

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 19,792, 2 ta' Ġunju, 2017

Taqsimha B

L.N. 165 of 2017

**PLANT QUARANTINE ACT
(CAP. 433)**

**Fruit Trees Propagating Material (Amendment No. 3)
Regulations, 2017**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Sustainable Development, the Environment and Climate Change has made the following regulations:-

1. (1) The title of these regulations is the Fruit Trees Propagating Material (Amendment No. 3) Regulations, 2017, and these regulations shall be read and construed as one with the Fruit Trees Propagating Material Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L. 433.08

(2) The scope of these regulations is to transpose Commission Implementing Directive 2014/98/EU as regards specific requirements for the genus and species of fruit plants referred to in Annex I thereto, specific requirements to be met by suppliers and detailed rules concerning official inspections.

2. Regulation 3 of the principal regulations shall be amended as follows:

Amends regulation 3 of the principal regulations.

(a) immediately after the definition "basic material", there shall be added the following new definition:

" "basic mother plant" means a mother plant intended for the production of basic material;"

(b) immediately after the new definition "basic mother plant", there shall be added the following new definition:

" "candidate pre-basic mother plant" means a mother plant which the supplier intends to have accepted as pre-basic mother plant;"

(c) immediately after the new definition "candidate pre-basic mother plant", there shall be added the following new definition:

" "category" means pre-basic material, basic material, certified material or CAC material;"

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(d) immediately after the definition "certified material", there shall be added the following new definition:

" "certified mother plant" means a mother plant intended for the production of certified material;";

(e) immediately after the definition "Conformitas Agraria Communitatis material", there shall be added the following new definition:

" "cryopreservation" means the maintenance of plant material by cooling to ultra-low temperatures, in order to retain the viability of the material;";

(f) immediately after the definition "fruit trees", there shall be added the following new definition:

" "fruiting plant" means a plant propagated from a mother plant and grown for the production of fruit in order to permit the verification of the varietal identity of that mother plant;";

(g) immediately after the new definition "fruiting plant", there shall be added the following new definition:

" "laboratory" means any facility used for the testing of propagating material and fruit plants;";

(h) immediately after the definition "marketing", there shall be added the following new definition:

" "micropropagation" means the multiplication of plant material in order to produce a large number of plants, using *in vitro* culture of differentiated vegetative buds or differentiated vegetative meristems taken from a plant;

(i) immediately after the new definition "micropropagation", there shall be added the following new definition:

" "mother plant" means an identified plant from which material is taken for propagation;";

(j) immediately after the new definition "mother plant", there shall be added the following new definition:

" "multiplication" means vegetative production of mother plants in order to obtain a sufficient number of

mother plants in the same category;

(k) immediately after the definition "official inspection", there shall be added the following new definition:

" "pest" means any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products and listed in Schedules A, B and C of Schedule IV;"

(l) immediately after the new definition "pest", there shall be added the following new definition:

" "practically free from defects" means that defects, likely to impair the quality and usefulness of the propagating material or fruit plants, are present at a level equal to, or lower than, the level expected to result from good cultivating and handling practices, and that level is consistent with good cultivating and handling practices;"

(m) immediately after the new definition "practically free from defects", there shall be added the following new definition:

" "practically free from pests" means that the extent to which pests are present on the propagating material or fruit plants is sufficiently low to ensure acceptable quality and usefulness of the propagating material;"

(n) immediately after the definition "pre-basic material", there shall be added the following new definition:

" "pre-basic mother plant" means a mother plant intended for the production of pre-basic material;"

(o) immediately after the definition "propagation material", there shall be added the following new definition:

" "renewal of a mother plant" means replacing a mother plant by a plant vegetatively produced from it;"

(p) immediately after the definition "supplier", there shall be added the following new definition:

" "test" means examination, other than visual inspection;

(q) immediately after the definition "variety", there

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shall be added the following new definition:

" "visual inspection" means the examination of plants or parts of plants using the unaided eye, lens, stereoscope or microscope;"

Amends
regulation 5 of
the principal
regulations.

3. Sub-regulation (1) of regulation 5 of the principal regulations shall be substituted by the following:

"(1) Specific requirements for each genus or species listed in Schedule I have been established in Schedule IV, specifying:

(a) the conditions with which CAC material must comply, in particular those relating to the propagation system applied, to the purity of the growing crop, plant health, and, except in the case of rootstocks, where the material does not belong to a variety, to varietal aspects;

(b) the conditions with which pre-basic, basic and certified material must comply, relating to quality (including, for pre-basic and basic material, methods for the maintenance of the identity of the variety and, where applicable, of the clone, including the relevant pomological characteristics), plant health, the testing methods and procedures applied, the propagation system(s) applied and, except in the case of rootstocks where the material does not belong to a variety, to varietal aspects;

(c) the conditions with which rootstocks and other parts of plants of genera or species other than those listed in Schedule I, or their hybrids, must comply if propagation material of the genus or species listed in Schedule I or their hybrids is grafted onto them."

Amends
regulation 7 of
the principal
regulations.

4. Sub-regulation (5) of regulation 7 of the principal regulations shall be substituted by the following:

"(5) Detailed rules for the application of sub-regulation (1) are provided in Schedule III and the rules for the application of sub-regulation (2) are provided in Schedule IV."

Amends
regulation 12 of
the principal
regulations.

5. Sub-regulation (1) of regulation 12 of the principal regulations shall be substituted by the following:

"(1) The responsible official body shall ensure that propagation material and fruit trees are officially inspected

during production and marketing to verify compliance with the requirements and conditions set out in these regulations. To this effect, the responsible official body shall have free access to all parts of premises of suppliers at all reasonable times. Detailed rules for the application of this sub-regulation have been established in Schedule IV."

6. Immediately after Schedule III to the principal regulations, there shall be added the following new schedule:

Adds new schedule to the principal regulations.

"SCHEDULE IV

SECTION I

General provisions

1. (1) The responsible official body shall ensure that propagating material and fruit plants belonging to the genera and species listed in Schedule I comply, during production and marketing, with points 2 to 26 of this Schedule.

(2) The responsible official body shall ensure that, during production of propagating material and fruit plants belonging to the genera and species listed in Schedule I, suppliers comply with the requirements set out in points 27 and 28.

(3) The responsible official body shall ensure that, during production and marketing, propagating material and fruit plants, belonging to the genera and species listed in Schedule I, are officially inspected in accordance with point 29.

(4) Propagating material that fulfils the requirements of a certain category shall not be mixed with material of other categories.

SECTION II

PART I

Requirements for pre-basic material

Requirements for certification of pre-basic material

2. (1) Propagating material, other than mother plants and other than rootstocks not belonging to a variety, shall, on request, be officially certified as pre-basic material if it has been found to fulfil the following requirements:

(a) it is directly propagated from a mother plant in

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accordance with point 12 or point 13;

(b) it is true to the description of its variety and its trueness to the description of the variety is verified pursuant to point 6;

(c) it is maintained pursuant to point 7;

(d) it complies with the health requirements of point 9;

(e) where the European Commission has granted a derogation pursuant to point 7(4) to grow pre-basic mother plants and pre-basic material in the field under non-insect proof conditions, the soil complies with point 10;

(f) it complies with point 11 concerning defects.

(2) The mother plant referred to in paragraph (1)(a) shall either have been accepted in accordance with point 4, or have been obtained by multiplication in accordance with point 12 or micropropagation in accordance with point 13.

(3) Where a pre-basic mother plant or pre-basic material no longer fulfils the requirements of points 7 to 11, the supplier shall remove it from the vicinity of other pre-basic mother plants and pre-basic material. That removed mother plant or material may be used as basic, certified or CAC material provided that it fulfils the requirements set out in these regulations for the respective categories.

Instead of removing that mother plant or that material, the supplier may take appropriate measures in order to ensure that that mother plant or that material complies with those requirements again.

Requirements for the certification of rootstocks not belonging to a variety as pre-basic material

3. (1) A rootstock not belonging to a variety, shall, on request, be officially certified as pre-basic material if it has been found to fulfil the following requirements:

(a) it is directly propagated, by vegetative or sexual propagation from a mother plant; in the case of sexual propagation pollinating trees (pollenisers) are directly produced by vegetative propagation from a mother plant;

(b) it is true to the description of its species;

(c) it is maintained pursuant to point 7;

(d) it complies with the health requirements of point 9;

(e) where the European Commission has granted a derogation pursuant to point 7(4) to grow pre-basic mother plants and pre-basic material in the field under non-insect proof conditions, the soil complies with point 10;

(f) it complies with point 11 concerning defects.

(2) The mother plant referred to in paragraph (1)(a) shall either have been accepted in accordance with point 4, or have been obtained by multiplication in accordance with point 12 or micropropagation in accordance with point 13.

(3) Where a rootstock which is a pre-basic mother plant or pre-basic material no longer fulfils the requirements of points 7 to 11, the supplier shall remove it from the vicinity of other pre-basic mother plants and pre-basic material. That removed rootstock may be used as basic, certified or CAC material provided that it fulfils the requirements set out in this Schedule for the respective categories.

Instead of removing that rootstock, the supplier may take appropriate measures in order to ensure that that rootstock complies with those requirements again.

Requirements for the acceptance of a pre-basic mother plant

4. (1) The responsible official body shall accept a plant as a pre-basic mother plant if it complies with points 6 to 11, and if its trueness to the description of its variety is established in accordance with paragraphs (2) to (4).

That acceptance shall take place on the basis of an official inspection and the testing results, records and procedures pursuant to point 29.

(2) The responsible official body shall establish the trueness of the pre-basic mother plant to the description of its variety by the observation of the expression of the characteristics of the variety. That observation shall be based on one of the following elements:

(a) the official description for varieties registered in any of the national registers, and for varieties legally protected by a plant variety right;

(b) the description accompanying the application for varieties which are the subject of an application for registration in any Member State, as referred to in Article 5(1) of

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Commission Implementing Directive 2014/97/EU;

(c) the description accompanying the application for varieties which are the subject of an application for registration of a plant variety right;

(d) the officially recognised description, if the variety subject to that description is registered in a national register.

(3) Where sub-paragraphs (b) or (c) of paragraph (2) applies, the pre-basic mother plant shall only be accepted if a report, produced by any responsible official body in the Union or in a third country, is available proving that the respective variety is distinct, uniform and stable. However, pending the registration of the variety, the mother plant concerned and the material produced from it may only be used for the production of basic or certified material and shall not be marketed as pre-basic, basic or certified material.

(4) Where the establishment of the trueness to the description of the variety is only possible on the basis of the characteristics of a fruiting plant, the observation of the expression of the characteristics of the variety shall be carried out on the fruits of a fruiting plant propagated from the pre-basic mother plant. Those fruiting plants shall be kept separate from the pre-basic mother plants and pre-basic material.

Fruiting plants shall be visually inspected in the most appropriate periods of the year taking into account climatic and growing conditions of plants of the genera or species concerned.

Requirements for the acceptance of a rootstock not belonging to a variety

5. (1) The responsible official body shall accept a rootstock not belonging to a variety as a pre-basic mother plant if it is true to the description of its species and if it complies with points 7 to 11.

That acceptance shall take place on the basis of an official inspection and the testing results, records and procedures used by the supplier pursuant to point 29.

Verification of trueness to the description of the variety

6. (1) The responsible official body and, where appropriate, the supplier shall regularly verify the trueness of pre-basic mother plants and of pre-basic material to the description of their variety, in accordance with points 4(2) and (3), as appropriate

for the variety concerned and the propagation method used.

In addition to the regular verification of pre-basic mother plants and pre-basic material, the responsible official body and, where appropriate, the supplier shall, after each renewal, verify the pre-basic mother plants resulting from it.

Requirements concerning the maintenance of pre-basic mother plants and pre-basic material

7. (1) The suppliers shall maintain pre-basic mother plants and pre-basic material in facilities, which are designated for the genera or species concerned and which are insect proof and ensure freedom from infection through aerial vectors and any other possible sources throughout the production process.

Candidate pre-basic mother plants shall be kept under insect proof conditions, and physically isolated from pre-basic mother plants in the facilities referred to in the first sub-paragraph, until all tests concerning compliance with points 8(1) and (2) have been concluded.

(2) Pre-basic mother plants and pre-basic material shall be maintained in a manner that ensures that they are individually identified throughout the production process.

(3) Pre-basic mother plants and pre-basic material shall be grown or produced, isolated from the soil, in pots of soil-free or of sterilised growing media. They shall be identified by labels ensuring their traceability.

(4) By way of derogation from paragraphs (1) to (3), Malta may be granted authorisation to produce pre-basic mother plants and pre-basic material in the field under non-insect proof conditions for specific genera or species. Such material shall be identified by labels to ensure its traceability. That authorisation shall be granted provided that Malta ensures that appropriate measures are taken to prevent infection of the plants by aerial vectors, root contact, cross infection by machinery, grafting tools and any other possible sources.

(5) Pre-basic mother plants and pre-basic material may be maintained by cryopreservation.

(6) Pre-basic mother plants may only be used for a period calculated on the basis of the stability of the variety or the environmental conditions under which they are grown and any other determinants having an impact on the stability of the variety.

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Health requirements for candidate pre-basic mother plants and for
pre-basic mother plants produced by renewal

8. (1) A candidate pre-basic mother plant shall be free from the pests listed in Schedule A, as regards the genus or species concerned.

The candidate pre-basic mother plant concerned shall, by visual inspection in the facilities and fields be found free from the pests listed in Schedule A, as regards the genus or species concerned.

That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

In case of doubts concerning the presence of those pests, the responsible official body and, where appropriate, the supplier shall carry out sampling and testing of the candidate pre-basic mother plant concerned.

(2) A candidate pre-basic mother plant shall be free from the pests listed in Schedule B, as regards the genus or species concerned.

The candidate pre-basic mother plant concerned shall, by visual inspection in the facilities and fields, and by sampling and testing, be found free from the pests listed in Schedule B, as regards the genus or species concerned.

That visual inspection, sampling and testing shall be carried out by the responsible official body and, where appropriate, the supplier.

That sampling and testing shall take place in the most appropriate period of the year taking into account the climatic conditions and the growing conditions of the plant and the biology of the pests relevant for that plant. Sampling and testing shall also take place at any time of the year in case of doubts concerning the presence of those pests.

(3) As regards the sampling and testing, as provided for in paragraphs (1) and (2), the responsible official body shall apply protocols of the European and Mediterranean Plant Protection Organization (EPPO) or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, Malta shall, on request, make available those protocols to the other Member States and to the European Commission.

The responsible official body and, where appropriate, the

supplier shall submit the samples to laboratories officially accepted by the responsible official body.

The testing method for viruses, viroids, virus-like diseases and phytoplasmas applied to candidate pre-basic mother plants shall be biological indexing on indicator plants. Other test methods may be applied in case the responsible official body considers, on the basis of peer reviewed scientific evidence, to produce results as reliable as biological indexing on indicator plants.

(4) By way of derogation from paragraph (2), where a candidate pre-basic mother plant is a seedling, visual inspection, sampling and testing shall only be required in respect of viruses, viroids or virus-like diseases transmitted by pollen and listed in Schedule B, as regards the genus or species concerned, provided that an official inspection has confirmed that the seedling concerned was grown from a seed produced by a plant free from symptoms caused by those viruses, viroids and virus-like diseases and that that seedling has been maintained in accordance with points 7(1) and (3).

(5) Paragraphs (1) and (3) shall also apply to a pre-basic mother plant produced by renewal.

A pre-basic mother plant produced by renewal shall be free from the viruses and viroids listed in Schedule B, as regards the genus or species concerned.

That pre-basic mother plant shall, by visual inspection in the facilities, fields and lots, and by sampling and testing, be found free from those viruses and viroids.

That visual inspection, sampling and testing shall be carried out by the responsible official body and, where appropriate, the supplier.

Health requirements for pre-basic mother plants and for pre-basic material

9. (1) A pre-basic mother plant or pre-basic material shall be free from the pests listed in Part 1 of Schedule A and Schedule B, as regards the genus or species concerned.

The pre-basic mother plant or the pre-basic material concerned shall, by visual inspection in the facilities, fields and lots, be found free from the pests listed in Part 1 of Schedule A and Schedule B, as regards the genus or species concerned. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

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The percentage of pre-basic mother plants or pre-basic material, which is infested by the pests listed in Part 2 of Schedule A, shall not exceed the tolerance levels as set out therein. The pre-basic mother plants or the pre-basic material concerned shall, by visual inspection in the facilities, fields and lots, be found to comply with those levels. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

In case of doubts concerning the presence of those pests, the responsible official body and, where appropriate, the supplier shall carry out sampling and testing of the pre-basic mother plant or pre-basic material concerned.

(2) The responsible official body and, where appropriate, the supplier shall carry out visual inspection, sampling and testing of a pre-basic mother plant or pre-basic material, as set out in Schedule D as regards the genus or species concerned.

(3) As regards sampling and testing, as provided for in paragraph (1), the responsible official body shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission. The responsible official body and, where appropriate, the supplier shall submit the samples to laboratories officially accepted by the responsible official body.

(4) Paragraph (1) shall not apply to pre-basic mother plants and pre-basic material during cryopreservation.

Soil requirements

10. (1) Pre-basic mother plants and pre-basic material may only be grown in soil that is free from any pests which are listed in Schedule C, for the genus or species concerned, and which host viruses affecting that genus or species. Freedom from such pests shall be established by sampling and testing.

That sampling shall be carried out by the responsible official body and, where appropriate, the supplier.

That sampling and testing shall be carried out before the pre-basic mother plants or the pre-basic material concerned is planted, and it shall be repeated during growth where there is suspicion concerning the presence of the pests referred to in sub-paragraph (1).

That sampling and testing shall be carried out taking into account the climatic conditions and the biology of the pests listed in Schedule C, and where those pests are relevant for the pre-basic mother plants or the pre-basic material concerned.

(2) Sampling and testing shall not be carried out where plants which are hosts for the pests listed in Schedule C, for the genus or species concerned, have not been grown in the soil of production for a period of at least five years and where there is no doubt concerning the absence of the relevant pests in that soil.

Sampling and testing shall not be carried out when the responsible official body concludes on the basis of an official inspection that the soil is free from any pests which are listed in Schedule C, for the genus or species concerned, and which host viruses affecting that genus or species.

(3) In the case of sampling and testing as referred to in paragraph (1), the responsible official body shall apply protocols of the EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission.

Requirements concerning defects likely to impair quality

11. Pre-basic mother plants and pre-basic material shall be found practically free from defects on the basis of visual inspection. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier. Injuries, discoloration, scar tissues or desiccation shall be considered as defects, if they affect the quality and usefulness as propagating material.

Requirements concerning multiplication, renewal and propagation of pre-basic mother plants

12. (1) The supplier may multiply or renew a pre-basic mother plant accepted in accordance with point 4(1).

(2) The supplier may propagate a pre-basic mother plant to produce pre-basic material.

(3) Multiplication, renewal and propagation of pre-basic mother plants shall take place in accordance with the protocols referred to in paragraph (4).

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(4) The responsible official body shall apply protocols concerning multiplication, renewal and propagation of pre-basic mother plants. The responsible official body shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission.

The protocols referred to in sub-paragraph (1) of this paragraph shall have been tested on the relevant genera or species for a period of time considered appropriate for those genera or species. That period of time shall be considered appropriate when it allows phenotype validation of the plants as regards the trueness to the description of the variety based on the observation of the fruit production or of the vegetative development of rootstocks.

(5) The supplier may only renew the pre-basic mother plant before the end of the period referred to in point 7(6).

Requirements concerning multiplication, renewal and propagation
by micropropagation of pre-basic mother plants

13. (1) In the case of multiplication, renewal and propagation by micropropagation of pre-basic mother plants, for the production of other pre-basic mother plants or pre-basic material, it shall take place in accordance with the protocols set out in paragraph (2).

(2) The responsible official body shall apply protocols concerning micropropagation of pre-basic mother plants and pre-basic material which are protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission.

The responsible official body shall only apply protocols which have been tested on the relevant genus or species for a period of time considered sufficient to allow phenotype validation of the plants as regards the trueness to the description of the variety based on the observation of the fruit production or of the vegetative development of rootstocks.

PART II

Requirements for basic material

Requirements for the certification of basic material

14. (1) Propagating material, other than basic mother plants and other than rootstocks not belonging to a variety, shall, on request, be officially certified as basic material if it fulfils the requirements of paragraphs (2) to (4).

(2) The propagating material shall be propagated from a basic mother plant.

A basic mother plant shall fulfil one of the following requirements:

(a) be grown from pre-basic material; or

(b) be produced by multiplication from a basic mother plant in accordance with point 18.

(3) The propagating material shall fulfil the requirements set out in point 6, point 7(6) and point 11.

(4) The propagating material shall fulfil the additional requirements concerning:

(a) health, as set out in point 15;

(b) soil, as set out in point 16;

(c) maintenance of basic mother plants and basic material as set out in point 17; and

(d) specific conditions for propagation, as set out in point 18.

(5) A rootstock not belonging to a variety, shall, on request, be officially certified as basic material if it is true to the description of its species, it fulfils the requirements set out in points 7(2) and (6), and the additional requirements of points 11, 15, 16, 17 and 18.

(6) For the purpose of this Part, any reference in the provisions referred to in paragraphs (3) and (5) to pre-basic mother plants shall be construed as reference to basic mother plants, and any reference to pre-basic material shall be construed as reference to basic material.

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(7) Where a basic mother plant or basic material no longer fulfils the requirements of point 6, points 7(2) and (6) and points 11, 15 and 16, the supplier shall remove it from the vicinity of other basic mother plants and basic material. That removed mother plant or material may be used as certified or CAC material provided that it fulfils the requirements set out in this Schedule for the respective categories. Instead of removing that mother plant or that material, the supplier may take appropriate measures in order to ensure that that mother plant or that material complies with those requirements again.

(8) Where a rootstock not belonging to a variety is a basic mother plant or basic material that no longer fulfils the requirements of points 7(2) and (6) and points 11, 15 and 16, the supplier shall remove it from the vicinity of other basic mother plants and basic material. That removed rootstock may be used as certified or CAC material provided that it fulfils the requirements set out in this Schedule concerning the respective categories.

Instead of removing that rootstock, the supplier may take appropriate measures in order to ensure that that rootstock complies with those requirements again.

Health requirements

15. (1) A basic mother plant or basic material shall be free from the pests listed in Part 1 of Schedule A and Schedule B, as regards the genus or species concerned.

The basic mother plant or the basic material concerned shall, by visual inspection in the facilities, fields and lots, be found free from the pests listed in Part 1 of Schedule A and Schedule B, as regards the genus or species concerned. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

The percentage of basic mother plants or basic material, which is infested by the pests listed in Part 2 of Schedule A, shall not exceed the tolerance levels as set out therein. The basic mother plants or the basic material concerned shall, by visual inspection in the facilities, fields and lots, be found to comply with those levels. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

In case of doubts concerning the presence of those pests, the responsible official body and, where appropriate, the supplier shall carry out sampling and testing of the basic mother plant or basic material concerned.

(2) The responsible official body and, where appropriate, the supplier shall carry out visual inspection, sampling and testing of a basic mother plant or basic material, as set out in Schedule D as regards the genus or species concerned.

(3) As regards sampling and testing, as provided for in paragraph (1), the responsible official body shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, the responsible official body, on request, make available those protocols to the other Member States and to the Commission.

The responsible official body and, where appropriate, the supplier shall submit the samples to laboratories officially accepted by the responsible official body.

(4) Paragraph (1) shall not apply to basic mother plants and basic material during cryopreservation.

Soil requirements

16. (1) Basic mother plants and basic material may only be grown in soil that is free from any pests which are listed in Schedule C, for the genus or species concerned, and which host viruses affecting that genus or species. Freedom of such pests hosting viruses shall be established by sampling and testing.

That sampling shall be carried out by the responsible official body and, where appropriate, the supplier.

That sampling and testing shall be carried out before the basic mother plants or the basic material concerned is planted and it shall be repeated during growth where there is suspicion concerning the presence of the pests referred to in sub-paragraph (1).

That sampling and testing shall be carried out taking into account the climatic conditions and the biology of the pests listed in Schedule C, and where those pests are relevant for the basic mother plants or the basic material concerned.

(2) Sampling and testing shall not be carried out where plants which are hosts for the pests listed in Schedule C, for the genus or species concerned, have not been grown in the soil of production for a period of at least five years and where there is no doubt concerning the absence of the relevant pests in that soil.

Sampling and testing shall not be carried out when the

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responsible official body concludes on the basis of an official inspection that the soil is free from any pests which are listed in Schedule C, for the genus or species concerned, and which host viruses affecting that genus or species.

(3) In the case of sampling and testing as referred to in paragraph (1), the responsible official body shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission.

Requirements concerning the maintenance of basic mother plants and basic material

17. (1) Basic mother plants and basic material shall be maintained in fields isolated from potential sources of infection by aerial vectors, root contact, cross infection by machinery, grafting tools and any other possible sources.

(2) The isolation distance of the fields referred to in paragraph (1) shall depend on regional circumstances, the type of propagating material, the presence of pests in the area concerned and the relevant risks involved as set out by the responsible official body based on official inspection.

Conditions for multiplication

18. (1) The basic mother plants which are grown from pre-basic material within the meaning of point 14(2)(a) may be multiplied in a number of generations to obtain the necessary number of basic mother plants. The basic mother plants shall be multiplied in accordance with point 12 or shall be multiplied by micropropagation in accordance with point 13. The maximum permitted number of generations, and the maximum permitted life span of basic mother plants, shall be as set out in Schedule E for the relevant genera or species.

(2) Where multiple generations of basic mother plants are permitted, each generation, other than the first one, may derive from any previous generation.

(3) Propagating material of different generations shall be kept separately.

PART III

Requirements for certified material

Requirements for certification of certified material

19. (1) Propagating material, other than mother plants, and fruit plants shall, on request, be officially certified as certified material if they fulfil the requirements set out in paragraphs (2) to (4).

(2) The propagating material, and fruit plants, shall be propagated from a certified mother plant.

A certified mother plant shall fulfil one of the following requirements:

(a) be grown from pre-basic material;

(b) be grown from basic material.

(3) The propagating material, and fruit plants, shall fulfil the requirements set out in points 6, 7(6) and points 11, 20 and 21.

(4) The propagating material, and fruit plants, shall fulfil the health requirements set out in point 20.

The propagating material and fruit plants shall be propagated from a certified mother plant which fulfils the soil requirements of point 21.

(5) A rootstock not belonging to a variety, shall, on request, be officially certified as certified material if it is true to the description of its species, it fulfils the requirements set out in point 7(6) and the additional requirements of points 11, 20 and 21.

(6) For the purpose of this Part, any reference in the provisions referred to in paragraphs (3) and (5) to pre-basic mother plants shall be construed as reference to certified mother plants, and any reference to pre-basic material shall be construed as reference to certified material.

(7) Where a certified mother plant or certified material no longer fulfils the requirements of point 6, point 7(6) and points 11, 20 and 21, the supplier shall remove it from the vicinity of other certified mother plants and certified material. That removed mother plant or material may be used as CAC material provided that it fulfils the requirements set out in Part IV.

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Instead of removing that mother plant or that material, the supplier may take appropriate measures in order to ensure that that mother plant or that material complies with those requirements again.

(8) Where a rootstock not belonging to a variety is a certified mother plant or certified material that no longer fulfils the requirements of points 7(6) and points 11, 20 and 21, the supplier shall remove it from the vicinity of other certified mother plants and certified material. That removed mother plant or material may be used as CAC material provided that it fulfils the requirements set out in Part IV.

Instead of removing that rootstock, the supplier may take appropriate measures in order to ensure that that rootstock complies with those requirements again.

Health requirements

20. (1) A certified mother plant or certified material shall be free from the pests listed in Part 1 of Schedule A and Schedule B, as regards the genus or species concerned.

The certified mother plant or the certified material concerned shall, by visual inspection in the facilities, fields and lots, be found free from the pests listed in Part 1 of Schedule A and Schedule B, as regards the genus or species concerned. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

The percentage of certified mother plants or certified material, which is infested by the pests listed in Part 2 of Schedule A, shall not exceed the tolerance levels as set out therein. The certified mother plants or the certified material concerned shall, by visual inspection in the facilities, fields and lots, be found to comply with those levels. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

In case of doubts concerning the presence of those pests, the responsible official body and, where appropriate, the supplier shall carry out sampling and testing of the certified mother plant or certified material concerned.

(2) The responsible official body and, where appropriate, the supplier shall carry out visual inspection, sampling and testing of a certified mother plant or certified material, as set out in Schedule IV as regards the genus or species concerned.

(3) As regards sampling and testing, as provided for in paragraph (1), the responsible official body shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission.

The responsible official body and, where appropriate, the supplier shall submit the samples to laboratories officially accepted by the responsible official body.

(4) Paragraph (1) shall not apply to certified mother plants and certified material during cryopreservation.

Soil requirements

21. (1) Certified mother plants may only be grown in soil that is free from any pests which are listed in Schedule C, for the genus or species concerned, and which host viruses affecting that genus or species. Freedom of such pests hosting viruses shall be established by sampling and testing.

That sampling shall be carried out by the responsible official body and, where appropriate, the supplier.

That sampling and testing shall be carried out before the certified mother plant concerned is planted, and it shall be repeated during growth where there is suspicion concerning the presence of the pests referred to in sub-paragraph (1).

That sampling and testing shall be carried out taking into account the climatic conditions and the biology of the pests listed in Schedule C, and where those pests are relevant for the certified mother plants or the certified material concerned.

(2) Sampling and testing shall not be carried out where plants which are hosts for the pests listed in Schedule C, for the genus or species concerned, have not been grown in the soil of production for a period of at least five years and where there is no doubt concerning the absence of the relevant pests in that soil.

Sampling and testing shall not be carried out when the responsible official body concludes on the basis of an official inspection that the soil is free from any pests which are listed in Schedule III, for the genus or species concerned, and which host

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viruses affecting that genus or species.

Sampling and testing shall not be carried out in the case of certified fruit plants.

(3) In the case of sampling and testing as referred to in paragraph (1), the responsible official body shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, the responsible official body shall, on request, make available those protocols to the other Member States and to the European Commission.

PART IV

Requirements for CAC material

Conditions for CAC material, other than rootstocks not belonging to a variety

22. (1) CAC material, other than rootstocks not belonging to a variety, may only be marketed if it has been found to fulfil the following requirements:

- (a) it is propagated from an identified source of material recorded by the supplier;
- (b) it is true to the description of the variety, in accordance with point 24;
- (c) it complies with the health requirements of point 25;
- (d) it complies with point 26 concerning defects.

(2) The actions to comply with paragraph (1) shall be carried out by the supplier.

(3) In case CAC material no longer complies with paragraph (1), the supplier shall carry out one of the following actions:

- (a) remove that material, from the vicinity of other CAC material; or
- (b) take appropriate measures to ensure that that material complies with those requirements again.

Conditions for CAC material in the case of rootstocks

not belonging to a variety

23. (1) In the case of rootstocks not belonging to a variety, CAC material shall comply with the following requirements:

- (a) it is true to the description of its species;
- (b) it complies with the health requirements of point 25;
- (c) it complies with point 26 concerning defects.

(2) The actions to comply with the requirements of paragraph (1) shall be carried out by the supplier.

(3) In case CAC material no longer complies with the requirements of paragraph (1) the supplier shall carry out one of the following actions:

- (a) remove that material, from the vicinity of other CAC material; or
- (b) take appropriate measures to ensure that that material complies with those requirements again.

Trueness to the description of the variety

24. (1) The trueness of CAC material to the description of its variety shall be established by the observation of the expression of the characteristics of the variety. That observation shall be based on one of the following elements:

- (a) the official description for registered varieties, as referred to in Implementing Directive 2014/97/EU and for varieties legally protected by a plant variety right; or
- (b) the description accompanying the application for varieties which are the subject of an application for registration in any Member State, as referred to in Implementing Directive 2014/97/EU;
- (c) the description accompanying the application for a plant variety right;
- (d) the officially recognised description of a variety as referred to in sub-regulation (2)(c)(iii) of regulation 6 of these regulations.

(2) The trueness of the CAC material to the description of its

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variety, shall be regularly verified through the observation of the expression of the characteristics of the variety in the CAC material concerned.

Health requirements

25. (1) CAC material shall be practically free from the pests listed in Schedule A and Schedule B, as regards the genus or species concerned.

The CAC material concerned shall, by visual inspection carried out by the supplier in the facilities, fields and lots, be found practically free from the pests listed Schedule A and Schedule B, as regards the genus or species concerned.

In case of doubts concerning the presence of those pests, the supplier shall carry out sampling and testing of the CAC material concerned.

(2) The supplier shall carry out visual inspection, sampling and testing of CAC material, as set out in Schedule D as regards the genus or species concerned.

(3) Paragraph (1) shall not apply to CAC material during cryopreservation.

(4) In addition to the requirements of paragraphs (1) and (2), CAC material that belongs to the species *Citrus* L., *Fortunella* Swingle and *Poncirus* Raf. shall comply with all of the following requirements:

(a) it shall be produced from an identified source of material, and that source of material shall be found free, on the basis of sampling and testing, from the pests as listed for those species, in Schedule B;

(b) since the beginning of the last cycle of vegetation it shall be found practically free, on the basis of visual inspection, sampling and testing, from the pests as listed in Schedule B, as regards species concerned.

Requirements concerning defects

26. CAC material shall be found practically free from defects, on the basis of visual inspection. Injuries, discoloration, scar tissues or desiccation shall be considered as defects, if they affect the quality and usefulness as propagating material.

SECTION III

Specific Requirements for Suppliers engaged in the Production or Reproduction of Propagating Material and Fruit Plants

Plan to identify and monitor critical points in the production process

27. (1) During the production of propagating material and fruit plants, the responsible official body shall ensure that suppliers have in place, as appropriate for the relevant genera or species, a plan to identify and monitor critical points in the production process. That plan shall at least concern the following elements:

- (a) location and number of plants;
- (b) timing of their cultivation;
- (c) propagation operations;
- (d) packaging, storage and transportation operations.

Keeping information on the monitoring available for examination

28. (1) The responsible official body shall ensure that the suppliers keep records with information on the monitoring of the critical points as referred to in sub-regulation (2) of regulation 7 of these regulations and, when requested, make them available for examination.

(2) Those records shall remain available for a period of at least three years since the production of the material concerned.

(3) The responsible official body shall ensure that suppliers keep records of field inspections, sampling and testing as long as the respective propagating material and fruit plants are under their control and for a period of at least three years after that propagating material and those fruit plants have been removed or marketed.

SECTION IV

Official Inspections

General requirements concerning official inspections

29. (1) Official inspections shall consist of visual inspections, and, where appropriate, of sampling and testing.

(2) During the official inspections, the responsible official

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body shall pay particular attention to:

(a) the suitability and actual use of methods by the supplier for checking each of the critical points in the production process;

(b) the overall competence of the supplier's staff to carry out the activities set out in sub-regulation (2) of regulation 7 of these regulations.

(3) The responsible official body shall ensure that it produces and keeps records of the results and dates of all field inspections, sampling and testing carried out by itself.

Schedule A

List of pests for the presence of which visual inspection, and, under certain conditions, sampling and testing, are required

PART 1

List of pests freedom, or practical freedom from which, is required pursuant to point 8(1), point 9(1), point 15(1), point 20(1) and point 25(1)

Genus or species	Pests
<i>Castanea sativa</i> Mill.	Fungi <i>Mycosphaerella maculiformis</i> <i>Phytophthora cambivora</i> <i>Phytophthora cinnamomi</i> Virus-like disease Chestnut mosaic virus (ChMV)
<i>Citrus</i> L., <i>Fortunella</i> Swingle and <i>Poncirus</i> Raf.	Insects <i>Aleurotrixus floccosus</i> <i>Parabemisia myricae</i> Nematodes <i>Pratylenchus vulnus</i> <i>Tylenchus semi-penetrans</i> Fungi <i>Phytophthora citrophthora</i> <i>Phytophthora parasitica</i>

<i>Corylus avellana</i> L.	<p>Mites <i>Phytoptus avellanae</i></p> <p>Fungi <i>Armillariella mellea</i> <i>Verticillium dahliae</i> <i>Verticillium albo-atrum</i></p> <p>Bacteria <i>Xanthomonas arboricola</i> pv. <i>corylina</i> <i>Pseudomonas avellanae</i></p>
<i>Cydonia oblonga</i> Mill., <i>Malus</i> Mill. and <i>Pyrus</i> L.	<p>Insects <i>Eriosoma lanigerum</i> <i>Psylla</i> spp.</p> <p>Nematodes <i>Meloidogyne hapla</i> <i>Meloidogyne javanica</i> <i>Pratylenchus penetrans</i> <i>Pratylenchus vulnus</i></p> <p>Fungi <i>Armillariella mellea</i> <i>Chondrostereum purpureum</i> <i>Glomerella cingulata</i> <i>Pezicula alba</i> <i>Pezicula malicorticis</i> <i>Nectria galligena</i> <i>Phytophthora cactorum</i> <i>Roessleria pallida</i> <i>Verticillium dahliae</i> <i>Verticillium albo-atrum</i></p> <p>Bacteria <i>Agrobacterium tumefaciens</i> <i>Pseudomonas syringae</i> pv. <i>syringae</i></p> <p>Viruses Other than those listed in Schedule B</p>

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<i>Ficus carica</i> L.	<p>Insects <i>Ceroplastes rusci</i></p> <p>Nematodes <i>Heterodera fici</i> <i>Meloidogyne arenaria</i> <i>Meloidogyne incognita</i> <i>Meloidogyne javanica</i> <i>Pratylenchus penetrans</i> <i>Pratylenchus vulnus</i></p> <p>Fungi <i>Armillaria mellea</i></p> <p>Bacteria <i>Phytomonas fici</i></p> <p>Virus-like diseases Fig mosaic disease</p>
<i>Juglans regia</i> L.	<p>Insects <i>Epidiaspis leperii</i> <i>Pseudaulacaspis pentagona</i> <i>Quadraspidiotus perniciosus</i></p> <p>Fungi <i>Armillariella mellea</i> <i>Nectria galligena</i> <i>Chondrostereum purpureum</i> <i>Phytophthora cactorum</i></p> <p>Bacteria <i>Agrobacterium tumefaciens</i> <i>Xanthomonas arboricola</i> pv. <i>juglandi</i></p>
<i>Olea europaea</i> L.	<p>Nematodes <i>Meloidogyne arenaria</i> <i>Meloidogyne incognita</i> <i>Meloidogyne javanica</i> <i>Pratylenchus vulnus</i></p> <p>Bacteria <i>Pseudomonas savastanoi</i> pv. <i>savastanoi</i></p> <p>Virus-like diseases Leaf yellowing complex disease 3</p>

<i>Pistacia vera</i> L.	<p>Nematodes <i>Pratylenchus penetrans</i> <i>Pratylenchus vulnus</i></p> <p>Fungi <i>Phytophthora cryptogea</i> <i>Phytophthora cambivora</i> <i>Rosellinia necatrix</i> <i>Verticillium dahlia</i></p>
<i>Prunus amygdalus</i> Batsch., <i>P. armeniaca</i> L., <i>P. domestica</i> L., <i>P. persica</i> (L.) Batsch. and <i>P. salicina</i> Lindley	<p>Insects <i>Pseudaulacaspis pentagona</i> <i>Quadraspidiotus perniciosus</i></p> <p>Nematodes <i>Meloidogyne arenaria</i> <i>Meloidogyne javanica</i> <i>Meloidogyne incognita</i> <i>Pratylenchus penetrans</i> <i>Pratylenchus vulnus</i></p> <p>Fungi <i>Phytophthora cactorum</i> <i>Verticillium dahliae</i></p> <p>Bacteria <i>Agrobacterium tumefaciens</i> <i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> <i>Pseudomonas syringae</i> pv. <i>syringae</i> (on <i>P. armeniaca</i>) <i>Pseudomonas viridiflava</i> (on <i>P. armeniaca</i>)</p>

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<i>Prunus avium</i> (L.) L. and <i>P. cerasus</i> L.	Insects <i>Quadraspidiotus perniciosus</i> Nematodes <i>Meloidogyne arenaria</i> <i>Meloidogyne javanica</i> <i>Meloidogyne incognita</i> <i>Pratylenchus penetrans</i> <i>Pratylenchus vulnus</i> Fungi <i>Phytophthora cactorum</i> Bacteria <i>Agrobacterium tumefaciens</i> <i>Pseudomonas syringae</i> pv. <i>morsprunorum</i>
<i>Ribes</i> L.	Insects and mites <i>Dasyneura tetensi</i> <i>Ditylenchus dipsaci</i> <i>Pseudaulacaspis pentagona</i> <i>Quadraspidiotus perniciosus</i> <i>Tetranychus urticae</i> <i>Cecidophyopsis ribis</i> Fungi <i>Sphaerotheca mors-uvae</i> <i>Microsphaera grossulariae</i> <i>Diaporthe strumella</i> (<i>Phomopsis ribicola</i>)
<i>Rubus</i> L.	Fungi <i>Peronospora rubi</i>

PART 2

List of pests freedom or practical freedom from which is required, or whose presence is restricted by tolerance levels, pursuant to point 8(1), point 9(1), point 15(1), point 20(1) and point 25(1)

Pests per plant genera and species	Tolerance levels (%)		
	Pre-basic	Basic	Certified
<i>Fragaria</i> L.			
Insects and mites			
<i>Chaetosiphon fragaefoliae</i>	0	0.5	1
<i>Phytonemus pallidus</i>	0	0	0.1

Nematodes			
<i>Aphelenchoides fragariae</i>	0	0	1
<i>Ditylenchus dipsaci</i>	0	0.5	1
<i>Meloidogyne hapla</i>	0	0.5	1
<i>Pratylenchus vulnus</i>	0	1	1
Fungi			
<i>Rhizoctonia fragariae</i>	0	0	1
<i>Podosphaera aphanis</i> (Wallroth) Braun & Takamatsu	0	0.5	1
<i>Verticillium albo-atrum</i>	0	0.2	2
<i>Verticillium dahliae</i>	0	0.2	2
Bacteria			
<i>Candidatus Phlomobacter fragariae</i>	0	0	1
Viruses			
Strawberry mottle virus (SMoV)	0	0.1	2
Phytoplasma diseases	0	0	1
Aster yellow phytoplasma	0	0.2	1
Multiplier disease	0	0.1	0.5
Stolbur as strawberry lethal decline	0	0.2	1
Strawberry green petal phytoplasmas	0	0	1
<i>Phytoplasma fragariae</i>	0	0	1
Ribes L.			
Nematodes			
<i>Aphelenchoides ritzemabosi</i>	0	0.05	0.5
Viruses			
<i>Aucuba</i> mosaic and <i>blackcurrant</i> yellows combined	0	0.05	0.5
<i>Vein clearing</i> and <i>vein net</i> of blackcurrant, <i>Gooseberry vein</i> banding	0	0.05	0.5
Rubus L.			
Insects			
<i>Resseliella theobaldi</i>	0	0	0.5
Bacteria			
<i>Agrobacterium</i> spp.	0	0.1	1
<i>Rhodococcus fascians</i>	0	0.1	1
Viruses			
<i>Apple mosaic virus</i> (ApMV), <i>Black</i> <i>raspberry necrosis virus</i> (BRNV), <i>Cucumber mosaic virus</i> (CMV), <i>Raspberry leaf mottle</i> (RLMV), <i>Raspberry leaf spot</i> (RLSV), <i>Raspberry vein chlorosis virus</i> (RVCV) and <i>Rubus yellow net virus</i> (RYNV)	0	0	0.5

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Vaccinium L.			
Fungi			
<i>Exobasidium vaccinii</i> var. <i>vaccinii</i>	0	0.5	1
<i>Godronia cassandrae</i> (anamorph <i>Topospora myrtilli</i>)	0	0.1	0.5
Bacteria			
<i>Agrobacterium tumefaciens</i>	0	0	0.5
Viruses	0	0	0.5

Schedule B

List of pests for the presence of which visual inspection, and, in particular cases, sampling and testing are required pursuant to points 8(2) and (4), point 9(1), point 15(1), point 20(1) and points 25(1) and (4)

Genus or species	Pests
Citrus L., Fortunella Swingle and Poncirus Raf.	Viruses <i>Citrus variegation virus</i> (CVV) <i>Citrus psorosis virus</i> (CPsV) <i>Citrus leaf blotch virus</i> (CLBV) Virus-like diseases Impietratura Cristacortis Viroids <i>Citrus exocortis viroid</i> (CEVd) <i>Hop stunt viroid</i> (HSVd) Cachexia variant
Corylus avellana L.	Viruses <i>Apple mosaic virus</i> (ApMV) Phytoplasmas <i>Hazelnut maculatura lineare phytoplasma</i>

<i>Cydonia oblonga</i> Mill. and <i>Pyrus</i> L.	Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple stem-grooving virus</i> (ASGV) <i>Apple stem-pitting virus</i> (ASPV) Virus-like diseases Bark split, bark necrosis Rough bark Rubbery wood, quince yellow blotch Viroids <i>Pear blister canker viroid</i> (PBCVd)
<i>Fragaria</i> L.	Nematodes <i>Aphelenchoides blastoforus</i> <i>Aphelenchoides fragariae</i> <i>Aphelenchoides ritzemabosi</i> <i>Ditylenchus dipsaci</i> Fungi <i>Phytophthora cactorum</i> <i>Colletotrichum acutatum</i> Viruses <i>Strawberry mottle virus</i> (SMoV)
<i>Juglans regia</i> L.	Viruses <i>Cherry leaf roll virus</i> (CLRV)

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<i>Malus</i> Mill.	<p>Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple mosaic virus</i> (ApMV) <i>Apple stem-grooving virus</i> (ASGV) <i>Apple stem-pitting virus</i> (ASPV)</p> <p>Virus-like diseases Rubbery wood, flat limb Horseshoe wound Fruit disorders: chat fruit, green crinkle, bumpy fruit of Ben Davis, rough skin, star crack, russet ring and russet wart</p> <p>Viroids <i>Apple scar skin viroid</i> (ASSVd) <i>Apple dimple fruit viroid</i> (ADFVd)</p>
<i>Olea europaea</i> L.	<p>Fungi <i>Verticillium dahliae</i></p> <p>Viruses <i>Arabis mosaic virus</i> (ArMV) <i>Cherry leaf roll virus</i> (CLRV) <i>Strawberry latent ringspot virus</i> (SLRV)</p>
<i>Prunus amygdalus</i> Batsch.	<p>Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple mosaic virus</i> (ApMV) <i>Prune dwarf virus</i> (PDV) <i>Prunus necrotic ringspot virus</i> (PNRSV)</p>
<i>Prunus armeniaca</i> L.	<p>Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple mosaic virus</i> (ApMV) <i>Apricot latent virus</i> (ApLV) <i>Prune dwarf virus</i> (PDV) <i>Prunus necrotic ringspot virus</i> (PNRSV)</p>

<p><i>Prunus avium</i> (L.) L. and <i>P. cerasus</i> L.</p>	<p>Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple mosaic virus</i> (ApMV) <i>Arabis mosaic virus</i> (ArMV) <i>Cherry green ring mottle virus</i> (CGRMV) <i>Cherry leaf roll virus</i> (CLRV) <i>Cherry necrotic rusty mottle virus</i> (CNRMV) <i>Little cherry virus 1 and 2</i> (LChV1, LChV2) <i>Cherry mottle leaf virus</i> (ChMLV) <i>Prune dwarf virus</i> (PDV) <i>Prunus necrotic ringspot virus</i> (PNRSV) <i>Raspberry ringspot virus</i> (RpRSV) <i>Strawberry latent ringspot virus</i> (SLRSV) <i>Tomato black ring nepovirus</i> (TBRV)</p>
<p><i>Prunus domestica</i> L. and <i>P. salicina</i> Lindley</p>	<p>Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple mosaic virus</i> (ApMV) <i>Myrobalan latent ringspot virus</i> (MLRSV) <i>Prune dwarf virus</i> (PDV) <i>Prunus necrotic ringspot virus</i> (PNRSV)</p>
<p><i>Prunus persica</i> (L.) Batsch.</p>	<p>Viruses <i>Apple chlorotic leaf spot virus</i> (ACLSV) <i>Apple mosaic virus</i> (ApMV) <i>Apricot latent virus</i> (ApLV) <i>Prune dwarf virus</i> (PDV) <i>Prunus necrotic ringspot virus</i> (PNRSV) <i>Strawberry latent ringspot virus</i> (SLRSV)</p> <p>Viroids <i>Peach latent mosaic viroid</i> (PLMVd)</p>

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<i>Ribes</i> L.	<p>Viruses as appropriate for the species concerned <i>Arabid mosaic virus</i> (ArMV) <i>Blackcurrant reversion virus</i> (BRV) <i>Cucumber mosaic virus</i> (CMV) <i>Gooseberry vein banding associated viruses</i> (GVBaV) <i>Strawberry latent ringspot virus</i> (SLRSV) <i>Raspberry ringspot virus</i> (RpRSV)</p>
<i>Rubus</i> L.	<p>Fungi <i>Phytophthora</i> spp. infecting <i>Rubus</i></p> <p>Viruses as appropriate for the species concerned <i>Apple mosaic virus</i> (ApMV) <i>Black raspberry necrosis virus</i> (BRNV) <i>Cucumber mosaic virus</i> (CMV) <i>Raspberry leaf mottle</i> (RLMV) <i>Raspberry leaf spot</i> (RLSV) <i>Raspberry vein chlorosis virus</i> (RVCV) <i>Rubus yellow net virus</i> (RYNV) <i>Raspberry bushy dwarf virus</i> (RBDV)</p> <p>Phytoplasmas <i>Rubus stunt phytoplasma</i></p> <p>Virus-like diseases Raspberry yellow spot</p>

Vaccinium L.	Viruses <i>Blueberry shoestring virus</i> (BSSV) <i>Blueberry red ringspot virus</i> (BRRV) <i>Blueberry scorch virus</i> (BlScV) <i>Blueberry shock virus</i> (BlShV) Phytoplasmas <i>Blueberry stunt phytoplasma</i> <i>Blueberry witches' broom phytoplasma</i> <i>Cranberry false blossom phytoplasma</i> Virus-like diseases <i>Blueberry mosaic agent</i> <i>Cranberry ringspot agent</i>
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Schedule C

List of pests the presence of which is governed by points 10(1) and (2), points 16(1) and (2) and points 21(1) and (2)

Genus or species	Pests
<i>Fragaria L.</i>	Nematodes <i>Longidorus attenuatus</i> <i>Longidorus elongatus</i> <i>Longidorus macrosoma</i> <i>Xiphinema diversicaudatum</i>
<i>Juglans regia L.</i>	Nematodes <i>Xiphinema diversicaudatum</i>
<i>Olea europaea L.</i>	Nematodes <i>Xiphinema diversicaudatum</i>
<i>Pistacia vera L.</i>	Nematodes <i>Xiphinema index</i>
<i>Prunus avium</i> (L.) L. and <i>P. cerasus</i> L.	Nematodes <i>Longidorus attenuatus</i> <i>Longidorus elongatus</i> <i>Longidorus macrosoma</i> <i>Xiphinema diversicaudatum</i>

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<i>P. domestica</i> L., <i>P. persica</i> (L.) Batsch. and <i>P. salicina</i> Lindley	Nematodes <i>Longidorus attenuatus</i> <i>Longidorus elongatus</i> <i>Xiphinema diversicaudatum</i>
<i>Ribes</i> L.	Nematodes <i>Longidorus elongatus</i> <i>Longidorus macrosoma</i> <i>Xiphinema diversicaudatum</i>
<i>Rubus</i> L.	Nematodes <i>Longidorus attenuatus</i> <i>Longidorus elongatus</i> <i>Longidorus macrosoma</i> <i>Xiphinema diversicaudatum</i>

Schedule D

Requirements concerning visual inspection, sampling and testing per plant genera or species and category pursuant to point 9(2), point 15(2), point 20(2) and point 25(2)

***Castanea sativa* Mill.**

- All categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

***Citrus* L., *Fortunella* Swingle and *Poncirus* Raf.**

- Pre-basic category

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested six years after its acceptance as a pre-basic mother plant

and with subsequent intervals of six years concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- **Basic category**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

A representative portion of basic mother plants shall be sampled and tested every six years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

- **Certified and CAC categories**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Corylus avellana L.

- **All categories**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Cydonia oblonga Mill., Malus Mill. and Pyrus L.

- **All categories**

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Visual inspection

Visual inspections shall be carried out once a year.

- **Pre-basic category**

Sampling and testing

Each pre-basic mother plant shall be sampled and tested 15 years after its acceptance as a pre-basic mother plant and with subsequent intervals of 15 years concerning the presence of pests other than virus-like diseases and viroids listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- **Basic category**

Sampling and testing

A representative portion of basic mother plants shall be sampled and tested every 15 years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests other than virus-like diseases and viroids listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- **Certified category**

Sampling and testing

A representative portion of certified mother plants shall be sampled and tested every 15 years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests other than virus-like diseases and viroids listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

Certified fruit plants shall be sampled and tested in case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

- **CAC category**

Sampling and testing

Sampling and testing shall be carried out in the case of

doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Ficus carica L.

- **All categories**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

Fragaria L.

- **All categories**

Visual inspection

Visual inspections shall be carried out twice a year during the growing season.

For plants and material produced by micropropagation which is maintained for a period shorter than three months, only one inspection during this period is necessary.

- **Pre-basic category**

Sampling and testing

Each pre-basic mother plant shall be sampled and tested one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 2 of Schedule A.

- **Basic, certified and CAC categories**

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 2 of Schedule A and Schedule B.

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Juglans regia L.**- All categories****Visual inspection**

Visual inspections shall be carried out once a year.

- Pre-basic category**Sampling and testing**

Each flowering pre-basic mother plant shall be sampled and tested one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- Basic category**Sampling and testing**

A representative portion of basic mother plants shall be sampled and tested every year on the basis of an assessment of the risk of infection of those plants concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

- Certified category**Sampling and testing**

A representative portion of certified mother plants shall be sampled and tested every three years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Certified fruit plants shall be sampled and tested in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

- CAC category**Sampling and testing**

Sampling and testing shall be carried out in the case of

doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Olea europaea L.

- **All categories**

Visual inspection

Visual inspections shall be carried out once a year.

- **Pre-basic category**

Sampling and testing

Each pre-basic mother plant shall be sampled and tested 10 years after its acceptance as a pre-basic mother plant and with subsequent intervals of 10 years concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- **Basic category**

Sampling and testing

A representative portion of basic mother plants shall be sampled in order to have all plants tested within an interval of 30 years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

- **Certified category**

Sampling and testing

In the case of mother plants used for the production of seeds (hereinafter: 'seed mother plants'), a representative portion of those seed mother plants shall be sampled in order to have all plants tested within an interval of 40 years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests listed in Part 1 of Schedule A and Schedule B. In the case of mother plants other than seed mother plants, a representative portion of those plants shall be sampled in order to have all plants tested within an interval of 30 years on the basis of an assessment of the risk of infection of those plants concerning the presence of pests listed in Part 1 of

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Schedule A and Schedule B.

- **CAC category**

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Pistacia vera L.

- **All categories**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

**Prunus amygdalus Batsch., P. armeniaca L., P. domestica L.,
P. persica (L.) Batsch. and P. salicina Lindley**

- **All categories**

Visual inspection

Visual inspections shall be carried out once a year.

- **Pre-basic category**

Sampling and testing

Each flowering pre-basic mother plant shall be sampled and tested for PDV and PNRSV one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year. Each tree planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for PDV and PNRSV.

In the case of *P. persica*, each flowering pre-basic mother plant shall be sampled one year after its acceptance as a pre-basic mother plant and tested for PLMVd.

Each pre-basic mother plant shall be sampled 10 years after its acceptance as a pre-basic mother plant, and with subsequent intervals of 10 years, and tested for viruses, other than PDV and PNRSV, relevant for the species as listed in Schedule B, and tested in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- **Basic category**

Sampling and testing

A representative portion of flowering basic mother plants shall be sampled every year and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

In the case of *P. persica*, a representative portion of flowering basic mother plants shall be sampled once a year and tested for PLMVd on the basis of an assessment of the risk of infection of those plants.

A representative portion of non-flowering basic mother plants shall be sampled every three years and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

A representative portion of basic mother plants shall be sampled every 10 years and tested for pests, other than PDV and PNRSV, relevant for the species as listed in Part 1 of Schedule A and Schedule B on the basis of an assessment of the risk of infection of those plants.

- **Certified category**

Sampling and testing

A representative portion of flowering certified mother plants shall be sampled every year and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where

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appropriate, the major pollinating trees in the environment shall be sampled and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

In the case of *P. persica*, a representative portion of flowering certified mother plants shall be sampled once a year and tested for PLMVd on the basis of an assessment of the risk of infection of those plants.

A representative portion of non-flowering certified mother plants shall be sampled every three years and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

A representative portion of certified mother plants shall be sampled every 15 years and tested for pests, other than PDV and PNRSV, relevant for the species as listed in Part 1 of Schedule A and Schedule B on the basis of an assessment of the risk of infection of those plants.

- **CAC category**

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

***Prunus avium* (L.) L. and *P. cerasus* L.**

- **All categories**

Visual inspection

Visual inspections shall be carried out once a year.

- **Pre-basic category**

Sampling and testing

Each flowering pre-basic mother plant shall be sampled and tested for PDV and PNRSV one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year. Each tree planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for PDV and PNRSV.

Each pre-basic mother plant shall be sampled 10 years after its acceptance as a pre-basic mother plant, and with subsequent intervals of 10 years, and tested for viruses, other than PDV and PNRSV, relevant for the species as listed in Schedule B, and tested in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A.

- **Basic category**

Sampling and testing

A representative portion of flowering basic mother plants shall be sampled every year and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

A representative portion of non-flowering basic mother plants shall be sampled every three years and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

A representative portion of basic mother plants shall be sampled every 10 years and tested for pests, other than PDV and PNRSV, relevant for the species as listed in Part 1 of Schedule A and Schedule B on the basis of an assessment of the risk of infection of those plants.

- **Certified category**

Sampling and testing

A representative portion of flowering certified mother plants shall be sampled every year and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

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A representative portion of non-flowering certified mother plants shall be sampled every three years and tested for PDV and PNRSV on the basis of an assessment of the risk of infection of those plants.

A representative portion of certified mother plants shall be sampled every 15 years and tested for pests, other than PDV and PNRSV, relevant for the species as listed in Part 1 of Schedule A and Schedule B on the basis of an assessment of the risk of infection of those plants.

- **CAC category**

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 1 of Schedule A and Schedule B.

Ribes L.

- **Pre-basic category**

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested four years after its acceptance as a pre-basic mother plant and with subsequent intervals of four years concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Schedule A.

- **Basic, certified and CAC categories**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Schedules A and B.

Rubus L.**- Pre-basic category****Visual inspection**

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested two years after its acceptance as a pre-basic mother plant and with subsequent intervals of two years concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Schedule A.

- Basic category**Visual inspection**

Where plants are grown in the field or in pots, visual inspections shall be carried out twice a year.

For plants and material produced by micropropagation which is maintained for a period shorter than three months, only one inspection during this period is necessary.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Schedules A and B.

- Certified and CAC categories**Visual inspection**

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Schedules A and B.

Vaccinium L.**- Pre-basic category**

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Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested five years after its acceptance as a pre-basic mother plant and with subsequent intervals of five years concerning the presence of pests listed in Schedule B, and in the case of doubts concerning the presence of pests listed in Part 2 of Schedule A.

- **Basic category**

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 2 of Schedule A and Schedule B.

- **Certified and CAC categories**

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of pests listed in Part 2 of Schedule A and Schedule B.

Schedule E

Maximum permitted number of generations in the field under non-insect proof conditions and maximum permitted life span of basic mother plants per genera or species, as provided for in Regulation 18(1)

Castanea sativa Mill.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

In the case where a basic mother plant within the meaning of point 14(2)(a) is a rootstock, it may be multiplied for maximum three generations.

Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Citrus L., Fortunella Swingle and Poncirus Raf.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum one generation.

In the case where a basic mother plant within the meaning of point 14(2)(a) is a rootstock, it may be multiplied for maximum three generations.

Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Corylus avellana L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

Cydonia oblonga Mill., Malus Mill. and Pyrus L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

In the case where a basic mother plant within the meaning of point 14(2)(a) is a rootstock, it may be multiplied for maximum three generations.

Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Ficus carica L.

- **Basic category**

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A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

Fragaria L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum five generations.

Juglans regia L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

Olea europaea L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum one generation.

Prunus amygdalus Batsch., P. armeniaca L., P. domestica L., P. persica (L.) Batsch. and P. salicina Lindley

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

In the case where a basic mother plant within the meaning of point 14(2)(a) is a rootstock, it may be multiplied for maximum three generations.

Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Prunus avium (L.) L. and P. cerasus L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

In the case where a basic mother plant within the meaning of point 14(2)(a) is a rootstock, it may be multiplied for maximum three generations.

Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Ribes L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum three generations. Mother plants shall be maintained as mother plants for a maximum of six years.

Rubus L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations. Mother plants of each generation shall be maintained as mother plants for a maximum of four years.

Vaccinium L.

- **Basic category**

A basic mother plant within the meaning of point 14(2)(a) may be multiplied for maximum two generations.

