

Council Directive 98/56/EC of 20 July 1998 on the
marketing of propagating material of ornamental plants

TITLE III

REQUIREMENTS TO BE MET BY PROPAGATING MATERIAL

Article 5

1 Without prejudice to the provisions of Article 1 and Article 4, propagating material when marketed:

- shall at least on visual inspection, be substantially free from any harmful organisms impairing quality, or any signs or symptoms thereof, which reduce its usefulness,
- shall be substantially free of any defects likely to impair its quality as propagating material,
- shall have satisfactory vigour and dimensions in respect of its usefulness as propagating material,
- in the case of seeds, shall have satisfactory germination capacity,
- if marketed with reference to a variety pursuant to Article 9, shall have satisfactory varietal identity and purity.

2 Any propagating material which, on the basis of visible signs or symptoms, is not substantially free of harmful organisms, shall be properly treated or, where appropriate, shall be removed.

3 In the case of citrus material the following requirements shall also be met:

- a it shall be derived from initial material which has been checked and found to show no symptoms of any viruses, virus-like organisms or diseases;
- b it shall have been checked and found to be substantially free of such viruses, virus-like organisms or disease since the beginning of the last cycle of vegetation; and
- c in the case of grafting, it shall have been grafted onto rootstocks other than those susceptible to viroids.

4 In the case of flower bulbs the following requirement shall also be met:

- the propagating material shall be derived directly from material which, at the stage of the growing crop, has been checked and found to be substantially free from any harmful organisms and diseases, signs or symptoms thereof.

5 In accordance with the procedure laid down in Article 18, a schedule may be established for a particular genus or species, laying down additional conditions concerning the quality with which propagating material when marketed must comply. A genus or species shall only be included in the schedule if there is a demonstrated need for such additional rules. In determining such need the following criteria shall apply:

- the existence of problems with the quality of propagating material of the species or genus concerned, which can only be resolved satisfactorily through legislative means,
- the economic importance of propagating material of the species or genus concerned,
- consistency with any international standards on regulated non-quarantine pests.