

2020 No. 165

PLANT HEALTH

SEEDS

**The Seed and Plant Material (Miscellaneous Amendments)
(Scotland) Regulations 2020**

<i>Made</i> - - - -	<i>27th May 2020</i>
<i>Laid before the Scottish Parliament</i>	<i>29th May 2020</i>
<i>Coming into force</i> - -	<i>1st July 2020</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 16(1), (1A), (3) and (4) and 36 of the Plant Varieties and Seeds Act 1964(a) (“the 1964 Act”), section 2(2) of the European Communities Act 1972(b) and all other powers enabling them to do so.

In accordance with section 16(1) of the 1964 Act, they have consulted with representatives of such interests as appear to them to be concerned.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 and come into force on 1 July 2020.

(2) These Regulations extend to Scotland only.

Amendment of the Vegetable Seeds Regulations 1993

2.—(1) The Vegetable Seeds Regulations 1993(c) are amended as follows.

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- (a) 1964 c.14. Section 16(1) was amended by the European Communities Act 1972 (c.68) (“the 1972 Act”), section 4 and schedule 4, paragraph 5. Section 16(1A) was inserted by the 1972 Act, section 4 and schedule 4, paragraph 5. Section 16(3) was amended by S.I. 1977/1112. See section 38(1) for the definition of “the Minister”. The functions of the Secretary of State, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
- (b) 1972 c.68 (“the 1972 Act”). The 1972 Act was repealed by section 1 of the European Union (Withdrawal) Act 2018 (c.16) (“the 2018 Act”) with effect from exit day (see section 20 of the 2018 Act), but saved, subject to modifications, until IP completion day by section 1A of that Act. Section 1A of the 2018 Act was inserted by the European Union (Withdrawal Agreement) Act 2020 (c.1) (“the 2020 Act”), and defines “IP completion day” by reference to section 39(1) to (5) of the 2020 Act. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”), section 3(3) and schedule 1, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.
- (c) S.I. 1993/2008, relevantly amended by S.S.I. 2007/305, S.S.I. 2010/219 and S.S.I. 2013/326.

- (2) In regulation 3 (interpretation), in paragraph (1)—
- (a) after the definition of “Directive 2001/18/EC” insert—
- ““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (a);”,
- (b) after the definition of “official post control” insert—
- ““protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation;”,
- (c) after the definition of “region of origin” insert—
- ““RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation;”, and
- (d) after the definition of “small package” insert—
- ““Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation.”.
- (3) For schedule 1 (kinds of seed to which these Regulations apply) substitute—

“SCHEDULE 1

Reg 4(1)

KINDS OF SEED TO WHICH THESE REGULATIONS APPLY

<i>Latin Name</i>	<i>Common Name / Kind</i>
<i>Allium cepa</i> L.	Cepa Group (Onion, Echalion)
<i>Allium porrum</i> L.	Leek – all varieties
<i>Apium graveolens</i> L.	Celery Group Celeriac Group
<i>Asparagus officinalis</i> L.	Asparagus – all varieties
<i>Beta vulgaris</i> L.	Garden Beet Group (Beetroot including Cheltenham beet) Leaf Beet Group (Spinach beet or Chard)
<i>Brassica oleracea</i> L.	Kale Group (including Curly Kale and Borecole) Cauliflower Group Capitata Group (Red cabbage and White cabbage) Brussels Sprouts Group Kohlrabi Group Savoy Cabbage Group Broccoli Group (calabrese type and sprouting type) Palm Kale Group Tronchuda Group (Portuguese cabbage)
<i>Brassica rapa</i> L.	Chinese Cabbage Group Vegetable Turnip Group
<i>Cichorium endivia</i> L.	Endive – all varieties
<i>Cucumis melo</i> L.	Melon – all varieties

(a) OJ L 317, 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p.1) with effect from 14 December 2019.

<i>Cucumis sativus</i> L.	Cucumber Group Gherkin Group
<i>Cucurbita maxima</i> Dutchesne	Gourd – all varieties
<i>Cucurbita pepo</i> L.	Marrow, including mature pumpkin and scallop squash, courgette, including immature scallop squash – all varieties
<i>Daucus carota</i> L.	Carrot and fodder Carrot – all varieties
<i>Lactuca sativa</i> L.	Lettuce – all varieties
<i>Solanum lycopersicum</i> L.	Tomato – all varieties
<i>Petroselinum crispum</i> (Mill.) Nyman ex A. W. Hill	Leaf Parsley Group and Root Parsley Group
<i>Phaseolus coccineus</i> L.	Runner Bean – all varieties
<i>Phaseolus vulgaris</i> L.	Dwarf French Bean Group Climbing French Bean Group
<i>Pisum sativum</i> L.	Round Pea Group Wrinkled Pea Group Sugar Pea Group
<i>Raphanus sativus</i> L.	Radish Group Black Radish Group
<i>Spinacia oleracea</i> L.	Spinach – all varieties
<i>Vicia faba</i> L.	Broad bean – all varieties
<i>Zea mays</i> L.	Sweet Corn Group Popcorn Group

This table includes hybrids of the species and Groups listed.”.

(4) In schedule 4 (requirements for certain categories of seed)—

(a) in Part 1 (basic and certified seed)—

(i) for paragraph 4 substitute—

“Crop health

4. The crop must—

- (a) be practically free from any pests which reduce the usefulness and quality of the propagation material; and
- (b) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as with the measures adopted pursuant to Article 30(1) of that Regulation.”,

(ii) in paragraph 7—

- (aa) for the heading “*Beta vulgaris* L. var. *vulgaris*, Spinach beet, chard” in the table substitute “*Beta vulgaris* L. – Leaf Beet Group”,
- (bb) for the heading “*Beta vulgaris* L. Var. *conditiva* Alef., red beet or beetroot” in the table substitute “*Beta vulgaris* L. – Garden Beet Group”,

(iii) in paragraph 8—

(aa) for sub-paragraph (a) substitute—

“(a) for crops of those Groups listed in the first column of the table, the minimum varietal purity standards must be:—

<i>Kind</i>	<i>Varietal purity percentage by number in crops to produce</i>	
	<i>Basic Seed</i>	<i>Certified Seed</i>
Kale Group (including Curly Kale and Borecole) Cauliflower Group Capitata Group (Red cabbage and White cabbage) Brussels Sprouts Group Kohlrabi Group Savoy Cabbage Group Broccoli Group (calabrese type and sprouting type) Palm Kale Group Tronchuda Group (Portuguese cabbage)	99.8	99.5
Chinese Cabbage Group Vegetable Turnip Group	99.7	98.0
Dwarf French Bean Group Climbing French Bean Group	99.8	99.0
Broad Beans	99.7	99.0
Round Pea Group Wrinkled Pea Group Sugar Pea Group	99.995	99.995”,

(bb) in sub-paragraph (b), for the table substitute—

<i>“Kind</i>	<i>Basic Seed</i>	<i>Certified Seed</i>
Dwarf French Bean Group Climbing French Bean Group	0.1	0.5
Broad Beans	NIL	NIL
Round Pea Group Wrinkled Pea Group Sugar Pea Group	NIL	NIL”,

(b) in Part 2 (conditions relating to certain categories of seed)—

(i) in paragraph 2—

(aa) in sub-paragraph (a), for the table substitute—

<i>“Kind</i>	<i>Minimum analytical purity(% by weight)</i>	<i>Maximum content of seeds of other plant species (% by weight)</i>	<i>Minimum germination (% of pure seed or pellets)</i>
Asparagus	96	0.5	70
<i>Beans</i>			
Broad bean ⁽¹⁾	98	0.1	80
Climbing French Bean Group ⁽¹⁾	98	0.1	75
Dwarf French Bean Group ⁽¹⁾	98	0.1	75
Runner bean	98	0.1	80
Garden Beet Group (Beetroot	97	0.5	50 (Clusters)

including Cheltenham beet)			
Leaf Beet Group (Spinach beet or Chard)	97	0.5	70 (Clusters)
<i>Brassica</i>			
Broccoli Group (calabrese type & sprouting type)	97	1	75
Brussels Sprouts Group	97	1	75
Capitata Group (Red cabbage and White cabbage)	97	1	75
Cauliflower Group	97	1	70
Chinese Cabbage Group	97	1	75
Kale Group (including Curly Kale & borecole)	97	1	75
Kohlrabi Group	97	1	75
Palm Kale Group	97	1	75
Savoy Cabbage Group	97	1	75
Tronchuda Group (Portuguese cabbage)	97	1	75
Vegetable Turnip Group	97	1	80
Carrot and fodder Carrot	95	1	65
Celeriac Group	97	1	70
Celery Group	97	1	70
Cepa Group (Onion, Echalion)	97	0.5	70
Cucumber Group	98	0.1	80
Endive	95	1	65
Gherkin Group	98	0.1	80
Leek	97	0.5	65
Lettuce	95	0.5	75
Marrow, including mature pumpkin and scallop squash, courgette, including immature scallop squash	98	0.1	75
Melon	98	0.1	75
Parsley – Leaf and Root Group	97	1	65
<i>Pea</i>			
Round Pea Group	98	0.1	80
Sugar Pea Group	98	0.1	80
Wrinkled Pea Group	98	0.1	80
Radish and Black Radish Groups	97	1	70
Spinach	97	1	75
Sweet Corn / Popcorn Groups	98	0.1	85
Tomato	97	0.5	75

⁽¹⁾ For the categories Pre-basic Seed, Basic Seeds and Certified Seed of these kinds, the minimum submitted sample weight must be: Broad Bean 4000g, Climbing French Bean / Dwarf French Bean 3000g, Pea 2000g.”,

(bb) for sub-paragraph (b) substitute—

“(b) The presence of RNQPs on vegetable seed must, at least upon visual inspection, not exceed the respective thresholds set out in the following table:—

Bacteria		
<i>Column 1</i> RNQPs or symptoms caused by RNQPs	<i>Column 2</i> Genus or species of vegetable seed	<i>Column 3</i> Threshold for the presence of RNQPs on the vegetable seed
<i>Clavibacter michiganensis</i> ssp. <i>michiganensis</i> (Smith) Davis <i>et al.</i> [CORBMI]	Tomato – all varieties	0%
<i>Xanthomonas axonopodis</i> pv. <i>phaseoli</i> (Smith) Vauterin <i>et al.</i> [XANTPH]	Dwarf French bean group and Climbing French bean group	0%
<i>Xanthomonas euvesicatoria</i> Jones <i>et al.</i> [XANTEU]	Tomato – all varieties	0%
<i>Xanthomonas fuscans</i> subsp. <i>fuscans</i> Schaad <i>et al.</i> [XANTFF]	Dwarf French bean group and Climbing French bean group	0%
<i>Xanthomonas gardneri</i> (ex Šutič 1957) Jones <i>et al.</i> [XANTGA]	Tomato – all varieties	0%
<i>Xanthomonas perforans</i> Jones <i>et al.</i> [XANTPF]	Tomato – all varieties	0%
<i>Xanthomonas vesicatoria</i> (ex Doidge) Vauterin <i>et al.</i> [XANTVE]	Tomato – all varieties	0%
Insects and mites		
<i>Column 1</i> RNQPs or symptoms caused by RNQPs	<i>Column 2</i> Genus or species of vegetable seed	<i>Column 3</i> Threshold for the presence of RNQPs on the vegetable seed
<i>Acanthoscelides obtectus</i> (Say) [ACANOB]	Runner beans – all varieties, Dwarf French bean group and Climbing French bean group	0%
<i>Bruchus pisorum</i> (Linnaeus) [BRCHPI]	Round pea group, wrinkled pea group and sugar pea group	0%
<i>Bruchus rufimanus</i> Boheman [BRCHRU]	Broad beans – all varieties	0%
Nematodes		
<i>Column 1</i> RNQPs or symptoms caused by RNQPs	<i>Column 2</i> Genus or species of vegetable seed	<i>Column 3</i> Threshold for the presence of RNQPs on the vegetable seed
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	Cepa group (onion, echalion), Leek – all varieties	0%

Viruses, viroids, virus-like diseases and phytoplasmas		
Column 1	Column 2	Column 3
RNQPs or symptoms caused by RNQPs	Genus or species of vegetable seed	Threshold for the presence of RNQPs on the vegetable seed
Pepino mosaic virus [PEPMV0]	Tomato – all varieties	0%
Potato spindle tuber viroid [PSTVD0]	Tomato – all varieties	0%”,

(ii) for paragraph 3 substitute—

“3. Seed must—

- (a) be practically free from any pests which reduce the usefulness and quality of the propagation material; and
- (b) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as with the measures adopted pursuant to Article 30(1) of that Regulation.”.

(5) In schedule 5, Part 2 (maximum weight of a seed lot and minimum weight of a submitted sample), for the table substitute—

“Kind	Maximum lot weight (tonnes)	Minimum submitted sample weight (g)
Asparagus	10	100
<i>Beans</i>		
Broad bean ⁽¹⁾	30	1,000
Climbing French Bean Group ⁽¹⁾	30	700
Dwarf French Bean Group ⁽¹⁾	30	700
Runner bean	30	1,000
Garden Beet Group (Beetroot including Cheltenham beet)	20	100
Leaf Beet Group (Spinach beet or Chard)	20	100
<i>Brassica</i> ⁽²⁾		
Broccoli Group (calabrese type & sprouting type)	10	50
Brussels Sprouts Group	10	50
Capitata Group (Red cabbage and White cabbage)	10	50
Cauliflower Group	10	50
Chinese cabbage Group	10	50
Kale Group (including Curly Kale & borecole)	10	50
Kohlrabi Group	10	50
Palm Kale Group	10	50
Savoy Cabbage Group	10	50
Tronchuda Group (Portuguese cabbage)	10	50
Vegetable Turnip Group	10	50
Carrot and fodder Carrot	10	25
Celeriac Group	10	
Celery Group	10	25
Cepa Group (Onion, Echalion)	10	25

Cucumber Group	20	25
Endive	10	25
Gherkin Group	20	25
Leaf & Root Parsley Groups	10	25
Leek	10	25
Lettuce ⁽²⁾	10	30
Marrow, including mature pumpkin and scallop squash, courgette, including immature scallop squash	20	150
Melon	20	100
<i>Pea</i> ⁽¹⁾		
Round Pea Group	30	500
Sugar Pea Group	30	500
Wrinkled Pea Group	30	500
Radish and Black Radish Groups	10	50
Spinach	10	75
Sweet Corn / Popcorn Groups	20	1,000
Tomato	10	25

⁽¹⁾ For the categories Pre-basic Seed, Basic Seeds and Certified Seed of these kinds, the minimum submitted sample weight must be: Broad Bean 4000g, Climbing French Bean / Dwarf French Bean 3000g, all Pea groups 2000g.

⁽²⁾ For the category Standards Seed of these kinds the minimum submitted sample weight must be 25g.”.

Amendment of the Marketing of Vegetable Plant Material Regulations 1995

3.—(1) The Marketing of Vegetable Plant Material Regulations 1995(a) are amended as follows.

(2) For regulation 5 (quality requirements for plant material) substitute—

“Quality requirements for plant material

5.—(1) No plant material may be marketed by a supplier unless—

- (a) at the place of production it was found, at least on visual inspection, to be practically free from all pests listed in column 1 of the table in schedule 1A (RNQPs concerning vegetable propagating and planting material), with regard to the genera and species listed in the corresponding row of column 2 of that table;
- (b) the presence of RNQPs on it does not, at least upon visual inspection, exceed the threshold set out in corresponding row of column 3 of the table in schedule 1A;
- (c) it is found upon visual inspection to be practically free from any pests, other than the pests listed in column 1 of the table in schedule 1A with regard to the genera and species listed in the corresponding row of column 2 of that table, which reduce the usefulness and quality of the vegetable propagating and planting material;
- (d) it complies with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in the EU Plant Health Regulation and in the implementing acts adopted pursuant to that Regulation, including with the measures adopted pursuant to Article 30(1) of that Regulation;
- (e) it is substantially free from any defects, including unsatisfactory vigour and dimensions and imbalances between roots, stems and leaves, likely to impair its usefulness as plant material;
- (f) it has adequate identity and purity relative to its genus or species and variety;

(a) S.I. 1995/2652, as relevantly amended by S.S.I. 2007/133.

- (g) either—
 - (i) it belongs to a variety the seeds of which may be marketed in accordance with the Vegetable Seeds Regulations 1993(a); or
 - (ii) it belongs to a variety officially accepted in a member State in accordance with Article 9 of Directive 2008/72/EC(b); and
- (h) it is in lots of sufficiently homogeneous composition and origin.

(2) In this regulation—

“the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC(c),

“protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation,

“RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation, and

“Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation.”.

(3) In regulation 6 (measures to be taken by producers)—

- (a) omit paragraph (a),
- (b) in paragraph (b)—
 - (i) for “5(a)” substitute “5(1)(a) and (b)”, and
 - (ii) for the words from “the Annex” to “93/61/EC” substitute “column 1 of the table in schedule 1A (RNQPs concerning vegetable propagating and planting material)”.

(4) Omit regulation 7 (special provisions relating to marketing shallots and garlic).

(5) In regulation 9 (records to be kept by suppliers), in paragraph (4)(c), for the words from “harmful organisms” to “5(a)” substitute “pests referred to in regulation 5(1)(a) to (c)”.

(6) In regulation 11 (powers of inspectors), in paragraph (4), for “5(a)” substitute “5(1)(a) to (c)”.

(7) Before schedule 2 (content of supplier’s document) insert—

“SCHEDULE 1A

Regulation 5

RNQPs concerning vegetable propagating and planting material

Bacteria		
<i>Column 1</i> RNQPs or symptoms caused by RNQPs	<i>Column 2</i> Vegetable propagating and planting material (genus or species)	<i>Column 3</i> Threshold for the presence of RNQPs on the vegetable propagating and planting material
<i>Clavibacter michiganensis</i> ssp. <i>michiganensis</i> (Smith) Davis <i>et al.</i> [CORBMI]	<i>Solanum lycopersicum</i> L.	0%

(a) S.S.I. 1993/2008.

(b) OJ L 205, 01.08.2008, p.28, as last amended by Commission Implementing Directive (EU) 2019/990 (OJ L 160, 18.06.2019, p.14) with effect from 8 July 2019.

(c) OJ L 317, 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p.1) with effect from 14 December 2019.

<i>Xanthomonas euvesicatoria</i> Jones <i>et al.</i> [XANTEU]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas gardneri</i> (ex Šutić 1957) Jones <i>et al.</i> [XANTGA]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas perforans</i> Jones <i>et al.</i> [XANTPF]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
<i>Xanthomonas vesicatoria</i> (ex Doidge) Vauterin <i>et al.</i> [XANTVE]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%

Fungi and oomycetes

Column 1 RNQPs or symptoms caused by RNQPs	Column 2 Vegetable propagating and planting material (genus or species)	Column 3 Threshold for the presence of RNQPs on the vegetable propagating and planting material
<i>Fusarium</i> Link (anamorphic genus) [1FUSAG] other than <i>Fusarium oxysporum</i> f. sp. <i>albedinis</i> (Kill. & Maire) W.L. Gordon [FUSAAL] and <i>Fusarium circinatum</i> Nirenberg & O'Donnell [GIBBCI]	<i>Asparagus officinalis</i> L.	0%
<i>Helicobasidium brebissonii</i> (Desm.) Donk [HLCBBR]	<i>Asparagus officinalis</i> L.	0%
<i>Stromatinia cepivora</i> Berk. [SCLOCE]	<i>Allium cepa</i> L., <i>Allium</i> <i>fistulosum</i> L., <i>Allium</i> <i>porrum</i> L., <i>Allium sativum</i> L.	0%
<i>Verticillium dahliae</i> Kleb. [VERTDA]	<i>Cynara cardunculus</i> L.	0%

Nematodes

Column 1 RNQPs or symptoms caused by RNQPs	Column 2 Vegetable propagating and planting material (genus or species)	Column 3 Threshold for the presence of RNQPs on the vegetable propagating and planting material
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	<i>Allium cepa</i> L., <i>Allium</i> <i>sativum</i> L.	0%

Viruses, viroids, virus-like diseases and phytoplasmas

Column 1 RNQPs or symptoms caused by RNQPs	Column 2 Vegetable propagating and planting material (genus or species)	Column 3 Threshold for the presence of RNQPs on the vegetable propagating and planting material
Leek yellow stripe virus [LYSV00]	<i>Allium sativum</i> L.	1%
Onion yellow dwarf virus [OYDV00]	<i>Allium cepa</i> L., <i>Allium</i> <i>sativum</i> L.	1%
Potato spindle tuber viroid [PSTVD0]	<i>Capsicum annuum</i> L., <i>Solanum lycopersicum</i> L.	0%
Tomato spotted wilt tospovirus [TSWV00]	<i>Capsicum annuum</i> L., <i>Lactuca sativa</i> L., <i>Solanum</i> <i>lycopersicum</i> L., <i>Solanum</i>	0%

Tomato yellow leaf curl virus [TYLCV0]	<i>melongena L.</i> <i>Solanum lycopersicum L.</i>	0%”.
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Amendment of the Marketing of Ornamental Plant Propagating Material Regulations 1999

4.—(1) The Marketing of Ornamental Plant Propagating Material Regulations 1999(a) are amended as follows.

(2) For regulation 4 (quality requirements for propagating material) substitute—

“Quality requirements for propagating material

4.—(1) Propagating material must, when marketed—

- (a) in respect of the genera and species listed in column 2 of the table in schedule 2 (organisms and diseases), have been found, at least on visual inspection, at the place of production to be practically free from all pests listed in column 1 of that table;
- (b) not exceed, at least on visual inspection, the respective thresholds for the presence of RNQPs listed in column 3 of the table in schedule 2;
- (c) be, at least on visual inspection, practically free from any pests, other than the pests listed in column 1 of the table in schedule 2 in respect of the genera and species listed in the corresponding row of column 2 of that table, which reduce the usefulness and quality of that material, or from any signs or symptoms thereof;
- (d) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as with the measures adopted pursuant to Article 30(1) of that Regulation;
- (e) have satisfactory vigour and dimensions in respect of its usefulness as propagating material;
- (f) in the case of seeds, have a satisfactory germination capacity;
- (g) have satisfactory identity and purity relative to the genus or species or group of plants to which it belongs; and
- (h) if marketed with reference to a variety pursuant to regulation 11, have satisfactory varietal identity and purity.

(2) In this regulation—

“the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC(b),

“protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation,

“RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation, and

“Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation.”.

(3) Omit regulation 6A (further provisions relating to propagating material of Palmae).

(a) S.I. 1999/1801, as relevantly amended by S.S.I. 2018/284 and S.S.I. 2019/421.

(b) OJ L 317, 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p.1) with effect from 14 December 2019.

(4) For schedule 2 (organisms and diseases) substitute—

“SCHEDULE 2
Organisms and diseases

Regulations 4 and 6A

Bacteria		
Column 1 RNQPs or symptoms caused by RNQPs	Column 2 Genus or species of propagating material of ornamental plants	Column 3 Threshold for the presence of RNQPs on the propagating material of the ornamental plant
<i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> [ERWIAM]	Propagating material of ornamental plants other than seeds <i>Amelanchier</i> Medik., <i>Chaenomeles</i> Lindl., <i>Cotoneaster</i> Medik., <i>Crataegus</i> Tourn. ex L., <i>Cydonia</i> Mill., <i>Eriobotrya</i> Lindl., <i>Malus</i> Mill., <i>Mespilus</i> Bosc ex Spach, <i>Photinia davidiana</i> Decne., <i>Pyracantha</i> M. Roem., <i>Pyrus</i> L., <i>Sorbus</i> L.	0%
<i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie [PSDMPE]	Propagating material of ornamental plants other than seeds <i>Prunus persica</i> (L.) Batsch, <i>Prunus salicina</i> Lindl.	0%
<i>Spiroplasma citri</i> Saglio <i>et</i> <i>al.</i> [SPIRCI]	Propagating material of ornamental plants other than seeds <i>Citrus</i> L., <i>Citrus</i> L. hybrids, <i>Fortunella</i> Swingle., <i>Fortunella</i> Swingle. hybrids, <i>Poncirus</i> Raf., <i>Poncirus</i> Raf. hybrids	0%
<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR]	Propagating material of ornamental plants other than seeds <i>Prunus</i> L.	0%
<i>Xanthomonas euvesicatoria</i> Jones <i>et al.</i> [XANTEU]	<i>Capsicum annuum</i> L.	0%
<i>Xanthomonas gardneri</i> (ex Šutič) Jones <i>et al.</i> [XANTGA]	<i>Capsicum annuum</i> L.	0%
<i>Xanthomonas perforans</i> Jones <i>et al.</i> [XANTPF]	<i>Capsicum annuum</i> L.	0%
<i>Xanthomonas vesicatoria</i> (ex Doidge) Vauterin <i>et al.</i> [XANTVE]	<i>Capsicum annuum</i> L.	0%

Fungi and oomycetes		
Column 1 RNQPs or symptoms caused by RNQPs	Column 1 Genus or species of propagating material of ornamental plants	Column 1 Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Cryphonectria parasitica</i> (Murrill) Barr [ENDOPA]	Propagating material of ornamental plants other than seeds <i>Castanea</i> L.	0%
<i>Dothistroma pini</i> Hulbary [DOTSPI]	Propagating material of ornamental plants other than seeds <i>Pinus</i> L.	0%
<i>Dothistroma septosporum</i> (Dorogin) Morelet [SCIRPI]	Propagating material of ornamental plants other than seeds <i>Pinus</i> L.	0%
<i>Lecanosticta acicola</i> (von Thümen) Sydow [SCIRAC]	Propagating material of ornamental plants other than seeds <i>Pinus</i> L.	0%
<i>Plasmopara halstedii</i> (Farlow) Berlese & de Toni [PLASHA]	Seeds <i>Helianthus annuus</i> L.	0%
<i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley [DEUTTR]	Propagating material of ornamental plants other than seeds <i>Citrus</i> L. <i>Citrus</i> L. hybrids, <i>Fortunella</i> Swingle, <i>Fortunella</i> Swingle hybrids, <i>Poncirus</i> Raf., <i>Poncirus</i> Raf. hybrids	0%
<i>Puccinia horiana</i> P. Hennings [PUCCHN]	Propagating material of ornamental plants other than seeds <i>Chrysanthemum</i> L.	0%
Insects and mites		
Column 1 RNQPs or symptoms caused by RNQPs	Column 1 Genus or species of propagating material of ornamental plants	Column 1 Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Aculops fuchsiae</i> Keifer [ACUPFU]	Propagating material of ornamental plants other than seeds <i>Fuchsia</i> L.	0%
<i>Opogona sacchari</i> Bojer [OPOGSC]	Propagating material of ornamental plants other than seeds <i>Beaucarnea</i> Lem., <i>Bougainvillea</i> Comm. ex Juss., <i>Crassula</i> L., <i>Crinum</i> L., <i>Dracaena</i> Vand. ex L., <i>Ficus</i> L., <i>Musa</i> L., <i>Pachira</i>	0%

<i>Rhynchophorus ferrugineus</i> (Olivier) [RHYCFE]	Aubl., <i>Palmae</i> , <i>Sansevieria</i> Thunb., <i>Yucca</i> L. Propagating material of ornamental plants other than seeds <i>Palmae</i> , as regards the following genera and species <i>Areca catechu</i> L., <i>Arenga</i> <i>pinnata</i> (Wurmb) Merr., <i>Bismarckia</i> Hildebr. & H. Wendl., <i>Borassus</i> <i>flabellifer</i> L., <i>Brahea</i> <i>armata</i> S. Watson, <i>Brahea</i> <i>edulis</i> H. Wendl., <i>Butia</i> <i>capitata</i> (Mart.) Becc., <i>Calamus merrillii</i> Becc., <i>Caryota maxima</i> Blume, <i>Caryota cumingii</i> Lodd. ex Mart., <i>Chamaerops humilis</i> L., <i>Cocos nucifera</i> L., <i>Corypha utan</i> Lam., <i>Copernicia</i> Mart., <i>Elaeis</i> <i>guineensis</i> Jacq., <i>Howea</i> <i>forsteriana</i> Becc., <i>Jubaea</i> <i>chilensis</i> (Molina) Baill., <i>Livistona australis</i> C. Martius, <i>Livistona decora</i> (W. Bull) Dowe, <i>Livistona</i> <i>rotundifolia</i> (Lam.) Mart., <i>Metroxylon sagu</i> Rottb., <i>Phoenix canariensis</i> Chabaud, <i>Phoenix</i> <i>dactylifera</i> L., <i>Phoenix</i> <i>reclinata</i> Jacq., <i>Phoenix</i> <i>roebelenii</i> O'Brien, <i>Phoenix</i> <i>sylvestris</i> (L.) Roxb., <i>Phoenix theophrasti</i> Greuter, <i>Pritchardia</i> Seem. & H. Wendl., <i>Ravenea rivularis</i> Jum. & H. Perrier, <i>Roystonea regia</i> (Kunth) O.F. Cook, <i>Sabal</i> <i>palmetto</i> (Walter) Lodd. ex Schant. & Schult.f., <i>Syagrus</i> <i>romanzoffiana</i> (Cham.) Glassman, <i>Trachycarpus</i> <i>fortunei</i> (Hook.) H. Wendl., <i>Washingtonia</i> H. Wendl.	0%
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Nematodes

<i>Column 1</i> RNQPs or symptoms caused by RNQPs	<i>Column 1</i> Genus or species of propagating material of ornamental plants	<i>Column 1</i> Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	<i>Allium</i> L.	0%
<i>Ditylenchus dipsaci</i> (Kuehn)	Propagating material of	0%

Filipjev [DITYDI]	ornamental plants other than seeds <i>Camassia</i> Lindl., <i>Chionodoxa</i> Boiss., <i>Crocus flavus</i> Weston, <i>Galanthus</i> L., <i>Hyacinthus</i> Tourn. ex L., <i>Hymenocallis</i> Salisb., <i>Muscari</i> Mill., <i>Narcissus</i> L., <i>Ornithogalum</i> L., <i>Puschkinia</i> Adams, <i>Scilla</i> L., <i>Sternbergia</i> Waldst. & Kit., <i>Tulipa</i> L.
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Viruses, viroids, virus-like diseases and phytoplasmas

Column 1 RNQPs or symptoms caused by RNQPs	Column 1 Genus or species of propagating material of ornamental plants	Column 1 Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Candidatus</i> Phytoplasma mali Seemüller & Schneider [PHYPPMA]	Propagating material of ornamental plants other than seeds <i>Malus</i> Mill.	0%
<i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider [PHYPPR]	Propagating material of ornamental plants other than seeds <i>Prunus</i> L.	0%
<i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider [PHYPPY]	Propagating material of ornamental plants other than seeds <i>Pyrus</i> L.	0%
<i>Candidatus</i> Phytoplasma solani Quaglino <i>et al.</i> [PHYPSO]	Propagating material of ornamental plants other than seeds <i>Lavandula</i> L.	0%
Chrysanthemum stunt viroid [CSVD00]	Propagating material of ornamental plants other than seeds <i>Argyranthemum</i> Webb ex Sch.Bip., <i>Chrysanthemum</i> L.	0%
<i>Citrus</i> exocortis viroid [CEVD00]	Propagating material of ornamental plants other than seeds <i>Citrus</i> L.	0%
<i>Citrus</i> tristeza virus [CTV000](EU isolates)	Propagating material of ornamental plants other than seeds <i>Citrus</i> L., <i>Citrus</i> L. hybrids, <i>Fortunella</i> Swingle, <i>Fortunella</i> Swingle hybrids, <i>Poncirus</i> Raf., <i>Poncirus</i> Raf. Hybrids	0%
<i>Impatiens</i> necrotic spot tospovirus [INSV00]	Propagating material of ornamental plants other than seeds <i>Begonia x hiemalis</i>	0%

	Fotsch, <i>Impatiens</i> L. New Guinea Hybrids	
Potato spindle tuber viroid [PSTVD0]	<i>Capsicum annuum</i> L.,	0%
Plum pox virus [PPV000]	Propagating material of ornamental plants other than seeds	0%
	<i>Prunus armeniaca</i> L., <i>Prunus blireana</i> Andre, <i>Prunus brigantina</i> Vill., <i>Prunus cerasifera</i> Ehrh., <i>Prunus cistena</i> Hansen, <i>Prunus curdica</i> Fenzl and Fritsch., <i>Prunus domestica</i> L., <i>Prunus domestica</i> ssp. <i>insititia</i> (L.) C.K. Schneid, <i>Prunus domestica</i> ssp. <i>italica</i> (Borkh.) Hegi., <i>Prunus dulcis</i> (Miller) Webb, <i>Prunus glandulosa</i> Thunb., <i>Prunus holosericea</i> Batal., <i>Prunus hortulana</i> Bailey, <i>Prunus japonica</i> Thunb., <i>Prunus mandshurica</i> (Maxim.) Koehne, <i>Prunus maritima</i> Marsh., <i>Prunus mume</i> Sieb. and Zucc., <i>Prunus nigra</i> Ait., <i>Prunus persica</i> (L.) Batsch, <i>Prunus salicina</i> L., <i>Prunus sibirica</i> L., <i>Prunus simonii</i> Carr., <i>Prunus spinosa</i> L., <i>Prunus tomentosa</i> Thunb., <i>Prunus triloba</i> Lindl.	
	Other species of <i>Prunus</i> L. susceptible to Plum pox virus	
Tomato spotted wilt tospovirus [TSWV00]	Propagating material of ornamental plants other than seeds	0% ^(a) .
	<i>Begonia x hiemalis</i> Fotsch, <i>Capsicum annuum</i> L., <i>Chrysanthemum</i> L., <i>Gerbera</i> L., <i>Impatiens</i> L. New Guinea Hybrids, <i>Pelargonium</i> L.	

Amendment of the Oil and Fibre Plant Seed (Scotland) Regulations 2004

5.—(1) The Oil and Fibre Plant Seed (Scotland) Regulations 2004^(a) are amended as follows.

^(a) S.S.I. 2004/317, as relevantly amended by S.S.I. 2007/224.

(2) In regulation 2 (interpretation)—

(a) after the definition of “Equivalence Decision” insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC(a);”,

(b) in the definition of “official post control” for “15(a)” substitute “15(1)(a)”,

(c) after the definition of “professional seed operator” insert—

““protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation;”,

(d) after the definition of “registered or licensed number” insert—

““RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation;”,

(e) after the definition of “UK National List” insert—

““Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation;”.

(3) In schedule 4 (requirements for certain categories of seed)—

(a) in Part 1 (conditions relating to crops from which certain seed is obtained) for paragraph 4 substitute—

“Pests in the crop

4.—(1) The crop must—

- (a) be practically free from any pests which reduce the usefulness and quality of the propagating material; and
- (b) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as with the measures adopted pursuant to Article 30(1) of that Regulation.

(2) The presence of RNQPs on the crops must comply with the following requirements as set out in the table—

<i>RNQPs caused by RNQPs</i>	<i>or Plants planting (genus by or species)</i>	<i>for Thresholds for the production of pre-basic seed</i>	<i>Thresholds for the production of basic seed</i>	<i>Thresholds for the production of certified seed</i>
<i>Plasmopara halstedii</i> (Farlow) Berlese & de Toni [PLASHA]	Sunflower	0%	0%	0%”,

(a) OJ L 317, 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p.1) with effect from 14 December 2019.

(b) in Part 2 (conditions relating to certain categories of seed), for paragraph 15 substitute—

“Pests in the seed

15.—(1) The seed must—

- (a) be practically free from any pests which reduce the usefulness and quality of the propagating material, and
- (b) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as with the measures adopted pursuant to Article 30(1) of that Regulation.

(2) The presence of RNQPs on the seeds and the respective categories must comply with the following requirements as set out in the table—

Fungi and oomycetes						
Column 1 Plants for planting (genus or species)	Maximum percentage of pre-basic, basic and certified seed that may be contaminated by fungi listed in columns 2 to 6					
	Column 2 <i>Botrytis cinerea</i> [BOTRCI]	Column 3 <i>Boeremia exigua</i> var. <i>linicola</i> [PHOMEL]	Column 4 <i>Alternaria linicola</i> [ALTELI], <i>Boeremia exigua</i> var. <i>linicola</i> [PHOMEL], <i>Colletotrichum lini</i> [COLLLI] and <i>Fusarium</i> spp. [FUSAG] ⁽¹⁾ (individually ⁽²⁾ or in combination with the other fungi)	Column 5 <i>Diaporthe caulivora</i> [DIAPPC] <i>Diaporthe phaseolorum</i> var. <i>sojae</i> [DIAPPS] (for infection with the Phomopsis complex)	Column 6 <i>Plasmopara halstedii</i> [PLASHA]	Maximum number of sclerotia or fragments thereof that may be found in a laboratory examination of a seed lot of pre-basic, basic and certified seed of the weight specified in column 4 of the table specified in paragraph 24 of Part II of schedule 5
Flax	5%	1%	5%	N/A	N/A	N/A
Linseed	5%	N/A	5%	N/A	N/A	N/A
Sunflower	5%	N/A	N/A	N/A	0%	N/A

Swede rape	N/A	N/A	N/A	N/A	N/A	N/A	10
Turnip rape	N/A	N/A	N/A	N/A	N/A	N/A	5
White mustard	N/A	N/A	N/A	N/A	N/A	N/A	5
Soya bean	N/A	N/A	N/A	N/A	15%	N/A ²⁾	N/A ²⁾

⁽¹⁾ Other than *Fusarium oxysporum* f. sp. *albbedinis* [FUSAAL] and *Fusarium circinatum* [GIBBCI].

⁽²⁾ Except *Boeremia exigua* var. *linicola* on flax where the threshold in column 3 applies.

(4) In schedule 5, in Part 2 (maximum and minimum weights), in the heading of column 4 of the table in paragraph 24, for the words from “, and” to the end substitute “and column 7 of the table in paragraph 15(2) of Part II of Schedule 4”.

Amendment of the Cereal Seed (Scotland) Regulations 2005

6.—(1) The Cereal Seed (Scotland) Regulations 2005(a) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “Equivalence Decision” insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC(b);”,

(b) after the definition of “professional seed operator” insert—

““protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation;”,

(c) after the definition of “registered or licensed number” insert—

““RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation;”,

(d) after the definition of “UK National List” insert—

““Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation;”.

(3) In schedule 4 (requirements for certain types of seed)—

(a) in Part 1 (conditions relating to crops from which seed is obtained), for paragraph 4 substitute—

“Pests in the crop

4.—(1) The crop must be practically free from any pests which reduce the usefulness and quality of the seed.

(2) The crop must also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation.”.

(b) in Part 2 (conditions relating to certain types of seed), for paragraph 17 substitute—

“Pests in the seed

17.—(1) The seed must be practically free from any pests which reduce the usefulness and quality of the seed.

(2) The seed must also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation.”.

(a) S.S.I. 2005/328, to which there are amendments not relevant to these Regulations.

(b) OJ L 317, 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p.1) with effect from 14 December 2019.

Amendment of the Fodder Plant Seed (Scotland) Regulations 2005

7.—(1) The Fodder Plant Seed (Scotland) Regulations 2005(a) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “Equivalence Decision” insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC(b);”,

(b) after the definition of “professional seed operator” insert—

““protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation;”,

(c) after the definition of “registered or licensed number” insert—

““RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation;”,

(d) after the definition of “UK National List” insert—

““Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation;”.

(3) In schedule 4 (requirements for certain categories of seed)—

(a) in Part 1 (conditions relating to certain crops), for paragraph 4 substitute—

“Pests in the crop

4.—(1) The crop must be practically free from any pests which reduce the usefulness and quality of the seed.

(2) The crop must also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation.

(3) The presence of RNQPs on the crop and the respective categories must comply with the requirements set out in the following table—

<i>RNQPs or symptoms caused by RNQPs</i>	<i>Plants for planting (genus or species)</i>	<i>for Thresholds for production of pre-basic seed</i>	<i>the Thresholds for production of basic seed</i>	<i>Thresholds for production of certified seed</i>
<i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i> (McCulloch 1925) Davis <i>et al.</i> [CORBIN]	Lucerne	0%	0%	0%
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	Lucerne	0%	0%	0%”,

(a) S.S.I. 2005/329, to which there are amendments not relevant to these Regulations.

(b) OJ L 317, 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p.1) with effect from 14 December 2019.

(b) in Part 2 (conditions relating to certain categories of seed), for paragraph 12 substitute—

“Pests in the seed

12.—(1) The seed must be practically free from any pests which reduce the usefulness and quality of the seed.

(2) The seed must also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation.

(3) The presence of RNQPs on the seeds and the respective categories must comply with the requirements set out in the following table—

<i>RNQPs or symptoms caused by RNQPs</i>	<i>Plants for planting (genus or species)</i>	<i>Thresholds for pre-basic seed</i>	<i>Thresholds for basic seed</i>	<i>Thresholds for certified seed</i>
<i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i> (McCulloch 1925) Davis <i>et al.</i> [CORBIN]	Lucerne	0%	0%	0%
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	Lucerne	0%	0%	0%”.

Amendment of the Seed Potatoes (Scotland) Regulations 2015

8.—(1) The Seed Potatoes (Scotland) Regulations 2015(a) are amended as follows.

(2) In schedule 1 (conditions for certification and grading of Scottish seed potatoes), in Part 1 (general), in paragraph 5(1)(h)—

(a) after sub-head (vii), omit “and”,

(b) after sub-head (viii) insert—

“(ix) *Candidatus Liberibacter solanacearum* Liefting *et al.*; and

(x) *Candidatus Phytoplasma solani* Quaglino *et al.*”.

(3) In schedule 2 (certification and grading: requirements and tolerances), in paragraph 2—

(a) in column 4 of both rows (PBTC and PB) in Table 1—

(i) after paragraph (e) omit “and”, and

(ii) after paragraph (f) insert—

“(g) *Candidatus Liberibacter solanacearum* Liefting *et al.*, [LIBEPS] – nil;

(h) *Candidatus Phytoplasma solani* Quaglino *et al.*, [PHYPSO] – nil; and

(i) Potato spindle tuber viroid [PSTVD0] – nil.”,

(b) in column 4 of each row (S, SE and E) in Table 2—

(i) after paragraph (e) omit “and”, and

(ii) after paragraph (f) insert—

“(g) *Candidatus Liberibacter solanacearum* Liefting *et al.*, [LIBEPS] – nil;

(h) *Candidatus Phytoplasma solani* Quaglino *et al.*, [PHYPSO] – nil; and

(i) Potato spindle tuber viroid [PSTVD0] – nil.”.

(a) S.S.I. 2015/395, to which there are amendments not relevant to these Regulations.

(4) In schedule 6 (tolerances for diseases, pests, damage and defects), in paragraph 5—

(a) in table 1, after the last row (Colorado Beetle) of Group 1, insert—

“*Candidatus* Liberibacter solanacearum Nil”,
Liefting *et al.*, [LIBEPS]

(b) in table 2, after the last row (Colorado Beetle) of Group 1, insert—

“*Candidatus* Nil”,
Liberibacter
solanacearum
Liefting *et al.*,
[LIBEPS]

(c) in table 3, after the last row (Colorado Beetle) of Group 1 in each part ((a): grade S, (b): grade SE and (c): grade E) of the table, insert—

“*Candidatus* Nil”.
Liberibacter
solanacearum
Liefting *et al.*,
[LIBEPS]

Amendment of the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017

9.—(1) The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017(a) are amended as follows.

(2) In regulation 2 (interpretation), after the definition of “responsible official body” insert—

““RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation;”.

(3) In regulation 15 (supplier’s duties – removal of non-compliant materials and notification of disease), in paragraph (4), for the words from “Table IA” to the end substitute “schedule 6 or 6A.”.

(4) In regulation 17 (supplier’s duties – record keeping), in paragraph (2)(b)—

(a) omit “Table IA, IB, II or III of”,

(b) for “schedule 6” substitute “schedules 6, 6A or 6B”.

(5) In schedule 2 (certification requirements)—

(a) in Part 2 (pre-basic material)—

(i) in paragraph 9—

(aa) in sub-paragraph (1), omit “Tables IA and IB of”,

(bb) in sub-paragraph (2), for “Table II in schedule 6” substitute “schedule 6A”,

(cc) in sub-paragraph (3), for “Table II of schedule 6” substitute “schedule 6A”,

(dd) in sub-paragraph (4)(a), omit “Tables IA and IB in”,

(ee) in sub-paragraph (4)(b), for “Table II of schedule 6” substitute “schedule 6A”,

(a) S.S.I. 2017/177, as relevantly amended by S.S.I. 2019/421.

- (ii) for paragraph 10 substitute—

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

10.—(1) A pre-basic mother plant or pre-basic material must, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in schedules 6 and 6A in accordance with the provisions of column 3 of schedule 7, as regards the genus or species concerned.

(2) The visual inspection mentioned in sub-paragraph (1) must be carried out by or on behalf of the Scottish Ministers and, where appropriate, the supplier.

(3) The Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the pre-basic mother plant or pre-basic material for the RNQPs listed in schedule 6A, in accordance with the provisions of column 4 of schedule 7, with regard to the genus or species concerned and category.

(4) Where there are doubts concerning the presence of the RNQPs listed in schedule 6, the Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the pre-basic mother plant or pre-basic material concerned.

(5) In relation to the sampling and testing referred to in sub-paragraphs (3) and (4)—

- (a) Scottish Ministers, persons acting on their behalf and the supplier must—
 - (i) apply protocols of EPPO, or other internationally recognised protocols, or
 - (ii) where the protocols referred to in sub-head (i) do not exist—
 - (aa) apply the relevant protocols established at national level, and
 - (bb) on request, make available those protocols to member States and to the European Commission, and
- (b) where appropriate, the supplier must submit the samples to laboratories officially accepted by the Scottish Ministers.

(6) In the event of a positive test result for any of the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, the supplier must remove the infested pre-basic mother plant or pre-basic material from the vicinity of other pre-basic mother plants and pre-basic material pursuant to regulation 15, or take appropriate measures pursuant to columns 4 and 5 of schedule 7.

(7) The measures to ensure compliance with the requirements of sub-paragraphs (1) to (4) are set out in schedule 7, with regard to the genus or species concerned and category.

(8) Sub-paragraphs (1) to (4) do not apply to pre-basic mother plants and pre-basic material during cryopreservation.”,

(iii) in paragraph 11—

- (aa) in the heading, after “requirements” insert “for pre-basic mother plants and pre-basic material”,
- (bb) for “Table III of schedule 6” in each place where it occurs substitute “schedule 6B”,

(b) in Part 3 (basic material)—

- (i) for paragraph 17 substitute—

“Health requirements for basic mother plants and basic material

17.—(1) A basic mother plant or basic material must, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in schedules 6 and 6A in accordance with the provisions of column 3 of schedule 7, as regards the genus or species concerned.

(2) The visual inspection referred to in sub-paragraph (1) must be carried out by or on behalf of the Scottish Ministers and, where appropriate, the supplier.

(3) The Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the basic mother plant or basic material for the RNQPs listed in schedule 6A in accordance with the provisions of column 4 of schedule 7, with regard to the genus or species concerned and category.

(4) Where there are doubts concerning the presence of the RNQPs listed in schedule 6, the Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the basic mother plant or basic material concerned.

(5) In relation to the sampling and testing referred to in sub-paragraphs (3) and (4)—

(a) Scottish Ministers, persons acting on their behalf and the supplier must—

(i) apply protocols of EPPO, or other internationally recognised protocols, or

(ii) where the protocols referred to in sub-head (i) do not exist—

(aa) apply the relevant protocols established at national level, and

(bb) on request, make available those protocols to member States and to the Commission, and

(b) where appropriate, the supplier must submit samples to laboratories officially accepted by the Scottish Ministers.

(6) In the event of a positive test result for any of the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, the supplier must remove the infested basic mother plant or basic material from the vicinity of other basic mother plants and basic material pursuant to regulation 15, or take appropriate measures pursuant to columns 4 and 5 of schedule 7.

(7) The measures to ensure compliance with the requirements of sub-paragraphs (1) to (4) are set out in schedule 7, with regard to the genus or species concerned and category.

(8) Sub-paragraphs (1) to (4) do not apply to basic mother plants and basic material during cryopreservation.”,

(ii) in paragraph 18—

(aa) in the heading, after “requirements” insert “for basic mother plants and basic material”,

(bb) for “Table III in schedule 6” in each place where it occurs substitute “schedule 6B”,

(c) in Part 4 (certified material)—

(i) for paragraph 23 substitute—

“Health requirements for certified mother plants and certified material

23.—(1) A certified mother plant or certified material must, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in schedules 6 and 6A in accordance with the provisions of column 3 of schedule 7, as regards the genus or species concerned.

(2) The visual inspection referred to in sub-paragraph (1) must be carried out by or on behalf of the Scottish Ministers and, where appropriate, the supplier.

(3) The Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the certified mother plant or certified material for the RNQPs listed in schedule 6A in accordance with the provisions of column 4 of schedule 7, with regard to the genus or species concerned and category.

(4) Where there are doubts concerning the presence of the RNQPs listed in schedule 6, the Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the certified mother plant or certified material concerned.

- (5) In relation to the sampling and testing referred to in sub-paragraphs (3) and (4)—
- (a) Scottish Ministers, persons acting on their behalf and the supplier must—
 - (i) apply protocols of EPPO, or other internationally recognised protocols, or
 - (ii) where the protocols referred to in sub-head (i) do not exist—
 - (aa) apply the relevant protocols established at national level, and
 - (bb) on request, make available those protocols to member States and to the Commission, and
 - (b) where appropriate, the supplier must submit samples to laboratories officially accepted by the Scottish Ministers.
- (6) In the event of a positive test result for any of the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, the supplier must remove the infested certified mother plant or certified material from the vicinity of other certified mother plants and certified material pursuant to regulation 15, or take appropriate measures pursuant to columns 4 and 5 of schedule 7.
- (7) The measures to ensure compliance with the requirements of sub-paragraphs (1) to (4) are set out in schedule 7, with regard to the genus or species concerned and category.
- (8) Sub-paragraphs (1) to (4) do not apply to certified mother plants and certified material during cryopreservation.”,
- (ii) in paragraph 24—
 - (aa) in the heading, after “requirements” insert “for certified mother plants and certified material”,
 - (bb) for “Table III in schedule 6” in each place where it occurs substitute “schedule 6B”,
 - (cc) after sub-paragraph (2) insert—

“(2A) Unless otherwise stated, sampling and testing is not required under sub-paragraph (1) in the case of certified fruit plants.”,
 - (d) after Part 4 (certified material) insert—

“PART 5

Requirements with regard to the production site, place of production or area

Requirements with regard to the production site, place of production or area

25. In addition to the health and soil requirements of paragraphs 9, 10, 11, 17, 18, 23 and 24, propagating material and fruit plants must be produced in accordance with the requirements for the production site, place of production, or area as laid down in column 5 of schedule 7, in order to limit the presence of the RNQPs listed in that schedule for the genus or species concerned.”.

- (6) In schedule 3 (CAC material)—
- (a) in paragraph 1—
 - (i) in sub-paragraph (1)—
 - (aa) in head (c), for the words from “, or where there is doubt” to the end substitute “carried out in the facilities, fields and lots at the stage of production, to be substantially free from the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, unless stated otherwise in schedule 7;”,

- (bb) after head (c) insert—
 - “(ca) in relation to the RNQPs listed in schedule 6A, sampling and testing by the supplier is carried out in accordance with column 4 of schedule 7 with regard to the genus or species concerned and category;
 - (cb) in the event that there are doubts concerning the presence of the RNQPs listed in schedule 6, it is found as a result of sampling and testing by the supplier to be substantially free from those RNQPs;”,
 - (cc) omit head (d),
- (ii) after sub-paragraph (1) insert—
 - “(1A) CAC propagating material and CAC fruit plants in lots, after the stage of production, may only be marketed if found free from signs or symptoms of the pests listed in schedules 6 and 6A, upon visual inspection carried out by the supplier.”,
 - (iii) in sub-paragraph (2), for the words “mentioned in sub-paragraph (1)(c)” substitute “and sampling and testing mentioned in sub-paragraphs (1)(c), (ca) and (cb) and (1A)”,
- (b) in paragraph 2(1)(b), for “Tables IA, IB and II in schedule 6” substitute “schedules 6 and 6A”,
- (c) after paragraph 3 insert—

“Requirements with regard to the production site, place of production or area

4. In addition to the health and soil requirements of paragraph 1(1)(c), (ca) and (cb), (1A) and (2), propagating material and fruit plants must be produced in accordance with the requirements for the production site, place of production, or area as laid down in column 5 of schedule 7, in order to limit the presence of the RNQPs listed in that schedule for the genus or species concerned.”.

- (7) For schedule 6 (pests) substitute—

“SCHEDULE 6 Regulations 15(4) and 17(2);
 schedule 2, paragraphs 9(1) and
 (4)(a), 10(1), (4) and (6), 17(1),
 (4) and (6) and 23(1), (4) and (6);
 and schedule 3, paragraphs 1(1)
 and (1A) and 2(1)

RNQPs for the presence of which visual inspection and, where there are doubts, sampling and testing are required

<i>Column 1</i> <i>Genus or Species</i>	<i>Column 2</i> <i>RNQPs</i>
<i>Castanea sativa</i> Mill.	Fungi and oomycetes <i>Cryphonectria parasitica</i> (Murrill) Barr [ENDOPA] <i>Mycosphaerella punctiformis</i> Verkley & U. Braun [RAMUEN] <i>Phytophthora cambivora</i> (Petri) Buisman [PHYTCM] <i>Phytophthora cinnamomi</i> Rands [PHYTCN] Viruses, viroids, virus-like diseases and phytoplasmas Chestnut mosaic agent [ChMV]

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

Fungi and oomycetes

Phytophthora citrophthora (R.E.Smith & E.H.Smith) Leonian [PHYTCO]

Phytophthora nicotianae var. *parasitica* (Dastur) Waterhouse [PHYTNP]

Insects and mites

Aleurothrixus floccosus Maskell [ALTHFL]

Parabemisia myricae Kuwana [PRABMY]

Nematodes

Pratylenchus vulnus Allen & Jensen [PRATVU]

Tylenchulus semipenetrans Cobb [TYLESE]

Bacteria

Pseudomonas avellanae Janse *et al.* [PSDMAL]

Xanthomonas arboricola pv. *corylina* (Miller, Bollen, Simmons, Gross & Barss) Vauterin, Hoste, Kersters & Swings [XANTCY]

Fungi and oomycetes

Armillaria mellea (Vahl) Kummer [ARMIME]

Verticillium albo-atrum Reinke & Berthold [VERTAA]

Verticillium dahliae Kleb [VERTDA]

Insects and mites

Phytoptus avellanae Nalepa [ERPHAV]

Bacteria

Agrobacterium tumefaciens (Smith & Townsend) Conn [AGRBTU]

Erwinia amylovora (Burrill) Winslow *et al.* [ERWIAM]

Pseudomonas syringae pv. *syringae* van Hall [PSDMSY]

Fungi and oomycetes

Armillaria mellea (Vahl) Kummer [ARMIME]

Chondrostereum purpureum Pouzar [STERPU]

Glomerella cingulata (Stoneman) Spaulding & von Schrenk [GLOMCI]

Neofabraea alba Desmazières [PEZIAL]

Neofabraea malicorticis Jackson [PEZIMA]

Neonectria ditissima (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA]

Phytophthora cactorum (Lebert & Cohn) J.Schröter [PHYTCC]

Sclerophora pallida Yao & Spooner [SKLPPA]

Verticillium albo-atrum Reinke & Berthold [VERTAA]

Verticillium dahliae Kleb [VERTDA]

Insects and mites

Eriosoma lanigerum Hausmann [ERISLA]

Corylus avellana L.

Cydonia oblonga Mill. and *Pyrus* L.

***Ficus carica* L.**

Psylla spp. Geoffroy [1PSYLG]

Nematodes

Meloidogyne hapla Chitwood [MELGHA]

Meloidogyne javanica Chitwood
[MELGJA]

Pratylenchus penetrans (Cobb) Filipjev &
Schuurmans-Stekhoven [PRATPE]

Pratylenchus vulnus Allen & Jensen
[PRATVU]

Bacteria

Xanthomonas campestris pv. *fici* (Cavara)
Dye [XANTFI]

Fungi and oomycetes

Armillaria mellea (Vahl) Kummer
[ARMIME]

Insects and mites

Ceroplastes rusci Linnaeus [CERPRU]

Nematodes

Heterodera fici Kirjanova [HETDFI]

Meloidogyne arenaria Chitwood
[MELGAR]

Meloidogyne incognita (Kofold & White)
Chitwood [MELGIN]

Meloidogyne javanica Chitwood
[MELGJA]

Pratylenchus penetrans (Cobb) Filipjev &
Schuurmans-Stekhoven [PRATPE]

Pratylenchus vulnus Allen & Jensen
[PRATVU]

**Viruses, viroids, virus-like diseases and
phytoplasmas**

Fig mosaic agent [FGM000]

***Fragaria* L.**

Bacteria

Candidatus Phlomobacter fragariae Zreik,
Bové & Garnier [PHMBFR]

Fungi and oomycetes

Podospaera aphanis (Wallroth) Braun &
Takamatsu [PODOAP]

Rhizoctonia fragariae Hussain &
W.E.McKeen [RHIZFR]

Verticillium albo-atrum Reinke & Berthold
[VERTAA]

Verticillium dahliae Kleb [VERTDA]

Insects and mites

Chaetosiphon fragaefolii Cockerell
[CHTSFR]

Phytonemus pallidus Banks [TARSPA]

Nematodes

Ditylenchus dipsaci (Kuehn) Filipjev
[DITYDI]

Meloidogyne hapla Chitwood [MELGHA]

Pratylenchus vulnus Allen & Jensen
[PRATVU]

Viruses, viroids, virus-like diseases and

***Juglans regia* L.**

phytoplasmas

Candidatus Phytoplasma asteris Lee *et al.*
[PHYPAS]

Candidatus Phytoplasma australiense Davis
et al. [PHYPAU]

Candidatus Phytoplasma fragariae Valiunas,
Staniulis & Davis [PHYPPG]

Candidatus Phytoplasma pruni [PHYPPN]

Candidatus Phytoplasma solani Quaglino *et al.*
[PHYPSO]

Clover phyllody phytoplasma [PHYP03]

Strawberry multiplier disease phytoplasma
[PHYP75]

Bacteria

Agrobacterium tumefaciens (Smith &
Townsend) Conn [AGRBTU]

Xanthomonas arboricola pv. *juglandis*
(Pierce) Vauterin *et al.* [XANTJU]

Fungi and oomycetes

Armillaria mellea (Vahl) Kummer
[ARMIME]

Chondrostereum purpureum Pouzar
[STERPU]

Neonectria ditissima (Tulasne & C.
Tulasne) Samuels & Rossman [NECTGA]

Phytophthora cactorum (Lebert & Cohn)
J.Schröter [PHYTCC]

Insects and mites

Epidiaspis leperii Signoret [EPIDBE]

Pseudaulacaspis pentagona Targioni-
Tozzetti [PSEAPE]

Quadraspidiotus perniciosus Comstock
[QUADPE]

***Malus* Mill.**

Bacteria

Agrobacterium tumefaciens (Smith &
Townsend) Conn [AGRBTU]

Erwinia amylovora (Burrill) Winslow *et al.*
[ERWIAM]

Pseudomonas syringae pv. *syringae* van
Hall [PSDMSY]

Fungi and oomycetes

Armillaria mellea (Vahl) Kummer
[ARMIME]

Chondrostereum purpureum Pouzar
[STERPU]

Glomerella cingulata (Stoneman)
Spaulding & von Schrenk [GLOMCI]

Neofabraea alba Desmazières [PEZIAL]

Neofabraea malicorticis Jackson [PEZIMA]

Neonectria ditissima (Tulasne & C.
Tulasne) Samuels & Rossman [NECTGA]

Phytophthora cactorum (Lebert & Cohn)
J.Schröter [PHYTCC]

Sclerophora pallida Yao & Spooner
[SKLPPA]

- Verticillium albo-atrum* Reinke & Berthold [VERTAA]
Verticillium dahliae Kleb [VERTDA]
- Insects and mites**
Eriosoma lanigerum Hausmann [ERISLA]
Psylla spp. Geoffroy [1PSYLG]
- Nematodes**
Meloidogyne hapla Chitwood [MELGHA]
Meloidogyne javanica Chitwood [MELGJA]
Pratylenchus penetrans (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
Pratylenchus vulnus Allen & Jensen [PRATVU]
- Bacteria**
Pseudomonas savastanoi pv. *savastanoi* (Smith) Gardan *et al.* [PSDMSA]
- Nematodes**
Meloidogyne arenaria Chitwood [MELGAR]
Meloidogyne incognita (Kofold & White) Chitwood [MELGIN]
Meloidogyne javanica Chitwood [MELGJA]
Pratylenchus vulnus Allen & Jensen [PRATVU]
- Viruses, viroids, virus-like diseases and phytoplasmas**
Olive leaf yellowing-associated virus [OLYAV0]
Olive vein yellowing-associated virus [OVYAV0]
Olive yellow mottling and decline associated virus [OYMDAV]
- Fungi and oomycetes**
Phytophthora cambivora (Petri) Buisman [PHYTCM]
Phytophthora cryptogea Pethybridge & Lafferty [PHYTCR]
Rosellinia necatrix Prillieux [ROSLNE]
Verticillium dahliae Kleb [VERTDA]
- Nematodes**
Pratylenchus penetrans (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
Pratylenchus vulnus Allen & Jensen [PRATVU]
- Bacteria**
Agrobacterium tumefaciens (Smith & Townsend) Conn [AGRBTU]
Pseudomonas syringae pv. *morsprunorum* (Wormald) Young, Dye & Wilkie [PSDMMP]
- Fungi and oomycetes**
Phytophthora cactorum (Lebert & Cohn) J.Schröter [PHYTCC]
- Olea europaea* L.**
- Pistacia vera* L.**
- Prunus domestica* L. , and *Prunus dulcis* (Miller) Webb**

Verticillium dahliae Kleb [VERTDA]

Insects and mites

Pseudaulacaspis pentagona Targioni-Tozzetti [PSEAPE]

Quadraspidiotus perniciosus Comstock [QUADPE]

Nematodes

Meloidogyne arenaria Chitwood [MELGAR]

Meloidogyne incognita (Kofold & White) Chitwood [MELGIN]

Meloidogyne javanica Chitwood [MELGJA]

Pratylenchus penetrans (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]

Pratylenchus vulnus Allen & Jensen [PRATVU]

Bacteria

Agrobacterium tumefaciens (Smith & Townsend) Conn [AGRBTU]

Pseudomonas syringae pv. *morsprunorum* (Wormald) Young, Dye & Wilkie [PSDMMP]

Pseudomonas syringae pv. *syringae* van Hall [PSDMSY]

Pseudomonas viridiflava (Burkholder) Dowson [PSDMVF]

Fungi and oomycetes

Phytophthora cactorum (Lebert & Cohn) J.Schröter [PHYTCC]

Verticillium dahliae Kleb [VERTDA]

Insects and mites

Pseudaulacaspis pentagona Targioni-Tozzetti [PSEAPE]

Quadraspidiotus perniciosus Comstock [QUADPE]

Nematodes

Meloidogyne arenaria Chitwood [MELGAR]

Meloidogyne incognita (Kofold & White) Chitwood [MELGIN]

Meloidogyne javanica Chitwood [MELGJA]

Pratylenchus penetrans (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]

Pratylenchus vulnus Allen & Jensen [PRATVU]

***Prunus armeniaca* L.**

***Prunus avium* L. and *Prunus cerasus* L.**

Bacteria

Agrobacterium tumefaciens (Smith & Townsend) Conn [AGRBTU]

Pseudomonas syringae pv. *morsprunorum* (Wormald) Young, Dye & Wilkie [PSDMMP]

Fungi and oomycetes

- Phytophthora cactorum* (Lebert & Cohn)
J.Schröter [PHYTCC]
- Insects and mites**
Quadraspidiotus perniciosus Comstock
[QUADPE]
- Nematodes**
Meloidogyne arenaria Chitwood
[MELGAR]
Meloidogyne incognita (Kofold & White)
Chitwood [MELGIN]
Meloidogyne javanica Chitwood
[MELGJA]
Pratylenchus penetrans (Cobb) Filipjev &
Schuurmans-Stekhoven [PRATPE]
Pratylenchus vulnus Allen & Jensen
[PRATVU]
- Bacteria**
Agrobacterium tumefaciens (Smith &
Townsend) Conn [AGRBTU]
Pseudomonas syringae pv. *morsprunorum*
(Wormald) Young, Dye & Wilkie
[PSDMMP]
Pseudomonas syringae pv. *persicae*
(Prunier, Luisetti & Gardan) Young, Dye &
Wilkie [PSDMPE]
- Fungi and oomycetes**
Phytophthora cactorum (Lebert & Cohn)
J.Schröter [PHYTCC]
Verticillium dahliae Kleb [VERTDA]
- Insects and mites**
Pseudaulacaspis pentagona Targioni-
Tozzetti [PSEAPE]
Quadraspidiotus perniciosus Comstock
[QUADPE]
- Nematodes**
Meloidogyne arenaria Chitwood
[MELGAR]
Meloidogyne incognita (Kofold & White)
Chitwood [MELGIN]
Meloidogyne javanica Chitwood
[MELGJA]
Pratylenchus penetrans (Cobb) Filipjev &
Schuurmans-Stekhoven [PRATPE]
Pratylenchus vulnus Allen & Jensen
[PRATVU]
- Fungi and oomycetes**
Diaporthe strumella (Fries) Fuckel
[DIAPST]
Microsphaera grossulariae (Wallroth)
Léveillé [MCRSGR]
Podosphaera mors-uvae (Schweinitz)
Braun & Takamatsu [SPHRMU]
- Insects and mites**
Cecidophyopsis ribis Westwood [ERPHRI]
Dasineura tetensi Rübsaamen [DASYTE]
- Prunus persica* (L.) Batsch and *Prunus salicina* Lindley**
- Ribes* L.**

	<i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]
	<i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]
	<i>Tetranychus urticae</i> Koch [TETRUR]
	Nematodes
	<i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner [APLORI]
	<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Aucuba mosaic agent and blackcurrant yellows agent combined
<i>Rubus</i> L.	Bacteria
	<i>Agrobacterium</i> spp. Conn [1AGRBG]
	<i>Rhodococcus fascians</i> Tilford [CORBFA]
	Fungi and oomycetes
	<i>Peronospora rubi</i> Rabenhorst [PERORU]
	Insects and mites
	<i>Resseliella theobaldi</i> Barnes [THOMTE]
<i>Vaccinium</i> L.	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	Fungi and oomycetes
	<i>Diaporthe vaccinii</i> Shear [DIAPVA]
	<i>Exobasidium vaccinii</i> (Fuckel) Woronin [EXOBVA]
	<i>Godronia cassandrae</i> (anamorph <i>Topospora myrtilli</i>) Peck [GODRCA]”.

(8) Before schedule 7 (visual inspections, sampling and testing per genera, etc.) insert—

“**SCHEDULE 6A** Regulations 15(4) and 17(2); schedule 2, paragraphs 9(2), (3) and (4), 10(1), (3) and (6), 17(1), (3) and (6) and 23(1), (3) and (6); and schedule 3, paragraphs 1(1) and (1A) and 2(1)

RNQPs for the presence of which visual inspection and, where applicable, sampling and testing are required

<i>Column 1</i> <i>Genus or species</i>	<i>Column 2</i> <i>RNQPs</i>
<i>Citrus</i> L., <i>Fortunella</i> Swingle and <i>Poncirus</i> Raf.	Bacteria <i>Spiroplasma citri</i> Saglio <i>et al.</i> [SPIRCI] Fungi and oomycetes <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley [DEUTTR]

	<p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p><i>Citrus cristacortis</i> agent [CSCC00] <i>Citrus exocortis</i> viroid [CEVD00] <i>Citrus impietratura</i> agent [CSI000] <i>Citrus</i> leaf blotch virus [CLBV00] <i>Citrus psorosis</i> virus [CPSV00] <i>Citrus tristeza</i> virus (EU isolates) [CTV000] <i>Citrus</i> variegation virus [CVV000] Hop stunt viroid [HSVD00]</p>
<i>Corylus avellana</i> L.	<p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Apple mosaic virus [APMV00]</p>
<i>Cydonia oblonga</i> Mill.	<p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Apple chlorotic leaf spot virus [ACLSV0] Apple rubbery wood agent [ARW000] Apple stem grooving virus [ASGV00] Apple stem-pitting virus [ASPV00] Pear bark necrosis agent [PRBN00] Pear bark split agent [PRBS00] Pear blister canker viroid [PBCVD0] Pear rough bark agent [PRRB00] Quince yellow blotch agent [ARW000]</p>
<i>Fragaria</i> L.	<p>Bacteria</p> <p><i>Xanthomonas fragariae</i> Kennedy & King [XANTFR]</p> <p>Fungi and oomycetes</p> <p><i>Colletotrichum acutatum</i> Simmonds [COLLAC] <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC] <i>Phytophthora fragariae</i> C.J. Hickman [PHYTFR]</p> <p>Nematodes</p> <p><i>Aphelenchoides besseyi</i> Christie [APLOBE] <i>Aphelenchoides blastophthorus</i> Franklin [APLOBL] <i>Aphelenchoides fragariae</i> (Ritzema Bos) Christie [APLOFR] <i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner [APLORI]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p><i>Arabis</i> mosaic virus [ARMV00] Raspberry ringspot virus [RPRSV0] Strawberry crinkle virus [SCRV00] Strawberry latent ringspot virus [SLRSV0] Strawberry mild yellow edge virus [SMYEV0] Strawberry mottle virus [SMOV00] Strawberry vein banding virus [SVBV00] Tomato black ring virus [TBRV00]</p>

Juglans regia L

Viruses, viroids, virus-like diseases and phytoplasmas

Cherry leaf roll virus [CLRV00]

Malus Mill.

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple dimple fruit viroid [ADFVD0]

Apple flat limb agent [AFL000]

Apple mosaic virus [APMV00]

Apple rubbery wood agent [ARW000]

Apple scar skin viroid [ASSVD0]

Apple star crack agent [APHW00]

Apple stem grooving virus [ASGV00]

Apple stem-pitting virus [ASPV00]

Candidatus Phytoplasma mali Seemüller & Schneider [PHYPMA]

Fruit disorders: chat fruit [APCF00], green crinkle [APGC00], bumpy fruit of Ben Davis, rough skin [APRSK0], star crack, russet ring [APLP00], russet wart

Olea europaea L.

Fungi and oomycetes

Verticillium dahliae Kleb [VERTDA]

Viruses, viroids, virus-like diseases and phytoplasmas

Arabis mosaic virus [ARMV00]

Cherry leaf roll virus [CLRV00]

Strawberry latent ringspot virus [SLRSV0]

Prunus dulcis (Miller) Webb

Bacteria

Xanthomonas arboricola pv. *pruni* (Smith)

Vauterin *et al.* [XANTPR]

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple mosaic virus [APMV00]

Candidatus Phytoplasma prunorum

Seemüller & Schneider [PHYPPR]

Plum pox virus [PPV000]

Prune dwarf virus [PDV000]

Prunus necrotic ringspot virus [PNRSV0]

Prunus armeniaca L.

Bacteria

Xanthomonas arboricola pv. *pruni* (Smith)

Vauterin *et al.* [XANTPR]

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple mosaic virus [APMV00]

Apricot latent virus [ALV000]

Candidatus Phytoplasma prunorum

Seemüller & Schneider [PHYPPR]

Plum pox virus [PPV000]

Prune dwarf virus [PDV000]

Prunus necrotic ringspot virus [PNRSV0]

Prunus avium L. and *Prunus cerasus* L.

Bacteria

Xanthomonas arboricola pv. *pruni* (Smith)

Prunus domestica L., *Prunus salicina* Lindley, and other species of *Prunus* L. susceptible to Plum pox virus in the case of *Prunus* L. hybrids

Prunus persica (L.) Batsch

Pyrus L.

Vauterin *et al.* [XANTPR]

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple mosaic virus [APMV00]

Arabis mosaic virus [ARMV00]

Candidatus Phytoplasma prunorum

Seemüller & Schneider [PHYPPR]

Cherry green ring mottle virus [CGRMV0]

Cherry leaf roll virus [CLRV00]

Cherry mottle leaf virus [CMLV00]

Cherry necrotic rusty mottle virus [CRNRM0]

Little cherry virus 1 and 2 [LCHV10], [LCHV20]

Plum pox virus [PPV000]

Prune dwarf virus [PDV000]

Prunus necrotic ringspot virus [PNRSV0]

Raspberry ringspot virus [RPRSV0]

Strawberry latent ringspot virus [SLRSV0]

Tomato black ring virus [TBRV00]

Bacteria

Xanthomonas arboricola pv. *pruni* (Smith)

Vauterin *et al.* [XANTPR]

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple mosaic virus [APMV00]

Candidatus Phytoplasma prunorum

Seemüller & Schneider [PHYPPR]

Myrobalan latent ringspot virus [MLRSV0]

Plum pox virus [PPV000]

Prune dwarf virus [PDV000]

Prunus necrotic ringspot virus [PNRSV0]

Bacteria

Xanthomonas arboricola pv. *pruni* (Smith)

Vauterin *et al.* [XANTPR]

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple mosaic virus [APMV00]

Apricot latent virus [ALV000]

Candidatus Phytoplasma prunorum

Seemüller & Schneider [PHYPPR]

Peach latent mosaic viroid [PLMVD0]

Plum pox virus [PPV000]

Prune dwarf virus [PDV000]

Prunus necrotic ringspot virus [PNRSV0]

Strawberry latent ringspot virus [SLRSV0]

Viruses, viroids, virus-like diseases and phytoplasmas

Apple chlorotic leaf spot virus [ACLSV0]

Apple rubbery wood agent [ARW000]

Apple stem grooving virus [ASGV00]

	Apple stem-pitting virus [ASPV00]
	<i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider [PHYPPY]
	Pear bark necrosis agent [PRBN00]
	Pear bark split agent [PRBS00]
	Pear blister canker viroid [PBCVD0]
	Pear rough bark agent [PRRB00]
	Quince yellow blotch agent [ARW000]
<i>Ribes</i> L.	Viruses, viroids, virus-like diseases and phytoplasmas
	<i>Arabidopsis</i> mosaic virus [ARMV00]
	Blackcurrant reversion virus [BRAV00]
	Cucumber mosaic virus [CMV000]
	Gooseberry vein banding associated virus [GOVB00]
	Raspberry ringspot virus [RPRSV0]
	Strawberry latent ringspot virus [SLRSV0]
<i>Rubus</i> L.	Fungi and oomycetes
	<i>Phytophthora</i> spp. de Bary [1PHYTG]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple mosaic virus [APMV00]
	<i>Arabidopsis</i> mosaic virus [ARMV00]
	Black raspberry necrosis virus [BRNV00]
	<i>Candidatus</i> Phytoplasma rubi Malembic-Maher <i>et al.</i> [PHYPRU]
	Cucumber mosaic virus [CMV000]
	Raspberry bushy dwarf virus [RBDV00]
	Raspberry leaf mottle virus [RLMV00]
	Raspberry ringspot virus [RPRSV0]
	Raspberry vein chlorosis virus [RVCV00]
	Raspberry yellow spot [RYS000]
	<i>Rubus</i> yellow net virus [RYNV00]
	Strawberry latent ringspot virus [SLRSV0]
	Tomato black ring virus [TBRV00]
<i>Vaccinium</i> L.	Viruses, viroids, virus-like diseases and phytoplasmas
	Blueberry mosaic associated ophiovirus [BLMAV0]
	Blueberry red ringspot virus [BRRV00]
	Blueberry scorch virus [BLSCV0]
	Blueberry shock virus [BLSHV0]
	Blueberry shoestring virus [BSSV00]
	<i>Candidatus</i> Phytoplasma asteris Lee <i>et al.</i> [PHYPAS]
	<i>Candidatus</i> Phytoplasma pruni [PHYPPN]
	<i>Candidatus</i> Phytoplasma solani Quaglino <i>et al.</i> [PHYPSO]
	Cranberry false blossom phytoplasma [PHYPFB]

SCHEDULE 6B

Regulation 17(2); and
 schedule 2, paragraphs 11(1),
 (2), (3) and (4), 18(1), (2) and (4)
 and 24(1), (2) and (4)

RNQPs the presence of which in soil is regulated

<i>Column 1</i> <i>Genus or species</i>	<i>Column 2</i> <i>RNQPs</i>
<i>Fragaria L.</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Juglans regia L.</i>	Nematodes <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Olea europaea L.</i>	Nematodes <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Pistacia vera L.</i>	Nematodes <i>Xiphinema index</i> Thorne & Allen [XIPHIN]
<i>Prunus avium L. and Prunus cerasus L.</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Prunus domestica L., Prunus persica (L.) Batsch and Prunus salicina Lindley</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Ribes L.</i>	Nematodes <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Rubus L.</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA]

Column 1 Genus or species	Column 2 Category	Column 3 Frequency of inspections	Column 4 Requirements relating to sampling and testing	Column 5 Requirements relating to the production site, place of production or area
Castanea sativa Mill.	Pre-basic category	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedule 6.	<p>In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning <i>Cryphonectria parasitica</i> (Murrill) Barr:</p> <p>(a) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Cryphonectria parasitica</i> (Murrill) Barr, or</p> <p>(b) no symptoms of <i>Cryphonectria parasitica</i> (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the pre-basic category since the beginning of the last complete cycle of vegetation.</p> <p>Propagating material and fruit plants of the basic category must be produced in areas known to be free from <i>Cryphonectria parasitica</i> (Murrill) Barr, or</p>
	Basic category			

no symptoms of *Cryphonectria parasitica* (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the basic category since the beginning of the last complete cycle of vegetation.

Certified and CAC categories

Propagating material and fruit plants of the certified and CAC categories must be produced in areas known to be free from *Cryphonectria parasitica* (Murrill) Barr,

no symptoms of *Cryphonectria parasitica* (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the certified and CAC categories since the beginning of the last complete cycle of vegetation, or

propagating material and fruit plants of the certified and CAC categories showing symptoms of *Cryphonectria parasitica* (Murrill) Barr have been rogued out, the remaining propagating material and fruit plants must be inspected at weekly intervals and no symptoms are observed at the site of production for at least three weeks before dispatch.

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

Pre-basic category

Visual inspections must be carried out twice a year.

Each pre-basic mother plant must be sampled and tested every year concerning the presence of *Spiroplasma citri* Saglio *et al.* Each pre-basic mother plant must be sampled and tested three years after its acceptance as a pre-basic mother plant and with subsequent intervals of three years concerning the presence of *Citrus tristeza* virus (EU isolates).

N/A.

Each pre-basic mother plant must be sampled and tested every six years after its acceptance as a pre-basic mother plant and with subsequent intervals of six years concerning the presence of RNQPs, other than *Citrus tristeza* virus (EU isolates) and *Spiroplasma citri* Saglio *et al.*, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Basic category

Visual inspections must be carried out twice a year with regard to *Citrus tristeza* virus (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley. Visual inspections must be carried out once a year for all RNQPs, other than *Citrus tristeza* virus (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus*

Propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Citrus tristeza* virus (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley,

(Petri) Gruyter, Aveskamp & Verkley, listed in schedules 6 and 6A

In the case of basic mother plants which have not been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every year concerning the presence of *Citrus tristeza virus* (EU isolates) and *Spiroplasma citri* Saglio *et al.* in order to have all mother plants tested within an interval of 2 years. In the case of a positive test result for *Citrus tristeza virus* (EU isolates) all basic mother plants in the production site must be sampled and tested. A representative portion of basic mother plants which have not been maintained in insect proof facilities must 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 RNQPs, other than *Citrus tristeza virus* (EU isolates) and *Spiroplasma citri* Saglio *et al.*, listed in schedules 6 and 6A.

in the case of propagating material and fruit plants of the basic and certified categories which have been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season and the material has been subjected to random sampling and testing *Citrus tristeza virus* (EU isolates) before marketing,

in the case of propagating material and fruit plants of the certified category which have not been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season, and a representative portion of the material has been sampled and tested for *Citrus tristeza virus* (EU isolates) before marketing, or

in the case of propagating material and fruit plants of the certified category which have not been grown in insect proof facilities:

- (a) symptoms of *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley or *Spiroplasma citri* Saglio *et al.* are observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and
- (b) a representative portion of propagating material and fruit plants of the certified category has been sampled and tested for *Citrus tristeza* virus (EU isolates), before marketing and no more than 2% of propagating material and fruit plants of the certified category in the

Certified category

Visual inspections must be carried out twice a year with regard to *Citrus tristeza* virus (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley. Visual inspections

In the case of certified mother plants which have been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every four years concerning the presence of *Citrus tristeza* virus (EU isolates) in order to have all mother plants tested within an interval of 8 years.

<p>must be carried out once a year for all RNQPs, other than <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley, listed in schedules 6 and 6A.</p>	<p>In the case of certified mother plants which have not been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every year concerning the presence of <i>Citrus tristeza</i> virus (EU isolates) in order to have all mother plants tested within an interval of 3 years. A representative portion of certified mother plants which have not been maintained in insect proof facilities must be sampled and tested where there are doubts concerning the presence of pests, other than <i>Citrus tristeza</i> virus (EU isolates), listed in schedules 6 and 6A.</p>	<p>production site have been found positive over the last complete growing season. That propagating material and those fruit plants have been rogued out and immediately destroyed. Propagating material and fruit plants in the immediate vicinity have been subjected to random sampling and testing, and any propagating material and fruit plants which have been found positive have been rogued out and immediately destroyed.</p>
<p>Visual inspections must be carried out once a year.</p>	<p>In the case of a positive test result for <i>Citrus tristeza</i> virus (EU isolates) all certified mother plants in the production site must be sampled and tested. Propagating material and fruit plants of the CAC category must derive from an identified source of material, which has been found free, on the basis of visual inspection, sampling and testing, from the RNQPs as listed in schedule 6A.</p>	<p>Propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley,</p>
<p>CAC category</p>		

In the case the identified source of material has been maintained in insect proof facilities, a representative portion of that material must be sampled and tested every eight years concerning the presence of *Citrus tristeza* virus (EU isolates).

In the case the identified source of material has not been maintained in insect-proof facilities, a representative portion of that material must be sampled and tested every three years concerning the presence of *Citrus tristeza* virus (EU isolates).

in the case of propagating material and fruit plants of the CAC category which have been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season and the material has been subjected to random sampling and testing for *Citrus tristeza* virus (EU isolates) before marketing,

in the case of propagating material and fruit plants of the CAC category which have not been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative portion of the material has been sampled and tested for *Citrus tristeza* virus (EU isolates) before marketing, or

in the case of propagating material and fruit plants of the CAC category which have not been grown in insect proof

facilities:

- (a) symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and
- (b) a representative portion of propagating material and fruit plants of the CAC category has been sampled and tested for *Citrus tristeza* virus (EU isolates), before marketing and no more than 2% of propagating material and fruit plants of the CAC category in the production site have been found positive over the last complete growing season. That propagating material and those fruit plants have been rogued out and immediately destroyed. Propagating material and fruit plants in the immediate vicinity

have been subjected to random sampling and testing, and any propagating material and fruit plants which have been found positive have been rogued out and immediately destroyed.

<i>Corylus avellana</i> L.	All categories	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.	N/A.
<i>Cydonia oblonga</i> Mill.	Pre-basic category	Visual inspections must be carried out over the last complete growing season for <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> For all RNQPs, other than <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , visual inspections must be carried out once a year.	Each pre-basic mother plant must be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> :
				(a) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , or

- (b) propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

Basic category

A representative portion of basic mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow *et al.*, or

Certified category

A representative portion of certified mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

		Certified fruit plants must be sampled and tested where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.	
	CAC category	Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.	Propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , or propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.
<i>Ficus carica</i> L.	All categories	Visual inspections must be carried out once a year.	N/A.
<i>Fragaria</i> L.	Pre-basic category	Visual inspections must be carried out twice a year during the growing season. The foliage of <i>Fragaria</i> L. must be visually inspected concerning the presence of <i>Phytophthora fragariae</i> C.J. Hickman.	N/A.

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

Basic category

A representative sample of roots must be sampled and tested in the case of symptoms of *Phytophthora fragariae* C.J. Hickman on the foliage. Sampling and testing must be carried out if the symptoms of *Arabidopsis* mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than *Arabidopsis* mosaic virus, *Phytophthora fragariae* C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, listed in schedules 6 and 6A.

Phytophthora fragariae C.J. Hickman:

- (a) propagating material and fruit plants of the basic category must be produced in areas known to be free from *Phytophthora fragariae* C.J. Hickman, or
- (b) no symptoms of *Phytophthora fragariae* C.J. Hickman are observed on the foliage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, and any infected propagating material and fruit plants in a surrounding zone of at least 5 m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected propagating material and fruit plants have been lifted.

Xanthomonas fragariae Kennedy & King:

- (a) propagating material and fruit plants of the basic category must be produced in areas known to be free from *Xanthomonas fragariae* Kennedy & King, or
- (b) no symptoms of *Xanthomonas fragariae* Kennedy & King are

observed on propagating material and fruit plants of the basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

Phytophthora fragariae C.J. Hickman:

(a) there must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least ten years between findings of *Phytophthora fragariae* C.J. Hickman and the next planting, or

(b) the cropping and soil borne disease history of the production site must be recorded.

There must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least one year between findings of *Xanthomonas fragariae* Kennedy & King and the next planting.

Requirements for RNQPs, other than *Xanthomonas fragariae* Kennedy & King and *Phytophthora fragariae* C.J. Hickman and other than viruses:

- (a) the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:
- (i) 0.05% in the case of *Aphelenchoides besseyi*,
 - (ii) 0.1% in the case of Strawberry multipler disease phytoplasma,
 - (iii) 0.2% in the case of *Candidatus Phytoplasma asteris* Lee *et al.*, *Candidatus Phytoplasma pruni*, *Candidatus Phytoplasma solani* Quaglino *et al.*, *Verticillium albo-atrum* Reinke & Berthold and *Verticillium dahliae* Kleb,
 - (iv) 0.5% in the case of *Chaetosiphon fragaefolii* Cockerell, *Ditylenchus dipsaci* (Kuehn) Filipjev, *Meloidogyne hapla* Chitwood, *Podosphaera aphanis* (Wallroth) Braun & Takamatsu,
 - (v) 1% in the case of

Pratylenchus vulnus
Allen & Jensen; and that propagating material and those fruit plants and any surrounding host plants have been rogued out and destroyed, and

- (b) in the case of a positive test result for propagating material and fruit plants of the basic category showing symptoms of *Arabid* mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.

Symptoms of all viruses listed in schedules 6 and 6A must have been observed on no more than 1% of propagating material and fruit plants of the basic category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity must have been rogued out and immediately destroyed.

Certified category

A representative sample of roots must be sampled and tested in the case of symptoms of *Phytophthora fragariae* C.J. Hickman on the foliage. Sampling and testing must be carried out if the symptoms of *Arabidopsis* mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than *Arabidopsis* mosaic virus, *Phytophthora fragariae* C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, listed in schedules 6 and 6A.

Phytophthora fragariae C.J. Hickman:

- (a) propagating material and fruit plants of the certified category must be produced in areas known to be free from *Phytophthora fragariae* C.J. Hickman, or
- (b) no symptoms of *Phytophthora fragariae* C.J. Hickman are observed on the foliage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected plants have been lifted.

Xanthomonas fragariae Kennedy & King:

- (a) propagating material and fruit plants of the certified category must be produced in areas known to be free from *Xanthomonas fragariae* Kennedy & King, or
- (b) symptoms of *Xanthomonas fragariae* Kennedy & King have been observed on no more than 2% of propagating material and

fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

Phytophthora fragariae C.J. Hickman:

(a) there must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least ten years between findings of *Phytophthora fragariae* C.J. Hickman and the next planting, or

(b) the cropping and soil borne disease history of the production site must be recorded.

There must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least one year between findings of *Xanthomonas fragariae* Kennedy & King and the next planting.

Requirements for RNQPs, other than *Xanthomonas fragariae* Kennedy & King and *Phytophthora fragariae* C.J. Hickman and other than viruses:

- (a) the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:
- (i) 0.1% in the case of *Phytonemus pallidus* Banks,
 - (ii) 0.5% in the case of *Aphelenchoides besseyi* Christie and Strawberry multipler phytoplasma,
 - (iii) 1% in the case of *Aphelenchoides fragariae* (Ritzema Bos) Christie, *Candidatus* Phlomobacter fragariae Zreik, Bové & Garnier, *Candidatus* Phytoplasma asteris Lee *et al.*, *Candidatus* Phytoplasma australiense Davis *et al.*, *Candidatus* Phytoplasma fragariae Valunas, Stanulis & Davis, *Candidatus* Phytoplasma pruni, *Candidatus* Phytoplasma solani Quaglino *et al.*, *Chaetosiphon fragaefolii* Cockerell, Clover phyllody

phytoplasma, *Ditylenchus dipsaci* (Kuehn) Filipje, *Meloidogyne hapla* Chitwood, *Podosphaera aphanis* (Wallroth) Braun & Takamatsu, *Pratylenchus vulnus* Allen & Jensen and *Rhizoctonia fragariae* Hussain & W.E.McKeen,

(iv) 2% in the case of *Verticillium albo-atrum* Reinke & Berthold and *Verticillium dahliae* Kleb; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed, and

(b) in the case of a positive test result for propagating material and fruit plants of the certified category showing symptoms of *Arabid* mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.

Symptoms of all viruses listed in schedules 6 and 6A have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

CAC category

A representative sample of roots must be sampled and tested in the case of symptoms of *Phytophthora fragariae* C.J. Hickman on the foliage. Sampling and testing must be carried out if the symptoms of *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than *Arabis* mosaic virus, *Phytophthora fragariae* C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, listed in schedules 6 and 6A.

Phytophthora fragariae C.J. Hickman:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Phytophthora fragariae* C.J. Hickman, or
- (b) no symptoms of *Phytophthora fragariae* C.J. Hickman are observed on the foliage of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected propagating material and fruit plants have been lifted.

Xanthomonas fragariae Kennedy & King:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Xanthomonas fragariae* Kennedy & King,
- (b) no symptoms of *Xanthomonas fragariae* Kennedy & King are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out, or
- (c) symptoms of *Xanthomonas fragariae* Kennedy & King have been observed on no more than 5% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

In the case of a positive test result for propagating material and fruit plants of the CAC category showing symptoms of *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.

N/A.

Each flowering pre-basic mother plant must 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 RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Visual inspections must be carried out once a year.

Pre-basic category

Juglans regia L.

A representative portion of basic mother plants must be sampled and tested every year on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.

A representative portion of certified mother plants must 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 the RNQPs listed in schedules 6 and 6A.

Basic category

Certified category

Certified fruit plants must be sampled and tested where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.

Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.

CAC category

Malus Mill.

Pre-basic category

Visual inspections must be carried out once a year.

Each pre-basic mother plant must be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning *Candidatus Phytoplasma mali* Seemüller & Schneider and *Erwinia amylovora* (Burrill) Winslow *et al.*:

- (a) *Candidatus Phytoplasma mali* Seemüller & Schneider:

- (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from *Candidatus Phytoplasma mali* Seemüller & Schneider, or
 - (ii) no symptoms of *Candidatus Phytoplasma mali* Seemüller & Schneider are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,
- (b) *Erwinia amylovora* (Burrill) Winslow et al.:
 - (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al., or
 - (ii) propagating material and fruit plants of the pre-basic category in the production site have been inspected

over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

Candidatus Phytoplasma mali
Seemüller & Schneider:

- (a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Candidatus* Phytoplasma mali Seemüller & Schneider,
- (b) no symptoms of *Candidatus* Phytoplasma mali Seemüller & Schneider are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or
- (c) symptoms of *Candidatus* Phytoplasma mali Seemüller & Schneider have been observed on

In the case of basic mother plants, which have been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every fifteen years concerning the presence of *Candidatus* Phytoplasma mali Seemüller & Schneider.

In the case of basic mother plants, which have not been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every three years concerning the presence of *Candidatus* Phytoplasma mali Seemüller & Schneider; a representative portion of basic mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus* Phytoplasma mali Seemüller & Schneider and other than the virus-like diseases and viroids, listed in

Basic category

Certified category	
<p>schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.</p> <p>In the case of certified mother plants, which have been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every fifteen years concerning the presence of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider.</p> <p>In the case of certified mother plants, which have not been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every five years concerning the presence of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider; a representative portion of certified mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider and other than virus-like diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.</p> <p>Certified fruit plants must be sampled and tested where there are doubts concerning the presence of RNQPs listed in</p>	<p>no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider.</p> <p><i>Erwinia amylovora</i> (Burrill) Winslow et al.:</p> <p>(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow et al., or</p> <p>(b) propagating material and fruit plants of the basic and certified</p>

schedules 6 and 6A.

categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

CAC category

Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.

Candidatus Phytoplasma mali
Seemüller & Schneider:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Candidatus* Phytoplasma mali Seemüller & Schneider,
- (b) no symptoms of *Candidatus* Phytoplasma mali Seemüller & Schneider are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or

(c) symptoms of *Candidatus* Phytoplasma mali Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus* Phytoplasma mali Seemüller & Schneider.

Erwinia amylovora (Burrill) Winslow *et al.*:

(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow *et al.*, or

(b) propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

N/A.

Each pre-basic mother plant must be sampled and tested ten years after its acceptance as a pre-basic mother plant and with subsequent intervals of ten years concerning the presence of RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

A representative portion of basic mother plants must be sampled in order to have all plants tested within an interval of thirty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.

Visual inspections must be carried out once a year.

Pre-basic category

***Olea europaea* L.**

Basic category

Certified category	
	<p>In the case of mother plants used for the production of seeds (“seed mother plants”), a representative portion of those seed mother plants must be sampled in order to have all plants tested within an interval of forty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A. In the case of mother plants other than seed mother plants, a representative portion of those plants must be sampled in order to have all plants tested within an interval of thirty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.</p>
CAC category	
	<p>Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.</p>
All categories	
<i>Pistacia vera</i> L.	<p>Visual inspections must be carried out once a year.</p> <p>Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedule 6.</p> <p>N/A.</p>

<i>Prunus armeniaca</i> L., <i>Prunus avium</i> L., <i>Prunus cerasifera</i> Ehrh., <i>Prunus cerasus</i> L., <i>Prunus domestica</i> L., <i>Prunus dulcis</i> (Miller) Webb, <i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley	Pre-basic category			
	Visual inspections must be carried out twice a year with regard to <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, Plum pox virus, <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> and <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie (<i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley). Visual inspections must be carried out once a year for all RNQPs, other than <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, Plum pox virus, <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> and <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier,	Propagating material and fruit plants of the pre-basic category of <i>Prunus armeniaca</i> L., <i>Prunus avium</i> L., <i>Prunus cerasus</i> L., <i>Prunus domestica</i> L., and <i>Prunus dulcis</i> (Miller) Webb, must derive from mother plants, which have been tested within the previous growing season and found free from Plum pox virus.	Pre-basic rootstocks of <i>Prunus cerasifera</i> Ehrh. and <i>Prunus domestica</i> L. must derive from mother plants, which have been tested within the previous growing season and found free from Plum pox virus. Pre-basic rootstocks of <i>Prunus cerasifera</i> Ehrh. and <i>Prunus domestica</i> L. must derive from mother plants, which have been tested within the previous five growing seasons and found free from <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider.	In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, Plum pox virus, <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> and <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:
			(a) <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider:	
			(i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider,	

Luisetti &. Gardan) Young, Dye & Wilkie, listed in schedules 6 and 6A.

Each flowering pre-basic mother plant must be sampled and tested for Prune dwarf virus and *Prunus* necrotic ringspot virus one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year. In the case of *Prunus persica*, each flowering pre-basic mother plant must be sampled one year after its acceptance as a pre-basic mother plant and tested for Peach latent mosaic viroid. Each tree planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment must be sampled and tested for Prune dwarf virus and *Prunus* necrotic ringspot virus.

Each pre-basic mother plant must be sampled five years after its acceptance as a pre-basic mother plant, and with subsequent intervals of five years, and tested for *Candidatus* Phytoplasma prunorum Seemüller & Schneider and Plum pox virus. Each pre-basic mother plant must be sampled ten years after its acceptance as a pre-basic mother plant, and with subsequent intervals of ten years, and tested for RNQPs, other than Prune dwarf virus, Plum pox virus and *Prunus* necrotic ringspot virus, relevant for the species, as listed in schedule 6A, and tested where there are doubts concerning the presence of RNQPs listed in schedule 6. A representative portion of pre-basic mother plants must be sampled

(ii) no symptoms of *Candidatus* Phytoplasma prunorum Seemüller & Schneider are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or

(iii) propagating material and fruit plants of the pre-basic category in the production site must be isolated from other host plants. The isolation distance of the production site must depend on regional circumstances, the type of propagating material, the presence of *Candidatus* Phytoplasma prunorum Seemüller & Schneider in the area concerned and the relevant risks involved as set out by the competent authorities based on inspection,

(b) Plum pox virus:

(i) propagating material and fruit plants of the pre-basic category must be produced

and tested where there are doubts concerning the presence of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*

in areas known to be free from Plum pox virus,

- (ii) no symptoms of Plum pox virus are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or
- (iii) propagating material and fruit plants of the pre-basic category in the production site must be isolated from other host plants. The isolation distance of the production site must depend on regional circumstances, the type of propagating material, the presence of Plum pox virus in the area concerned and the relevant risks involved as set out by the competent authorities based on inspection,

- (c) *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:

- (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie, or
 - (ii) no symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,
- (d) *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*:
- (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*, or

- (ii) no symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

Candidatus Phytoplasma prunorum
Seemüller & Schneider:

- (a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Candidatus* Phytoplasma prunorum Seemüller & Schneider,
- (b) no symptoms of *Candidatus* Phytoplasma prunorum Seemüller & Schneider are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately

A representative portion of basic mother plants that have been maintained in insect-proof facilities must be sampled every three years and tested concerning the presence of Prune dwarf virus, *Prunus* necrotic ringspot virus and Plum pox virus. A representative portion of basic mother plants must be sampled every ten years and tested concerning the presence of *Candidatus* Phytoplasma prunorum Seemüller & Schneider.
Mother plants which have not been maintained in insect proof facilities:

- (a) a representative portion of basic mother plants, other than those intended for the production of rootstocks, must be sampled every year and tested for Plum pox virus in order to have all plants tested within an interval of ten years,

Visual inspections must be carried out once a year.

Basic category

- (b) a representative portion of basic mother plants, intended for the production of rootstocks must be sampled every year and tested concerning the presence of Plum pox virus and found free from that RNQP. A representative portion of basic mother plants of *Prunus domestica* L. intended for the production of rootstocks must be sampled and tested in the previous five growing seasons concerning the presence of *Candidatus* Phytoplasma prunorum Seemüller & Schneider and found free from that RNQP, and
- (c) a representative portion of basic mother plants must be sampled and tested where there are doubts concerning the presence of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* A representative portion of basic mother plants must be sampled and tested every ten years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus* Phytoplasma prunorum Seemüller & Schneider, Prune dwarf virus, *Prunus* necrotic
- destroyed, or symptoms of *Candidatus* Phytoplasma prunorum Seemüller & Schneider have been observed on no more than 1% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic plants were found has been tested and found free from *Candidatus* Phytoplasma prunorum Seemüller & Schneider.

ringspot virus and Plum pox virus, listed in schedule 6A, and tested where there are doubts concerning the presence of RNQPs listed in schedule 6.

Flowering mother plants:

- (a) a representative portion of flowering basic mother plants must be sampled every year and tested for *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Prune dwarf virus and *Prunus* necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants, and
- (b) in the case of *Prunus persica* (L.) Batsch, a representative portion of flowering basic mother plants must be sampled once a year and tested for Peach latent mosaic viroid 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 must be sampled and tested Prune dwarf virus and *Prunus* necrotic ringspot virus on

Plum pox virus:

- (a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from Plum pox virus, or
- (b) no symptoms of Plum pox virus are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or
- (c) symptoms of Plum pox virus have been observed on no more than 1% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been

the basis of an assessment of the risk of infection of those plants.

A representative portion of non-flowering basic mother plants which have been not maintained in insect proof facilities must be sampled and tested every three years concerning the presence of Prune dwarf virus, *Prunus* necrotic ringspot virus and *Candidatus* Phytoplasma prunorum Seemüller & Schneider on the basis of an assessment of the risk of infection of those plants.

Certified category

A representative portion of certified mother plants that have been maintained in insect proof facilities must be sampled every five years and tested concerning the presence of Prune dwarf virus, *Prunus* necrotic ringspot virus and Plum pox virus in order to have all plants tested within an interval of fifteen years. A representative portion of certified mother plants must be sampled every fifteen years and tested concerning the presence of *Candidatus* Phytoplasma prunorum Seemüller & Schneider.

rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic plants were found has been tested and found free from Plum pox virus.

Pseudomonas syringae pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:

- (a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie,
- (b) no symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or

- (c) symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

Xanthomonas arboricola pv. *pruni*
(Smith) Vauterin et al.:

- Mother plants that have not been maintained in insect proof facilities:
- (a) a representative portion of certified mother plants that have not been maintained in insect proof facilities must be sampled every three years and tested for Plum pox virus in order to have all plants tested within an interval of fifteen years,
- (b) a representative portion of certified mother plants intended for the production of rootstocks must be sampled every year and tested concerning the presence of Plum pox virus and found free from that RNQP. A representative portion of certified

- (a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al.,
- (b) no symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al. are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and

mother plants of *Prunus cerasifera* Ehrh. and *Prunus domestica* L. intended for the production of rootstocks have been sampled in the previous five growing seasons and tested concerning the presence of *Candidatus* Phytoplasma prunorum Seemüller & Schneider and found free from that RNQP, and

(c) a representative portion of certified mother plants must be sampled and tested where there are doubts concerning the presence of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* A representative portion of certified mother plants must be sampled every fifteen years and tested on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus* Phytoplasma prunorum Seemüller & Schneider, Prune dwarf virus, *Prunus* necrotic ringspot virus and Plum pox virus, listed in schedule 6A, and tested where there are doubts concerning the presence of RNQPs listed in schedule 6.

immediately destroyed; or symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

(c)

A representative portion of flowering certified mother plants must be sampled every year and tested for *Candidatus* Phytoplasma prunorum Seemüller & Schneider, Prune dwarf virus and *Prunus* necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants. In the case of *Prunus persica* (L.) Batsch, a representative portion of flowering certified mother plants must be sampled once a year and tested for Peach latent mosaic viroid 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 must be sampled and tested for Prune dwarf virus and *Prunus* necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.

A representative portion of non-flowering certified mother plants, which have not been maintained in insect proof facilities, must be sampled every three years and tested concerning the presence of *Candidatus* Phytoplasma prunorum, Prune dwarf virus and *Prunus* necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.

CAC category

Propagating material and fruit plants of the CAC category must derive from an identified source of material, of which a representative portion has been sampled and tested within the previous three growing seasons and found free from Plum pox virus.

CAC rootstocks of *Prunus cerasifera* Ehrh. and *Prunus domestica* L. must derive from an identified source of material of which a representative portion has been sampled and tested within the previous 5 years and found free from *Candidatus* Phytoplasma prunorum Seemüller & Schneider and Plum pox virus.

A representative portion of propagating material and fruit plants of the CAC category must be sampled and tested where there are doubts concerning the presence of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*

A representative portion of CAC fruit plants not showing any symptoms of Plum pox virus upon visual inspection must be sampled and tested on the basis of an assessment of the risk of infection of those fruit plants concerning the presence of that RNQP and in the case of symptomatic plants in the immediate vicinity.

Candidatus Phytoplasma prunorum Seemüller & Schneider:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Candidatus* Phytoplasma prunorum Seemüller & Schneider,
- (b) no symptoms of *Candidatus* Phytoplasma prunorum Seemüller & Schneider are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,
- (c) symptoms of *Candidatus* Phytoplasma prunorum Seemüller & Schneider have been observed on no more than 1% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material

Upon the detection of propagating material and fruit plants of the CAC category showing symptoms of *Candidatus* Phytoplasma prunorum Seemüller & Schneider in the production site by visual inspection, a representative portion of the remaining asymptomatic CAC propagating material and fruit plants of the CAC category in the lots where symptomatic propagating material and fruit plants have been found must be sampled and tested concerning the presence of *Candidatus* Phytoplasma prunorum Seemüller & Schneider.

and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus* Phytoplasma prunorum Seemüller & Schneider; or

Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than *Candidatus* Phytoplasma prunorum Seemüller & Schneider and Plum pox virus, listed in schedules 6 and 6A.

(d) symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie and *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

Plum pox virus:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from Plum pox virus,
- (b) no symptoms of Plum pox virus are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or
- (c) symptoms of Plum pox virus have been observed on no more than 1% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been

tested and found free from Plum
pox virus.

Pseudomonas syringae pv. *persicae*
(Prunier, Luisetti & Gardan) Young,
Dye & Wilkie:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie,
- (b) no symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or
- (c) symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and

that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

Xanthomonas arboricola pv. *pruni*
(Smith) Vauterin *et al.*:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*,
- (b) no symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or
- (c) symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and

that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning *Candidatus* Phytoplasma pyri Seemüller & Schneider and *Erwinia amylovora* (Burrill) Winslow *et al.*:

- (a) *Candidatus* Phytoplasma pyri Seemüller & Schneider:
 - (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from *Candidatus* Phytoplasma pyri Seemüller & Schneider, or

***Pyrus* L.**

Pre-basic category

Visual inspections must be carried out once a year.

Each pre-basic mother plant must be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

- (ii) no symptoms of *Candidatus Phytoplasma pyri* Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,
- (b) *Erwinia amylovora* (Burrill) Winslow et al.:
 - (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al., or
 - (ii) propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

Basic category

In the case of basic mother plants which have been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every fifteen years concerning the presence of *Candidatus* Phytoplasma pyri Seemüller & Schneider.

In the case of basic mother plants which have been not maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every three years concerning the presence of *Candidatus* Phytoplasma pyri Seemüller & Schneider; a representative portion of basic mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus* Phytoplasma pyri Seemüller & Schneider and other than the virus-like diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Certified category

In the case of certified mother plants, which have been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every fifteen years concerning the presence of *Candidatus* Phytoplasma pyri Seemüller & Schneider.
In the case of certified mother plants,

Candidatus Phytoplasma pyri
Seemüller & Schneider:

(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Candidatus* Phytoplasma pyri Seemüller & Schneider,

(b) no symptoms of *Candidatus* Phytoplasma pyri Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or

(c) symptoms of *Candidatus* Phytoplasma pyri Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating

which have been not maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every five years concerning the presence of *Candidatus* Phytoplasma pyri Seemüller & Schneider; a representative portion of certified mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus* Phytoplasma pyri Seemüller & Schneider and other than virus-like diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Certified fruit plants must be sampled and tested where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.

material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus* Phytoplasma pyri Seemüller & Schneider.

Erwinia amylovora (Burrill) Winslow et al.:

(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al., or

(b) propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

Candidatus Phytoplasma pyri Seemüller & Schneider:

(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Candidatus*

CAC category

Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.

Phytoplasma pyri Seemüller & Schneider,

(b) no symptoms of *Candidatus* Phytoplasma pyri Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or

(c) symptoms of *Candidatus* Phytoplasma pyri Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus* Phytoplasma pyri Seemüller &

Schneider.
Erwinia amylovora (Burrill) Winslow *et al.*:

- (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow *et al.*, or
- (b) propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

N/A

Each pre-basic mother plant must 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 RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Visual inspections must be carried out twice a year.

Pre-basic category

Ribes L.

Basic category

Visual inspections must be carried out once a year.

Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.

The percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season showing symptoms of *Aphelenchoides ritzemabosi* (Schwartz) Steiner & Buhner must not exceed 0.05% and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

Certified category

The percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season showing symptoms of *Aphelenchoides ritzemabosi* (Schwartz) Steiner & Buhner must not exceed 0.5% and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

N/A

N/A.

CAC category

Each pre-basic mother plant must 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 RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.

Pre-basic category

Visual inspections must be carried out twice a year.

Rubus L.

Basic category

Where propagating material and fruit plants are grown in the field or in pots, visual inspections must be carried out twice a year.

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

Sampling and testing must be carried out if the symptoms of *Arabidopsis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than *Arabidopsis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in schedules 6 and 6A

In the case of a positive test result for propagating material and fruit plants of the basic category showing symptoms of *Arabidopsis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.

In relation to RNQPs other than *Arabidopsis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed 0.1% in the case of:

- (a) *Agrobacterium* spp. Conn.; and
- (b) *Rhodococcus fascians* Tilford; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

Symptoms of all viruses listed in schedules 6 and 6A have been observed on no more than 0.25% of propagating material and fruit plants of the basic category in the production site over the last complete growing season, and that

propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

In the case of a positive test result for propagating material and fruit plants of the certified category showing symptoms of *Arabid* mosaic virus, Raspberry ring spot virus, Strawberry latent ring spot virus or Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.

In relation to RNQPs other than *Arabid* mosaic virus, Raspberry ring spot virus, Strawberry latent ring spot virus and Tomato black ring virus, the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:

- (a) 0.5% in the case of *Resseliella theobaldi* Barnes, and
- (b) 1% in the case of:
 - (i) *Agrobacterium* spp. Conn., and
 - (ii) *Rhodococcus fascians* Tilford,

Sampling and testing must be carried out if the symptoms of *Arabid* mosaic virus, Raspberry ring spot virus, Strawberry latent ring spot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than *Arabid* mosaic virus, Raspberry ring spot virus, Strawberry latent ring spot virus and Tomato black ring virus, listed in schedules 6 and 6A.

Certified category Visual inspections must be carried out once a year.

	and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.
	Symptoms of all viruses listed in schedules 6 and 6A have been observed on no more than 0.5% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.
CAC category	<p>Sampling and testing must be carried out if the symptoms of <i>Arabid</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Arabid</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in schedules 6 and 6A.</p> <p>Each pre-basic mother plant must 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 RNQPs listed in schedule 6A, and where there are</p>
Pre-basic category	Visual inspections must be carried out once a year.
Vaccinium L.	Visual inspections must be carried out twice a year.
	N/A.
	In the case of a positive test result for propagating material and fruit plants of the CAC category showing symptoms of <i>Arabid</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.

doubts concerning the presence of RNQPs listed in schedule 6.

Basic category Visual inspections must be carried out twice a year.

Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.

No symptoms of *Agrobacterium tumefaciens* (Smith & Townsend) Conn are observed at the production site over the last complete growing season.

Diaporthe vaccinii Shear:

- (a) propagating material and fruit plants of the basic category must be produced in areas known to be free from *Diaporthe vaccinii* Shear, or
- (b) no symptoms of *Diaporthe vaccinii* Shear are observed at the production site over the last complete growing season.

In relation to *Exobasidium vaccinii*

(Fuckel) Woronin and *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck, the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:

- (a) 0.1% in the case of *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck, and
- (b) 0.5% in the case of *Exobasidium vaccinii* (Fuckel) Woronin,

and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

Diaporthe vaccinii Shear:

- (a) propagating material and fruit plants of the certified category must be produced in areas known to be free from *Diaporthe vaccinii* Shear, or
- (b) no symptoms of *Diaporthe vaccinii* Shear are observed at the production site over the last complete growing season.

In relation to *Agrobacterium tumefaciens* (Smith & Townsend) Conn, *Exobasidium vaccinii* (Fuckel) Woronin and *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck, the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:

- (a) 0.5% in the case of:

- (i) *Agrobacterium tumefaciens* (Smith & Townsend) Conn, and
- (ii) *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck, and

Visual inspections must be carried out once a year.

Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.

Certified category

(b) 1% in the case of *Exobasidium vaccinii* (Fuckel) Woronin; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

N/A.”.

CAC category

St Andrew's House,
Edinburgh
27th May 2020

MAIRI GOUGEON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations transpose Commission Implementing Directive (EU) 2020/432 amending Council Directive 2002/55/EC with regard to the definition of vegetables and the list of genera and species in Article 2(1)(b) (OJ No. L 88, 24.03.2020, p.3) (“Directive 2020/432”) and Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material (OJ L 41, 13.2.2020, p.1) (“Directive 2020/177”).

Directive 2020/432 and Directive 2020/177 amend a number of instruments, collectively referred to as “the Marketing Directives”. The Marketing Directives are transposed by the statutory instruments amended by these Regulations, collectively referred to as “the Marketing Regulations”. These Regulations amend the Marketing Regulations to transpose the amendments made by Directive 2020/432 and Directive 2020/177 to the Marketing Directives.

Regulation 2 amends the Vegetable Seeds Regulations 1993 in order to transpose provisions of both Directive 2020/432 and Directive 2020/177.

Regulation 3 amends the Marketing of Vegetable Plant Material Regulations 1995.

Regulation 4 amends the Marketing of Ornamental Plant Propagating Material Regulations 1999.

Regulation 5 amends the Oil and Fibre Plant Seed (Scotland) Regulations 2004.

Regulation 6 amends the Cereal Seed (Scotland) Regulations 2005.

Regulation 7 amends the Fodder Plant Seed (Scotland) Regulations 2005.

Regulation 8 amends the Seed Potatoes (Scotland) Regulations 2015.

Regulation 9 amends the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017.

Regulations 3 to 9 transpose provisions of Directive 2020/177 only.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.