

**2004 No. 430**

**PLANT HEALTH**

**The Marketing of Fruit Plant Material (Amendment)  
Regulations (Northern Ireland) 2004**

*Made* - - - - - *8th October 2004*

*Coming into operation* *31st October 2004*

The Department of Agriculture and Rural Development(a), being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

**Citation and commencement**

**1.** These Regulations may be cited as the Marketing of Fruit Plant Material (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 31st October 2004.

**Amendment of Regulations**

**2.** For Schedule 1, (Species and Genera to which the Regulations apply), of the Marketing of Fruit Plant Material Regulations (Northern Ireland) 1995(d) there shall be substituted Schedule as set out in the Schedule 1 to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 8th October 2004.

(L.S.)

*David Small*

A senior officer of the Department of Agriculture and Rural Development

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(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I. 1), Art. 3 (4)  
(b) S.I. 1972/1811  
(c) 1972 c. 68: section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253  
(d) S.R. 1995/416

## SCHEDULE

“SCHEDULE 1

Regulation 2

### Species and Genera to which the Regulations apply

<i>Castanea sativa</i> Mill. (Chestnut)	<i>Prunus armeniaca</i> L. (Apricot)
<i>Citrus</i> L. (e.g. Grapefruit, Lemon, Lime, Mandarin and Orange)	<i>Prunus avium</i> (L.) L. (Sweet cherry)
<i>Corylus avellana</i> L. (Hazel)	<i>Prunus cerasus</i> L. (Sour cherry)
<i>Cydonia oblonga</i> Mill. (Quince)	<i>Prunus domestica</i> L. (Plum)
<i>Ficus carica</i> L. (Common edible fig)	<i>Prunus dulcis</i> (Mill.) D A Webb (Almond but described as <i>Prunus amygdalus</i> Batsch in Directive 2003/111/EC)
<i>Fortunella</i> Swingle (Kumquat)	<i>Prunus persica</i> (L.) Batsch (Peach)
<i>Fragaria</i> L. (all cultivated strawberry species)	<i>Prunus salicina</i> Lindley (Japanese Plum)
<i>Juglans regia</i> L. (Walnut)	<i>Pyrus</i> L. (all cultivated edible pears, including perry pears)
<i>Malus</i> Mill. (Apple)	<i>Ribes</i> L. (Blackcurrant, gooseberry, redcurrant and white currant)
<i>Olea europaea</i> L. (Olive)	<i>Rubus</i> L. (Blackberry, raspberry and hybrid berries)
<i>Pistacia vera</i> L. (Pistachio)	<i>Vaccinium</i> L. (e.g. Blueberry, cranberry and bilberry)”
<i>Poncirus</i> Raf. (Trifoliolate orange)	

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Marketing of Fruit Plant Material Regulations (Northern Ireland) 1995 and give effect to Commission Directive 2003/111 EC (O.J. No. L311, 27.11.2003, p. 12) amending Annex II to Directive 92/34/EEC on the marketing of fruit plant propagating material and fruit plants intended for fruit production.

Regulation 2 substitutes Schedule 1 of the Marketing of Fruit Plant Material Regulations 1995 with a new Schedule 1, which cover additional genera and species, not previously included in the 1995 Regulations.

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