

Commission regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

## CHAPTER XIII

### **SPECIMENS BORN AND BRED IN CAPTIVITY AND ARTIFICIALLY PROPAGATED SPECIMENS**

#### *Article 56*

#### **Artificially propagated specimens of plant species**

1 A specimen of a plant species shall be considered to be artificially propagated only if a competent management authority, in consultation with a competent scientific authority of the Member State concerned, is satisfied that the following criteria are met:

- a the specimen is, or is derived from, plants grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules under controlled conditions;
- b the cultivated parental stock was established in accordance with the legal provisions applicable to it on the date of acquisition and is maintained in a manner not detrimental to the survival of the species in the wild;
- c the cultivated parental stock is managed in such a way that its long-term maintenance is guaranteed;
- d in the case of grafted plants, both the root stock and the graft have been artificially propagated in accordance with points (a), (b) and (c).

For the purposes of point (a), controlled conditions refers to a non-natural environment that is intensively manipulated by human intervention, which may include but is not limited to tillage, fertilisation, weed control, irrigation, or nursery operations such as potting, bedding and protecting from weather.

2 Timber taken from trees grown in monospecific plantations shall be considered to be artificially propagated in accordance with paragraph 1.

**Status:**

Point in time view as at 04/05/2006. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission regulation (EC) No 865/2006, Article 56.