

SCHEDULE 1

Regulations 2(1) and 3(1)

Genera and Species to which these Regulations apply

Modifications etc. (not altering text)

- C1** Sch. 1: power to amend conferred (31.12.2020) by [The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material \(Legislative Functions and Miscellaneous Provisions\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1463\)](#), regs. 1(2) (b), **19(1)** (with reg. 19(2))

<i>Genera and species</i>	<i>Common name (for guidance only)</i>
<i>Castanea sativa</i> Mill.	Chestnut
<i>Citrus</i> L.	Includes grapefruit, lemon, lime, mandarin and orange
<i>Corylus avellana</i> L.	Hazelnut
<i>Cydonia oblonga</i> Mill.	Quince
<i>Ficus carica</i> L.	Common edible fig
<i>Fortunella</i> Swingle	Kumquat
<i>Fragaria</i> L.	Strawberry
<i>Juglans regia</i> L.	Walnut
<i>Malus</i> Mill.	Apple
<i>Olea europaea</i> L.	Olive
<i>Pistacia vera</i> L.	Pistachio
<i>Poncirus</i> Raf.	Trifoliate orange
<i>Prunus armeniaca</i> L.	Apricot
<i>Prunus avium</i> (L.) L.	Sweet cherry
<i>Prunus cerasus</i> L.	Sour cherry
<i>Prunus domestica</i> L.	Plum
<i>Prunus dulcis</i> (Mill.) D A Webb (also known as <i>Prunus amygdalus</i> Batsch)	Almond
<i>Prunus persica</i> (L.) Batsch	Peach and nectarine
<i>Prunus salicina</i> Lindley	Japanese plum
<i>Pyrus</i> L.	Pears
<i>Ribes</i> L.	Blackcurrant, gooseberry, red currant and white currant
<i>Rubus</i> L.	Blackberry, raspberry and hybrid berries
<i>Vaccinium</i> L.	Blueberry, cranberry and bilberry.

SCHEDULE 2

Regulation 2(1) and 15(1)

Certification requirements

Modifications etc. (not altering text)

- C2** Sch. 2: power to amend conferred (31.12.2020) by [The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material \(Legislative Functions and Miscellaneous Provisions\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1463\)](#), regs. 1(2) (b), **20(1)** (with reg. 20(2))

PART 1

General

Interpretation

1. In this schedule—

“administrative checks” means administrative checks performed by or on behalf of the Scottish Ministers for the purposes of these Regulations, including but not limited to checking records kept by a supplier pursuant to regulation 17;

“appropriate EPPO protocol” means—

- (a) a protocol published by the European and Mediterranean Plant Protection Organisation in relation to the particular activity (such as, but not limited to, sampling and testing or multiplication, renewal and propagation of mother plants) and the particular genus or species concerned^{M1};
- (b) where no such protocol as mentioned in sub-paragraph (a) exists, a protocol in relation to the same type of activity as so mentioned, which has international recognition; or
- (c) where neither protocol as mentioned in sub-paragraph (a) or (b) exists, a protocol established by the Scottish Ministers in relation to the same type of activity mentioned in sub-paragraph (a).

“basic mother plant” means a mother plant intended for the production of basic material;

“candidate pre-basic mother plant” means a mother plant which the supplier intends to have accepted as a pre-basic mother plant;

“certified mother plant” means a mother plant intended for the production of certified material;

“cryopreservation” means the maintenance of plant material by cooling to ultra-low temperatures, in order to retain the viability of the material;

“directly propagated” means propagated by renewal, multiplication or micropropagation;

“fruiting plant” means a plant propagated from a mother plant and grown for the production of fruit in order to permit the verification of the varietal identity of the mother plant;

“micropropagation” means the multiplication of plant material in order to produce a large number of plants, using *in vitro* culture of differentiated vegetative buds or differentiated vegetative meristems taken from a plant;

“mother plant” means a plant identified for propagation;

“multiplication” means vegetative production of mother plants in order to obtain a sufficient number of mother plants in the same category;

“official inspection” means any visual inspection, and, where appropriate, sampling and testing conducted by or on behalf of the Scottish Ministers for the purposes of these Regulations;

“practically free from defects” means that defects likely to impair the quality and usefulness of the propagating material or fruit plants are present at a level equal to, or lower than, the level expected to result from good cultivating and handling practices, and that level is consistent with good cultivating and handling practices;

“pre-basic mother plant” means a mother plant intended for the production of pre-basic material;

“renewal”, in relation to a mother plant, means replacing a mother plant with a plant vegetatively produced from it; and

“visual inspection” means the examination of plants or parts of plants using the unaided eye, lens, stereoscope or microscope and which, in relation to fruiting plants, is conducted during the most appropriate periods of the year (taking into account climatic and growing conditions of the plants of the genera or species concerned).

Marginal Citations

M1 A list of applicable published protocols is available at <http://archives.eppo.int/index.htm>.

Provisions on official inspections

2.—(1) An official inspection must pay particular attention to—

- (a) the suitability and actual use of methods by the supplier for checking each of the critical points in the production process; and
- (b) the overall competence of the supplier's staff to carry out the activities mentioned in regulations 14, 15 and 16.

(2) The Scottish Ministers must ensure that records of the results and the dates of all field inspections, sampling and testing conducted by, or on behalf of, the Scottish Ministers are produced and kept.

PART 2

Pre-basic material

Pre-basic material (other than mother plants and rootstocks not belonging to a variety)

3. Propagating material, other than mother plants and rootstocks which do not belong to a variety, may be officially certified as pre-basic material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it is directly propagated from a pre-basic mother plant in accordance with paragraph 13 or 14;
- (b) the pre-basic mother plant mentioned in sub-paragraph (a)—
 - (i) is accepted in accordance with paragraph 5;
 - (ii) has been obtained by multiplication in accordance with paragraph 13; or
 - (iii) has been obtained by micropropagation in accordance with paragraph 14;
- (c) it is true to the description of its variety and this is verified in accordance with paragraph 7;
- (d) it is maintained in accordance with the requirements of paragraph 8;

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

- (e) it complies with the requirements concerning health in paragraph 10;
- (f) where it has been grown in the field under non-insect proof conditions, ^{F1}... the soil in which it has been grown complies with paragraph 11; and
- (g) it complies with the requirements concerning defects in paragraph 12.

Textual Amendments

F1 Words in sch. 2 para. 3(f) omitted (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Rootstocks not belonging to a variety

4. A rootstock which does not belong to a variety may be certified as pre-basic material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it is directly propagated by vegetative or sexual propagation from a mother plant;
- (b) the mother plant mentioned in (a)—
 - (i) is accepted in accordance with paragraph 6;
 - (ii) has been obtained by multiplication in accordance with paragraph 13; or
 - (iii) has been obtained by micropropagation in accordance with paragraph 14;
- (c) where it is directly propagated from a mother plant by sexual propagation, the pollinating trees are directly produced by vegetative propagation from a mother plant;
- (d) it is true to the description of its species;
- (e) it is maintained in accordance with the requirements of paragraph 8;
- (f) it complies with the requirements concerning health in paragraph 10;
- (g) where it has been grown in the field under non-insect proof conditions, ^{F2}... the soil in which it has been grown complies with paragraph 11; and
- (h) it complies with the requirements concerning defects in paragraph 12.

Textual Amendments

F2 Words in sch. 2 para. 4(g) omitted (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Acceptance of plants as pre-basic mother plants

5.—(1) Subject to sub-paragraph (4) the Scottish Ministers may accept a plant as a pre-basic mother plant if it has been found on official inspection and, where appropriate, through administrative checks, that—

- (a) there has been compliance with paragraphs 8 to 12; and
- (b) its trueness to the description of its variety is—
 - (i) established in accordance with sub-paragraphs (2) and (3); and
 - (ii) verified in accordance with paragraph 7.

(2) The trueness of the pre-basic mother plant to the description of its variety must be established by observation of the expression of the characteristics of the variety and such observation must be based on one of the following descriptions:—

- (a) the official description of the variety;
- (b) the description accompanying the application to be a registered variety;
- (c) the description accompanying the application for the grant of plant variety rights; or
- (d) the officially recognised description, if the variety in question is a registered variety.

(3) Where the establishment of the trueness to the description of the variety is only possible on the basis of the characteristics of a fruiting plant—

- (a) the observation of the expression of the characteristics of the variety must be carried out on the fruits of a fruiting plant propagated from the pre-basic mother plant; and
- (b) the fruiting plant mentioned in head (a) must be kept separate from the pre-basic mother plant and pre-basic material.

(4) If the observation mentioned in sub-paragraph (2) is based on a description mentioned in either head (b) or (c) of sub-paragraph (2), the pre-basic mother plant may only be accepted—

- [^{F3}(a) following production of a report from the responsible official body which proves that the variety in question is distinct, uniform and stable; and]
- (b) pending registration of the variety, the pre-basic mother plant and any material produced from it may only be used for the production of basic or certified material and may not be marketed as pre-basic, basic or certified material.

Textual Amendments

- F3** Sch. 2 para. 5(4)(a) substituted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Acceptance of rootstocks not belonging to a variety as a pre-basic mother plant

6. The Scottish Ministers may accept a rootstock which does not belong to a variety as a pre-basic mother plant if it has been found on official inspection, and, where appropriate, through administrative checks, that—

- (a) it is true to the description of its species; and
- (b) there has been compliance with paragraphs 8 to 12.

Verification of trueness to the description of variety

7.—(1) The trueness of pre-basic mother plants and pre-basic material to the description of their variety must be regularly verified by the Scottish Ministers and, where appropriate, by the supplier, in accordance with the requirements of paragraph 5(2) and (3) and in a manner appropriate to the variety concerned and the propagation method used.

(2) In addition to the regular verification mentioned in sub-paragraph (1), the Scottish Ministers and, where appropriate, the supplier must verify the trueness of pre-basic mother plants resulting from any renewal of the pre-basic mother plants or pre-basic material.

Maintenance of pre-basic mother plants and pre-basic material

8.—(1) Subject to sub-paragraph (6), candidate pre-basic mother plants, pre-basic mother plants and pre-basic material must be maintained by the supplier in facilities designated for the genera

and species concerned and which are insect proof and ensure freedom from infection through aerial vectors and any other possible sources throughout the production process.

(2) Subject to sub-paragraph (6), candidate pre-basic mother plants must be kept physically isolated from pre-basic mother plants until it is established that they are free from the pests described in paragraph 9(1) and (2).

(3) Pre-basic mother plants and pre-basic material must be—

- (a) subject to sub-paragraph (6), grown or produced and isolated from the soil, in pots of soil-free or of sterilised growing media;
- (b) identified by labels to ensure their traceability; and
- (c) subject to sub-paragraph (6), maintained in a manner which ensures that they are individually identified throughout the production process.

(4) Pre-basic mother plants and pre-basic material may be maintained by cryopreservation.

(5) Pre-basic mother plants may only be used for a period as calculated in accordance with the appropriate EPPO protocol on the basis of—

- (a) the stability of the variety;
- (b) the environmental conditions under which they are grown; and
- (c) any other determinants having an impact on the stability of the variety.

(6) ^{F4}... Pre-basic mother plants and pre-basic material may be produced in the field under non-insect proof conditions provided that—

- (a) the pre-basic mother plants or pre-basic material concerned are identified by a label ensuring their traceability; and
- (b) appropriate measures are taken to prevent infection of the plants by any possible sources, including by—
 - (i) aerial vectors;
 - (ii) root contact; and
 - (iii) cross infection by machinery and grafting tools.

Textual Amendments

F4 Words in [sch. 2 para. 8\(6\)](#) omitted (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Health requirements for candidate pre-basic mother plants and for pre-basic mother plants produced by renewal

9.—(1) A candidate pre-basic mother plant must be found free, on the basis of visual inspection of the facilities and fields, from the pests listed in ^{F5}... schedule 6, in relation to the particular genus or species concerned and, if there are doubts concerning the presence of such pests, there must be sampling and testing of the candidate pre-basic mother plant concerned.

(2) Subject to sub-paragraph (3), a candidate pre-basic mother plant must be found free, on the basis of visual inspection and by sampling and testing, from the pests listed in [^{F6}schedule 6A], in relation to the particular genus or species concerned.

(3) Where a candidate pre-basic mother plant is a seedling, visual inspection, sampling and testing is only required in relation to viruses, viroids or virus-like diseases transmitted by pollen which are

listed in [^{F7}schedule 6A] in relation to the particular genus or species concerned, provided that an official inspection has confirmed that the seedling—

- (a) was grown from a seed produced by a plant free from symptoms caused by those viruses, viroids or virus-like diseases; and
 - (b) it has been maintained in accordance with paragraph 8(1) and 8(3)(a) and (b).
- (4) A pre-basic mother plant produced by renewal must be found free—
- (a) on the basis of visual inspection of the facilities and fields from the pests listed in ^{F8}... schedule 6 in relation to the particular genus or species concerned and, if there are doubts concerning the presence of such pests, there must be sampling and testing of the relevant pre-basic mother plant; and
 - (b) on the basis of visual inspection of the facilities, fields and lots and by sampling and testing in relation to the viruses and viroids listed in [^{F9}schedule 6A].
- (5) In this paragraph, a reference to “sampling and testing” means sampling and testing carried out by or on behalf of the Scottish Ministers and, where appropriate, by the supplier—
- (a) at the most appropriate time of the year, taking into account the climatic conditions, the growing conditions of the plant and the biology of the pests relevant to that plant;
 - (b) at any time of the year in the event of doubts concerning the presence of a relevant pest in accordance with the appropriate EPPO protocol;
 - (c) through submission of samples to laboratories approved by the Scottish Ministers for the purposes of such sampling and testing; and
 - (d) in the case of candidate pre-basic mother plants which are being tested for viruses, viroids, virus-like diseases and phytoplasmas, using the testing method of biological indexing on indicator plants or such other testing method as the Scottish Ministers may authorise, having regard to peer reviewed scientific evidence showing that the other testing method is as reliable as biological indexing on indicator plants.

Textual Amendments

- F5** Words in sch. 2 para. 9(1) omitted (1.7.2020) by virtue of The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), **9(5)(a)(i)(aa)**
- F6** Words in sch. 2 para. 9(2) substituted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), **9(5)(a)(i)(bb)**
- F7** Words in sch. 2 para. 9(3) substituted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), **9(5)(a)(i)(cc)**
- F8** Words in sch. 2 para. 9(4)(a) omitted (1.7.2020) by virtue of The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), **9(5)(a)(i)(dd)**
- F9** Words in sch. 2 para. 9(4)(b) substituted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), **9(5)(a)(i)(ee)**

[^{F10}Health requirements for pre-basic mother plants and for pre-basic material

10.—(1) A pre-basic mother plant or pre-basic material must, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in schedules 6 and 6A in accordance with the provisions of column 3 of schedule 7, as regards the genus or species concerned.

(2) The visual inspection mentioned in sub-paragraph (1) must be carried out by or on behalf of the Scottish Ministers and, where appropriate, the supplier.

(3) The Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the pre-basic mother plant or pre-basic material for the RNQPs

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listed in schedule 6A, in accordance with the provisions of column 4 of schedule 7, with regard to the genus or species concerned and category.

(4) Where there are doubts concerning the presence of the RNQPs listed in schedule 6, the Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the pre-basic mother plant or pre-basic material concerned.

(5) In relation to the sampling and testing referred to in sub-paragraphs (3) and (4)—

(a) Scottish Ministers, persons acting on their behalf and the supplier must—

(i) apply protocols of EPPO, or other internationally recognised protocols, or

(ii) where the protocols referred to in sub-head (i) do not exist—

(aa) apply the relevant protocols established at national level, and

^{F11}(bb)

(b) where appropriate, the supplier must submit the samples to laboratories officially accepted by the Scottish Ministers.

(6) In the event of a positive test result for any of the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, the supplier must remove the infested pre-basic mother plant or pre-basic material from the vicinity of other pre-basic mother plants and pre-basic material pursuant to regulation 15, or take appropriate measures pursuant to columns 4 and 5 of schedule 7.

(7) The measures to ensure compliance with the requirements of sub-paragraphs (1) to (4) are set out in schedule 7, with regard to the genus or species concerned and category.

(8) Sub-paragraphs (1) to (4) do not apply to pre-basic mother plants and pre-basic material during cryopreservation.]

Textual Amendments

F10 Sch. 2 para. 10 substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(5)(a)(ii)**

F11 Sch. 2 para. 10(5)(a)(ii)(bb) omitted (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(d)**; (as inserted by S.S.I. 2020/445, regs. 1(1)(b), **18(7)**); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Soil requirements [^{F12}for pre-basic mother plants and pre-basic material]

11.—(1) Subject to sub-paragraphs (2) and (3), pre-basic mother plants and pre-basic material must only be grown in soil which is found, on the basis of sampling and testing carried out prior to the planting of such plants and material, to be free from any pest listed in [^{F13}schedule 6B] for the genus or species concerned and which may host viruses affecting that genus or species.

(2) Sampling and testing is not required under sub-paragraph (1) if—

(a) there have been no plants which are hosts for any of the pests listed in [^{F13}schedule 6B] grown in the relevant soil for a period of at least 5 years prior to the planting of the pre-basic mother plants and pre-basic material mentioned in sub-paragraph (1) and where there is no doubt concerning the absence of the relevant pests in the soil; or

(b) an official inspection is carried out which concludes that the soil is free from any of the pests listed in [^{F13}schedule 6B] for the genus or species concerned and which may host viruses affecting that genus or species.

(3) Sampling and testing of the soil must be carried out during the growing period of the pre-basic mother plant or pre-basic material mentioned in sub-paragraph (1) where there is suspicion concerning the presence of the pests listed in [F13]schedule 6B]

(4) In this paragraph, “sampling and testing” means sampling and testing carried out by or on behalf of the Scottish Ministers and, where appropriate, by the supplier—

- (a) in accordance with the appropriate EPPO protocol; and
- (b) taking into account the climatic conditions and the biology of the pests listed in [F13]schedule 6B] and their relevance to the pre-basic mother plants or pre-basic material concerned.

Textual Amendments

F12 Words in sch. 2 para. 11 heading inserted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), 9(5)(a)(iii)(aa)

F13 Words in sch. 2 para. 11 substituted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), 9(5)(a)(iii)(bb)

Defects

12.—(1) Pre-basic mother plants and pre-basic material must be found, on visual inspection, to be practically free from defects.

(2) Injuries, discoloration, scar tissues or dessication must be considered as defects if they affect the quality and usefulness of a mother plant or plant material as propagating material.

Requirements concerning multiplication, renewal and propagation of pre-basic mother plants

13.—(1) Subject to sub-paragraph (4), a supplier may multiply a pre-basic mother plant which has been accepted under paragraph 5.

(2) Subject to sub-paragraph (4), the supplier may renew a pre-basic mother plant which—

- (a) has been accepted under paragraph 5; and
- (b) during the period described in paragraph 8(5).

(3) Subject to sub-paragraph (4), the supplier may propagate a pre-basic mother plant which has been accepted under paragraph 5 to produce pre-basic material.

(4) The multiplication, renewal and propagation described in sub-paragraphs (1) to (3) must be carried out in accordance with the appropriate EPPO protocol, provided that such protocol has been tested on the relevant genus or species for a period of time considered sufficient to allow phenotype validation of the plants as regards the trueness to the description of the variety based on the observation of the fruit production or of the vegetative development of rootstocks.

Requirements concerning multiplication, renewal and propagation by micropropagation of pre-basic mother plants

14. A supplier may multiply, renew or propagate a pre-basic mother plant which has been accepted under paragraph 5 by micropropagation for the purpose of producing other pre-basic mother plants or pre-basic material, provided that—

- (a) the multiplication, renewal or propagation by micropropagation is carried out in accordance with the appropriate EPPO protocol; and

- (b) the appropriate EPPO protocol has been tested on the relevant genus or species for a period of time considered sufficient to allow phenotype validation of the plants as regards the trueness to the description of the variety based on the observation of the fruit production or of the vegetative development of rootstocks.

PART 3

Basic material

Requirements for the certification of basic material

15.—(1) Propagating material other than basic mother plants or rootstocks which do not belong to a variety may be officially certified as basic material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it has been propagated from a basic mother plant;
 - (b) the basic mother plant mentioned in head (a)—
 - (i) has been grown from pre-basic material; or
 - (ii) has been produced by multiplication from a basic mother plant, in accordance with paragraph 20;
 - (c) it complies with the requirements in paragraphs 7, 8(5) and 12;
 - (d) it complies with the requirements in paragraph 8(3)(c);
 - (e) it complies with the requirements in paragraph 17;
 - (f) it complies with the requirements in paragraph 18;
 - (g) it is maintained in accordance with paragraph 19; and
 - (h) there has been compliance with the requirements concerning multiplication and multiplication by micropropagation in paragraph 20.
- (2) For the purposes of sub-paragraph (1)(c) references in paragraphs 7, 8(5) and 12 to—
- (a) pre-basic mother plants may be construed as references to basic mother plants; and
 - (b) pre-basic material may be construed as references to basic material.

Rootstocks not belonging to a variety

16.—(1) A rootstock which does not belong to a variety may be officially certified as basic material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it is true to the description of its species;
- (b) it complies with the requirements in—
 - (i) paragraph 8(3)(c);
 - (ii) paragraph 8(5);
 - (iii) paragraph 12;
 - (iv) paragraph 17;
 - (v) paragraph 18;
 - (vi) paragraph 19; and
 - (vii) paragraph 20.

- (2) For the purposes of sub-paragraph (1)(b)(i), (ii) and (iii), references in paragraphs 8(3)(c) and (5) and 12 to—
- (a) pre-basic mother plants, may be construed as references to basic mother plants; and
 - (b) pre-basic material, may be construed as references to basic material.

[^{F14}Health requirements for basic mother plants and basic material

17.—(1) A basic mother plant or basic material must, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in schedules 6 and 6A in accordance with the provisions of column 3 of schedule 7, as regards the genus or species concerned.

(2) The visual inspection referred to in sub-paragraph (1) must be carried out by or on behalf of the Scottish Ministers and, where appropriate, the supplier.

(3) The Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the basic mother plant or basic material for the RNQPs listed in schedule 6A in accordance with the provisions of column 4 of schedule 7, with regard to the genus or species concerned and category.

(4) Where there are doubts concerning the presence of the RNQPs listed in schedule 6, the Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the basic mother plant or basic material concerned.

(5) In relation to the sampling and testing referred to in sub-paragraphs (3) and (4)—

- (a) Scottish Ministers, persons acting on their behalf and the supplier must—
 - (i) apply protocols of EPPO, or other internationally recognised protocols, or
 - (ii) where the protocols referred to in sub-head (i) do not exist—
 - (aa) apply the relevant protocols established at national level, and
 - ^{F15}(bb)

(b) where appropriate, the supplier must submit samples to laboratories officially accepted by the Scottish Ministers.

(6) In the event of a positive test result for any of the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, the supplier must remove the infested basic mother plant or basic material from the vicinity of other basic mother plants and basic material pursuant to regulation 15, or take appropriate measures pursuant to columns 4 and 5 of schedule 7.

(7) The measures to ensure compliance with the requirements of sub-paragraphs (1) to (4) are set out in schedule 7, with regard to the genus or species concerned and category.

(8) Sub-paragraphs (1) to (4) do not apply to basic mother plants and basic material during cryopreservation.]

Textual Amendments

- F14** Sch. 2 para. 17 substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(5)(b)(i)**
- F15** Sch. 2 para. 17(5)(a)(ii)(bb) omitted (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(e)** (as inserted by S.S.I. 2020/445, regs. 1(1)(b), **18(7)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Soil requirements ^{F16}for basic mother plants and basic material]

18.—(1) Subject to sub-paragraphs (2) and (3), basic mother plants and basic material must only be grown in soil which is found, on the basis of sampling and testing carried out prior to the planting of such plants and material, to be free from any pest listed in ^{F17}schedule 6B] for the genus or species concerned and which may host viruses affecting that genus or species.

(2) Sampling and testing is not required under sub-paragraph (1) if—

- (a) there have been no plants which are hosts for the pests listed in ^{F17}schedule 6B] grown in the relevant soil for a period of at least 5 years prior to the planting of the basic mother plants and basic material mentioned in sub-paragraph (1) and where there is no doubt concerning the absence of the relevant pests in the soil; or
- (b) an official inspection is carried out which concludes that the soil is free from any of the pests listed in ^{F17}schedule 6B] for the genus or species concerned and which is host to viruses affecting that genus or species.

(3) Sampling and testing of the soil must be carried out during the growing period of the basic mother plant or basic material mentioned in sub-paragraph (1) where there is suspicion concerning the presence of the pests mentioned in that sub-paragraph.

(4) In this paragraph, “sampling and testing” means sampling and testing carried out by or on behalf of the Scottish Ministers and, where appropriate, by the supplier—

- (a) in accordance with the appropriate EPPO protocol; and
- (b) taking into account the climatic conditions and the biology of the pests listed in ^{F17}schedule 6B] and their relevance to the basic mother plants or basic material concerned.

Textual Amendments

F16 Words in [sch. 2 para. 18](#) heading inserted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(5)(b)(ii)(aa)**

F17 Words in [sch. 2 para. 18](#) substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(5)(b)(ii)(bb)**

Requirements concerning the maintenance of basic mother plants and basic material

19.—(1) Basic mother plants and basic material must be maintained in fields isolated from potential sources of infection by aerial vectors, root contact, cross infection by machinery or grafting tools and from any other possible sources.

(2) An inspector may determine the distance at which the fields mentioned in sub-paragraph (1) must be isolated from potential sources of infection as mentioned in sub-paragraph (1), having regard to regional circumstances, the type of propagating material, the presence of pests in the area concerned and the relevant risks which are involved.

(3) Basic mother plants and basic material must be maintained in a manner that ensures that they are individually identified throughout the production process.

Conditions for multiplication and multiplication by micropropagation of basic mother plants

20.—(1) Subject to sub-paragraphs (2) to (5), a basic mother plant mentioned in paragraph 15(1)(b)(i) may be multiplied or multiplied by micropropagation in order to produce the necessary number of basic mother plants.

(2) The multiplication or multiplication by micropropagation mentioned in sub-paragraph (1) must be carried out in accordance with the appropriate EPPO protocol, provided that such protocol

has been tested on the relevant genus or species for a period of time considered sufficient to allow phenotype validation of the plants as regards the trueness to the description of the variety based on the observation of the fruit production or of the vegetative development of rootstocks.

(3) In relation to the multiplication, or multiplication by micropropagation, of a basic mother plant of a particular genus or species listed in column 1 of the Table in sub-paragraph (5), the basic mother plant—

- (a) may be multiplied for the maximum number of generations prescribed for that genus or species in the corresponding entry in column 2 of that Table; and
- (b) may not be maintained as a basic mother plant beyond any period which may be prescribed in the corresponding entry in column 3 of that Table.

(4) Where rootstocks are part of the basic mother plant, the rootstock must be basic material of the first generation.

(5) Where, in respect of a particular genus or species listed in column 1 of the Table in this sub-paragraph, multiple generations of basic mother plants are prescribed in column 2 of that Table, each generation of basic mother plant, other than the first one, may derive from any previous generation.

Table of maximum permitted number of generations in the field under non-insect proof conditions and maximum permitted life span of basic mother plants per genera or species.

<i>Column 1</i> <i>Genera or species</i>	<i>Column 2</i> <i>Maximum number of generations</i>	<i>Column 3</i> <i>of Maximum permitted life span</i>
<i>Castanea sativa</i> Mill.	2 generations; or if the basic mother plant is a rootstock, 3 generations	
<i>Citrus</i> L., <i>Fortunella</i> Swingle and <i>Poncirus</i> Raf.	1 generation; or if the basic mother plant is a rootstock, 3 generations	
<i>Corylus avellana</i> L.	2 generations	
<i>Cydonia oblonga</i> Mill., <i>Malus</i> Mill. and <i>Pyrus</i> L.	2 generations; or if the basic mother plant is a rootstock, 3 generations	
<i>Ficus carica</i> L.	2 generations	
<i>Fragaria</i> L.	5 generations	
<i>Juglans regia</i> L.	2 generations	
<i>Olea europaea</i> L.	1 generation	
<i>Prunus amygdalus</i> , <i>P. armeniaca</i> , <i>P. domestica</i> , <i>P. persica</i> and <i>P. salicina</i>	2 generations; or if the basic mother plant is a rootstock, 3 generations	
<i>Prunus avium</i> and <i>P. cerasus</i>	2 generations; or if the basic mother plant is a rootstock, 3 generations	
<i>Ribes</i> L.	3 generations	6 years

<i>Rubus</i> L.	2 generations	4 years
<i>Vaccinium</i> L.	2 generations	

PART 4

Certified material

Requirements for certification as certified material

21.—(1) Propagating material other than mother plants or a fruit plant may be officially certified as certified material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it has been propagated from a certified mother plant;
 - (b) the certified mother plant mentioned in head (a) has been grown from pre-basic material or basic material;
 - (c) the certified mother plant mentioned in head (a) complies with the requirements in paragraph 24;
 - (d) it complies with the requirements in—
 - (i) paragraph 7;
 - (ii) paragraph 8(5); and
 - (iii) paragraph 12;
 - (e) it complies with the requirements in paragraph 23; and
 - (f) it complies with the requirements in paragraph 24.
- (2) For the purposes of sub-paragraph (1)(d), references in paragraphs 7, 8(5) and 12 to—
- (a) pre-basic mother plants, may be construed as references to certified mother plants; and
 - (b) pre-basic material, may be construed as references to certified material.

Rootstocks not belonging to a variety

22.—(1) A rootstock which does not belong to a variety may be officially certified as certified material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it is true to the description of its species;
 - (b) it complies with the requirements in—
 - (i) paragraph 8(5); and
 - (ii) paragraph 12; and
 - (c) it complies with the requirements in paragraphs 23 and 24.
- (2) For the purposes of sub-paragraph (1)(b), references in paragraphs 8(5) and 12 to—
- (a) pre-basic mother plants, may be construed as references to certified mother plants; and
 - (b) pre-basic material may, be construed as references to certified material.

[^{F18}Health requirements for certified mother plants and certified material

23.—(1) A certified mother plant or certified material must, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in schedules 6 and 6A in accordance with the provisions of column 3 of schedule 7, as regards the genus or species concerned.

(2) The visual inspection referred to in sub-paragraph (1) must be carried out by or on behalf of the Scottish Ministers and, where appropriate, the supplier.

(3) The Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the certified mother plant or certified material for the RNQPs listed in schedule 6A in accordance with the provisions of column 4 of schedule 7, with regard to the genus or species concerned and category.

(4) Where there are doubts concerning the presence of the RNQPs listed in schedule 6, the Scottish Ministers, persons acting on their behalf and, where appropriate, the supplier must carry out sampling and testing of the certified mother plant or certified material concerned.

(5) In relation to the sampling and testing referred to in sub-paragraphs (3) and (4)—

(a) Scottish Ministers, persons acting on their behalf and the supplier must—

(i) apply protocols of EPPO, or other internationally recognised protocols, or

(ii) where the protocols referred to in sub-head (i) do not exist—

(aa) apply the relevant protocols established at national level, and

^{F19}(bb)

(b) where appropriate, the supplier must submit samples to laboratories officially accepted by the Scottish Ministers.

(6) In the event of a positive test result for any of the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, the supplier must remove the infested certified mother plant or certified material from the vicinity of other certified mother plants and certified material pursuant to regulation 15, or take appropriate measures pursuant to columns 4 and 5 of schedule 7.

(7) The measures to ensure compliance with the requirements of sub-paragraphs (1) to (4) are set out in schedule 7, with regard to the genus or species concerned and category.

(8) Sub-paragraphs (1) to (4) do not apply to certified mother plants and certified material during cryopreservation.]

Textual Amendments

F18 Sch. 2 para. 23 substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(5)(e)(i)**

F19 Sch. 2 para. 23(5)(a)(ii)(bb) omitted (31.12.2020) by virtue of [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(6)(f)** (as inserted by [S.S.I. 2020/445](#), regs. 1(1)(b), **18(7)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Soil requirements [^{F20}for certified mother plants and certified material]

24.—(1) Subject to sub-paragraphs (2) and (3), certified mother plants must only be grown in soil which is found, on the basis of sampling and testing carried out prior to the planting of such mother plants, to be free from any pest listed in [^{F21}schedule 6B] for the genus or species concerned and which may host viruses affecting that genus or species.

(2) Sampling and testing is not required under sub-paragraph (1) if—

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

- (a) there have been no plants which are hosts for any of the pests listed in [F21]schedule 6B] grown in the relevant soil for a period of at least 5 years prior to the planting of the certified mother plants mentioned in sub-paragraph (1) and where there is no doubt concerning the absence of the relevant pests in the soil; or
- (b) an official inspection is carried out which concludes that the soil is free from any of the pests listed in [F21]schedule 6B] for the genus or species concerned and which is host to viruses affecting that genus or species.

[F22(2A) Unless otherwise stated, sampling and testing is not required under sub-paragraph (1) in the case of certified fruit plants.]

(3) Sampling and testing of the soil must be carried out during the growing period of the certified mother plant mentioned in sub-paragraph (1) where there is suspicion concerning the presence of the pests mentioned in that sub-paragraph.

(4) In this paragraph, “sampling and testing” means sampling and testing carried out by or on behalf of the Scottish Ministers and, where appropriate, by the supplier—

- (a) in accordance with the appropriate EPPO protocol; and
- (b) taking into account the climatic conditions and the biology of the pests listed in [F21]schedule 6B] and their relevance to the certified mother plants concerned.

Textual Amendments

- F20** Words in sch. 2 para. 24 heading inserted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), 9(5)(c)(ii)(aa)
- F21** Words in sch. 2 para. 24 substituted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), 9(5)(c)(ii)(bb)
- F22** Sch. 2 para. 24(2A) inserted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), 9(5)(c)(ii)(cc)

[F23]PART 5

Requirements with regard to the production site, place of production or area

Textual Amendments

- F23** Sch. 2 Pt. 5 inserted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), 9(5)(d)

Requirements with regard to the production site, place of production or area

25. In addition to the health and soil requirements of paragraphs 9, 10, 11, 17, 18, 23 and 24, propagating material and fruit plants must be produced in accordance with the requirements for the production site, place of production, or area as laid down in column 5 of schedule 7, in order to limit the presence of the RNQPs listed in that schedule for the genus or species concerned.]

SCHEDULE 3

Regulation 2(1)

CAC material

Modifications etc. (not altering text)

- C3** Sch. 3: power to amend conferred (31.12.2020) by [The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material \(Legislative Functions and Miscellaneous Provisions\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1463\)](#), regs. 1(2)(b), **20(1)** (with reg. 20(2))

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 fulfils the following conditions—

- (a) it is propagated from an identified source of material recorded by the supplier;
- (b) its trueness to the description of its variety is established and verified in accordance with paragraph 3;
- (c) it is found by the supplier on visual inspection [^{F24}carried out in the facilities, fields and lots at the stage of production, to be substantially free from the RNQPs listed in schedules 6 and 6A, as regards the genus or species concerned, unless stated otherwise in schedule 7;]
- [^{F25}(ca) in relation to the RNQPs listed in schedule 6A, sampling and testing by the supplier is carried out in accordance with column 4 of schedule 7 with regard to the genus or species concerned and category;
- (cb) in the event that there are doubts concerning the presence of the RNQPs listed in schedule 6, it is found as a result of sampling and testing by the supplier to be substantially free from those RNQPs;]
- ^{F26}(d)
- (e) on visual inspection, it is found to be practically free from defects including injuries, discolouration, scar tissue or dessication that affect the quality and usefulness of the plant as propagating material.

[^{F27}(1A) CAC propagating material and CAC fruit plants in lots, after the stage of production, may only be marketed if found free from signs or symptoms of the pests listed in schedules 6 and 6A, upon visual inspection carried out by the supplier.]

(2) The visual inspections [^{F28}and sampling and testing mentioned in sub-paragraphs (1)(c), (ca) and (cb) and (1A)] may not be conducted during cryopreservation.

Textual Amendments

- F24** Words in sch. 3 para. 1(1)(c) substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(a)(i)(aa)**
- F25** Sch. 3 para. 1(1)(ca)(cb) inserted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(a)(i)(bb)**
- F26** Sch. 3 para. 1(1)(d) omitted (1.7.2020) by virtue of [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(a)(i)(cc)**
- F27** Sch. 3 para. 1(1A) inserted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(a)(ii)**

Changes to legislation: There are currently no known outstanding effects for the *The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017*. (See end of Document for details)

F28 Words in sch. 3 para. 1(2) substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(a)(iii)**

CAC material: rootstocks not belonging to a variety

2.—(1) CAC material consisting of rootstocks not belonging to a variety may only be marketed if it fulfils the following conditions—

- (a) it is true to the description of its species;
- (b) it is found by the supplier on visual inspection, or where there is doubt, by sampling and testing, to be substantially free from the pests listed in [^{F29}schedules 6 and 6A]; and
- (c) on visual inspection, it is found to be substantially free from defects including injuries, discolouration, scar tissue or dessication that affect the quality and usefulness of the plant as propagating material.

(2) The visual inspections mentioned in sub-paragraph (1)(b) may not be conducted during cryopreservation.

Textual Amendments

F29 Words in sch. 3 para. 2(1)(b) substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(b)**

CAC material: 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) The trueness of certified material to the description of its variety must be established and verified by observation of the expression of the characteristics of the variety based on one of the following descriptions—

- (a) its official description;
- (b) the description accompanying the application to be a registered variety;
- (c) the description accompanying the application for a grant of 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.

[^{F30}Requirements with regard to the production site, place of production or area

4. In addition to the health and soil requirements of paragraph 1(1)(c), (ca) and (cb), (1A) and (2), propagating material and fruit plants must be produced in accordance with the requirements for the production site, place of production, or area as laid down in column 5 of schedule 7, in order to limit the presence of the RNQPs listed in that schedule for the genus or species concerned.]

Textual Amendments

F30 Sch. 3 para. 4 inserted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(6)(c)**

SCHEDULE 4

Regulations 2(1) and 7(3)

Registration of varieties

Interpretation

1. In this schedule—

F31
...

F31
...

“distinctness” (and “distinct”) in relation to a variety, is to be construed in accordance with paragraph 9;

“the register” means the register of varieties maintained by the Scottish Ministers under paragraph 2;

“stability” (and “stable”) in relation to a variety, is to be construed in accordance with paragraph 11;

“technical questionnaire” means the technical questionnaire set out in—

- (a) any [F32UPOV] protocols published in relation to the relevant species; or
- (b) where no such [F32UPOV] protocols have been published as mentioned in sub-paragraph (a), any UPOV guidelines published in relation to the relevant species; or
- (c) where no such protocols as mentioned in sub-paragraph (a) or guidelines as mentioned in sub-paragraph (b) have been published, a protocol or guidelines established by or on behalf of the Scottish Ministers in relation to the same matters;

“uniformity” (and “uniform”) in relation to a variety, is to be construed in accordance with paragraph 10;

F33
...

“UPOV guidelines” mean test guidelines for the conduct of tests for distinctness, uniformity and stability that have been produced for the relevant species by the UPOV and which are applicable at the beginning of the growing trial ^{M2}.

Textual Amendments

F31 Words in sch. 4 para. 1 omitted (31.12.2020) by virtue of The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F32 Word in sch. 4 para. 1 substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F33 Words in sch. 4 para. 1 omitted (28.3.2019) by virtue of The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(a), **8(3)**

Marginal Citations

M2 A list of applicable test guidelines is available at http://www.upov.int/resource/en/dus_guidance.html.

Register of varieties

2.—(1) The Scottish Ministers must maintain a register of varieties.

(2) The register must include—

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

- (a) the denomination of the variety and any synonyms;
 - (b) the species to which the variety belongs;
 - (c) the date of registration of the variety or, where applicable, the date of renewal of the registration; and
 - (d) the date of the expiry of the validity of the registration.
- (3) The register must state whether a variety has an official description or an officially recognised description.
- (4) In relation to each variety registered, the Scottish Ministers must also keep a file containing a description of the variety and a summary of the facts relevant to its registration.

Registration

3.—(1) The Scottish Ministers must register a variety with an official description if they are satisfied that—

- (a) the variety is distinct, uniform and stable;
- (b) a sample of the variety is available; and
- [^{F34}(c) in relation to genetically modified varieties, the genetically modified organism of which the variety consists is authorised for cultivation pursuant to—
 - (i) the GMO regulations,
 - (ii) Regulation (EC) No 1829/2003, or
 - (iii) before the day on which IP completion day falls, Directive 2001/18/EC.]

(2) Before being satisfied in accordance with sub-paragraph (1)(a) that a variety is distinct, uniform and stable, the Scottish Ministers must take into account the results of growing trials in accordance with paragraph 5, carried out in respect of the variety by or on behalf of—

- (a) the Scottish Ministers; or
- [^{F35}(b) a responsible official body outside Scotland.]

(3) The Scottish Ministers may register a variety that has been marketed within the European Union prior to 30th September 2012 with an officially recognised description.

Textual Amendments

F34 Sch. 4 para. 3(1)(c) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(b)(i)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **18(8)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

F35 Sch. 4 para. 3(2)(b) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Application for registration with an official description

4.—(1) An application for registration of a variety with an official description must be made in writing to the Scottish Ministers in such form as the Scottish Ministers may require.

- (2) An application must be accompanied by—
 - (a) the information required in a technical questionnaire at the time of the application or, where no technical questionnaire is available in relation to the relevant species, such information as the Scottish Ministers may require;

- (b) information on whether the variety is officially registered in another [^{F36}country], or is the subject of an application for such a registration;
 - (c) a proposed denomination;
 - [^{F37}(d) in the case of a genetically modified variety, evidence that the genetically modified organism contained in that variety has been authorised for cultivation pursuant to—
 - (i) the GMO regulations,
 - (ii) Regulation (EC) No 1829/2003, or
 - (iii) before the day on which IP completion day falls, Directive 2001/18/EC;]
 - (e) such other information as the Scottish Ministers may require.
- (3) Where applicable, an application may be accompanied by details of an official description established by a responsible [^{F38}official body outside Scotland].
- (4) Where applicable, an application may also be accompanied by a statement of any other relevant information.
- (5) Where a growing trial is required, a sample of the material of the variety must be submitted on request.

Textual Amendments

- F36** Word in sch. 4 para. 4(2)(b) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F37** Sch. 4 para. 4(2)(d) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(c)(ii)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **18(8)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F38** Words in sch. 4 para. 4(3) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(7)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

Growing trials

- 5.—(1) Growing trials must—
- (a) establish whether a variety is distinct, uniform and stable;
 - (b) in relation to trial design, growing conditions and characteristics of the variety to be covered, be conducted in accordance with—
 - (i) [^{F39}UPOV] protocols;
 - (ii) if no [^{F39}UPOV] protocols have been published for the relevant species, any UPOV guidelines; or
 - (iii) if no [^{F39}UPOV] protocols or UPOV guidelines have been published, any applicable protocols produced by, or on behalf of, the Scottish Ministers.
- (2) Growing trials are not required if the Scottish Ministers are satisfied that an official description submitted in accordance with paragraph 4(3), or information submitted along with the official description, demonstrates that the variety is distinct, uniform and stable.

Textual Amendments

F39 Word in sch. 4 para. 5(1)(b) substituted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(7)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

Duration and renewal of acceptance

6.—(1) The registration of a variety with an official description or, as the case may be, the renewal of such a registration, is valid—

- (a) for the period up to the end of the 30th calendar year from the date of registration or renewal; or
- (b) in the case of genetically modified varieties, for the shorter of either—
 - (i) the period up to the end of the 30th calendar year from the date of registration or renewal; or
 - [^{F40}(ii) the period during which the genetically modified organism of which the variety consists is authorised for cultivation pursuant to—
 - (aa) the GMO regulations,
 - (bb) Regulation (EC) No 1829/2003, or
 - (cc) before the day on which IP completion day falls, Directive 2001/18/EC.]

(2) The Scottish Ministers may—

- (a) renew registration in accordance with sub-paragraph (3) or (4); or
- (b) revoke registration in accordance with paragraph 7.

(3) The Scottish Ministers may, following an application made in writing to them, renew the registration of a variety with an official description for a period described in sub-paragraph (1), provided that—

- (a) the requirements of distinctness, uniformity and stability are still satisfied in respect of the variety; and
- (b) there is still material of that variety available on the market.

(4) The Scottish Ministers may renew the registration in the absence of a written application where they are satisfied that renewal serves to preserve genetic diversity and sustainable production and the conditions mentioned in sub-paragraph (3) are met.

Textual Amendments

F40 Sch. 4 para. 6(1)(b)(ii) substituted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(7)(e)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **18(8)(c)**); 2020 c. 1, Sch. 5 para. 1(1)

Removal from register

7.—(1) Subject to sub-paragraph (2), the Scottish Ministers must revoke the registration of a variety if—

- (a) it is no longer distinct, uniform and stable;
- (b) there is no longer available any material of that variety that is sufficiently uniform or which corresponds to the description of the variety at the time of registration;

- (c) false or misleading information material to registration was provided to the Scottish Ministers in connection with the application for registration;
 - [^{F41}(d) in the case of any genetically modified variety, the genetically modified organism contained in that variety—
 - (i) ceases to be authorised for cultivation pursuant to—
 - (aa) the GMO regulations,
 - (bb) Regulation (EC) No 1829/2003, or
 - (ii) has, before the day on which IP completion day falls been authorised for cultivation pursuant to Directive 2001/18/EC and ceases to be authorised.]
- (2) But heads (a) to (c) of sub-paragraph (1) do not apply if the Scottish Ministers are satisfied that the variety should remain on the register in the interests of preserving the genetic diversity of varieties.

Textual Amendments

F41 Sch. 4 para. 7(1)(d) substituted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(7)(f)** (as amended by S.S.I. 2020/445, regs. 1(1)(b), **18(8)(d)**); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Additional requirements for products to be used as genetically modified food or feed

- 8.—(1) This paragraph applies to any variety from which products are derived for use as, or in—
- (a) food within the scope of Article 3 of Regulation (EC) No 1829/2003; or
 - (b) feed within the scope of Article 15 of that Regulation.
- (2) Before registering any such variety, the Scottish Ministers must be satisfied that the food or feed has been authorised pursuant to Regulation (EC) No 1829/2003.

Distinctness

9. A variety is distinct if it is clearly distinguishable by one or more characteristics that result from a particular genotype or combination of genotypes, from any other variety whose existence is a matter of common knowledge at the time of the application for registration.

Uniformity

10. A variety is uniform if, subject to the variation that may be expected from the particular features of its propagation, it is sufficiently uniform in the expression of those characteristics which are included in the examination for distinctness, as well as any other characteristics used for the variety description.

Stability

11. A variety is stable if the expression of those characteristics which are included in the examination for distinctness, as well as any others used for the variety description, remain unchanged after repeated propagation or, in the case of micropropagation, at the end of each such cycle.

SCHEDULE 5

Regulations 2(1), 5(1)(g), 8 and 9

Official labels, supplier's documents and accompanying documents

Modifications etc. (not altering text)

- C4** Sch. 5: power to amend conferred (31.12.2020) by [The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material \(Legislative Functions and Miscellaneous Provisions\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1463\)](#), regs. 1(2) (b), **21(1)** (with reg. 21(2))

PART 1

Official labels

1. An official label used in relation to pre-basic material must ^{F42}... be white with a diagonal violet stripe.

Textual Amendments

- F42** Words in sch. 5 para. 1 omitted (1.4.2020) by virtue of [The Marketing of Fruit Plant and Propagating Material \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/34\)](#), regs. 1(1), **2(3)(a)**

2. An official label used in relation to basic material must be white.
3. An official label used in relation to certified material must ^{F43}... be blue.

Textual Amendments

- F43** Words in sch. 5 para. 3 omitted (1.4.2020) by virtue of [The Marketing of Fruit Plant and Propagating Material \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/34\)](#), regs. 1(1), **2(3)(a)**

4. An official label must—
- (a) contain the statement “[^{F44}UK] rules and standards”; and
 - (b) state the following particulars:—
 - (i) the name of the responsible official body and [^{F45}country] or their distinguishing abbreviations;
 - (ii) the name of the supplier or their registration number;
 - (iii) the reference number of the package, container or bundle, the individual serial number, the week number or the batch number;
 - (iv) the botanical name of the plant material;
 - (v) the category of the plant material and, for basic material, the generation number;
 - (vi) the denomination of the variety and, where appropriate, the clone.
 - (vii) in the case of rootstocks not belonging to a variety, the name of the species or the interspecific hybrid concerned;
 - (viii) in the case of grafted fruit plants, the information in heads (vi) (in relation to the top-graft) and (vii) (in relation to the rootstock);

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

- (ix) for varieties in respect of which an application to be a registered variety or for the grant of a plant variety right is pending, any information given in relation to heads (vi) to (viii) must be pre-fixed with the words “proposed denomination” and “application pending”;
- (x) where appropriate, the words “variety with an officially recognised description”;
- (xi) the quantity of plant material;
- (xii) where different from the [^{F46}country] of labelling, the country of production and its respective code or abbreviation;
- (xiii) the year of issue, or in the case of a replacement label, the year of issue of the original label;
- (xiv) in the case of a genetically modified variety—
 - (aa) a statement that the variety has been genetically modified; and
 - (bb) a list of the genetically modified organisms.

Textual Amendments

- F44** Word in sch. 5 para. 4(a) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F45** Word in sch. 5 para. 4(b)(i) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Word in sch. 5 para. 4(b)(xii) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

5. The information and particulars required on an official label must be indelibly printed in [^{F47}English, but may also be printed in other languages,] and must be easily visible and legible.

Textual Amendments

- F47** Words in sch. 5 para. 5 substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

PART 2

Supplier's documents for CAC material

6. A supplier's document for CAC material must—
- (a) contain the statement “[^{F48}UK] rules and Standards”; and
 - (b) state the following particulars:—
 - (i) the name of the responsible official body and [^{F49}country] where the supplier's document was prepared or their distinguishing abbreviations;
 - (ii) the registration number of the supplier;
 - (iii) the individual serial, week number or batch number;

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

- (iv) the botanical name of the plant material;
- (v) CAC material;
- (vi) the denomination of the variety or, in the case of rootstock, the denomination of the variety of its designation;
- ^{F50}(vii)
- ^{F51}(viii)
- (ix) the date of issue.

Textual Amendments

F48 Word in sch. 5 para. 6(a) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F49 Word in sch. 5 para. 6(b)(i) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F50 Sch. 5 para. 6(b)(vii) omitted (1.4.2020) by virtue of The Marketing of Fruit Plant and Propagating Material (Scotland) Amendment Regulations 2020 (S.S.I. 2020/34), regs. 1(1), **2(3)(b)(i)**

F51 Sch. 5 para. 6(b)(viii) omitted (1.4.2020) by virtue of The Marketing of Fruit Plant and Propagating Material (Scotland) Amendment Regulations 2020 (S.S.I. 2020/34), regs. 1(1), **2(3)(b)(i)**

[^{F52}6A. Where it is affixed to the CAC material in the form of a label, the supplier’s document must be yellow.]

Textual Amendments

F52 Sch. 5 para. 6A inserted (1.4.2020) by The Marketing of Fruit Plant and Propagating Material (Scotland) Amendment Regulations 2020 (S.S.I. 2020/34), regs. 1(1), **2(3)(b)(ii)**

7. The information and particulars required in a supplier's document must be indelibly printed in [^{F53}English, but may also be printed in other languages,] and must be [^{F54}clearly] visible and legible.

Textual Amendments

F53 Words in sch. 5 para. 7 substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

F54 Word in sch. 5 para. 7 substituted (1.4.2020) by The Marketing of Fruit Plant and Propagating Material (Scotland) Amendment Regulations 2020 (S.S.I. 2020/34), regs. 1(1), **2(3)(b)(iii)**

PART 3

Accompanying documents

- 8. An accompanying document must—
 - (a) contain the information listed in paragraph 4;
 - (b) be written in [^{F55}English, but may also be written in other languages];

- (c) be delivered at least in duplicate (supplier and recipient);
- (d) accompany the material from the place of the supplier to the place of the recipient;
- (e) include the name and address of the recipient;
- (f) include the date of issue of the document; and
- (g) include, where appropriate, additional information relevant to the lots concerned.

Textual Amendments

F55 Words in sch. 5 para. 8(b) substituted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(8)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F56}SCHEDULE 6

Regulations 15(4) and 17(2); schedule 2, paragraphs 9(1) and 4(a), 10(1), (4) and (6), 17(1), (4) and (6) and 23(1), (4) and (6); and schedule 3, paragraphs 1(1) and (1A) and 2(1)

RNQPs for the presence of which visual inspection and, where there are doubts, sampling and testing are required

Textual Amendments

F56 Sch. 6 substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(7)**

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
<i>Castanea sativa</i> Mill.	Fungi and oomycetes <i>Cryphonectria parasitica</i> (Murrill) Barr [ENDOPA] <i>Mycosphaerella punctiformis</i> Verkley & U. Braun [RAMUEN] <i>Phytophthora cambivora</i> (Petri) Buisman [PHYTCM] <i>Phytophthora cinnamomi</i> Rands [PHYTCN] Viruses, viroids, virus-like diseases and phytoplasmas Chestnut mosaic agent [ChMV]
<i>Citrus</i> L., <i>Fortunella</i> Swingle, <i>Poncirus</i> Raf.	Fungi and oomycetes <i>Phytophthora citrophthora</i> (R.E.Smith & E.H.Smith) Leonian [PHYTCO]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<i>Phytophthora nicotianae</i> var. <i>parasitica</i> (Dastur) Waterhouse [PHYTNP]
	Insects and mites
	<i>Aleurothrixus floccosus</i> Maskell [ALTHFL]
	<i>Parabemisia myricae</i> Kuwana [PRABMY]
	Nematodes
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
	<i>Tylenchulus semipenetrans</i> Cobb [TYLESE]
<i>Corylus avellana</i> L.	Bacteria
	<i>Pseudomonas avellanae</i> Janse <i>et al.</i> [PSDMAL]
	<i>Xanthomonas arboricola</i> pv. <i>corylina</i> (Miller, Bollen, Simmons, Gross & Barss) Vauterin, Hoste, Kersters & Swings [XANTCY]
	Fungi and oomycetes
	<i>Armillaria mellea</i> (Vahl) Kummer [ARMIME]
	<i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA]
	<i>Verticillium dahliae</i> Kleb [VERTDA]
	Insects and mites
	<i>Phytoptus avellanae</i> Nalepa [ERPHAV]
<i>Cydonia oblonga</i> Mill. and <i>Pyrus</i> L.	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	<i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> [ERWIAM]
	<i>Pseudomonas syringae</i> pv. <i>s. syringae</i> van Hall [PSDMSY]
	Fungi and oomycetes
	<i>Armillaria mellea</i> (Vahl) Kummer [ARMIME]
	<i>Chondrostereum purpureum</i> Pouzar [STERPU]
	<i>Glomerella cingulata</i> (Stoneman) Spaulding & von Schrenk [GLOMCI]
	<i>Neofabraea alba</i> Desmazières [PEZIAL]
	<i>Neofabraea malicorticis</i> Jackson [PEZIMA]
	<i>Neonectria ditissima</i> (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<p><i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]</p> <p><i>Sclerophora pallida</i> Yao & Spooner [SKLPPA]</p> <p><i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA]</p> <p><i>Verticillium dahliae</i> Kleb [VERTDA]</p> <p>Insects and mites</p> <p><i>Eriosoma lanigerum</i> Hausmann [ERISLA]</p> <p><i>Psylla</i> spp. Geoffroy [1PSYLG]</p> <p>Nematodes</p> <p><i>Meloidogyne hapla</i> Chitwood [MELGHA]</p> <p><i>Meloidogyne javanica</i> Chitwood [MELGJA]</p> <p><i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]</p> <p><i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Ficus carica</i> L.	<p>Bacteria</p> <p><i>Xanthomonas campestris</i> pv. <i>fici</i> (Cavara) Dye [XANTFI]</p> <p>Fungi and oomycetes</p> <p><i>Armillaria mellea</i> (Vahl) Kummer [ARMIME]</p> <p>Insects and mites</p> <p><i>Ceroplastes rusci</i> Linnaeus [CERPRU]</p> <p>Nematodes</p> <p><i>Heterodera fici</i> Kirjanova [HETDFI]</p> <p><i>Meloidogyne arenaria</i> Chitwood [MELGAR]</p> <p><i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]</p> <p><i>Meloidogyne javanica</i> Chitwood [MELGJA]</p> <p><i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]</p> <p><i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Fig mosaic agent [FGM000]</p>
<i>Fragaria</i> L.	<p>Bacteria</p>

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<p><i>Candidatus</i> Phlomobacter fragariae Zreik, Bové & Garnier [PHMBFR]</p> <p>Fungi and oomycetes</p> <p><i>Podosphaera aphanis</i> (Wallroth) Braun & Takamatsu [PODOAP]</p> <p><i>Rhizoctonia fragariae</i> Hussain & W.E.McKeen [RHIZFR]</p> <p><i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA]</p> <p><i>Verticillium dahliae</i> Kleb [VERTDA]</p> <p>Insects and mites</p> <p><i>Chaetosiphon fragaefolii</i> Cockerell [CHTSFR]</p> <p><i>Phytonemus pallidus</i> Banks [TARSPA]</p> <p>Nematodes</p> <p><i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]</p> <p><i>Meloidogyne hapla</i> Chitwood [MELGHA]</p> <p><i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p><i>Candidatus</i> Phytoplasma asteris Lee <i>et al.</i> [PHYPAS]</p> <p><i>Candidatus</i> Phytoplasma australiense Davis <i>et al.</i> [PHYPAU]</p> <p><i>Candidatus</i> Phytoplasma fragariae Valiunas, Staniulis & Davis [PHYPPFG]</p> <p><i>Candidatus</i> Phytoplasma pruni [PHYPPN]</p> <p><i>Candidatus</i> Phytoplasma solani Quaglino <i>et al.</i> [PHYPSO]</p> <p>Clover phyllody phytoplasma [PHYP03]</p> <p>Strawberry multiplier disease phytoplasma [PHYP75]</p> <p>Bacteria</p> <p><i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]</p> <p><i>Xanthomonas arboricola</i> pv. <i>juglandis</i> (Pierce) Vauterin <i>et al.</i> [XANTJU]</p> <p>Fungi and oomycetes</p>
<i>Juglans regia</i> L.	

Column 1	Column 2
Genus or Species	RNQPs
	<i>Armillaria mellea</i> (Vahl) Kummer [ARMIME]
	<i>Chondrostereum purpureum</i> Pouzar [STERPU]
	<i>Neonectria ditissima</i> (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA]
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	Insects and mites
	<i>Epidiaspis leperii</i> Signoret [EPIDBE]
	<i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]
	<i>Quadraspidotus perniciosus</i> Comstock [QUADPE]
Malus Mill.	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	<i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> [ERWIAM]
	<i>Pseudomonas syringae</i> pv. <i>syringae</i> van Hall [PSDMSY]
	Fungi and oomycetes
	<i>Armillaria mellea</i> (Vahl) Kummer [ARMIME]
	<i>Chondrostereum purpureum</i> Pouzar [STERPU]
	<i>Glomerella cingulata</i> (Stoneman) Spaulding & von Schrenk [GLOMCI]
	<i>Neofabraea alba</i> Desmazières [PEZIAL]
	<i>Neofabraea malicorticis</i> Jackson [PEZIMA]
	<i>Neonectria ditissima</i> (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA]
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	<i>Sclerophora pallida</i> Yao & Spooner [SKLPPA]
	<i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA]
	<i>Verticillium dahliae</i> Kleb [VERTDA]
	Insects and mites

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2
Genus or Species	RNQPs
	<i>Eriosoma lanigerum</i> Hausmann [ERISLA] <i>Psylla</i> spp. Geoffroy [1PSYLG]
	Nematodes
	<i>Meloidogyne hapla</i> Chitwood [MELGHA]
	<i>Meloidogyne javanica</i> Chitwood [MELGJA]
	<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
<i>Olea europaea</i> L.	Bacteria
	<i>Pseudomonas savastanoi</i> pv. <i>savastanoi</i> (Smith) Gardan <i>et al.</i> [PSDMSA]
	Nematodes
	<i>Meloidogyne arenaria</i> Chitwood [MELGAR]
	<i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]
	<i>Meloidogyne javanica</i> Chitwood [MELGJA]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Olive leaf yellowing-associated virus [OLYAV0]
	Olive vein yellowing-associated virus [OVYAV0]
	Olive yellow mottling and decline associated virus [OYMDAV]
<i>Pistacia vera</i> L.	Fungi and oomycetes
	<i>Phytophthora cambivora</i> (Petri) Buisman [PHYTCM]
	<i>Phytophthora cryptogea</i> Pethybridge & Lafferty [PHYTCR]
	<i>Rosellinia necatrix</i> Prillieux [ROSLNE]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<i>Verticillium dahliae</i> Kleb [VERTDA]
	Nematodes
	<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
<i>Prunus domestica</i> L. , and <i>Prunus dulcis</i> (Miller) Webb	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	<i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP]
	Fungi and oomycetes
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	<i>Verticillium dahliae</i> Kleb [VERTDA]
	Insects and mites
	<i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]
	<i>Quadraspidotus perniciosus</i> Comstock [QUADPE]
	Nematodes
	<i>Meloidogyne arenaria</i> Chitwood [MELGAR]
	<i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]
	<i>Meloidogyne javanica</i> Chitwood [MELGJA]
	<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
<i>Prunus armeniaca</i> L.	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	<i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP]

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<i>Pseudomonas syringae</i> pv. <i>syringae</i> van Hall [PSDMSY]
	<i>Pseudomonas viridiflava</i> (Burkholder) Dowson [PSDMVF]
	Fungi and oomycetes
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	<i>Verticillium dahliae</i> Kleb [VERTDA]
	Insects and mites
	<i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]
	<i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]
	Nematodes
	<i>Meloidogyne arenaria</i> Chitwood [MELGAR]
	<i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]
	<i>Meloidogyne javanica</i> Chitwood [MELGJA]
	<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
<i>Prunus avium</i> L. and <i>Prunus cerasus</i> L.	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	<i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP]
	Fungi and oomycetes
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	Insects and mites
	<i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]
	Nematodes
	<i>Meloidogyne arenaria</i> Chitwood [MELGAR]

Column 1	Column 2
Genus or Species	RNQPs
	<i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]
	<i>Meloidogyne javanica</i> Chitwood [MELGJA]
	<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
<i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	<i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP]
	<i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie [PSDMPE]
	Fungi and oomycetes
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	<i>Verticillium dahliae</i> Kleb [VERTDA]
	Insects and mites
	<i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]
	<i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]
	Nematodes
	<i>Meloidogyne arenaria</i> Chitwood [MELGAR]
	<i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]
	<i>Meloidogyne javanica</i> Chitwood [MELGJA]
	<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]
	<i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]
<i>Ribes</i> L.	Fungi and oomycetes

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<i>Diaporthe strumella</i> (Fries) Fuckel [DIAPST]
	<i>Microsphaera grossulariae</i> (Wallroth) Léveillé [MCRSGR]
	<i>Podosphaera mors-uvae</i> (Schweinitz) Braun & Takamatsu [SPHRMU]
	Insects and mites
	<i>Cecidophyopsis ribis</i> Westwood [ERPHRI]
	<i>Dasineura tetensi</i> Rübsaamen [DASYTE]
	<i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]
	<i>Quadraspidotus perniciosus</i> Comstock [QUADPE]
	<i>Tetranychus urticae</i> Koch [TETRUR]
	Nematodes
	<i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner [APLORI]
	<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Aucuba mosaic agent and blackcurrant yellows agent combined
<i>Rubus</i> L.	Bacteria
	<i>Agrobacterium</i> spp. Conn [1AGRBG]
	<i>Rhodococcus fascians</i> Tilford [CORBFA]
	Fungi and oomycetes
	<i>Peronospora rubi</i> Rabenhorst [PERORU]
	Insects and mites
	<i>Resseliella theobaldi</i> Barnes [THOMTE]
<i>Vaccinium</i> L.	Bacteria
	<i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]
	Fungi and oomycetes

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or Species</i>	<i>RNQPs</i>
	<i>Diaporthe vaccinii</i> Shear [DIAPVA]
	<i>Exobasidium vaccinii</i> (Fuckel) Woronin [EXOBVA]
	<i>Godronia cassandrae</i> (anamorph <i>Topospora myrtilli</i>) Peck [GODRCA]

[^{F57}SCHEDULE 6A

Regulations 15(4) and 17(2);schedule 2, paragraphs 9(2),(3) and (4), 10(1), (3) and (6),17(1), (3) and (6) and 23(1), (3)and (6); and schedule 3,paragraphs 1(1) and (1A) and 2(1)

RNQPs for the presence of which visual inspection and, where applicable, sampling and testing are required

Textual Amendments

F57 Schs. 6A, 6B inserted (1.7.2020) by The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/165), regs. 1(1), **9(8)**

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Citrus</i> L., <i>Fortunella</i> Swingle and <i>Poncirus</i> Raf.	Bacteria <i>Spiroplasma citri</i> Saglio <i>et al.</i> [SPIRCI]
	Fungi and oomycetes <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley [DEUTTR]
	Viruses, viroids, virus-like diseases and phytoplasmas <i>Citrus cristacortis</i> agent [CSCC00] <i>Citrus exocortis</i> viroid [CEVD00] <i>Citrus impietratura</i> agent [CSI000] <i>Citrus</i> leaf blotch virus [CLBV00] <i>Citrus psorosis</i> virus [CPSV00] <i>Citrus tristeza</i> virus (EU isolates) [CTV000]

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
	<i>Citrus</i> variegation virus [CVV000]
	Hop stunt viroid [HSVD00]
<i>Corylus avellana</i> L.	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple mosaic virus [APMV00]
<i>Cydonia oblonga</i> Mill.	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple chlorotic leaf spot virus [ACLSV0]
	Apple rubbery wood agent [ARW000]
	Apple stem grooving virus [ASGV00]
	Apple stem-pitting virus [ASPV00]
	Pear bark necrosis agent [PRBN00]
	Pear bark split agent [PRBS00]
	Pear blister canker viroid [PBCVD0]
	Pear rough bark agent [PRRB00]
	Quince yellow blotch agent [ARW000]
<i>Fragaria</i> L.	Bacteria
	<i>Xanthomonas fragariae</i> Kennedy & King [XANTFR]
	Fungi and oomycetes
	<i>Colletotrichum acutatum</i> Simmonds [COLLAC]
	<i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]
	<i>Phytophthora fragariae</i> C.J. Hickman [PHYTFR]
	Nematodes
	<i>Aphelenchoides besseyi</i> Christie [APLOBE]
	<i>Aphelenchoides blastophthorus</i> Franklin [APLOBL]
	<i>Aphelenchoides fragariae</i> (Ritzema Bos) Christie [APLOFR]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
	<i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner [APLORI]
	Viruses, viroids, virus-like diseases and phytoplasmas
	<i>Arabis</i> mosaic virus [ARMV00]
	Raspberry ringspot virus [RPRSV0]
	Strawberry crinkle virus [SCRV00]
	Strawberry latent ringspot virus [SLRSV0]
	Strawberry mild yellow edge virus [SMYEV0]
	Strawberry mottle virus [SMOV00]
	Strawberry vein banding virus [SVBV00]
	Tomato black ring virus [TBRV00]
<i>Juglans regia</i> L	Viruses, viroids, virus-like diseases and phytoplasmas
	Cherry leaf roll virus [CLRV00]
<i>Malus</i> Mill.	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple chlorotic leaf spot virus [ACLSV0]
	Apple dimple fruit viroid [ADFVD0]
	Apple flat limb agent [AFL000]
	Apple mosaic virus [APMV00]
	Apple rubbery wood agent [ARW000]
	Apple scar skin viroid [ASSVD0]
	Apple star crack agent [APHW00]
	Apple stem grooving virus [ASGV00]
	Apple stem-pitting virus [ASPV00]
	<i>Candidatus</i> Phytoplasma mali Seemüller & Schneider [PHYPPMA]
	Fruit disorders: chat fruit [APCF00], green crinkle [APGC00], bumpy fruit of Ben Davis,

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Olea europaea</i> L.	rough skin [APRSK0], star crack, russet ring [APLP00], russet wart Fungi and oomycetes <i>Verticillium dahliae</i> Kleb [VERTDA] Viruses, viroids, virus-like diseases and phytoplasmas <i>Arabis</i> mosaic virus [ARMV00] Cherry leaf roll virus [CLRV00] Strawberry latent ringspot virus [SLRSV0]
<i>Prunus dulcis</i> (Miller) Webb	Bacteria <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR] Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider [PHYPPR] Plum pox virus [PPV000] Prune dwarf virus [PDV000] <i>Prunus</i> necrotic ringspot virus [PNRSV0]
<i>Prunus armeniaca</i> L.	Bacteria <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR] Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] Apricot latent virus [ALV000] <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider [PHYPPR] Plum pox virus [PPV000]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Prunus avium</i> L. and <i>Prunus cerasus</i> L.	Prune dwarf virus [PDV000]
	<i>Prunus</i> necrotic ringspot virus [PNRSV0]
	Bacteria
	<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple chlorotic leaf spot virus [ACLSV0]
	Apple mosaic virus [APMV00]
	<i>Arabis</i> mosaic virus [ARMV00]
	<i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider [PHYPPR]
	Cherry green ring mottle virus [CGRMV0]
	Cherry leaf roll virus [CLRV00]
	Cherry mottle leaf virus [CMLV00]
	Cherry necrotic rusty mottle virus [CRNRM0]
	Little cherry virus 1 and 2 [LCHV10], [LCHV20]
Plum pox virus [PPV000]	
Prune dwarf virus [PDV000]	
<i>Prunus</i> necrotic ringspot virus [PNRSV0]	
Raspberry ringspot virus [RPRSV0]	
Strawberry latent ringspot virus [SLRSV0]	
Tomato black ring virus [TBRV00]	
<i>Prunus domestica</i> L., <i>Prunus salicina</i> Lindley, and other species of <i>Prunus</i> L. susceptible to Plum pox virus in the case of <i>Prunus</i> L. hybrids	Bacteria
	<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple chlorotic leaf spot virus [ACLSV0]

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
	Apple mosaic virus [APMV00]
	<i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider [PHYPPR]
	Myrobalan latent ringspot virus [MLRSV0]
	Plum pox virus [PPV000]
	Prune dwarf virus [PDV000]
	<i>Prunus</i> necrotic ringspot virus [PNRSV0]
<i>Prunus persica</i> (L.) Batsch	Bacteria
	<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple chlorotic leaf spot virus [ACLSV0]
	Apple mosaic virus [APMV00]
	Apricot latent virus [ALV000]
	<i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider [PHYPPR]
	Peach latent mosaic viroid [PLMVD0]
	Plum pox virus [PPV000]
	Prune dwarf virus [PDV000]
	<i>Prunus</i> necrotic ringspot virus [PNRSV0]
	Strawberry latent ringspot virus [SLRSV0]
<i>Pyrus</i> L.	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple chlorotic leaf spot virus [ACLSV0]
	Apple rubbery wood agent [ARW000]
	Apple stem grooving virus [ASGV00]
	Apple stem-pitting virus [ASPV00]
	<i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider [PHYPPY]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Ribes L.</i>	Pear bark necrosis agent [PRBN00]
	Pear bark split agent [PRBS00]
	Pear blister canker viroid [PBCVD0]
	Pear rough bark agent [PRRB00]
	Quince yellow blotch agent [ARW000]
	Viruses, viroids, virus-like diseases and phytoplasmas
	<i>Arabis</i> mosaic virus [ARMV00]
	Blackcurrant reversion virus [BRAV00]
	Cucumber mosaic virus [CMV000]
	Gooseberry vein banding associated virus [GOVB00]
<i>Rubus L.</i>	Raspberry ringspot virus [RPRSV0]
	Strawberry latent ringspot virus [SLRSV0]
	Fungi and oomycetes
	<i>Phytophthora</i> spp. de Bary [1PHYTG]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Apple mosaic virus [APMV00]
	<i>Arabis</i> mosaic virus [ARMV00]
	Black raspberry necrosis virus [BRNV00]
	<i>Candidatus</i> Phytoplasma rubi Malembic-Maher et al. [PHYPRU]
	Cucumber mosaic virus [CMV000]
Raspberry bushy dwarf virus [RBDV00]	
Raspberry leaf mottle virus [RLMV00]	
Raspberry ringspot virus [RPRSV0]	
Raspberry vein chlorosis virus [RVCV00]	
Raspberry yellow spot [RYS000]	

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Vaccinium L.</i>	<i>Rubus</i> yellow net virus [RYNV00]
	Strawberry latent ringspot virus [SLRSV0]
	Tomato black ring virus [TBRV00]
	Viruses, viroids, virus-like diseases and phytoplasmas
	Blueberry mosaic associated ophiovirus [BLMAV0]
	Blueberry red ringspot virus [BRRV00]
	Blueberry scorch virus [BLSCV0]
	Blueberry shock virus [BLSHV0]
	Blueberry shoestring virus [BSSV00]
	<i>Candidatus</i> Phytoplasma asteris Lee <i>et al.</i> [PHYPAS]
	<i>Candidatus</i> Phytoplasma pruni [PHYPPN]
	<i>Candidatus</i> Phytoplasma solani Quaglino <i>et al.</i> [PHYPSO]
Cranberry false blossom phytoplasma [PHYPPFB]	

SCHEDULE 6B

Regulation 17(2); and schedule 2, paragraphs 11(1),(2), (3) and (4), 18(1), (2) and (4) and 24(1), (2) and (4)

RNQPs the presence of which in soil is regulated

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Fragaria L.</i>	Nematodes
	<i>Longidorus attenuatus</i> Hooper [LONGAT]
	<i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL]
	<i>Longidorus macrosoma</i> Hooper [LONGMA]

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i>
<i>Juglans regia</i> L.	<i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI] Nematodes <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Olea europaea</i> L.	Nematodes <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Pistacia vera</i> L.	Nematodes <i>Xiphinema index</i> Thorne & Allen [XIPHIN]
<i>Prunus avium</i> L. and <i>Prunus cerasus</i> L.	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Prunus domestica</i> L., <i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Ribes</i> L.	Nematodes <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Rubus</i> L.	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA]

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>
<i>Genus or species</i>	<i>RNQPs</i> <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]]

[^{F58}SCHEDULE 7

Schedule 2, paragraphs 10(1),(3), (6) and (7), 17(1), (3), (6)and (7) and 23(1), (3), (6) and (7);and schedule 3, paragraphs 1(1) and 4

Visual inspections, sampling and testing per genus or species and category

Textual Amendments

F58 Sch. 7 substituted (1.7.2020) by [The Seed and Plant Material \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/165\)](#), regs. 1(1), **9(9)**

1. In this schedule, “Commission Implementing Decision 2017/925” means Commission Implementing Decision (EU) 2017/925 temporarily authorising certain Member States to certify pre-basic material of certain species of fruit plants, produced in the field under non-insect proof conditions, and repealing Implementing Decision (EU) 2017/167.

2. Propagating material must comply with—

- (a) the requirements concerning [^{F59}GB] quarantine pests and protected zone quarantine pests provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as the measures adopted pursuant to Article 30(1) of that Regulation, and
- (b) the following requirements per genera or species and category concerned—

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Genus or species</i>	<i>Category</i>	<i>Frequency of visual inspections</i>	<i>Requirements relating to sampling and testing</i>	<i>Requirements relating to the production site, place of production or area</i>
<i>Castanea sativa</i> Mill.	Pre-basic category	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedule 6.	In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>Cryphonectria parasitica</i> (Murrill) Barr:</p> <p>(a) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Cryphonectria parasitica</i> (Murrill) Barr, or</p> <p>(b) no symptoms of <i>Cryphonectria parasitica</i> (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the pre-basic category since the beginning of the last complete cycle of vegetation.</p>
	Basic category			<p>Propagating material and fruit plants of the basic category must be produced in areas known to be free from <i>Cryphonectria parasitica</i> (Murrill) Barr, or</p> <p>no symptoms of <i>Cryphonectria parasitica</i> (Murrill) Barr are observed at the site of production</p>

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	Certified and CAC categories			<p>on propagating material and fruit plants of the basic category since the beginning of the last complete cycle of vegetation.</p> <p>Propagating material and fruit plants of the certified and CAC categories must be produced in areas known to be free from <i>Cryphonectria parasitica</i> (Murrill) Barr,</p> <p>no symptoms of <i>Cryphonectria parasitica</i> (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the certified and CAC categories since the beginning of the last complete cycle of vegetation, or</p> <p>propagating material and fruit plants of the certified and CAC categories showing symptoms of <i>Cryphonectria parasitica</i> (Murrill) Barr have been rogued out, the remaining propagating material and fruit plants must be inspected at weekly intervals and no symptoms are observed at the site of production for at least</p>

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
Citrus L., Fortunella Swingle and Poncirus Raf.	Pre-basic category	Visual inspections must be carried out twice a year.	Each pre-basic mother plant must be sampled and tested every year concerning the presence of <i>Spiroplasma citri</i> Saglio <i>et al.</i> Each pre-basic mother plant must be sampled and tested three years after its acceptance as a pre-basic mother plant and with subsequent intervals of three years concerning the presence of <i>Citrus tristeza</i> virus (EU isolates). Each pre-basic mother plant must be sampled and tested every six years after its acceptance as a pre-basic mother plant and with subsequent intervals of six years concerning the presence of RNQPs, other than <i>Citrus tristeza</i> virus (EU isolates) and <i>Spiroplasma citri</i> Saglio <i>et al.</i> , listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	N/A. three weeks before dispatch.
	Basic category	Visual inspections must be carried out twice a	In the case of Propagating material basic mother plants and fruit plants which have been of the basic and maintained in insect certified	categories

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
		<p>year with regard to <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley. Visual inspections must be carried out once a year for all RNQPs, other than <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley, listed in schedules 6 and 6A</p>	<p>proof facilities, each basic mother plant must be sampled and tested every three years concerning the presence of <i>Citrus tristeza</i> virus (EU isolates). A representative portion of basic mother plants must be sampled and tested every three years concerning the presence of <i>Spiroplasma citri</i> Saglio <i>et al.</i></p> <p>In the case of basic mother plants which have not been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every year concerning the presence of <i>Citrus tristeza</i> virus (EU isolates) and <i>Spiroplasma citri</i> Saglio <i>et al.</i> in order to have all mother plants tested within an interval of 2 years. In the case of a positive test result for <i>Citrus tristeza</i> virus (EU isolates) all basic mother plants in the production site must be sampled and tested. A representative portion of basic mother plants which have not been</p>	<p>must be produced in areas known to be free from <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley,</p> <p>in the case of propagating material and fruit plants of the basic and certified categories which have been grown in insect proof facilities, no symptoms of <i>Spiroplasma citri</i> Saglio <i>et al.</i> or <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season and the material has been subjected to random sampling and testing before marketing,</p> <p>in the case of propagating material and fruit plants of the certified</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>maintained in insect proof facilities must be sampled and tested every six years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Citrus tristeza</i> virus (EU isolates) and <i>Spiroplasma citri</i> Saglio <i>et al.</i>, listed in schedules 6 and 6A.</p>	<p>category which have not been grown in insect proof facilities, no symptoms of <i>Spiroplasma citri</i> Saglio <i>et al.</i> or <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season, and a representative portion of the material has been sampled and tested for <i>Citrus tristeza</i> virus (EU isolates) before marketing, or</p> <p>in the case of propagating material and fruit plants of the certified category which have not been grown in insect proof facilities:</p> <p>(a) symptoms of <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley or <i>Spiroplasma citri</i> Saglio <i>et al.</i> are observed on no more than 2% of propagating material and fruit plants of the certified category in</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
Certified category	Visual inspections	<p>must be carried out twice a year with regard to <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley. Visual inspections must be carried out once a year for all RNQPs, other than <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus</i></p>	<p>In the case of certified mother plants which have been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every four years concerning the presence of <i>Citrus tristeza</i> virus (EU isolates) in order to have all mother plants tested within an interval of 8 years.</p> <p>In the case of certified mother plants which have not been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every year concerning the presence of <i>Citrus</i></p>	<p>the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and</p> <p>a representative portion of propagating material and fruit plants of the certified category has been sampled and tested for <i>Citrus tristeza</i> virus (EU isolates), before marketing and no more than 2% of propagating material and fruit plants of the certified category in the production site have been found positive over the last complete growing season. That propagating</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
		<i>tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley, listed in schedules 6 and 6A.	<i>tristeza</i> virus (EU isolates) in order to have all mother plants tested within an interval of 3 years. A representative portion of certified mother plants which have not been maintained in insect proof facilities must be sampled and tested where there are doubts concerning the presence of pests, other than <i>Citrus tristeza</i> virus (EU isolates), listed in schedules 6 and 6A. In the case of a positive test result for <i>Citrus tristeza</i> virus (EU isolates) all certified mother plants in the production site must be sampled and tested.	material and those fruit plants have been rogued out and immediately destroyed. Propagating material and fruit plants in the immediate vicinity have been subjected to random sampling and testing, and any propagating material and fruit plants which have been found positive have been rogued out and immediately destroyed.
	CAC category	Visual inspections must be carried out once a year.	Propagating material and fruit plants of the CAC category must derive from an identified source of material, which has been found free, on the basis of visual inspection, sampling and testing, from the RNQPs as listed in schedule 6A.	Propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Citrus tristeza</i> virus (EU isolates), <i>Spiroplasma citri</i> Saglio <i>et al.</i> and <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley, in the case of propagating material and fruit plants of the CAC category which have been grown in

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>representative portion of that material must be sampled and tested every eight years concerning the presence of <i>Citrus tristeza</i> virus (EU isolates).</p> <p>In the case the identified source of material has not been maintained in insect-proof facilities, a representative portion of that material must be sampled and tested every three years concerning the presence of <i>Citrus tristeza</i> virus (EU isolates).</p>	<p>insect proof facilities, no symptoms of <i>Spiroplasma citri</i> Saglio <i>et al.</i> or <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season and the material has been subjected to random sampling and testing for <i>Citrus tristeza</i> virus (EU isolates) before marketing,</p> <p>in the case of propagating material and fruit plants of the CAC category which have not been grown in insect proof facilities, no symptoms of <i>Spiroplasma citri</i> Saglio <i>et al.</i> or <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>destroyed, and a representative portion of the material has been sampled and tested for <i>Citrus tristeza</i> virus (EU isolates) before marketing, or</p> <p>in the case of propagating material and fruit plants of the CAC category which have not been grown in insect proof facilities:</p> <p>(a) symptoms of <i>Spiroplasma citri</i> Saglio <i>et al.</i> or <i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley are observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>rogued out and immediately destroyed, and</p> <p>(b) a representative portion of propagating material and fruit plants of the CAC category has been sampled and tested for <i>Citrus tristeza</i> virus (EU isolates), before marketing and no more than 2% of propagating material and fruit plants of the CAC category in the production site have been found positive over the last complete growing season. That propagating material and those fruit plants have been rogued out and immediately destroyed. Propagating material and fruit plants in the immediate vicinity have been subjected to random sampling and</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				testing, and any propagating material and fruit plants which have been found positive have been rogued out and immediately destroyed.
<i>Corylus avellana</i> L.	All categories	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.	N/A.
<i>Cydonia oblonga</i> Mill.	Pre-basic category	Visual inspections must be carried out over the last complete growing season for <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> For all RNQPs, other than <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , visual inspections must be carried out once a year.	Each pre-basic mother plant must be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> : (a) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill)

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area

Winslow *et al.*,
or

- (b) propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow *et al.* and any surrounding host plants have been immediately rogued out and destroyed.

Basic category

A representative portion of basic mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the

Propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow *et al.*, or propagating material and fruit plants of the basic and certified categories in the production

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	Certified category		<p>presence of RNQPs listed in schedule 6.</p> <p>A representative portion of certified mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.</p> <p>Certified fruit plants must be sampled and tested where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.</p>	<p>site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.</p>
	CAC category		<p>Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.</p>	<p>Propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i>, or propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.
<i>Ficus carica</i> L.	All categories	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedule 6.	N/A.
<i>Fragaria</i> L.	Pre-basic category	Visual inspections must be carried out twice a year during the growing season. The foliage of <i>Fragaria</i> L. must be visually inspected concerning the presence of <i>Phytophthora fragariae</i> C.J. Hickman.	Each pre-basic mother plant must be sampled and tested one year after its acceptance as a pre-basic mother plant and subsequently once per growing season concerning the presence of RNQPs listed in schedule 6A, and, where there are doubts concerning the presence of RNQPs listed in schedule 6.	N/A.
	Basic category	For propagating material and fruit plants produced by micropropagation and which are maintained for a period shorter than three months, only one visual	A representative sample of roots must be sampled and tested in the case of symptoms of <i>Phytophthora fragariae</i> C.J. Hickman on the foliage. Sampling and testing must be carried out if the symptoms of <i>Arabidopsis</i> mosaic virus,	<i>Phytophthora fragariae</i> C.J. Hickman: (a) propagating material and fruit plants of the basic category must be produced in areas known to be free from <i>Phytophthora</i>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
		inspection during this period necessary.	Raspberry ringspot virus, Strawberry crinkle virus, Strawberry ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Arabis</i> mosaic virus, <i>Phytophthora fragariae</i> C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, listed in schedules 6 and 6A.	<p><i>fragariae</i> C.J. Hickman, or (b) no symptoms of <i>Phytophthora fragariae</i> C.J. Hickman are observed on the foliage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5 m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected propagating material and fruit plants have been lifted.</p> <p><i>Xanthomonas fragariae</i> Kennedy & King:</p> <p>(a) propagating material and fruit plants of the basic category must be produced in</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>areas known to be free from <i>Xanthomonas fragariae</i> Kennedy & King, or</p> <p>(b) no symptoms of <i>Xanthomonas fragariae</i> Kennedy & King are observed on propagating material and fruit plants of the basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p> <p><i>Phytophthora fragariae</i> C.J. Hickman:</p> <p>(a) there must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least ten years between findings of</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>Phytophthora fragariae</i> C.J. Hickman and the next planting, or</p> <p>(b) the cropping and soil borne disease history of the production site must be recorded.</p> <p>There must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least one year between findings of <i>Xanthomonas fragariae</i> Kennedy & King and the next planting.</p> <p>Requirements for RNQPs, other than <i>Xanthomonas fragariae</i> Kennedy & King and <i>Phytophthora fragariae</i> C.J. Hickman and other than viruses:</p> <p>(a) the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>symptoms of each of the following RNQPs must not exceed:</p> <ul style="list-style-type: none"> (i) 0.05% in the case of <i>Aphelenchoides besseyi</i>, (ii) 0.1% in the case of Strawberry multiplier disease phytoplasma, (iii) 0.2% in the case of <i>Candidatus Phytoplasma asteris</i> Lee <i>et al.</i>, <i>Candidatus Phytoplasma pruni</i>, <i>Candidatus Phytoplasma solani</i> Quaglino <i>et al.</i>, <i>Verticillium albo-atrum</i> Reinke & Berthold and <i>Verticillium dahliae</i> Kleb, (iv) 0.5% in the case of <i>Chaetosiphon fragaefolii</i> Cockerell, <i>Ditylenchus dipsaci</i> (Kuehn) Filipjev, <i>Meloidogyne hapla</i> Chitwood, <i>Podosphaera aphanis</i> (Wallroth)

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>Braun & Takamatsu,</p> <p>(v) 1% in the case of <i>Pratylenchus vulnus</i> Allen & Jensen; and that propagating material and those fruit plants and any surrounding host plants have been rogued out and destroyed, and</p> <p>(b) in the case of a positive test result for propagating material and fruit plants of the basic category showing symptoms of <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>must be rogued out and immediately destroyed.</p> <p>Symptoms of all viruses listed in schedules 6 and 6A must have been observed on no more than 1% of propagating material and fruit plants of the basic category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity must have been rogued out and immediately destroyed.</p>
	Certified category		<p>A representative sample of roots must be sampled and tested in the case of symptoms of <i>Phytophthora fragariae</i> C.J. Hickman on the foliage. Sampling and testing must be carried out if the symptoms of <i>Arabid</i> mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus,</p>	<p><i>Phytophthora fragariae</i> C.J. Hickman:</p> <p>(a) propagating material and fruit plants of the certified category must be produced in areas known to be free from <i>Phytophthora fragariae</i> C.J. Hickman, or</p> <p>(b) no symptoms of <i>Phytophthora fragariae</i> C.J. Hickman are</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Arabid mosaic virus</i>, <i>Phytophthora fragariae</i> C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, listed in schedules 6 and 6A.</p>	<p>observed on the foliage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected plants have been lifted.</p> <p><i>Xanthomonas fragariae</i> Kennedy & King:</p> <p>(a) propagating material and fruit plants of the certified category must be produced in areas known to be free from <i>Xanthomonas fragariae</i> Kennedy & King, or</p> <p>(b) symptoms of <i>Xanthomonas</i></p>

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Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>fragariae</i> Kennedy & King have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p> <p><i>Phytophthora fragariae</i> C.J. Hickman:</p> <p>(a) there must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least ten years between findings of <i>Phytophthora fragariae</i> C.J. Hickman</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	<p>Requirements relating to the production site, place of production or area</p> <p>and the next planting, or</p> <p>(b) the cropping and soil borne disease history of the production site must be recorded.</p> <p>There must be a rest period, during which the propagating material and fruit plants concerned must not be grown, which must be of at least one year between findings of <i>Xanthomonas fragariae</i> Kennedy & King and the next planting.</p> <p>Requirements for RNQPs, other than <i>Xanthomonas fragariae</i> Kennedy & King and <i>Phytophthora fragariae</i> C.J. Hickman and other than viruses:</p> <p>(a) the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				RNQPs must not exceed: <ul style="list-style-type: none"> (i) 0.1% in the case of <i>Phytonemus pallidus</i> Banks, (ii) 0.5% in the case of <i>Aphelenchoides besseyi</i> Christie and Strawberry multiplier disease phytoplasma, (iii) 1% in the case of <i>Aphelenchoides fragariae</i> (Ritzema Bos) Christie, <i>Candidatus Phlomobacter fragariae</i> Zreik, Bové & Garnier, <i>Candidatus Phytoplasma asteris</i> Lee <i>et al.</i>, <i>Candidatus Phytoplasma australiense</i> Davis <i>et al.</i>, <i>Candidatus Phytoplasma fragariae</i> Valiunas, Staniulis & Davis, <i>Candidatus Phytoplasma pruni</i>, <i>Candidatus Phytoplasma solani</i> Quaglino <i>et al.</i>, <i>Chaetosiphon</i>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>fragaefolii</i> Cockerell, Clover phyllody phytoplasma, <i>Ditylenchus dipsaci</i> (Kuehn) Filipje, <i>Meloidogyne hapla</i> Chitwood, <i>Podosphaera aphanis</i> (Wallroth) Braun & Takamatsu, <i>Pratylenchus vulnus</i> Allen & Jensen and <i>Rhizoctonia fragariae</i> Hussain & W.E.McKeen,</p> <p>(iv) 2% in the case of <i>Verticillium albo-atrum</i> Reinke & Berthold and <i>Verticillium dahliae</i> Kleb; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed, and</p> <p>(b) in the case of a positive test result for propagating material and fruit plants of</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>the certified category showing symptoms of <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.</p> <p>Symptoms of all viruses listed in schedules 6 and 6A have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	CAC category		<p>A representative sample of roots must be sampled and tested in the case of symptoms of <i>Phytophthora fragariae</i> C.J. Hickman on the foliage. Sampling and testing must be carried out if the symptoms of <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Arabidopsis</i> mosaic virus, <i>Phytophthora fragariae</i> C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and</p>	<p>have been rogued out and immediately destroyed.</p> <p><i>Phytophthora fragariae</i> C.J. Hickman:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Phytophthora fragariae</i> C.J. Hickman, or</p> <p>(b) no symptoms of <i>Phytophthora fragariae</i> C.J. Hickman are observed on the foliage of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5m radius have been marked, excluded from lifting and marketing,</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			Tomato black ring virus, listed in schedules 6 and 6A.	<p>and destroyed after uninfected propagating material and fruit plants have been lifted.</p> <p><i>Xanthomonas fragariae</i> Kennedy & King:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Xanthomonas fragariae</i> Kennedy & King,</p> <p>(b) no symptoms of <i>Xanthomonas fragariae</i> Kennedy & King are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out, or</p> <p>(c) symptoms of <i>Xanthomonas</i></p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>fragariae</i> Kennedy & King have been observed on no more than 5% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p> <p>In the case of a positive test result for propagating material and fruit plants of the CAC category showing symptoms of <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
Juglans regia L.	Pre-basic category	Visual inspections must be carried out once a year.	Each flowering pre-basic mother plant must be sampled and tested one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year concerning the presence of RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	material and fruit plants concerned must be rogued out and immediately destroyed.
	Basic category		A representative portion of basic mother plants must be sampled and tested every year on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.	N/A.
	Certified category		A representative portion of certified mother plants must be sampled and tested every three years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.	

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	CAC category		<p>Certified fruit plants must be sampled and tested where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.</p> <p>Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.</p>	
Malus Mill.	Pre-basic category	Visual inspections must be carried out once a year.	Each pre-basic mother plant must be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	<p>In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925, the following requirements apply concerning <i>Candidatus</i> <i>Phytoplasma mali</i> Seemüller & Schneider and <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i>:</p> <p>(a) <i>Candidatus</i> <i>Phytoplasma mali</i> Seemüller & Schneider:</p> <p>(i) propagating material and fruit plants of the pre-basic</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>category must be produced in areas known to be free from <i>Candidatus Phytoplasma mali</i> Seemüller & Schneider, or</p> <p>(ii) no symptoms of <i>Candidatus Phytoplasma mali</i> Seemüller & Schneider are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,</p> <p>(b) <i>Erwinia amylovora</i> (Burrill) Winslow et al.:</p> <p>(i) propagating material and fruit plants of the pre-basic category must be produced in areas known</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , or (ii) propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.
	Basic category		In the case of <i>Candidatus</i> basic mother plants, which have been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every fifteen years concerning the presence of	<i>Phytoplasma mali</i> & Seemüller & Schneider: (a) propagating material and fruit plants of the basic and certified categories must be produced in

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p><i>Candidatus</i> Phytoplasma mali Seemüller & Schneider.</p> <p>In the case of (b) basic mother plants, which have not been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every three years concerning the presence of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider; a representative portion of basic mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider and other than the virus-like diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.</p> <p>In the case of certified mother</p>	<p>areas known to be free from <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider,</p> <p>no symptoms of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of</p>
	Certified category			

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>plants, which have been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every fifteen years concerning the presence of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider.</p> <p>In the case of certified mother plants, which have not been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every five years concerning the presence of <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider; a representative portion of certified mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider and other than virus-like</p>	<p>the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider.</p> <p><i>Erwinia amylovora</i> (Burrill) Winslow et al.:</p> <p>(a) propagating material and</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	fruit plants of the basic and certified categories must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , or
			Certified fruit plants must be sampled and tested where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.	(b) propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.
	CAC category		Sampling and testing must be carried out where there are doubts concerning the	<i>Candidatus</i> Phytoplasma mali

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			presence of RNQPs listed in schedules 6 and 6A.	<p><i>Seemüller & Schneider:</i></p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Candidatus Phytoplasma mali</i> <i>Seemüller & Schneider</i>,</p> <p>(b) no symptoms of <i>Candidatus Phytoplasma mali</i> <i>Seemüller & Schneider</i> are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of <i>Candidatus Phytoplasma mali</i></p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from <i>Candidatus</i> Phytoplasma mali Seemüller & Schneider.

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i>:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i>, or</p> <p>(b) propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
<i>Olea europaea</i> L.	Pre-basic category	Visual inspections must be carried out once a year.	Each pre-basic mother plant must be sampled and tested ten years after its acceptance as a pre-basic mother plant and with subsequent intervals of ten years concerning the presence of RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	N/A.
	Basic category		A representative portion of basic mother plants must be sampled in order to have all plants tested within an interval of thirty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.	
	Certified category		In the case of mother plants used for the production of seeds (“seed mother plants”), a representative portion of those seed mother plants must be sampled in order to have all plants tested within an interval of forty years on the basis of an assessment of the risk of infection of those	

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			plants concerning the presence of the RNQPs listed in schedules 6 and 6A. In the case of mother plants other than seed mother plants, a representative portion of those plants must be sampled in order to have all plants tested within an interval of thirty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in schedules 6 and 6A.	
	CAC category		Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.	
<i>Pistacia vera</i> L.	All categories	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedule 6.	N/A.
<i>Prunus armeniaca</i> L., <i>Prunus avium</i> L., <i>Prunus cerasifera</i> Ehrh., <i>Prunus cerasus</i>	Pre-basic category	Visual inspections must be carried out twice a year with regard to <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider,	Propagating material and fruit plants of the pre-basic category of <i>Prunus armeniaca</i> L., <i>Prunus avium</i> L., <i>Prunus cerasus</i> L., <i>Prunus domestica</i> L. (Miller) Webb, and <i>Prunus dulcis</i> (Miller) Webb, must derive from mother	In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision 2017/925,

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
L., <i>Prunus domestica</i> L., <i>Prunus dulcis</i> (Miller) Webb, <i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley		Plum pox virus, <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> and <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie (<i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley). Visual inspections must be carried out once a year for all RNQPs, other than <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, Plum pox virus, <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> and <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie, listed	plants, which have been tested within the previous growing season and found free from Plum pox virus. Pre-basic rootstocks of <i>Prunus cerasifera</i> Ehrh. and <i>Prunus domestica</i> L. must derive from mother plants, which have been tested within the previous growing season and found free from Plum pox virus. Pre-basic rootstocks of <i>Prunus cerasifera</i> Ehrh. and <i>Prunus domestica</i> L. must derive from mother plants, which have been tested within the previous five growing seasons and found free from <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider. Each flowering pre-basic mother plant must be sampled and tested for Prune dwarf virus and <i>Prunus</i> necrotic ringspot virus one year after its acceptance as a pre-basic mother plant and with subsequent	the following requirements apply concerning <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, Plum pox virus, <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> and <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie: (a) <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider: (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, (ii) no symptoms of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider are observed on propagating material and fruit plants of

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
		in schedules 6 and 6A.	<p>intervals of one year. In the case of <i>Prunus persica</i>, each flowering pre-basic mother plant must be sampled one year after its acceptance as a pre-basic mother plant and tested for Peach latent mosaic viroid. Each tree planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment must be sampled and tested for Prune dwarf virus and <i>Prunus</i> necrotic ringspot virus.</p> <p>Each pre-basic mother plant must be sampled five years after its acceptance as a pre-basic mother plant, and with subsequent intervals of five years, and tested for <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider and Plum pox virus. Each pre-basic mother plant must be sampled ten years after its acceptance as a pre-basic mother plant, and with subsequent intervals of ten years, and tested for RNQPs, other than Prune dwarf virus, Plum</p>	<p>the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or propagating material and fruit plants of the pre-basic category in the production site must be isolated from other host plants. The isolation distance of the production site must depend on regional circumstances, the type of propagating material, the presence of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider in the area concerned and the relevant risks involved as set out by the competent authorities</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			pox virus and <i>Prunus</i> necrotic ringspot virus, relevant for the species, as listed in schedule 6A, and tested where there are doubts concerning the presence of RNQPs listed in schedule 6. A representative portion of pre-basic mother plants must be sampled and tested where there are doubts concerning the presence of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>	based on inspection, (b) Plum pox virus: (i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from Plum pox virus, (ii) no symptoms of Plum pox virus are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or (iii) propagating material and fruit plants of the pre-basic category in the production site must be isolated from other host plants. The isolation distance of the production site

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>must depend on regional circumstances, the type of propagating material, the presence of Plum pox virus in the area concerned and the relevant risks involved as set out by the competent authorities based on inspection,</p> <p>(c) <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:</p> <p>(i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie, or</p> <p>(ii) no symptoms of <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier,</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,</p> <p>(d) <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>:</p> <p>(i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>, or</p> <p>(ii) no symptoms of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i></p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.
	Basic category	Visual inspections must be carried out once a year.	A representative portion of basic mother plants that have been maintained in insect-proof facilities must be sampled every three years and tested concerning the presence of Prune dwarf virus, <i>Prunus</i> necrotic ringspot virus and Plum pox virus. A representative portion of basic mother plants must be sampled every ten years and tested concerning the presence of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider. Mother plants which have not been	<i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider: (a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider, (b) no symptoms of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider are observed on

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>maintained in insect proof facilities:</p> <p>(a) a representative portion of basic mother plants, other than those intended for the production of rootstocks, must be sampled every year and tested for Plum pox virus in order to have all plants tested within an interval of ten years,</p> <p>(b) a representative portion of basic mother plants, intended for the production of rootstocks must be sampled every year and tested concerning the presence of Plum pox virus and found free from that RNQP. A representative portion of basic mother plants of <i>Prunus domestica</i> L. intended for the production of rootstocks must be sampled and tested in the previous five growing</p>	<p>propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or symptoms of <i>Candidatus Phytoplasma prunorum</i> Seemüller & Schneider have been observed on no more than 1% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>seasons concerning the presence of <i>Candidatus</i> <i>Phytoplasma prunorum</i> Seemüller & Schneider and found free from that RNQP, and</p> <p>(c) a representative portion of basic mother plants must be sampled and tested where there are doubts concerning the presence of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> A representative portion of basic mother plants must be sampled and tested every ten years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus</i> <i>Phytoplasma prunorum</i> Seemüller & Schneider, Prune dwarf virus, <i>Prunus</i></p>	<p>have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic plants were found has been tested and found free from <i>Candidatus</i> <i>Phytoplasma prunorum</i> Seemüller & Schneider.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			necrotic ringspot virus and Plum pox virus, listed in schedule 6A, and tested where there are doubts concerning the presence of RNQPs listed in schedule 6.	
			Flowering mother plants:	Plum pox virus:
			(a) a representative portion of flowering basic mother plants must be sampled every year and tested for <i>Candidatus</i> <i>Phytoplasma prunorum</i> Seemüller & Schneider, Prune dwarf virus and <i>Prunus</i> necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants, and	(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from Plum pox virus, or
			(b) in the case of <i>Prunus persica</i> (L.) Batsch, a representative portion of flowering basic mother plants must be	(b) no symptoms of Plum pox virus are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>sampled once a year and tested for Peach latent mosaic viroid on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment must be sampled and tested Prune dwarf virus and <i>Prunus</i> necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.</p> <p>A representative portion of non-flowering basic mother plants which have been not maintained in insect proof facilities must be sampled and tested every three years concerning the presence of Prune dwarf virus, <i>Prunus</i> necrotic ringspot virus and <i>Candidatus</i></p>	<p>(c) immediately destroyed, or symptoms of Plum pox virus have been observed on no more than 1% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic plants were found has been tested and found free from Plum pox virus.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	Certified category		<p>Phytoplasma prunorum Seemüller & Schneider on the basis of an assessment of the risk of infection of those plants.</p> <p>A representative portion of certified mother plants that have been maintained in insect proof facilities must be sampled every five years and tested concerning the presence of Prune dwarf virus, <i>Prunus</i> necrotic ringspot virus and Plum pox virus in order to have all plants tested within an interval of fifteen years.</p> <p>A representative portion of certified mother plants must be sampled every fifteen years and tested concerning the presence of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider.</p>	<p><i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:</p> <p>(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie,</p> <p>(b) no symptoms of <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p> <p>Mother plants that <i>Xanthomonas</i> have not been <i>arboricola</i> pv. <i>pruni</i> maintained in insect (Smith) Vauterin et al. proof facilities:</p> <p>(a) a representative portion of certified mother plants that</p> <p>(a) propagating material and fruit plants of the basic</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>have not been maintained in insect proof facilities must be sampled every three years and tested for Plum pox virus in order to have all plants tested within an interval of fifteen years,</p> <p>(b) a representative portion of certified mother plants intended for the production of rootstocks must be sampled every year and tested concerning the presence of Plum pox virus and found free from that RNQP. A representative portion of certified mother plants of <i>Prunus cerasifera</i> Ehrh. and <i>Prunus domestica</i> L. intended for the production of rootstocks have been sampled in the previous five growing seasons and tested</p>	<p>and certified categories must be produced in areas known to be free from <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>,</p> <p>(b) no symptoms of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or symptoms of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> have been observed on no more than 2% of propagating material and fruit plants of the certified</p> <p>(c)</p>

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Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>concerning the presence of <i>Candidatus</i> <i>Phytoplasma prunorum</i> Seemüller & Schneider and found free from that RNQP, and</p> <p>(c) a representative portion of certified mother plants must be sampled and tested where there are doubts concerning the presence of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> A representative portion of certified mother plants must be sampled every fifteen years and tested on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus</i> <i>Phytoplasma prunorum</i> Seemüller & Schneider, Prune dwarf virus, <i>Prunus</i> necrotic</p>	<p>category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area

ringspot virus and Plum pox virus, listed in schedule 6A, and tested where there are doubts concerning the presence of RNQPs listed in schedule 6.

A representative portion of flowering certified mother plants must be sampled every year and tested for *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Prune dwarf virus and *Prunus* necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants. In the case of *Prunus persica* (L.) Batsch, a representative portion of flowering certified mother plants must be sampled once a year and tested for Peach latent mosaic viroid on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees

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Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>in the environment must be sampled and tested for Prune dwarf virus and <i>Prunus</i> necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.</p> <p>A representative portion of non-flowering certified mother plants, which have not been maintained in insect proof facilities, must be sampled every three years and tested concerning the presence of <i>Candidatus</i> Phytoplasma prunorum, Prune dwarf virus and <i>Prunus</i> necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.</p>	
	CAC category		<p>Propagating material and fruit plants of the CAC category must derive from an identified source of material, of which a representative portion has been sampled and tested within the previous three growing seasons and found free from Plum pox virus.</p> <p>CAC rootstocks of <i>Prunus cerasifera</i></p>	<p><i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Candidatus</i> Phytoplasma</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>Ehrh. and <i>Prunus domestica</i> L. must derive from an identified source of material of which a representative portion has been sampled and tested within the previous 5 years and found free from <i>Candidatus Phytoplasma prunorum</i> Seemüller & Schneider and Plum pox virus.</p> <p>A representative portion of propagating material and fruit plants of the CAC category must be sampled and tested where there are doubts concerning the presence of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i></p> <p>A representative portion of CAC fruit plants not showing any symptoms of Plum pox virus upon visual inspection must be sampled and tested on the basis of an assessment of the risk of infection of those fruit plants concerning the presence of that RNQP and in the case of symptomatic plants in the immediate vicinity.</p>	<p><i>prunorum</i> Seemüller & Schneider, no symptoms of <i>Candidatus Phytoplasma prunorum</i> Seemüller & Schneider are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, symptoms of <i>Candidatus Phytoplasma prunorum</i> Seemüller & Schneider have been observed on no more than 1% of propagating material and fruit plants of the CAC category in the production site over the last complete growing</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>Upon the detection of propagating material and fruit plants of the CAC category showing symptoms of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider in the production site by visual inspection, a representative portion of the remaining asymptomatic CAC propagating material and fruit plants of the CAC category in the lots where symptomatic propagating material and fruit plants have been found must be sampled and tested concerning the presence of <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider.</p> <p>Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider and Plum pox virus, listed in schedules 6 and 6A.</p>	<p>season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from <i>Candidatus</i> Phytoplasma prunorum Seemüller & Schneider; or symptoms of <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie and <i>Xanthomonas arboricola</i> pv.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>pruni</i> (Smith) Vauterin <i>et al.</i> have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p> <p>Plum pox virus:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from Plum pox virus,</p> <p>(b) no symptoms of Plum pox virus are observed on propagating material and fruit plants of the CAC category in</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of Plum pox virus have been observed on no more than 1% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from Plum pox virus.</p> <p><i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie,</p> <p>(b) no symptoms of <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the CAC</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>immediately destroyed.</p> <p><i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>:</p> <p>(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>,</p> <p>(b) no symptoms of <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of <i>Xanthomonas</i></p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p>
<i>Pyrus</i> L.	Pre-basic category	Visual inspections must be carried out once a year.	Each pre-basic mother plant must be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Decision 2017/925, the following requirements apply concerning <i>Candidatus</i> <i>Phytoplasma pyri</i> Seemüller & Schneider and

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i>:</p> <p>(a) <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider:</p> <p>(i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider, or</p> <p>(ii) no symptoms of <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed,</p> <p>(b) <i>Erwinia amylovora</i></p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>(Burrill) Winslow et al.:</p> <p>(i) propagating material and fruit plants of the pre-basic category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i>, or</p> <p>(ii) propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately rogued out and destroyed.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	Basic category		<p>In the case of basic mother plants which have been maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every fifteen years concerning the presence of <i>Candidatus Phytoplasma pyri Seemüller & Schneider</i>.</p> <p>In the case of basic mother plants which have been not maintained in insect proof facilities, a representative portion of basic mother plants must be sampled and tested every three years concerning the presence of <i>Candidatus Phytoplasma pyri Seemüller & Schneider</i>; a representative portion of basic mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus Phytoplasma pyri Seemüller & Schneider</i> and other than the virus-like</p>	<p><i>Candidatus Phytoplasma pyri Seemüller & Schneider</i>:</p> <p>(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from <i>Candidatus Phytoplasma pyri Seemüller & Schneider</i>,</p> <p>(b) no symptoms of <i>Candidatus Phytoplasma pyri Seemüller & Schneider</i> are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or</p> <p>(c) symptoms of <i>Candidatus Phytoplasma pyri Seemüller & Schneider</i> have been observed</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	Certified category		<p>diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.</p> <p>In the case of certified mother plants, which have been maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every fifteen years concerning the presence of <i>Candidatus</i> <i>Phytoplasma pyri</i> Seemüller & Schneider.</p> <p>In the case of certified mother plants, which have been not maintained in insect proof facilities, a representative portion of certified mother plants must be sampled and tested every five years concerning the presence of <i>Candidatus</i> <i>Phytoplasma pyri</i> Seemüller & Schneider; a representative portion of certified mother plants must be sampled and tested every fifteen years on the basis of an assessment of the risk</p>	<p>on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from <i>Candidatus</i> <i>Phytoplasma pyri</i> Seemüller & Schneider.</p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			<p>of infection of those plants concerning the presence of RNQPs, other than <i>Candidatus Phytoplasma pyri</i> Seemüller & Schneider and other than virus-like diseases and viroids, listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.</p> <p>Certified fruit plants must be sampled and tested where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.</p>	<p><i>Erwinia amylovora</i> (Burrill) Winslow et al.:</p> <p>(a) propagating material and fruit plants of the basic and certified categories must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow et al., or</p> <p>(b) propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow et al. and any surrounding host plants have been immediately</p>

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	CAC category		Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.	rogued out and destroyed. <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider: (a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider, (b) no symptoms of <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, or (c) symptoms of <i>Candidatus</i> Phytoplasma pyri Seemüller & Schneider have

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from <i>Candidatus Phytoplasma pyri</i></p>

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				Seemüller & Schneider. <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> :
				(a) propagating material and fruit plants of the CAC category must be produced in areas known to be free from <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> , or
				(b) propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of <i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> and any surrounding host plants have been immediately

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
Ribes L.	Pre-basic category	Visual inspections must be carried out twice a year.	Each pre-basic mother plant must be sampled and tested four years after its acceptance as a pre-basic mother plant and with subsequent intervals of four years concerning the presence of RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	N/A
	Basic category	Visual inspections must be carried out once a year.	Sampling and testing must be carried out where there are doubts concerning the presence of the RNQPs listed in schedules 6 and 6A.	The percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season showing symptoms of <i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner must not exceed 0.05% and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.
	Certified category			The percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing

rogued out and destroyed.

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				season showing symptoms of <i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner must not exceed 0.5% and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.
	CAC category			N/A
Rubus L.	Pre-basic category	Visual inspections must be carried out twice a year.	Each pre-basic mother plant must be sampled and tested two years after its acceptance as a pre-basic mother plant and with subsequent intervals of two years concerning the presence of RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	N/A.
	Basic category	Where propagating material and fruit plants are grown in the field or in pots, visual inspections must be carried out twice a year. For propagating material and	Sampling and testing must be carried out if the symptoms of <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon a visual inspection. Sampling and testing must be carried out where there are doubts concerning	In the case of a positive test result for propagating material and fruit plants of the basic category showing symptoms of <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
		fruit plants produced by micropropagation and which are maintained for a period shorter than three months, only one visual inspection during this period is necessary.	the presence of RNQPs, other than <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in schedules 6 and 6A	must be rogued out and immediately destroyed. In relation to RNQPs other than <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed 0.1% in the case of: (a) <i>Agrobacterium</i> spp. Conn.; and (b) <i>Rhodococcus fascians</i> Tilford; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed. Symptoms of all viruses listed in schedules 6 and 6A have been observed on no more than 0.25% of propagating material and fruit plants of

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				the basic category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.
	Certified category	Visual inspections must be carried out once a year.	Sampling and testing must be carried out if the symptoms of <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in schedules 6 and 6A.	In the case of a positive test result for propagating material and fruit plants of the certified category showing symptoms of <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed. In relation to RNQPs other than <i>Arabidopsis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season,

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p>showing symptoms of each of the following RNQPs must not exceed:</p> <ul style="list-style-type: none"> (a) 0.5% in the case of <i>Resseliella theobaldi</i> Barnes, and (b) 1% in the case of: <ul style="list-style-type: none"> (i) <i>Agrobacterium</i> spp. Conn., and (ii) <i>Rhodococcus fascians</i> Tilford, <p>and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.</p> <p>Symptoms of all viruses listed in schedules 6 and 6A have been observed on no more than 0.5% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.</p>

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
	CAC category	Visual inspections must be carried out once a year.	Sampling and testing must be carried out if the symptoms of <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs, other than <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in schedules 6 and 6A.	In the case of a positive test result for propagating material and fruit plants of the CAC category showing symptoms of <i>Arabis</i> mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned must be rogued out and immediately destroyed.
Vaccinium L.	Pre-basic category	Visual inspections must be carried out twice a year.	Each pre-basic mother plant must be sampled and tested five years after its acceptance as a pre-basic mother plant and with subsequent intervals of five years concerning the presence of RNQPs listed in schedule 6A, and where there are doubts concerning the presence of RNQPs listed in schedule 6.	N/A.
	Basic category	Visual inspections must be carried out twice a year.	Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs	No symptoms of <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn are observed at the production site over

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Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
			listed in schedules 6 and 6A.	<p>the last complete growing season.</p> <p><i>Diaporthe vaccinii</i> Shear:</p> <p>(a) propagating material and fruit plants of the basic category must be produced in areas known to be free from <i>Diaporthe vaccinii</i> Shear, or</p> <p>(b) no symptoms of <i>Diaporthe vaccinii</i> Shear are observed at the production site over the last complete growing season.</p> <p>In relation to <i>Exobasidium vaccinii</i> (Fuckel) Woronin and <i>Godronia cassandrae</i> (anamorph <i>Topospora myrtilli</i>) Peck, the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:</p> <p>(a) 0.1% in the case of <i>Godronia cassandrae</i> (anamorph</p>

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>Topospora myrtilli</i>) Peck, and</p> <p>(b) 0.5% in the case of <i>Exobasidium vaccinii</i> (Fuckel) Woronin,</p> <p>and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.</p>
Certified category	Visual inspections must be carried out once a year.	Visual inspections must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.	Sampling and testing must be carried out where there are doubts concerning the presence of RNQPs listed in schedules 6 and 6A.	<p><i>Diaporthe vaccinii</i> Shear:</p> <p>(a) propagating material and fruit plants of the certified category must be produced in areas known to be free from <i>Diaporthe vaccinii</i> Shear, or</p> <p>(b) no symptoms of <i>Diaporthe vaccinii</i> Shear are observed at the production site over the last complete growing season.</p> <p>In relation to <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn, <i>Exobasidium vaccinii</i> (Fuckel) Woronin and <i>Godronia cassandrae</i> (anamorph <i>Topospora</i></p>

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017. (See end of Document for details)

Column 1	Column 2	Column 3	Column 4	Column 5
Genus or species	Category	Frequency of visual inspections	Requirements relating to sampling and testing	Requirements relating to the production site, place of production or area
				<p><i>myrtilli</i>) Peck, the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs must not exceed:</p> <p>(a) 0.5% in the case of:</p> <p>(i) <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn, and</p> <p>(ii) <i>Godronia cassandrae</i> (anamorph <i>Topospora myrtilli</i>) Peck, and</p> <p>(b) 1% in the case of <i>Exobasidium vaccinii</i> (Fuckel) Woronin;</p> <p>and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.</p> <p>N/A.]</p>
	CAC category			

Textual Amendments

F59 Word in sch. 7 para. 2(a) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(8A)** (as inserted by S.S.I. 2020/445, regs. 1(1)(b), **18(10)**); 2020 c. 1, Sch. 5 para. 1(1)

SCHEDULE 8

Regulation 18(2)

Powers of inspectors

Powers of entry etc.

1.—(1) An inspector may, on producing a duly authenticated authorisation if so required, enter any premises in Scotland of a supplier, at any reasonable time, if the inspector reasonably suspects that any activity to which these Regulations apply is being carried out on those premises, for the purposes of ascertaining whether there is, or has been, any contravention of these Regulations.

(2) An inspector entering premises under sub-paragraph (1) may—

- [^{F60}(a) be accompanied by such other persons as the inspector considers appropriate;]
- (b) take onto those premises any equipment or materials that the inspector considers necessary for the enforcement of these Regulations;
- (c) open any container;
- (d) carry out any searches, inspections, measurements and tests;
- (e) take samples;
- (f) have access to, and inspect, any books, documents or records (in whatever form they are held) relating to these Regulations and remove them to enable them to be copied;
- (g) photograph or copy anything, the production of which the inspector has the power to require under head (f);
- (h) photograph anything which the inspector has reasonable cause to believe may be relevant in connection with the enforcement of these Regulations; and
- (i) seize any computers and associated equipment for the purpose of copying documents, provided that they are returned as soon as practicable.

(3) Any person who accompanies an inspector in accordance with this paragraph may perform any of the inspector's functions but only under the supervision of that inspector.

Textual Amendments

F60 Sch. 8 para. 1(2)(a) substituted (31.12.2020) by The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/59), regs. 1(1)(b), **18(9)**; 2020 c. 1, Sch. 5 para. 1(1)

Information notice

2. An inspector may, by notice served on any person, require that person to provide such information as is specified in the notice in such form and within such period following service of the notice or at such time as is so specified (in this schedule, “an information notice”).

Prohibition on movement

3. An inspector may, by notice served on any person, prohibit that person from moving plant material from any premises if the inspector has reasonable grounds to suspect that the plant material fails to comply with a requirement to which it is subject by virtue of schedule 2, 3 or 5 (in this schedule, “a movement notice”).

Enforcement and prohibition notices

4.—(1) An inspector may serve a notice on any person who contravenes, or who the inspector has reasonable grounds to suspect may contravene, these Regulations—

- (a) requiring that person to act in accordance with the Regulations (in this schedule, an “enforcement notice”); or
- (b) prohibiting that person from acting in breach of the Regulations (in this schedule, a “prohibition notice”).

(2) The notice must give reasons for serving it and, if appropriate, specify what action must be taken and specify the time limit for taking any such action.

Appeals against enforcement and prohibition notices

5.—(1) Any person who is aggrieved by a decision of an inspector to serve a notice under this schedule may appeal by application to the sheriff.

(2) The period within which an appeal must be brought is 28 days from the service of the notice or, in the case of an enforcement notice, the period specified in the notice, whichever ends earlier.

(3) A notice served under this schedule must state—

- (a) the right of appeal to the sheriff by the person on whom the notice is served; and
- (b) the period in which such an appeal may be brought.

(4) On an appeal under this paragraph, the sheriff may either cancel or affirm the notice and, if the sheriff affirms the notice, the sheriff may do so either in its original form or with such modifications as the sheriff thinks fit.

Compliance with notices

6.—(1) A notice served under this schedule must be complied with at the expense of the person on whom it is served and, if it is not complied with, an inspector may make arrangements to secure compliance with the notice.

(2) Where an inspector makes arrangements pursuant to sub-paragraph (1), the Scottish Ministers may recover all reasonable expenses in connection with the arrangements as a debt from the person on whom the notice was served.

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017.