Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 20,118, 15 ta' Jannar, 2019
Taqsima B

L.N. 5 of 2019

PLANT QUARANTINE ACT
(CAP. 433)

Seeds of Agricultural Plants and Vegetables (Amendment) Regulations, 2019

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 and scope.

S.L. 433.30.

1. (1) The title of these regulations is the Seeds of Agricultural Plants and Vegetables (Amendment) Regulations, 2019 and these regulations shall be read and construed as one with the Seeds of Agricultural Plants and Vegetables Regulations, hereinafter referred to as "the principal regulations".

(2) The scope of these regulations is to transpose Commission Implementing Directive (EU) 2018/1027 amending Council Directive 66/402/EEC as regards isolation distances for *Sorghum* spp. and to update the method of notification of entry of seeds of agricultural plants and vegetables in Malta.

Amends regulation 3 of the principal regulations.

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

(a) immediately after the definition "micro-propagation", there shall be added the following new definition:

" "non-professional final user" means any person that introduces or imports seeds of the genera and species and their hybrids listed in Schedule I to these regulations, for their own use;";

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

" "professional operator" means any person involved professionally in one or more of the following activities concerning seeds of the genera and species and their hybrids listed in Schedule I of these regulations:

(a) production including multiplying;

(b) introduction into and movement within the Union territory;

(c) making available on the market;".

Substitutes regulation 4 of the principal regulations.

3. Regulation 4 of the principal regulations shall be substituted by the following:

"4. (1) Professional operators introducing seeds from another EU Member State shall declare the introduction of seeds forty-eight (48) hours prior to their arrival in Malta, through the Supplementary Declaration System of Malta (Intrastat), of each lot received by them.

(2) The non-professional final users being supplied with seeds from another EU Member State shall also inform the Directorate by means of the EU Plant Notification Form (For General Public) available on the Directorate's website, forty-eight (48) hours prior to the arrival of the seeds in Malta of each lot received by them.

(3) The professional operators and the non-professional final users being supplied with seeds shall also inform the Directorate by means of the Third Countries Notification Form available on the Directorate's website forty eight hours (48) prior to the arrival, of the plant material in Malta of each lot received by them.".

Substitutes Schedule II of the principal regulations.

4. Item 2 entitled "2. Isolation distances" in Schedule II to the principal regulations shall be substituted by the following:

"2. Isolation distances

The crop shall conform to the following standards as regards distances from neighbouring sources of pollen which may result in undesirable foreign pollination:

Table 1.6:

Crop	**Minimum distance**
1	2
Phalaris canariensis, and *Secale cereale* other than hybrids:	
- for the production of basic seed	300m
- for the production of certified seed	250m
Sorghum spp.	
- for the production of basic seed (*)	400m

- for the production of certified seed (*)	200m
x Triticosecale, self-pollinating varieties:	
- for the production of basic seed	50m
- for the production of certified seed	20m
Zea mays	200m

(*) In the areas where the presence of *S. halepense* or *S. sudanense* is a particular cross-pollination issue, the following shall apply:

(a) crops to produce basic seed of *Sorghum bicolor* or its hybrids must be isolated not less than 800m from any source of such contaminating pollen;

(b) crops to produce certified seed of *Sorghum bicolor* or its hybrids must be isolated not less than 400m from any source of such contaminating pollen.

The minimum distances listed in the table above may be disregarded if there is sufficient protection from any undesirable foreign pollination.".

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Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta FSC — ***Printed at the Government Printing Press on FSC certified paper***

Prezz/*Price*
€0.18