accordance with subregulation (1) of this regulation, the Director or his authorised representative shall inspect, collect and test such sample or samples as may be required in order to establish that any provisions of these regulations are satisfied.

(3) Any certificate issued in accordance with this regulation shall only be valid for the propagation material for which the inspection, sampling and testing were carried out in accordance with subregulation (2) hereof.

7. A schedule shall be established in Schedule II for each genus and species listed in Schedule I hereof, and for rootstocks of other genera and species if material of the genus or species is, or has to be, grafted on to them with a reference to the plant-health conditions laid down in the Act applying to the genus and, or species concerned, laying down: Schedule of genera and species of vegetable propagation material.

(a) the conditions with which vegetable planting material must comply in particular with those relating to the quality and purity of the crop and, where appropriate, varietal characteristics. These requirements shall be added to Schedule II Part A; and

(b) the conditions with which propagation material must comply, in particular those relating to the propagation system applied, the purity of the growing crop and, where appropriate, the varietal characteristics. These conditions will be set out in Schedule II Part B.

Vegetable
propagation and
planting material
of accepted
varieties.
L.N. of 2004.

8. (1) Vegetable propagation and planting material which belongs to the genera and species listed in Schedule I hereof and that is also covered by the regulations concerning vegetable species in the Seeds of Agricultural Plants and Vegetables Regulations, 2004 shall not be marketed unless it belongs to a variety accepted in accordance with the mentioned regulations.

(2) Vegetable propagation and planting material which belongs to the genera and species listed in Schedule I hereof but which is not covered by the regulations concerning vegetable species in the Seeds of Agricultural Plants and Vegetables Regulations, 2004 shall not be marketed within the European Union unless it belongs to a variety officially accepted in at least one Member State. The provisions laid down in regulation 8 of the same regulations shall apply to the conditions for acceptance. Regulation 8 of the said regulations shall apply *mutatis mutandis* to the procedures and formalities for acceptance and maintenance procedures.

(3) Relevant provisions laid down in the regulations concerning vegetable species in the Seeds of Agricultural Plants and Vegetables Regulations, 2004 shall apply to the conditions for acceptance. The results of unofficial tests and practical information gathered in the course of growing may be taken into consideration in each instance.

(4) Varieties officially accepted in accordance with subregulation (2) shall be entered in the Common Catalogue of Varieties of Vegetable Species referred to in regulation 8 of the Seeds of Agricultural Plants and Vegetables Regulations, 2004.

Conditions to be
satisfied by
suppliers.

9. (1) The suppliers shall take all the necessary measures to guarantee compliance with the standards laid down in these regulations at all stages of the production and marketing of vegetable propagation and planting material.

(2) (a) For the purposes of subregulation (1), the said suppliers shall either carry out themselves, or have carried out by an accredited supplier or the responsible official body, checks based on the following principles:

(i) identification of critical points in their production process on the basis of the production methods used;

(ii) establishment and implementation of methods for monitoring and checking the critical points referred to in sub-paragraph (i) hereof;

(iii) sample collection for analysis in a laboratory accredited by the responsible official body for the purpose of checking compliance with the standards established by these regulations; and

(iv) keeping a written record or a record registered in an indelible fashion of the data referred to in sub-paragraphs (i), (ii) and (iii) hereof, as well as records on the production and marketing of propagation and planting material, to be held at the disposal of the responsible official body. These documents and records shall be kept for a period of at least one year.

(b) However, suppliers whose activity in this connection is confined merely to the distribution of vegetable propagation and planting material produced and packaged on premises other than their own, shall be required only to keep a written record or a record registered in an indelible fashion of the buying and selling and, or delivery of such products.

(c) This paragraph shall not apply to suppliers whose activity in this connection is confined to the supply of small quantities of vegetable propagation and planting material to non-professional final consumers.

(3) If the result of their own checks or any information at the disposal of the suppliers referred to in subregulation (1) hereof reveals the presence of one or more harmful organisms referred to in the Act or in quantities greater than those normally allowed for in order to meet the standards, or of those specified in the relevant schedules established pursuant to regulation 7, the suppliers shall immediately report this to the responsible official body and shall take the measures indicated by the responsible official body or any other measures necessary to reduce the risk of such harmful organisms from spreading. The supplier shall keep records of all occurrences of harmful organisms on his premises and of all measures taken in relation to such occurrences.

(4) Detailed rules for the application of sub-paragraph (2)(b) shall be established by the responsible official body.

Accreditation,
supervision and
monitoring of
suppliers.

10. (1) The responsible official body shall accredit suppliers once it has verified that their production methods and establishments meet the requirements of these regulations with regards to the nature of the activities they carry out. Accreditation must be renewed if a supplier decides to carry out activities other than those for which he has received accreditation.

(2) The above mentioned body shall accredit laboratories once it has verified that these laboratories, their methods and their establishments meet the requirements of these regulations to be specified by the responsible official body with regards to the testing activities they carry out. Accreditation must be renewed if a laboratory decides to carry out activities other than those for which it has received accreditation.

(3) The official body shall take the necessary measures if the requirements referred to in subregulations (1) and (2) hereof cease to be met.

(4) The supervision and monitoring of suppliers, establishments and laboratories shall be carried out regularly by or under the responsibility of the Department, which shall at all times have free access to all parts of the establishments, in order to ensure compliance with the requirements of these regulations. Implementing measures concerning supervision and monitoring are specified in Schedule IV of these regulations. If such supervision and monitoring reveal that the requirements of these regulations are not being met, the Department shall take appropriate action.

Documentation,
labelling and
sealing.

11. (1) Without prejudice to subregulation 12(2), vegetable propagation and planting material shall be marketed only in sufficiently homogeneous lots and if they have complied with these regulations and are accompanied by a document prepared by the supplier in accordance with the conditions laid down in the schedule established pursuant to regulation 7. If an official statement appears on this document, it shall be clearly separated from all other contents of the document. Requirements for labelling and, or sealing and packaging of vegetable propagation and planting material shall be set out in Schedule II as referred to in regulation 7.

(2) In the case of supply by the retailer of vegetable propagation and planting material to a non-professional final consumer, requirements for labelling may be confined to appropriate product information.

12. (1) While growing and during lifting or removal from the parent material, vegetable propagation and planting material shall be kept in separate lots. Containment of propagation and planting material.

(2) If vegetable propagation and planting material of different origins is put together or mixed during packaging, storage, transport or at delivery, the supplier shall keep records including data on the composition of the lot and origin of the individual components.

(3) The Department shall ensure compliance with the requirements of subregulations (1) and (2) hereof by carrying out official inspections.

13. (1) Vegetable propagation and planting material may be marketed only by accredited suppliers and provided they meet the requirements laid down in the schedule referred to in regulation 7 hereof. Marketing of plant material.

(2) Without prejudice to the provisions of the Act, subregulation (1) hereof shall not apply to vegetable propagation and planting material intended for either of the following:

- (a) trials or scientific purposes;
- (b) selection work; or
- (c) measures aimed at preserving genetic diversity.

(3) Detailed rules for the application of paragraphs (a), (b) and (c) above shall be adopted as necessary.

14. (1) The Department may exempt: Local circulation of plant material.

(a) from the application of regulation 11, small producers all of whose production and sales of vegetable propagation and planting material is intended for final use by persons on the local market who are not professionally involved in plant production (local circulation);

(b) from the controls and official inspections provided for in regulation 21, the local circulation of vegetable propagation and planting material produced by such exempt persons.

(2) Implementing measures relating to other requirements concerning the exemptions referred to in (a) and (b) above, in particular as regards the concepts of small producers and local market, and to the relevant procedures, shall be adopted.

Official inspections.

15. The responsible official body shall ensure that official inspections by sampling checks on propagation and planting material is carried out during production and marketing, with the aim of verifying compliance with the requirements and conditions of these regulations.

Compliance with these regulations.

16. (1) The Department shall ensure that vegetable propagation and planting material produced in Malta and intended for marketing, complies with the requirements of these regulations.

(2) If it is found, during an official inspection, that vegetable propagation and planting material cannot be marketed because of non-compliance with a condition relating to plant health, the Department shall take appropriate official measures to eliminate any consequent plant-health risks.

Non-compliance with these regulations.

17. (1) If, during the supervision and monitoring provided for in regulation 10(4), the official inspection provided for in regulation 15 or the trials provided for in regulation 22, it is found that vegetable propagation and planting material does not meet the requirements of these regulations, the responsible official body shall take appropriate action to ensure that it does comply with the provisions of these regulations or, if that is not possible, to ban the marketing of that vegetable propagation and planting material in the European Union.

(2) If it is found that vegetable propagation and planting material marketed by a particular supplier does not comply with the requirements and conditions of these regulations, the responsible official body shall ensure that appropriate measures are taken against that supplier. If the supplier is forbidden to market vegetable propagation and planting material, the European Commission and the competent national authorities in the other Member States shall be notified.

(3) Any measures taken under subregulation (2) hereof shall be withdrawn as soon as it has been established with adequate certainty that the vegetable propagation and planting material intended for marketing by the supplier will, in the future, comply with the requirements and conditions of these regulations.

18. In the event of temporary difficulties in the supply of vegetable propagation and planting material satisfying the requirements of these regulations, measures may be adopted concerning the marketing of vegetable propagation and planting material meeting less stringent requirements, without prejudice to the plant health rules laid down in Act. Less stringent requirements.

19. (1) The marketing of vegetable propagation and planting material which complies with the requirements and conditions of these regulations shall be subject to no restrictions as regards supplier, plant health, growing medium and inspection arrangements other than those laid down in these regulations. Marketing restrictions.

(2) The marketing of vegetable propagation and planting material whose variety is entered in the Common Catalogue of Varieties of Vegetable Species shall not be subject to any restrictions as regards the variety other than those laid down or referred to in these regulations.

(3) As regards the products referred to in Schedule I, the Department may refrain from imposing more stringent conditions or marketing restrictions other than the conditions laid down in the schedules referred to in regulation 7.

20. (1) Vegetable propagation and planting material produced in a third country shall afford the same guarantees as regards obligations on the supplier, identity, characteristics, plant health, growing medium, packaging, inspection arrangements, marking and sealing. It shall be equivalent in all respects to vegetable propagation and planting material produced in the European Union and complying with the requirements and conditions of these regulations. Equivalence.

(2) Pending the decision referred to in subregulation (1), Malta may, until the 31st December, 2004, apply to import vegetable propagation and planting material from third countries which have conditions at least equivalent to those laid down temporarily or permanently in the schedules referred to in regulation 7. Where no such conditions are laid down in the said schedules, the import conditions must be at least equivalent to those applicable to the production in Malta.

(3) Vegetable propagation and planting material imported to Malta in accordance with a decision taken by the country shall be subject to no marketing restrictions in the other Member States as regards the matters referred to in subregulation (1).

Implementing
procedures.

21. Detailed implementing procedures for the controls provided for in regulation 9 and for the official inspections provided for in regulations 12 and 15 hereof including sampling methods, are established by the Department.

Experimentation.

22. Trials, or where appropriate tests, shall be carried out on samples to check that vegetable propagation and planting material complies with the requirements and conditions of these regulations, including those related to plant health.

Schedule I

List of genera and species

The following table lists the genera, species and artificial hybrids to which these regulations apply:

Table 1.1:

Latin Name	Common Name
<i>Allium ascalonicum</i> L.	Shallot
<i>Allium cepa</i> L.	Onion
<i>Allium fistulosum</i> L.	Chives
<i>Allium porrum</i> L.	Leek
<i>Allium sativum</i> L.	Garlic
<i>Anthriscus cerefolium</i> (L.) Hoffm.	Chervil
<i>Apium graveolens</i> L.	Celery
<i>Asparagus officinalis</i> L.	Asparagus
<i>Beta vulgaris</i> L. var. <i>vulgaris</i>	Mangold
<i>Beta vulgaris</i> L. var. <i>conditiva</i> Alef.	Red beet, Beetroot
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>sabellica</i> L.	Curly kale
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>botrytis</i> L.	Cauliflower
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>cymosa</i> Duch.	Sprouting broccoli
<i>Brassica oleracea</i> L. convar. <i>oleracea</i> var. <i>gemmifera</i> DC.	Brussels sprouts
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>alba</i> DC.	Cabbage
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>sabauda</i> L.	Savoy cabbage
<i>Brassica oleracea</i> L. convar. <i>capitata</i> (L.) Alef. var. <i>rubra</i> DC.	Red cabbage
<i>Brassica oleracea</i> L. convar. <i>acephala</i> (DC.) Alef. var. <i>gongyloides</i>	Kohlrabi
<i>Brassica pekinensis</i> (Lour.) Rupr.	Chinese cabbage
<i>Brassica rapa</i> L. var. <i>rapa</i>	Turnip
<i>Capsicum annuum</i> L.	Chilli, Pepper, Capsicum
<i>Cichorium endivia</i> L.	Endive
<i>Cichorium intybus</i> L. (partim)	Witloof chicory
<i>Citrullus lanatus</i> (Thunb.) Matsum. et Nakai	Water melon
<i>Cucumis melo</i> L.	Melon
<i>Cucumis sativus</i> L.	Cucumber, gherkin
<i>Cucurbita maxima</i> Duchesne	Gourd
<i>Cucurbita pepo</i> L.	Courgette
<i>Cynara cardunculus</i> L.	Cardoon
<i>Cynara scolymus</i> L.	Artichoke
<i>Daucus carota</i> L.	Carrot
<i>Foeniculum vulgare</i> Miller	Fennel
<i>Lactuca sativa</i> L.	Lettuce
<i>Lycopersicon lycopersicum</i> (L.) Karsten ex Farw.	Tomato
<i>Pertoselinum crispum</i> (Miller) Nyman ex A.W. Hill	Parsley
<i>Phaseolus coccineus</i> L.	Runner bean
<i>Phaseolus vulgaris</i> L.	French bean
<i>Pisum sativum</i> L. (partim)	Pea, excluding fodder pea
<i>Raphanus sativus</i> L.	Radish
<i>Rheum</i> spp.	Rhubarb
<i>Scorzonera hispanica</i> L.	Scorzonera
<i>Solanum melongena</i> L.	Aubergine, Eggplant
<i>Spinacia oleracea</i> L.	Spinach
<i>Valerianella locusta</i> (L.) Laterr.	Corn salad
<i>Vicia faba</i> L. (partim)	Broad bean

Schedule II

Conditions to be laid down in accordance with regulation 7

Part A

Conditions with which planting material must comply.

Part B

Schedules

- (1) This Schedule establishes the schedules referred to in regulation 7 of these regulations and sets out requirements for labelling referred to in regulation 11.
- (2) The schedules apply to the growing crop and vegetable propagation material (including rootstocks) and planting material derived therefrom, of all the genera and species listed in Schedule I, and to rootstocks of other genera and species referred to in regulation 7 of these regulations, irrespective of the propagation system applied, the above mentioned items being hereinafter collectively referred to as “the material”. The provisions of this Schedule shall apply progressively, taking into account the production cycles of the material referred to in paragraph (2).
- (3) The material shall, where applicable, comply with the relevant plant health conditions laid down in the Act.
- (4) Without prejudice to the provisions of paragraph (3), the material must at least appear, on visual inspection, to be substantially free from harmful organisms and diseases liable to affect quality, or signs or symptoms thereof, which reduce the usefulness of the vegetable propagation and planting material, and in particular from those listed in Schedule III hereof, in respect of the genus or species concerned.
- (5) Any material showing visible signs or symptoms of harmful organisms or diseases referred to in paragraph (4) at the stage of the growing crop shall be treated properly immediately upon their appearance or, where appropriate, shall be eliminated. In the case of bulbs of shallots and garlic, the following requirements shall also be met: the propagation material shall be derived directly from material which, at the stage of the growing crop, has been checked and found to be substantially free from any harmful organisms and diseases, or signs or symptoms thereof referred to in paragraph (4) and in particular from those listed in Schedule III.
- (6) The material shall have identity and purity in respect of genera or species and shall also have sufficient varietal identity and varietal purity.
- (7) The material shall be substantially free from defects likely to impair its quality as propagation or planting material. The vigour and dimensions of the material shall be satisfactory in respect of its usefulness as vegetable propagation and planting material. Furthermore, an appropriate balance shall be assured between the roots, stems and leaves.

Schedule III

List of specific harmful organisms and diseases liable to affect quality

Table 1.2:

Genus or species	Specific harmful organisms and diseases
<i>Allium ascalonicum</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Delia</i> spp. - <i>Ditylenchus dipsaci</i> - Thysanoptera, especially <i>Thrips tabaci</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Botrytis</i> spp. - <i>Peronospora destructor</i> - <i>Sclerotium cepivorum</i> <p>Viruses and virus-like organisms All, especially Onion yellow dwarf virus.</p>
<i>Allium cepa</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Delia</i> spp. - <i>Ditylenchus dipsaci</i> - <i>Meloidogyne</i> spp. - Thysanoptera, especially <i>Thrips tabaci</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas</i> spp. <p>Fungi</p> <ul style="list-style-type: none"> - <i>Botrytis</i> spp. - <i>Fusarium oxysporum</i> f. sp. <i>cepae</i> - <i>Peronospora destructor</i> - <i>Sclerotium cepivorum</i> <p>Viruses and virus-like organisms All, especially Onion yellow dwarf virus.</p>
<i>Allium fistulosum</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Delia</i> spp. - <i>Ditylenchus dipsaci</i> - Thysanoptera, especially <i>Thrips tabaci</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Sclerotium cepivorum</i> <p>Viruses and virus-like organisms All.</p>

Genus or species	Specific harmful organisms and diseases
<i>Allium porrum</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Delia</i> spp. - <i>Ditylenchus dipsaci</i> - Thysanoptera <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas</i> spp. <p>Fungi</p> <ul style="list-style-type: none"> - <i>Alternaria porri</i> - <i>Fusarium culmorum</i> - <i>Phytophthora porri</i> - <i>Sclerotium cepivorum</i> <p>Viruses and virus -like organisms All, especially Leek yellow stripe virus.</p>
<i>Allium sativum</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Aceria tulipae</i> - <i>Delia</i> spp. - <i>Ditylenchus dipsaci</i> - Thysanoptera <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas fluorescens</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Sclerotium cepivorum</i> <p>Viruses and virus -like organisms All, especially Onion yellow dwarf virus.</p>
<i>Apium graveolens</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Acidia heraclei</i> - <i>Lygus</i> spp. - <i>Psila rosae</i> - Thysanoptera, especially <i>Frakliniella occidentalis</i> and <i>Thrips tabaci</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Erwinia carotovora</i> subsp. <i>carotovora</i> - <i>Pseudomonas syringae</i> pv. <i>apii</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Fusarium oxysporum</i> f. sp. <i>apii</i> - <i>Phoma apiicola</i> - <i>Pythium</i> spp. - <i>Sclerotinia sclerotiorum</i> - <i>Septoria apiicola</i> <p>Viruses and virus -like organisms All, especially Celery mosaic virus and Cucumber mosaic virus.</p>

Genus or species	Specific harmful organisms and diseases
<i>Asparagus officinalis</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Brachyorynella asparagi</i> - <i>Hypoptya caestrum</i> - <i>Platyparea poecyloptera</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Fusarium</i> spp. - <i>Rhizoctonia violacea</i> <p>Viruses and virus-like organisms All.</p>
<i>Beta vulgaris</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - <i>Pegomyia betae</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Phoma betae</i> <p>Viruses and virus-like organisms All, especially Beet necrotic yellow vein virus.</p>
<i>Brassica oleracea</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Heterodera</i> spp. - Lepidoptera, especially <i>Pieris brassicae</i> - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas syringae</i> pv. <i>maculicola</i> - <i>Xanthomonas campestris</i> pv. <i>campestris</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Alternaria brassicae</i> - <i>Mycosphaerella</i> spp. - <i>Phoma lingam</i> - <i>Plasmodiophora brassicae</i> - <i>Pythium</i> spp. - <i>Rhizoctonia solani</i> <p>Viruses and virus-like organisms All, especially Cauliflower mosaic virus, Tospoviruses and Turnip mosaic virus.</p>
<i>Brassica pekinensis</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aphididae - Lepidoptera, especially <i>Pieris brassicae</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Erwinia carotovora</i> - <i>Xanthomonas campestris</i> pv. <i>campestris</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Alternaria brassicae</i>

Genus or species	Specific harmful organisms and diseases
<i>Brassica pekinensis</i> (cont.)	<ul style="list-style-type: none"> - <i>Botrytis cinerea</i> - <i>Mycosphaerella</i> spp. - <i>Phoma lingam</i> - <i>Plasmodiophora brassicae</i> - <i>Sclerotinia</i> spp. <p>Viruses and virus -like organisms All, especially Tospoviruses.</p>
<i>Capsicum annuum</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - <i>Leptinotarsa decemlineata</i> - <i>Ostrinia nubilalis</i> - <i>Phthorimaea operculella</i> - Tetranychidae - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Leveilulla taurica</i> - <i>Pyrenochaetea lycopersici</i> - <i>Pythium</i> spp. - <i>Phytophthora capsici</i> - <i>Verticillium albo atrum</i> - <i>Verticillium dahliae</i> <p>Viruses and virus -like organisms All, especially Cucumber mosaic virus, Tomato mosaic virus, Pepper mild mottle virus and Tobacco mosaic virus.</p>
<i>Cichorium endivia</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aphididae - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Botrytis cinerea</i> - <i>Erysiphe cichoriacearum</i> - <i>Sclerotinia</i> spp. <p>Viruses and virus -like organisms All, especially Beet western yellow virus and Lettuce mosaic virus.</p>
<i>Cichorium intybus</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aphididae - <i>Napomyza cichorii</i> - <i>Apion assimile</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Erwinia carotovora</i> - <i>Erwinia chrysanthemi</i> - <i>Pseudomonas marginalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Phoma exigua</i> - <i>Phytophthora erythroseptica</i> - <i>Pythium</i> spp. - <i>Sclerotinia sclerotiorum</i>

Genus or species	Specific harmful organisms and diseases
<i>Citrullus lanatus</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Meloidogyne</i> spp. - <i>Polyphagotarsonemus latus</i> - <i>Tetranychus</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Colletotrichum lagenarium</i> <p>Viruses and virus -like organisms All, especially Watermelon mosaic virus 2.</p>
<i>Cucumis melo</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Meloidogyne</i> spp. - <i>Polyphagotarsonemus latus</i> - <i>Tetranychus</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas syringae</i> pv. <i>lachrymans</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Colletotrichum lagenarium</i> - <i>Fusarium</i> spp. - <i>Pythium</i> spp. - <i>Sphaerotheca fuliginea</i> - <i>Verticillium</i> spp. <p>Viruses and virus -like organisms All, especially Cucumber green mottle virus, Cucumber mosaic virus and Squash mosaic virus.</p>
<i>Cucumis sativus</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Delia platura</i> - <i>Meloidogyne</i> spp. - <i>Polyphagotarsonemus latus</i> - <i>Tetranychus</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas syringae</i> pv. <i>lachrymans</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Fusarium</i> spp. - <i>Phytophthora</i> spp. - <i>Pseudoperonospora cubensis</i> - <i>Pythium</i> spp. - <i>Rhizoctonia</i> spp. - <i>Sphaerotheca fuliginea</i> - <i>Verticillium</i> spp. <p>Viruses and virus -like organisms All.</p>

Genus or species	Specific harmful organisms and diseases
<i>Cucurbita maxima</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Meloidogyne</i> spp. - <i>Polyphagotarsonemus latus</i> - <i>Tetranychus</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Viruses and virus -like organisms All.</p>
<i>Cucurbita pepo</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Meloidogyne</i> spp. - <i>Polyphagotarsonemus latus</i> - <i>Tetranychus</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas syringae</i> pv. <i>lachrymans</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Fusarium</i> spp. - <i>Sphaerotheca fuliginea</i> - <i>Verticillium</i> spp. <p>Viruses and virus -like organisms All, especially Cucumber mosaic virus, Squash mosaic virus, Zucchini yellow mosaic virus and Tospoviruses.</p>
<i>Cynara cardunculus</i> and <i>Cynara scolymus</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - Thysanoptera <p>Fungi</p> <ul style="list-style-type: none"> - <i>Bremia lactucae</i> - <i>Leveillula taurica</i> f. sp. <i>cynara</i> - <i>Pythium</i> spp. - <i>Rhizoctonia solani</i> - <i>Sclerotium rolfsii</i> - <i>Sclerotinia sclerotiorum</i> - <i>Verticillium dahliae</i> <p>Viruses and virus -like organisms All.</p>

Genus or species	Specific harmful organisms and diseases
<i>Foeniculum vulgare</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - Thysanoptera <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Erwinia carotovora</i> subsp. <i>carotovora</i> - <i>Pseudomonas marginalis</i> pv. <i>marginalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Cercospora foeniculi</i> - <i>Phytophthora syringae</i> - <i>Sclerotinia</i> spp. <p>Viruses and virus-like organisms</p> <ul style="list-style-type: none"> - Celery mosaic virus.
<i>Lactuca sativa</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aphididae - <i>Meloidogyne</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Botrytis cinerea</i> - <i>Bremia lactucae</i> - <i>Pythium</i> spp. <p>Viruses and virus-like organisms</p> <p>All, especially Lettuce big vein, Lettuce mosaic virus and Lettuce ring necrosis.</p>
<i>Lycopersicon lycopersicum</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aphididae - Aleyrodidae - <i>Hauptidia maroccana</i> - <i>Meloidogyne</i> spp. - <i>Tetranychus</i> spp. - Thysanoptera, especially <i>Frankliniella occidentalis</i> - <i>Vasates lycopersici</i> <p>Bacteria</p> <ul style="list-style-type: none"> - <i>Pseudomonas syringae</i> pv. <i>tomato</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Alternaria solani</i> - <i>Cladosporium fulvum</i> - <i>Colletotrichum coccoides</i> - <i>Didymella lycopersici</i> - <i>Fusarium oxysporum</i> - <i>Leveillula taurica</i> - <i>Phytophthora nicotianae</i> - <i>Pyrenochaeta lycopersici</i> - <i>Pythium</i> spp.

Genus or species	Specific harmful organisms and diseases
<i>Lycopersicon lycopersicum</i> (cont.)	<p>Fungi</p> <ul style="list-style-type: none"> - <i>Rhizoctonia solani</i> - <i>Sclerotinia sclerotiorum</i> - <i>Verticillium</i> spp. <p>Viruses and virus-like organisms</p> <p>All, especially Cucumber mosaic virus, Potato virus X, Potato virus Y, Tobacco mosaic virus, Tomato mosaic virus and Tomato yellow leaf curl virus.</p>
<i>Rheum</i> spp.	<p>Bacteria</p> <ul style="list-style-type: none"> - <i>Agrobacterium tumefaciens</i> - <i>Erwinia rhapontici</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Armillariella mellea</i> - <i>Verticillium</i> spp. <p>Viruses and virus-like organisms</p> <p>All, especially Arabis mosaic virus and Turnip mosaic virus.</p>
<i>Solanum melongena</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> - Aleyrodidae - Aphididae - <i>Hemitarsonemus latus</i> - <i>Leptinotarsa decemlineata</i> - <i>Meloidogyne</i> spp. - Tetranychidae - Thysanoptera, especially <i>Frankliniella occidentalis</i> <p>Fungi</p> <ul style="list-style-type: none"> - <i>Fusarium</i> spp. - <i>Leveillula taurica</i> f. sp. <i>cynara</i> - <i>Rhizoctonia solani</i> - <i>Pythium</i> spp. - <i>Sclerotinia sclerotiorum</i> - <i>Verticillium</i> spp. <p>Viruses and virus-like organisms</p> <p>All, especially Cucumber mosaic virus, Eggplant mosaic virus, Potato virus Y and Tobacco mosaic virus.</p>

Schedule IV

Supervision and monitoring of suppliers and their establishments

- (1) This Schedule lays down implementing measures concerning the supervision and monitoring of suppliers and their establishments, other than those whose activity is confined to the placing on the market of vegetable propagation and planting material, pursuant to subregulation 10(4) of these regulations, in cases where the checks referred to in subregulation 9(2) of these regulations are carried out by the suppliers themselves or by an accredited supplier.
- (2) The Department shall carry out regularly, at least once a year at an appropriate time, supervision and monitoring of suppliers and their establishments in order to ensure continued compliance with the requirements laid down in these regulations and in particular with the principles set out in sub-paragraphs (i) to (iv) of paragraph 9(2)(a) thereof, account being taken of the particular nature of the activity or activities of the supplier.
- (3) As far as the identification of critical points in the production process referred to in sub-paragraph (i) of paragraph 9(2)(a) and the keeping of records referred to in sub-paragraph (iv) of paragraph 9(2)(a), thereof are concerned, the Department shall supervise and monitor the supplier to ensure that the supplier:
 - (a) continues to take into account the following critical points, where appropriate:
 - (i) the quality of the vegetable propagation and planting material utilized to start the production process,
 - (ii) the sowing, pricking-out, potting-up and planting of vegetable propagation and planting material,
 - (iii) compliance with the conditions laid down in the Act,
 - (iv) the cultivation plan and method,
 - (v) general crop care,
 - (vi) the multiplication operations,
 - (vii) the harvesting operations,
 - (viii) hygiene,
 - (ix) treatments,
 - (x) packaging,
 - (xi) storage,
 - (xii) transport, and
 - (xiii) administration;
 - (b) keeps records, with a view to having complete information available for the Department on:
 - (i) plants or other objects:
 - purchased for storage or planting on the premises,
 - under production, or
 - dispatched to others;
 - (ii) any chemical treatments that have been applied to the plants, and the related documents that are kept for at least one year;
 - (c) is available personally or designates another person technically experienced in plant production and related plant-health matters, to liaise with the Department;
 - (d) carries out visual inspections as necessary and at appropriate times in a manner accepted by the Department; and

and

- (e) allows access by persons entitled to act for the Department, in particular for inspection and, or sampling purposes, and allows access to the records and related documents referred to in point (b);
 - (f) otherwise cooperates with the Department.
- (4) As far as the establishment and implementation of methods for monitoring and checking the critical points as referred to sub-paragraph (ii) of paragraph 9(2)(a) of these regulations are concerned, the Department shall supervise and monitor the supplier to ensure that, where appropriate, such methods continue to be carried out, giving particular attention to:
- (a) the availability and actual use of methods for checking each of the critical points mentioned in point 3 of this Schedule;
 - (b) the reliability of those methods;
 - (c) their suitability for an assessment of the content of the production and marketing arrangements, including the administrative aspects; and
 - (d) the competence of the supplier's staff to carry out the checks.
- (5) As far as the taking of samples for analysis in an accredited laboratory as referred to in sub-paragraph (iii) of paragraph 9(2)(a) of these regulations is concerned, the Department shall supervise and monitor the supplier to ensure, where appropriate, that:
- (i) samples are taken during the various stages of production at intervals established by the Department when the production methods were verified at the time of accreditation;
 - (ii) samples are taken in a technically correct manner and using a statistically reliable procedure, with particular attention to the kind of analysis to be carried out;
 - (iii) the persons who take the samples are qualified to do so; and
 - (iv) the analysis of samples is carried out by a laboratory that is accredited for that purposes pursuant to subregulation 10(2) of these regulations.

Schedule V**Supplier's Document**

1. The supplier's document referred to in regulation 11 of these regulations shall be of suitable material which has not previously been used and shall be printed in Maltese or in English. It shall contain the following information headings:
 - (a) indication "EC quality";
 - (b) indication of EU Member State code;
 - (c) indication of the responsible official body or its distinguishing code;
 - (d) registration or accreditation number;
 - (e) name of supplier;
 - (f) individual serial, week or batch number;
 - (g) date of issue of the supplier's document;
 - (h) reference number of seed lot in the case of young plants raised directly from seeds marketed pursuant to regulations 7 and 8 of the Seeds of Agricultural Plants and Vegetables Regulations, 2004. Alternatively, this reference number shall be made available, on request, to the Department;
 - (i) common name, or where the material is accompanied by a plant passport in accordance with the Act, the botanical name;
 - (j) denomination of the variety. In the case of rootstocks, denomination of the variety or its designation;
 - (k) quantity;
 - (l) in the case of imports from third countries pursuant to , the name of the country of harvesting.
2. Where the material is accompanied by a plant passport in accordance with the Act, the plant passport may, if the supplier so wishes, constitute the supplier's document referred to in paragraph 1 of this Schedule. Nonetheless, the remark "EC quality", an indication of the responsible official body and the denomination of the variety shall be included. In the case of imports from third countries, the name of the country of harvesting must also be given. This information may be on the same document as the plant passport, but this must be clearly separated.
