L.N. 87 of 2007

PLANT QUARANTINE ACT
(CAP. 433)

Examination of Varieties of Vegetable Species Regulations, 2007

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

Citation.

1. The title of these regulations is the Examination of Varieties of Vegetable Species Regulations, 2007.

Scope.

2. The scope of these regulations is to ensure that varieties of species of vegetables which shall be included in the national catalogue of such varieties in Malta shall comply with internationally recognised guidelines as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining such varieties.

Conditions for examination of varieties of vegetables. L.N. 81 of 2006.

3. (1) Varieties of vegetable species shall be officially accepted in the national catalogue within the meaning of regulation 8(1) of the Seeds of Agricultural Plants and Vegetables Regulations, 2006, after fulfilling the requirements, as regards distinctness, uniformity and stability, set out hereunder:

(a) the species listed in Schedule I shall comply with the conditions laid down in the "Protocols for distinctness, uniformity and stability tests" of the Administrative Council of the Community Plant Variety Office (hereafter referred to as the "CPVO") which are relevant for the particular species;

(b) the species listed in Schedule II shall comply with the "Guidelines for the conduct of tests for distinctness, homogeneity and stability" of the International Union for the Protection of New Varieties of Plants (hereafter referred to as "UPOV") which are relevant for the particular species.

(2) All the varietal characteristics within the meaning of sub-regulation (1)(a) and any characteristics which are marked by an asterisk (*) in the test guidelines referred to in sub-regulation (1)(b) shall be used, provided that observation of a characteristic is not rendered impossible by the expression of any other characteristics and provided that the expression of a characteristic is not prevented by the environmental conditions under which the test is conducted.

(3) It shall be ensured that in respect of the species listed in

Schedules I and II, the minimum requirements for carrying out the examinations in respect of trial design and growing conditions, as laid down in the test guidelines referred to in these Schedules, are fulfilled at the time of the examinations.

SCHEDULE I

CPVO guidelines

The following tables list the genera and species for which CPVO guidelines apply. These technical protocols can be found on the CPVO website www.cpvo.europa.eu

Table 1.1:

Scientific name	Common name	CPVO protocol
Allium cepa L. (Cepa group)	Onion and Echalion	TP 46/1 of 14.06.2005
Allium cepa L. (Aggregatum group)	Shallot	TP 46/1 of 14.06.2005
Allium porrum L.	Leek	TP 85/1 of 15.11.2001
Allium sativum L.	Garlic	TP 162/1 of 25.03.2004
Asparagus officinalis L.	Asparagus	TP 130/1 of 27.03.2002
Brassica oleracea L.	Cauliflower	TP 45/1 of 15.11.2001
Brassica oleracea L.	Sprouting Broccoli or Calabrese	TP 151/1 of 27.03.2002
Brassica oleracea L.	Brussels sprouts	TP 54/2 of 1.12.2005
Brassica oleracea L.	Kohlrabi	TP 65/1 of 25.03.2004
Brassica oleracea L.	Savoy cabbage, White cabbage and Red cabbage	TP 48/2 of 1.12.2005
Capsicum annuum L.	Chilli or Pepper	TP 76/1 of 27.03.2002
Cichorium endivia L.	Curled-leaved endive and Plain-leaved endive	TP 118/2 of 1.12.2005
Cichorium intybus L.	Industrial chicory	TP 172/2 of 1.12.2005
Cichorium intybus L.	Witloof chicory	TP 173/1 of 25.03.2004
Cucumis melo L.	Melon	TP 104/1 of 27.03.2002
Cucumis sativus L.	Cucumber and Gherkin	TP 61/1 of 27.03.2002
Cucurbita pepo L.	Marrow or Courgette	TP 119/1 of 25.03.2004
Cynara cardunculus L.	Globe artichoke and Cardoon	TP 184/1 of 25.03.2004
Daucus carota L.	Carrot and Fodder carrot	TP 49/2 of 1.12.2005
Foeniculum vulgare Mill.	Fennel	TP 183/1 of 25.03.2004

Lactuca sativa L.	Lettuce	TP 13/2 of 1.12.2005
Lycopersicon esculentum Mill.	Tomato	TP 44/2 of 15.11.2001
Phaseolus vulgaris L.	Dwarf French bean and Climbing French bean	TP 12/2 of 1.12.2005
Pisum sativum L. (partim)	Wrinkled pea, Round pea and Sugar pea	TP 07/1 of 6.11.2003
Raphanus sativus L.	Radish	TP 64/1 of 27.03.2002
Spinacia oleracea L.	Spinach	TP 55/1 of 27.03.2002
Valerianella locusta (L.) Laterr.	Corn salad or Lamb's lettuce	TP 75/1 of 27.03.2002
Vicia faba L. (partim)	Broad bean	TP Broadbean/1 of 25.03.2004
Zea mays L. (partim)	Sweet corn and Pop corn	TP 2/2 of 15.11.2001

SCHEDULE II

UPOV guidelines

The following tables list the genera and species for which UPOV guidelines apply. These technical protocols can be found on the UPOV website www.upov.int

Table 2.1:

Scientific name	Common name	UPOV guideline
Allium fistulosum L.	Japanese bunching onion or Welsh onion	TG/161/3 of 01.04.1998
Allium schoenaprasum L.	Chives	TG/198/1 of 09.04.2003
Apium graveolens L.	Celery	TG/82/4 of 17.04.2002
Apium graveolens L.	Celeriac	TG/74/4 corr. of 17.04.2002 + 05.04.2006
Beta vulgaris L.	Spinach beet or Chard	TG/106/4 of 31.03.2004
Beta vulgaris L.	Beetroot including Cheltenham beet	TG/60/6 of 18.10.1996
Brassica oleracea L.	Curly kale	TG/90/6 of 31.03.2004
Brassica rapa L.	Chinese cabbage	TG/105/4 of 09.04.2003

Brassica rapa L.	Turnip	TG/37/10 of 04.04.2001
Cichorium intybus L.	Large-leaved chicory or Italian chicory	TG/154/3 of 18.10.1996
Citrullus lanatus (Thunb.) Matsum. et Nakai	Watermelon	TG/142/4 of 31.03.2004
Cucurbita maxima Duchesne	Gourd	TG/155/3 of 18.10.1996
Petroselinum crispum (Mill.) Nyman ex A. W. Hill	Parsley	TG/136/5 of 6.4.2005
Phaseolus coccineus L.	Runner bean	TG/9/5 of 09.04.2003
Raphanus sativus L.	Black radish	TG/63/6 of 24.3.1999
Rheum rhabarbarum L.	Rhubarb	TG/62/6 of 24.03.1999
Scorzonera hispanica L.	Scorzonera or Black salsify	TG/116/3 of 21.10.1988
Solanum melongena L.	Aubergine or Egg plant	TG/117/4 of 17.04.2002