

Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production (Recast version)

CHAPTER 7

**CONTROL MEASURES**

*Article 13*

**Official inspection**

1 Member States shall ensure that propagating material and fruit plants are officially inspected during production and marketing to verify compliance with the requirements and conditions set out in this Directive. To this effect, the responsible official body shall have free access to all parts of premises of suppliers at all reasonable times.

2 The responsible official bodies may, in accordance with their national legislation, delegate the tasks provided for in this Directive to be accomplished under their authority and supervision to any legal person, whether governed by public or private law, which, under its officially approved statute, is charged exclusively with specific public functions, provided that such person, and its members, has no personal interest in the outcome of the measures it takes.

In accordance with the procedure referred to in Article 19(2), any other legal persons established on behalf of a responsible official body and acting under the authority and the supervision of such body, may be approved, provided that such person has no personal interest in the outcome of the measures it takes.

Member States shall notify the Commission of their responsible official bodies. The Commission shall forward that information to the other Member States.

3 Detailed rules for the application of paragraph 1 shall be adopted in accordance with the procedure referred to in Article 19(2). These rules shall be proportionate to the category of material concerned.