

SCHEDULES

SCHEDULE 1

Regulation 2(1)

CAC material

Conditions for CAC material (other than rootstocks not belonging to a variety)

1.—(1) CAC material (other than rootstocks not belonging to a variety) may only be marketed if it complies with the requirements in sub-paragraph (2).

(2) The requirements are that the CAC material—

- (a) is propagated from an identified source of material recorded by the supplier;
- (b) is true to the description of its variety in accordance with paragraph 3;
- (c) complies with the health requirements in paragraph 4; and
- (d) complies with the requirements concerning defects in paragraph 5.

(3) Where CAC material no longer complies with the requirements in sub-paragraph (2), the supplier must—

- (a) remove it from the vicinity of other CAC material; or
- (b) take appropriate measures to ensure that that material complies with those requirements again.

Rootstocks not belonging to a variety

2.—(1) CAC material consisting of rootstocks not belonging to a variety may only be marketed if it complies with the requirements in sub-paragraph (2).

(2) The requirements are that the CAC material—

- (a) is true to the description of its species;
- (b) complies with the health requirements in paragraph 4; and
- (c) complies with requirements concerning defects in paragraph 5.

(3) Where CAC material no longer complies with the requirements in sub-paragraph (2), the supplier must—

- (a) remove it from the vicinity of other CAC material; or
- (b) take appropriate measures to ensure that that material complies with those requirements again.

Trueness to the description of the variety

3.—(1) A supplier must establish and regularly verify the trueness of CAC material to the description of its variety in accordance with this paragraph.

(2) This must be done by observing the expression of the characteristics of the variety, that observation being based on one of the following elements—

- (a) its official description;

Status: This is the original version (as it was originally made).

- (b) the description accompanying an application for registration;
- (c) the description accompanying an application for plant variety rights; or
- (d) where the variety is registered with an officially recognised description, or subject to an application for registration with an officially recognised description, that description.

Health requirements: CAC material

4.—(1) CAC material (but not CAC material during cryopreservation) must be practically free from the pests listed in Annex I and in Annex II to Directive 2014/98, as regards the genus or species concerned.

(2) This must be established by a visual inspection by the supplier in the facilities, fields and lots, and where there is doubt as to the presence of those pests, by sampling and testing of the CAC material concerned.

(3) A visual inspection and sampling and testing must be carried out in accordance with Annex IV to [Directive 2014/98/EU](#).

(4) In addition, CAC material belonging to the species *Citrus* L., *Fortunella* Swingle, or *Poncirus* Raf must comply with the requirements in sub-paragraph (5).

(5) The requirements are that the CAC material—

- (a) must be produced from an identified source of material that has been found to be free, on sampling and testing, from the pests listed in Annex II to [Directive 2014/98/EU](#) for those species; and
- (b) since the beginning of the last cycle of vegetation, has been found, on visual inspection and sampling and testing, to be practically free from the pests listed in Annex II to [Directive 2014/98/EU](#), as regards the species concerned.

(6) In this paragraph, “practically free from pests” means that the extent to which pests are present on the propagating material or fruit plants is sufficiently low to ensure acceptable quality and usefulness of the propagating material.

Defects: CAC material

5.—(1) CAC material must be practically free from defects.

(2) This must be established on the basis of a visual inspection.

(3) Injuries, discolouration, scar tissues or desiccation are considered as defects, if they affect the quality and usefulness of the CAC material as propagating material.