
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 177

**PLANT HEALTH
SEEDS**

**The Marketing of Fruit Plant and Propagating
Material (Scotland) Regulations 2017**

<i>Made</i>	- - - -	<i>30th May 2017</i>
<i>Laid before the Scottish Parliament</i>	- -	<i>1st June 2017</i>
<i>Coming into force</i>		<i>1st July 2017</i>

**THE MARKETING OF FRUIT PLANT AND PROPAGATING
MATERIAL (SCOTLAND) REGULATIONS 2017**

PART 1

Introduction

1. Citation, commencement and extent
2. Interpretation
3. Application of these Regulations
4. Marketing of plant materials for trials etc.

PART 2

Marketing of plant material

5. General requirements for marketing of plant material
6. Exemptions in relation to retail supply
7. Varieties which may be marketed
8. Labelling, sealing and packaging
9. Accompanying document

PART 3

Suppliers

10. Registration of suppliers
11. The register of suppliers
12. Revocation of registration etc.

Status: This is the original version (as it was originally made).

13. Appeals
14. Supplier's duties – identification and monitoring during production
15. Supplier's duties – removal of non-compliant materials and notification of disease
16. Supplier's duties – separation of plant materials
17. Supplier's duties - record keeping

PART 4

Enforcement and administration etc.

18. Inspectors
19. Notices
20. Offences and penalties
21. Offences by bodies corporate, Scottish partnerships and unincorporated associations
22. Arrangements for official measures

PART 5

General

23. Transitional provision
24. Revocation
Signature

SCHEDULE 1	Genera and Species to which these Regulations apply
SCHEDULE 2	Certification requirements
	PART 1 General

1. Interpretation
2. Provisions on official inspections
 - PART 2 Pre-basic material
3. Pre-basic material (other than mother plants and rootstocks not belonging to a variety)
4. Rootstocks not belonging to a variety
5. Acceptance of plants as pre-basic mother plants
6. Acceptance of rootstocks not belonging to a variety as a pre-basic mother plant
7. Verification of trueness to the description of variety
8. Maintenance of pre-basic mother plants and pre-basic material
9. Health requirements for candidate pre-basic mother plants and for pre-basic mother plants produced by renewal
10. Health requirements for pre-basic mother plants and for pre-basic material
11. Soil requirements
12. Defects
13. Requirements concerning multiplication, renewal and propagation of pre-basic mother plants
14. Requirements concerning multiplication, renewal and propagation by micropropagation of pre-basic mother plants

PART 3 Basic material

15. Requirements for the certification of basic material
16. Rootstocks not belonging to a variety
17. Health requirements for basic mother plants and basic material

18. Soil requirements
 19. Requirements concerning the maintenance of basic mother plants and basic material
 20. Conditions for multiplication and multiplication by micropropagation of basic mother plants
- PART 4 Certified material
21. Requirements for certification as certified material
 22. Rootstocks not belonging to a variety
 23. Health requirements for certified mother plants and certified material
 24. Soil requirements
- SCHEDULE 3 CAC material
1. Conditions for CAC material other than rootstocks not belonging to a variety
 2. CAC material: rootstocks not belonging to a variety
 3. CAC material: trueness to the description of the variety
- SCHEDULE 4 Registration of varieties
1. Interpretation
 2. Register of varieties
 3. Registration
 4. Application for registration with an official description
 5. Growing trials
 6. Duration and renewal of acceptance
 7. Removal from register
 8. Additional requirements for products to be used as genetically modified food or feed
 9. Distinctness
 10. Uniformity
 11. Stability
- SCHEDULE 5 Official labels, supplier's documents and accompanying documents
- PART 1 Official labels
1. An official label used in relation to pre-basic material must,...
 2. An official label used in relation to basic material must...
 3. An official label used in relation to certified material must,...
 4. An official label must— (a) contain the statement “EU rules...
 5. The information and particulars required on an official label must...
- PART 2 Supplier's documents for CAC material
6. A supplier's document for CAC material must—
 7. The information and particulars required in a supplier's document must...
- PART 3 Accompanying documents
8. An accompanying document must— (a) contain the information listed in...
- SCHEDULE 6 Pests
- SCHEDULE 7 Visual inspections, sampling and testing per genera or species and category
- SCHEDULE 8 Powers of inspectors
1. Powers of entry etc.
 2. Information notice
 3. Prohibition on movement
 4. Enforcement and prohibition notices
 5. Appeals against enforcement and prohibition notices
 6. Compliance with notices
- Explanatory Note