
STATUTORY INSTRUMENTS

1999 No. 1801

**The Marketing of Ornamental Plant
Propagating Material Regulations 1999**

Title, commencement and extent **E+W+S**

1.—(1) These Regulations may be cited as the Marketing of Ornamental Plant Propagating Material Regulations 1999 and shall come into force on—

- (a) in the case of all provisions other than regulation 7 and regulation 9, 1st July 1999;
- (b) in the case of regulation 7, 1st August 1999;
- (c) in the case of regulation 9, 31st December 1999.

(2) These Regulations extend to Great Britain.

Interpretation **E+W**

2.—(1) In these Regulations, unless the context otherwise requires—

^{F1}
...

[^{F2}“Directive 93/49/EEC” means Commission Directive 93/49/EEC setting out the schedule indicating the conditions to be met by ornamental plant propagating material and ornamental plants pursuant to Council Directive 91/682/EEC;]

“Directive 98/56/EC” means Council Directive 98/56/EC on the marketing of propagating material of ornamental plants ^{F3}[^{F4}, as last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council];

[^{F5}“the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants;]

^{F6}
...

“inspector” means any person authorised by the Minister to be an inspector for the purposes of these Regulations;

“lot” means a number of units of a single commodity, identifiable by its homogeneity of composition and origin;

“marketing” means holding available or in stock, display with a view to sale, offering for sale, sale or delivery by a supplier to another person;

“the Minister” means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Scotland or Wales, the Secretary of State;

“propagating material” means plant material intended for—

- (a) the propagation of ornamental plants; or
- (b) the production of ornamental plants; however, in the case of production from complete plants, the material used shall only be considered to be propagating material if the resulting ornamental plant is intended for further marketing;

“propagation” means reproduction by vegetative or other means;

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...

“supplier” means any person professionally engaged in the marketing or in the importation [F8 into the United Kingdom] of propagating material; F9 ...

F7
...

(2) Any reference in these Regulations to a numbered regulation is a reference to the regulation so numbered in these Regulations.

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F1** Words in reg. 2(1) omitted (E.) (1.6.2018) by virtue of [The Environment, Food and Rural Affairs \(Miscellaneous Amendments\) \(England\) Regulations 2018 \(S.I. 2018/575\)](#), regs. 1(2), **26(2)(a)** and (W.) (17.12.2018) by virtue of [The Environment, Planning and Rural Affairs \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/1216\)](#), regs. 1(3), **22(2)(a)**
- F2** Words in reg. 2(1) inserted (E.) (24.7.2020) by [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), **3(2)** and (W.) (29.8.2020) by [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, **3(2)**
- F3** O.J. No. L226, 13.8.98, p. 16.
- F4** Words in reg. 2(1) inserted (E.) (1.6.2018) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments\) \(England\) Regulations 2018 \(S.I. 2018/575\)](#), regs. 1(2), **26(2)(b)** and (W.) (17.12.2018) by [The Environment, Planning and Rural Affairs \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/1216\)](#), regs. 1(3), **22(2)(b)**
- F5** Words in reg. 2(1) inserted (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(2)(a)** and (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(2)(a)**
- F6** Words in reg. 2(1) omitted (E.) (14.1.2020) by virtue of [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(2)(b)** and (W.) (27.3.2020) by virtue of [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(2)(b)**
- F7** Words in reg. 2(1) omitted (E.W.) (31.12.2020) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(2)(a)** (as amended by [S.I. 2020/1388](#), regs. 1(2)(a), **29(3)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F8** Words in reg. 2(1) substituted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Word in reg. 2(1) omitted (E.W.) (31.12.2020) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Interpretation **S**

2.—(1) In these Regulations, unless the context otherwise requires—

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[^{F41}“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;]

“inspector” means any person authorised by the Minister to be an inspector for the purposes of these Regulations;

“lot” means a number of units of a single commodity, identifiable by its homogeneity of composition and origin;

“marketing” means holding available or in stock, display with a view to sale, offering for sale, sale or delivery by a supplier to another person;

“the Minister” means, as respects England, the Minister of Agriculture, Fisheries and Food and, as respects Scotland or Wales, the Secretary of State;

[^{F42}“the Plant Health Official Controls Regulations” means the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;]

“propagating material” means plant material intended for—

- (a) the propagation of ornamental plants; or
- (b) the production of ornamental plants; however, in the case of production from complete plants, the material used shall only be considered to be propagating material if the resulting ornamental plant is intended for further marketing;

“propagation” means reproduction by vegetative or other means;

[^{F43}“responsible official body” means—

- (a) in relation to propagating material produced in Scotland, the Scottish Ministers,
- (b) in relation to propagating material produced in a country or territory outside Scotland, the body responsible for the quality of that material in that country or territory;]

^{F39} ...

“supplier” means any person professionally engaged in the marketing or in the importation [^{F44}into the United Kingdom] of propagating material; ^{F45} ...

^{F39} ...

(2) Any reference in these Regulations to a numbered regulation is a reference to the regulation so numbered in these Regulations.

Extent Information

- E9** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

- F38** Words in reg. 2(1) omitted (S.) (17.11.2018) by virtue of [The Marketing of Ornamental Plant Propagating Material Amendment \(Scotland\) Regulations 2018 \(S.S.I. 2018/284\)](#), regs. 1, **3(2)(a)**
- F39** Words in reg. 2(1) omitted (S.) (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(2)(a)** (as amended by [S.S.I. 2020/445](#), regs. 1(1)(b), **12(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F40** Words in reg. 2(1) omitted (S.) (14.12.2019) by virtue of [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 2(2)(a)**

- F41** Words in reg. 2(1) inserted (S.) (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 2(2)(b)**
- F42** Words in reg. 2(1) inserted (S.) (14.12.2019) by The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019 (S.S.I. 2019/421), reg. 1(1), **sch. 5 para. 2(2)(c)**
- F43** Words in reg. 2(1) inserted (S.) (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **11(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F44** Words in reg. 2(1) substituted (S.) (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **11(2)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F45** Word in reg. 2(1) omitted (S.) (31.12.2020) by virtue of The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **11(2)(c)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Marketing requirements and exceptions **E+W+S**

3.—(1) Subject to paragraph (2) below, no supplier shall market any propagating material unless it complies with the requirements of these Regulations.

- (2) These Regulations shall not apply to propagating material intended for—
- export [^{F10}from [^{F11}Great Britain]], if identified as such and kept sufficiently isolated from plant material not intended for such export;
 - trials or scientific purposes;
 - selection work;
 - use in the conservation of genetic diversity.

Textual Amendments

- F10** Words in reg. 3(2)(a) substituted (E.W.) (31.12.2020) by The Marketing of Seeds and Plant Propagating Material (Amendment) (England and Wales) (EU Exit) Regulations 2019 (S.I. 2019/131), regs. 1, **5(3)**; 2020 c. 1, Sch. 5 para. 1(1) and (S.) (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **11(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in reg. 3(2)(a) substituted (S.) (1.4.2021) by The Plant Health and Plant Propagating Material (Miscellaneous Amendments) (Scotland) Regulations 2021 (S.S.I. 2021/87), regs. 1(1), **3** and (E.W.) (15.4.2021) by The Vegetable and Ornamental Plant Propagating Material and Fodder Plant Seed (Amendment) Regulations 2021 (S.I. 2021/393), regs. 1(1), **3(2)**

Quality requirements for propagating material **E+W**

- 4.—^{F12}(1) Propagating material shall, when marketed—
- be substantially free from any defects likely to impair its quality as propagating material and in particular, at least on visual inspection, be substantially free from any harmful organisms impairing quality, or any signs or symptoms of such organisms, which reduce its usefulness;
 - ^{F13}(ab) have been found at the place of production to be practically free, at least on visual inspection, from all pests listed in the Annex to [Directive 93/49/EEC](#) in relation to that propagating material;
 - (ac) be free, at least on visual inspection, from any RNQP in a quantity exceeding the thresholds set out in the Annex to [Directive 93/49/EEC](#) for the presence of that RNQP;

- (ad) be, at least on visual inspection, practically free from, and from any signs or symptoms of, any pests which reduce its usefulness or quality as propagating material, other than the pests listed in the Annex to [Directive 93/49/EEC](#) with regard to the respective propagating material;
- (ae) comply with the requirements concerning [^{F14}GB] quarantine pests, [^{F15}PFA] quarantine pests and RNQPs set out in the implementing acts adopted pursuant to the EU Plant Health Regulation, and measures adopted pursuant to Article 30(1) of that Regulation;
- (b) have satisfactory vigour and dimensions in respect of its usefulness as propagating material;
- (c) in the case of seeds, have a satisfactory germination capacity;
- (d) have satisfactory identity and purity relative to the genus or species or group of plants to which it belongs; and
- (e) if marketed with reference to a variety pursuant to regulation 11, have satisfactory varietal identity and purity.

[^{F16}(2) In this regulation—

“[^{F17}PFA] quarantine pest” means a pest within the meaning given by Article 32(1) of the EU Plant Health Regulation;

“RNQP” means a [^{F18}GB] regulated non-quarantine pest within the meaning given by Article 36 of the EU Plant Health Regulation;

“[^{F18}GB] quarantine pest” means a pest within the meaning given by Article 4 of the EU Plant Health Regulation.]

Extent Information

- E2** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F12** Reg. 4 renumbered as reg. 4(1) (E.) (24.7.2020) by [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), [3\(3\)\(a\)](#) and (W.) (29.8.2020) by [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, [3\(3\)\(a\)](#)
- F13** Reg. 4(1)(ab)-(ae) inserted (E.) (24.7.2020) by [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), [3\(3\)\(b\)](#) and (W.) (29.8.2020) by [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, [3\(3\)\(b\)](#)
- F14** Word in reg. 4(1)(ae) substituted (E.W.) (31.12.2020) by S.I. 2019/131, [reg. 5\(3A\)\(a\)\(i\)](#) (as inserted by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), [29\(3\)\(b\)](#))
- F15** Word in reg. 4(1)(ae) substituted (E.W.) (31.12.2020) by S.I. 2019/131, [reg. 5\(3A\)\(a\)\(ii\)](#) (as inserted by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), [29\(3\)\(b\)](#))
- F16** Reg. 4(2) inserted (E.) (24.7.2020) by [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), [3\(3\)\(c\)](#) and (W.) (29.8.2020) by [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, [3\(3\)\(c\)](#)
- F17** Word in reg. 4(2) substituted (E.W.) (31.12.2020) by S.I. 2019/131, [reg. 5\(3A\)\(b\)\(i\)](#) (as inserted by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), [29\(3\)\(b\)](#))

F18 Word in reg. 4(2) substituted (E.W.) (31.12.2020) by S.I. 2019/131, **reg. 5(3A)(b)(ii)** (as inserted by The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1388), regs. 1(2)(a), **29(3)(b)**)

^{F46} **Quality requirements for propagating material** **S**

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 ^{F47}GB] quarantine pests, ^{F48}PFA] 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](#),

^{F49}“GB quarantine pest” has the meaning given in Article 4 (definition of GB quarantine pests) of the EU Plant Health Regulation,]

^{F50}“PFA quarantine pest” has the meaning given in Article 32 (recognition of GB pest free areas), paragraph 1 of the EU Plant Health Regulation,]

“RNQP” means a ^{F51}GB] regulated non-quarantine pest within the meaning given in Article 36 (definition of ^{F51}GB] regulated non-quarantine pests) of the EU Plant Health Regulation, and

^{F52} ...]

Extent Information

E10 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

- F46** Reg. 4 substituted (S.) (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **4(2)**
- F47** Word in reg. 4(1)(d) substituted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(3A)(a)(i)** (as inserted by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **12(3)**)
- F48** Word in reg. 4(1)(d) substituted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(3A)(a)(ii)** (as inserted by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **12(3)**)
- F49** Words in reg. 4(2) inserted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(3A)(b)(i)** (as inserted by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **12(3)**)
- F50** Words in reg. 4(2) substituted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(3A)(b)(ii)** (as inserted by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **12(3)**)
- F51** Word in reg. 4(2) substituted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(3A)(b)(iii)** (as inserted by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **12(3)**)
- F52** Words in reg. 4(2) omitted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(3A)(b)(iv)** (as inserted by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **12(3)**)

Further provisions relating to citrus propagating material **E+W+S**

5. In addition to meeting the requirements of regulation 4, citrus propagating material shall—
- (a) have been derived from initial source material which has been checked and found to show no symptoms of any viruses, virus-like organisms or diseases;
 - (b) have been checked and found to be substantially free of viruses, virus-like organisms and diseases since the beginning of the last cycle of vegetative growth; and
 - (c) where grafting has taken place, have been grafted on to rootstocks of a kind which are not susceptible to viroids.

Further provision relating to flower bulbs **E+W+S**

6. In addition to meeting the requirements of regulation 4, flower bulbs shall have been derived directly from material which, at the time the crop of bulbs concerned was growing, was checked and found to be substantially free from any harmful organisms and diseases or any signs or symptoms of such organisms and diseases.

Further provision relating to *Palmae*: England and Wales **E+W**

^{F19}6A.

Extent Information

E3 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F19 Reg. 6A omitted (E.) (24.7.2020) by virtue of [The Marketing of Seed, Plant and Propagating Material \(England\) Regulations 2020 \(S.I. 2020/682\)](#), regs. 1(1), **3(4)** and (W.) (29.8.2020) by virtue of [The](#)

Marketing of Seed, Plant and Propagating Material (Wales) Regulations 2020 (S.I. 2020/833), regs. 1, 3(4)

Further provisions relating to propagating material of Palmae **S**

^{F53}6A.

Extent Information

E11 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F53 Reg. 6A omitted (S.) (1.7.2020) by virtue of [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), 4(3)

Registration **E+W**

7.—(1) Subject to paragraph (2) below, no person shall carry on business as a supplier unless he is registered as such by the Minister.

(2) Paragraph (1) above shall not apply to a supplier marketing only to persons who are not professionally engaged in the production or sale of ornamental plants or propagating material.

(3) An application for registration as a supplier shall be made in writing and shall be accompanied by the following information—

- (a) the name of the applicant;
- (b) the address of the main premises at which the applicant carries on or intends to carry on business as a supplier;
- (c) the activities which the applicant carries on or intends to carry on which are or will be covered by these Regulations.

[^{F20}(4) Registration of a supplier on the register of professional operators for the purposes of the EU Plant Health Regulation is deemed to constitute registration for the purposes of paragraph (1) above.]

(5) A supplier registered in accordance with this regulation shall keep records of his sales and purchases of propagating material and shall retain them for a period of not less than 12 months.

Extent Information

E4 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F20 Reg. 7(4) substituted (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(4)** and (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(4)**

Registration **S**

7.—(1) Subject to paragraph (2) below, no person shall carry on business as a supplier unless he is registered as such by the Minister.

(2) Paragraph (1) above shall not apply to a supplier marketing only to persons who are not professionally engaged in the production or sale of ornamental plants or propagating material.

(3) An application for registration as a supplier shall be made in writing and shall be accompanied by the following information—

- (a) the name of the applicant;
- (b) the address of the main premises at which the applicant carries on or intends to carry on business as a supplier;
- (c) the activities which the applicant carries on or intends to carry on which are or will be covered by these Regulations.

[^{F54}(4) Registration of a supplier on the register of professional operators for the purposes of the EU Plant Health Regulation is deemed to constitute registration for the purposes of paragraph (1).]

(5) A supplier registered in accordance with this regulation shall keep records of his sales and purchases of propagating material and shall retain them for a period of not less than 12 months.

Extent Information

E12 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F54 Reg. 7(4) substituted (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), [sch. 5 para. 2\(4\)](#)

Measures to be taken by suppliers **E+W**

8.—(1) Suppliers engaged in the production of propagating material shall—

- (a) identify and monitor critical points in their production process which influence the quality of the material;
- (b) keep records on the monitoring required in sub-paragraph (a) above;
- (c) take samples where necessary and send them to be analysed in a laboratory with suitable facilities and expertise;
- (d) ensure that during production lots of propagating material remain separately identifiable.

(2) Without prejudice to paragraph (3) below, a supplier shall treat or, where appropriate, remove any propagating material which, on the basis of visible signs or symptoms, is not substantially free of harmful organisms impairing quality.

(3) If a supplier engaged in the production of propagating material finds on his premises a [^{F21}plant pest of a description specified in Annex 2, 3 or 4 to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants,] he shall, if he would not otherwise be required to notify it under [^{F22}the EU Plant Health Regulation], report it to the Minister and shall carry out any measures laid down by him.

Extent Information

- E5** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F21** Words in reg. 8(3) substituted (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(5)(a)** and (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(5)(a)**
- F22** Words in reg. 8(3) substituted (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(5)(b)** and (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(5)(b)**

Measures to be taken by suppliers **S**

8.—(1) Suppliers engaged in the production of propagating material shall—

- (a) identify and monitor critical points in their production process which influence the quality of the material;
- (b) keep records on the monitoring required in sub-paragraph (a) above;
- (c) take samples where necessary and send them to be analysed in a laboratory with suitable facilities and expertise;
- (d) ensure that during production lots of propagating material remain separately identifiable.

(2) Without prejudice to paragraph (3) below, a supplier shall treat or, where appropriate, remove any propagating material which, on the basis of visible signs or symptoms, is not substantially free of harmful organisms impairing quality.

(3) If a supplier engaged in the production of propagating material finds on his premises a [^{F55}controlled plant pest as defined in regulation 2(1) of the Plant Health Official Controls Regulations] he shall, if he would not otherwise be required to notify it under [^{F56}the EU Plant Health Regulation], report it to the Minister and shall carry out any measures laid down by him.

Extent Information

- E13** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

- F55** Words in reg. 8(3) substituted (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 2(5)(a)**
- F56** Words in reg. 8(3) substituted (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 2(5)(b)**

Information on propagating material **E+W**

9.—(1) Subject to paragraphs (2) and (3) below, no supplier shall market any propagating material unless it is accompanied by a label or other document made out by him on which appears the appropriate information prescribed in the Schedule to these Regulations.

(2) Where propagating material is accompanied by a plant passport issued in accordance with [^{F23}the EU Plant Health Regulation], the plant passport may constitute the label or other document for the purposes of paragraph (1) above if it contains the appropriate information prescribed in the Schedule to these Regulations.

(3) Paragraph (1) above shall not apply to propagating material which is marketed to persons who are not professionally engaged in the production or sale of ornamental plants or propagating material.

Extent Information

E6 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F23 Words in reg. 9(2) substituted (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(6)** and (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(6)**

Information on propagating material **S**

9.—(1) Subject to paragraphs (2) and (3) below, no supplier shall market any propagating material unless it is accompanied by a label or other document made out by him on which appears the appropriate information prescribed in [^{F57}schedule 1 of] these Regulations.

(2) Where propagating material is accompanied by a plant passport issued in accordance with [^{F58}the EU Plant Health Regulation], the plant passport may constitute the label or other document for the purposes of paragraph (1) above if it contains the appropriate information prescribed in [^{F59}schedule 1 of] these Regulations.

(3) Paragraph (1) above shall not apply to propagating material which is marketed to persons who are not professionally engaged in the production or sale of ornamental plants or propagating material.

Extent Information

E14 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F57 Words in reg. 9(1) substituted (S.) (17.11.2018) by [The Marketing of Ornamental Plant Propagating Material Amendment \(Scotland\) Regulations 2018 \(S.S.I. 2018/284\)](#), regs. 1, **3(7)(a)**

F58 Words in reg. 9(2) substituted (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 2(6)**

F59 Words in reg. 9(2) substituted (S.) (17.11.2018) by [The Marketing of Ornamental Plant Propagating Material Amendment \(Scotland\) Regulations 2018 \(S.S.I. 2018/284\)](#), regs. 1, **3(7)(b)(ii)**

Marketing in lots **E+W+S**

10.—(1) Subject to paragraph (2) below, no supplier shall market any propagating material unless it is in lots.

(2) Paragraph (1) above shall not apply to—

- (a) the sale of different lots in a single consignment provided the supplier keeps records of the composition and origin of the different lots;
- (b) propagating material which is marketed to persons who are not professionally engaged in the production or sale of ornamental plants or propagating material.

Description of propagating material **E+W**

11.—(1) Without prejudice to paragraph (2), no supplier shall market propagating material with reference to a variety unless—

- (a) it is the subject of ^{F24}... plant variety rights under any jurisdiction; or
- (b) the existence of that variety is a matter of common knowledge as defined in section 38 of the Plant Varieties Act 1997 ^{F25}; or
- (c) that variety is entered on a list kept by a supplier which includes:
 - (i) the name of the variety together with its commonly known synonyms, where appropriate;
 - (ii) information as to how the varietal identity and purity of the variety is being maintained and as to the propagation system used;
 - (iii) a description of the variety which shall include, where appropriate, the characteristics of the variety which would be relevant for the purpose of an application for a [^{F26}plant breeders' right in respect of the variety under the Plant Varieties Act 1997];
 - (iv) an explanation of how the variety differs from other varieties most closely resembling it.

(2) Sub-paragraphs (c)(ii) and (c)(iv) of paragraph (1) above shall not apply to a supplier engaged only in the marketing of propagating material.

(3) The list referred to at paragraph (1)(c) above shall be made available to the Minister on request.

(4) Where a supplier markets propagating material with reference to the group of plants to which it belongs, the supplier shall indicate the group of plants in such a way as to avoid confusion with any varietal denomination.

Extent Information

- E7** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F24** Words in [reg. 11\(1\)\(a\)](#) omitted (E.W.) (31.12.2020) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), [regs. 1, 5\(6\)\(a\)](#) (as amended by [S.I. 2020/1388](#), [regs. 1\(2\)\(a\), 29\(3\)\(d\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F25** 1997 c. 66.
- F26** Words in [reg. 11\(1\)\(c\)\(iii\)](#) substituted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), [regs. 1, 5\(6\)\(b\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Description of propagating material **S**

11.—(1) Without prejudice to paragraph (2), no supplier shall market propagating material with reference to a variety unless—

- (a) it is the subject of [^{F60}UK] plant variety rights under any jurisdiction; or
- (b) the existence of that variety is a matter of common knowledge as defined in section 38 of the Plant Varieties Act 1997 ^{F61}; or
- (c) that variety is entered on a list kept by a supplier which includes:
 - (i) the name of the variety together with its commonly known synonyms, where appropriate;
 - (ii) information as to how the varietal identity and purity of the variety is being maintained and as to the propagation system used;
 - (iii) a description of the variety which shall include, where appropriate, the characteristics of the variety which would be relevant for the purpose of an application for a [^{F62}plant breeders' right in respect of the variety under the Plant Varieties Act 1997];
 - (iv) an explanation of how the variety differs from other varieties most closely resembling it.

(2) Sub-paragraphs (c)(ii) and (c)(iv) of paragraph (1) above shall not apply to a supplier engaged only in the marketing of propagating material.

(3) The list referred to at paragraph (1)(c) above shall be made available to the Minister on request.

(4) Where a supplier markets propagating material with reference to the group of plants to which it belongs, the supplier shall indicate the group of plants in such a way as to avoid confusion with any varietal denomination.

Extent Information

E15 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F60 Word in reg. 11(1)(a) substituted (S.) (31.12.2020) by S.S.I. 2019/59, **reg. 11(6)(a)** (as substituted by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **12(5)**)

F61 1997 c. 66.

F62 Words in reg. 11(1)(c)(iii) substituted (S.) (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **11(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Propagating material produced [^{F27}outside the United Kingdom] **E+W**

12.—(1) No supplier shall import propagating material [^{F28}produced in a country outside of the United Kingdom] unless he has ensured prior to import that the material to be imported is of an equivalent standard to propagating material produced in accordance with [^{F29}these Regulations].

(2) [^{F30}Subject to paragraph (5),] a supplier shall notify the Minister in writing of the importation of a consignment of propagating material ^{F31}... within one month of its importation.

(3) A supplier shall be deemed to have complied with paragraph (2) above [^{F32}, in relation to England, if the supplier delivers a phytosanitary certificate for export or a phytosanitary certificate

for re-export to the Secretary of State]^{F33}, in relation to Wales, if the supplier delivers a phytosanitary certificate for export or a phytosanitary certificate for re-export to the Welsh Ministers].

(4) [^{F34}Subject to paragraph (5),] a supplier shall retain documentary evidence of every contract relating to the import of propagating material ^{F35}... during the subsistence of the contract and for at least twelve months after its termination.

[^{F36}(5) Paragraphs (2) and (4) do not apply to suppliers importing propagating material produced in the Channel Islands or the Isle of Man.]

Extent Information

E8 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F27** Words in reg. 12 heading substituted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in reg. 12(1) substituted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(b)(i)** (as amended by [S.I. 2020/1388](#), regs. 1(2)(a), **29(3)(e)(i)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F29** Words in reg. 12(1) substituted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F30** Words in reg. 12(2) inserted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in reg. 12(2) omitted (E.W.) (31.12.2020) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F32** Words in reg. 12(3) substituted (E.) (14.1.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(S.I. 2019/1517\)](#), reg. 1, **Sch. 5 para. 2(7)**
- F33** Words in reg. 12(3) substituted (W.) (27.3.2020) by [The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(S.I. 2020/206\)](#), reg. 1, **Sch. 5 para. 2(7)**
- F34** Words in reg. 12(4) inserted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F35** Words in reg. 12(4) omitted (E.W.) (31.12.2020) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** Reg. 12(5) inserted (E.W.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/131\)](#), regs. 1, **5(7)(d)** (as amended by [S.I. 2020/1388](#), regs. 1(2)(a), **29(3)(e)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Propagating material produced [^{F63}outside the United Kingdom] **S**

12.—(1) No supplier shall import propagating material [^{F64}produced in a country outside of the United Kingdom] unless he has ensured prior to import that the material to be imported is of an equivalent standard to propagating material produced in accordance with [^{F65}these Regulations] .

(2) [^{F66}Subject to paragraph (5),] a supplier shall notify the Minister in writing of the importation of a consignment of propagating material ^{F67}... within one month of its importation.

(3) A supplier shall be deemed to have complied with paragraph (2) above if he delivers a phytosanitary certificate or [^{F68}phytosanitary certificate for re-export in respect of the consignment in accordance with [^{F69}the EU Plant Health Regulation]].

(4) [^{F70}Subject to paragraph (5),] a supplier shall retain documentary evidence of every contract relating to the import of propagating material ^{F71}... during the subsistence of the contract and for at least twelve months after its termination.

[^{F72}(5) Paragraphs (2) and (4) do not apply to suppliers importing propagating material produced—

(b) in the Channel Islands or the Isle of Man.]

Extent Information

E16 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

- F63** Words in reg. 12 heading substituted (S.) (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Words in reg. 12(1) substituted (S.) (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(b)(i)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **12(6)(a)**); 2020 c. 1, Sch. 5 para. 1(1)
- F65** Words in reg. 12(1) substituted (S.) (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F66** Words in reg. 12(2) inserted (S.) (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in reg. 12(2) omitted (S.) (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F68** Words in reg. 12(3) substituted (S.) (17.11.2018) by [The Marketing of Ornamental Plant Propagating Material Amendment \(Scotland\) Regulations 2018 \(S.S.I. 2018/284\)](#), regs. 1, **3(8)**
- F69** Words in reg. 12(3) substituted (S.) (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 2(7)**
- F70** Words in reg. 12(4) inserted (S.) (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F71** Words in reg. 12(4) omitted (S.) (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F72** Reg. 12(5) inserted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **11(7)(d)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **12(6)(b)**); 2020 c. 1, Sch. 5 para. 1(1)

Powers of inspectors **E+W+S**

13.—(1) An inspector, upon producing, if required to do so, some duly authenticated document showing his authority, may at any reasonable time enter any premises of a supplier where he

reasonably suspects that any activity which is covered by these Regulations is being carried on for the purposes of ascertaining whether there is or has been any contravention of these Regulations.

(2) An inspector on entering any premises under paragraph (1) above may take with him such other persons as he reasonably considers to be necessary.

(3) An inspector may carry out all reasonable checks and examinations necessary to ensure compliance with these Regulations, and in particular may—

- (a) take any propagating material or sample from any propagating material and send it for analysis;
- (b) require the production of any relevant records, lists and other documents;
- (c) inspect any relevant records, lists and other documents;
- (d) take any relevant records, lists and other documents for copying.

(4) An inspector may by notice in writing served on a supplier in respect of any propagating material on the supplier's premises that the inspector has reasonable grounds for suspecting fails to comply with the requirements of these Regulations require the supplier not to market or to move from his premises or to permit or cause to be marketed or moved from his premises the propagating material until the supplier has carried out such reasonable measures as the notice may specify.

Service of notices E+W+S

14.—(1) A notice under these Regulations shall be deemed to have been served on a supplier if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post addressed to him at his last known place of abode or business.

(2) A notice under these Regulations may—

- (a) in the case of a body corporate, be served on the secretary or clerk of that body at the address of the registered or principal office of that body;
- (b) in the case of a partnership, be served on a partner or on a person having the control or management of the partnership business or, in Scotland, the firm at the principal office of the partnership.

Offences E+W+S

15.—(1) A person who contravenes or fails to comply with any provision of these Regulations without reasonable excuse shall be guilty of an offence.

(2) A person guilty of an offence under paragraph (1) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Revocations and transitional provisions E+W+S

16.—(1) Subject to paragraphs (2) and (3) below, the Marketing of Ornamental Plant Material Regulations 1995^{F37} are revoked.

(2) Regulation 9 of those Regulations, and regulations 2, 3, 4, 12(1) to 12(3) and 14 of those Regulations to the extent that they apply for the purposes of regulation 9 of those Regulations, shall continue to have effect until 31st December 1999.

(3) Regulation 11 of those Regulations, and regulations 2, 3, 4, 12(1) to 12(3), 13 and 14 of those Regulations to the extent that they apply for the purposes of regulation 11 of those Regulations, shall continue to have effect until 1st August 1999.

(4) For the purposes of paragraph 4 of Schedule 2 to those Regulations (registration or accreditation number) an accreditation number in existence on 31st July 1999 shall be deemed to continue to exist until 31st December 1999, notwithstanding paragraph (3) above.

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Ornamental Plant Propagating Material Regulations 1999. (See end of Document for details)

Textual Amendments

F37 [S.I. 1995/2651](#).

Jeff Rooker
Minister of State, Ministry of Agriculture,
Fisheries and Food

Sewel
Parliamentary Under Secretary of State, Scottish
Office

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Ornamental Plant Propagating Material Regulations 1999.