

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 3

REQUIREMENTS TO BE MET BY SUPPLIERS

Article 5

Registration

- 1 Member States shall ensure that suppliers are officially registered in relation to the activities which they carry out under this Directive.
- 2 Member States may decide not to apply paragraph 1 to suppliers marketing only to non-professional final consumers.
- 3 Detailed rules for the application of paragraphs 1 and 2 may be established in accordance with the procedure referred to in Article 19(2).

Article 6

Specific requirements

- 1 Member States shall ensure that pre-basic, basic, certified material as well as CAC material is produced under the responsibility of suppliers that are engaged in the production or reproduction of propagating material and fruit plants. To this effect, those suppliers shall:
 - identify and monitor critical points in their production process which influence the quality of the material,
 - keep information on the monitoring referred to in the first indent available for examination when requested by the responsible official body,
 - take samples where necessary for analysis in a laboratory, and
 - ensure that, during production, lots of propagating material remain separately identifiable.
- 2 Member States shall ensure that in the case of the appearance, on the premises of a supplier, of a harmful organism listed in the Annexes to Directive 2000/29/EC or referred to in the specific requirements established pursuant to Article 4 of this Directive at a level higher than the level allowed in these specific requirements, the supplier reports it to the responsible official body without delays, notwithstanding any reporting obligations under Directive 2000/29/EC and carries out any measures imposed by that body.
- 3 Member States shall ensure that suppliers shall keep records of their sales or purchases for at least 3 years when propagating material or fruit plants are marketed.

The first subparagraph shall not apply to suppliers who are exempted from registration in accordance with Article 5(2).

- 4 Detailed rules for the application of paragraph 1 may be established in accordance with the procedure referred to in Article 19(2).