VERŻJONI ELETTRONIKA

L.N. 312 of 2018

PLANT QUARANTINE ACT
(CAP. 433)

Examination of Varieties of Vegetable Species (Amendment) Regulations, 2018

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

Citation.

1. The title of these regulations is the Examination of Varieties of Vegetable Species (Amendment) Regulations, 2018, and these regulations shall be read and construed as one with the Examination of Varieties of Vegetable Species Regulations, hereinafter referred to as "the principal regulations".

S.L. 433.23

Substitutes regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations shall be substituted by the following:

"2. The scope of these regulations is to:

(a) 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.

(b) transpose the provisions of:

(i) Commission Directive 2003/91/EC of 6th October, 2003, as regards the minimum characteristics and the minimum conditions for examining certain varieties of vegetable species, as amended by Commission Directive 2006/127/EC of 7 December 2006;

(ii) Commission Directive 2007/49/EC of 26 July 2007;

(iii) Commission Directive 2008/83/EC of 13 August 2008;

(iv) Commission Directive 2009/97/EC of 3 August 2009;

(v) Commission Directive 2010/46/EU of 2 July 2010;

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(vi) Commission Implementing Directive 2011/68/EU of 1 July 2011;

(vii) Commission Directive 2012/44/EU;

(viii) Commission Directive 2013/57/EU amending Commission Directive 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC, as regards the minimum characteristics to be examined and the minimum conditions for examining certain varieties of vegetable species;

(ix) Commission Implementing Directive 2014/105/EU of 4 December 2014 amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC and Article 7 of Council Directive 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species;

(x) Commission Implementing Directive (EU) 2015/1168 of 15 July 2015 amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC and Article 7 of Council Directive 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species;

(xi) Commission Implementing Directive (EU) 2016/1914 of 31 October 2016 amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC and Article 7 of Council Directive 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species;

(xii) Commission Implementing Directive (EU) 2018/100 amending Commission Directive 2003/90/EC setting out implementing measures for the purposes Article 7 of Council Directive 2002/53/EC as regards the minimum characteristics to be examined and the minimum conditions for examining certain varieties of agricultural plant species; and

(xiii) as made reference to by Commission Directive

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2009/145/EC of 26 November 2009;".

3. Regulation 3(1) of the principal regulations shall be substituted by the following: Substitutes regulation 3(1) of the principal regulations.

"3. (1) Varieties of vegetable species shall be officially accepted in the national catalogue within the meaning of regulation 6(1) of the Seeds of Agricultural Plants and Vegetable Regulations after fulfilling the requirements, as regards distinctness, uniformity and stability, set out hereunder:" S.L. 433.30.

4. Schedule I to the principal regulations shall be substituted by the following new Schedule: Substitutes Schedule I of the principal regulations.

"**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 46/2 of 1.4.2009
Allium cepa L. (Aggregatum group)	Shallot	TP 46/2 of 1.4.2009
Allium fistulosum L.	Japanese bunching onion or Welsh onion	TP 161/1 of 11.3.2010
Allium porrum L.	Leek	TP 85/2 of 1.4.2009
Allium sativum L.	Garlic	TP 162/1 of 25.3.2004
Allium schoenoprasum L.	Chives	TP 198/2 of 11.3.2015
Apium graveolens L.	Celery	TP 82/1 of 13.3.2008
Apium graveolens L.	Celeriac	TP 74/1 of 13.3.2008
Asparagus officinalis L.	Asparagus	TP 130/2 of 16.2.2011
Beta vulgaris L.	Beetroot including Cheltenham beet	TP 60/1 of 1.4.2009
Beta vulgaris L.	Spinach beet or Chard	TP 106/1 of 11.3.2015
Brassica oleracea L.	Curly kale	TP 90/1 of 16.2.2011
Brassica oleracea L.	Cauliflower	TP 45/2 Rev. of 15.3.2017
Brassica oleracea L.	Sprouting broccoli or Calabrese	TP 151/2 Rev. of 15.3.2017
Brassica oleracea L.	Brussels sprouts	TP 54/2 Rev. of 15.3.2017
Brassica oleracea L.	Kohlrabi	TP 65/1 Rev. of 15.3.2017
Brassica oleracea L.	Savoy cabbage, White cabbage and Red cabbage	TP 48/3 Rev. of 15.3.2017
Brassica rapa L.	Chinese cabbage	TP 105/1 of 13.3.2008
Capsicum annuum L.	Chilli or Pepper	TP 76/2 Rev. of 15.3.2017

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Cichorium endivia L.	Curled-leaved endive and Plain-leaved endive	TP 118/3 of 19.3.2014
Cichorium intybus L.	Industrial chicory	TP 172/2 of 1.12.2005
Cichorium intybus L.	Witloof chicory	TP 173/1 of 25.3.2004
Citrullus lanatus (Thunb.) Matsum. et Nakai	Watermelon	TP 142/2 of 19.3.2014
Cucumis melo L.	Melon	TP 104/2 of 21.3.2007
Cucumis sativus L.	Cucumber and Gherkin	TP 61/2 of 13.3.2008
Cucurbita maxima Duchesne	Gourd	TP 155/1 of 11.3.2015
Cucurbita pepo L.	Marrow or Courgette	TP 119/1 Rev. of 19.3.2014
Cynara cardunculus L.	Globe artichoke and Cardoon	TP 184/2 of 27.2.2013
Daucus carota L.	Carrot and Fodder carrot	TP 49/3 of 13.3.2008
Foeniculum vulgare Mill.	Fennel	TP 183/1 of 25.3.2004
Lactuca sativa L.	Lettuce	TP 13/5 Rev.2 of 15.3.2017
Solanum lycopersicum L.	Tomato	TP 44/4 Rev.2 of 19.4.2016
Petroselinum crispum (Mill.) Nyman ex A.W. Hill	Parsley	TP 136/1 of 21.3.2007
Phaseolus coccineus L.	Runner bean	TP 9/1 of 21.3.2007
Phaseolus vulgaris L.	Dwarf French bean and Climbing French bean	TP 12/4 of 27.2.2013
Pisum sativum L. (partim)	Wrinkled pea, Round pea and Sugar pea	TP 7/2 Rev.2 of 15.3.2017
Raphanus sativus L.	Radish, Black radish	TP 64/2 Rev. of 11.3.2015
Rheum rhabarbarum L.	Rhubarb	TP 62/1 of 19.4.2016
Scorzonera hispanica L.	Scorzonera or Black salsify	TP 116/1 of 11.3.2015
Solanum melongena L.	Aubergine or Egg plant	TP 117/1 of 13.3.2008
Spinacia oleracea L.	Spinach	TP 55/5 Rev.2 of 15.3.2017
Valerianella locusta (L.) Laterr.	Corn salad or Lamb's lettuce	TP 75/2 of 21.3.2007
Vicia faba L. (partim)	Broad bean	TP Broadbean/1 of 25.3.2004
Zea mays L. (partim)	Sweet corn and Pop corn	TP 2/3 of 11.3.2010
Solanum lycopersicum L. *x Solanum habrochaites* S. Knapp & D.M. Spooner; *Solanum lycopersicum* L. *x Solanum peruvianum* (L.) Mill*,; Solanum lycopersicum* L. *x Solanum cheesmaniae* (L. Ridley) Fosberg	Tomato rootstocks	TP 294/1 Rev.2 of 15.3.2017
Cucurbita maxima x Cucurbita moschata	Interspecific hybrids of *Cucurbita maxima* Duch. x *Cucurbita moschata* Duch. for use as rootstocks	TP 311/1 of 15.3.2017

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5. Schedule II to the principal regulations shall be substituted by the following new Schedule:

Substitutes Schedule II of the principal regulations.

"**SCHEDULE II**

UPOV guidelines

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

Table 2.1:

Scientific name	Common name	UPOV guideline
Brassica rapa L.	Turnip	TG/37/10 of 4.4.2001
Cichorium intybus L.	Large-leaved chicory or Italian chicory	TG/154/4 of 5.4.2017

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