
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 284

The Marketing of Ornamental Plant Propagating Material Amendment (Scotland) Regulations 2018

Amendments to the Marketing of Ornamental Plant Propagating Material Regulations 1999

3.—(1) The Marketing of Ornamental Plant Propagating Material Regulations 1999(1) are amended in accordance with paragraphs (2) to (10).

(2) In regulation 2(1) (interpretation)—

(a) omit the definition of “[Directive 77/93/EEC](#)”; and

(b) after the definition of “[Directive 98/56/EC](#)” insert—

““[Directive 2000/29/EC](#)” means Council [Directive 2000/29/EC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community;”(2).

(3) In regulation 4 (quality requirements for propagating material), after paragraph (a) insert—

“(aa) in respect of the genera and species listed in column 1 of the table in schedule 2 (organisms and diseases), be free from the organisms and diseases listed in the corresponding entry in column 2 of that table;”.

(4) After regulation 6 (further provision relating to flower bulbs) insert—

“Further provisions relating to propagating material of Palmae

6A.—(1) In addition to meeting the requirements of regulation 4, propagating material of Palmae belonging to the genera and species listed in column 1 of the table in schedule 2 (organisms and diseases) under the heading “the following genera and species as regards Palmae”, and having a diameter of the stem at the base of over 5 cm must comply with—

(a) the requirement in paragraph (2); or

(b) the requirements in paragraph (3).

(2) The requirement is that the material must have been grown throughout its life in an area established as free from the organism listed in the corresponding entry in column 2 of the table in schedule 2 by the responsible official body in accordance with relevant International Standards for Phytosanitary Measures.

(3) The requirements are that the material must, during a period of at least two years prior to marketing, have been grown in a site within the EU with—

(a) complete physical protection against the introduction of the organism listed in the corresponding entry in column 2 of the table in schedule 2; or

(b) the application of appropriate preventive treatments against that organism,

(1) [S.I. 1999/1801](#), as relevantly amended by [S.I. 2011/1043](#).

(2) [OJ L 169, 10.7.2000, p.1](#), as last amended by Commission Implementing Directive (EU) 2017/1920 ([OJ L 271, 20.10.2017, p.34](#)).

and have been subject to visual inspections carried out at least once every four months to confirm freedom of that material from that organism.

(4) In this regulation—

“International Standards for Phytosanitary Measures” means International Standards for Phytosanitary Measures prepared by the Secretariat of the International Plant Protection Convention established by the Food and Agriculture Organization of the United Nations⁽³⁾; and

“responsible official body” means either the body described in paragraph (i) or a body described in paragraph (ii) of Article 2(1)(g) of [Directive 2000/29/EC](#).”.

(5) In regulation 7(4) (registration), for “regulation 15 of the Plant Health (Great Britain) Order 1993” substitute “article 25 of the Plant Health (Scotland) Order 2005”⁽⁴⁾.

(6) In regulation 8(3) (measures to be taken by suppliers)—

(a) for “Schedule 6 to the Plant Health (Great Britain) Order 1993” substitute “article 42(2) of the Plant Health (Scotland) Order 2005”; and

(b) for “article 20” substitute “article 42”.

(7) In regulation 9 (information on propagating material)—

(a) in paragraph (1), for “the Schedule to” substitute “schedule 1 of”; and

(b) in paragraph (2)—

(i) for “Council [Directive 77/93/EEC](#)” substitute “[Directive 2000/29/EC](#)”; and

(ii) for “the Schedule to” substitute “schedule 1 of”.

(8) In regulation 12(3) (propagating material produced in third countries), for “reforwarding phytosanitary certificate in respect of the consignment in accordance with article 12(5) of the Plant Health (Great Britain) Order 1993” substitute “phytosanitary certificate for re-export in respect of the consignment in accordance with article 9(1) of the Plant Health (Scotland) Order 2005”.

(9) The schedule becomes schedule 1 (and, accordingly, for the heading “SCHEDULE”, substitute “SCHEDULE 1”).

(10) After schedule 1 insert—

“SCHEDULE 2

Regulations 4 and 6A

Organisms and diseases

<i>Column 1</i>	<i>Column 2</i>
<i>Genus / species</i>	<i>Specific harmful organisms and diseases</i>
<i>Begonia x hiemalis</i> Fotsch	<i>Insects, mites and nematodes at all stages of their development</i> — <i>Aleurodidae</i> , in particular, <i>Bemisia tabaci</i> — <i>Aphelenchoides</i> spp. — <i>Ditylenchus destructor</i> — <i>Meloidogyne</i> spp.

(3) Available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153, Rome, Italy and at <https://www.ippc.int/en/core-activities/standards-setting/ispms/>.

(4) S.S.I. 2005/613.

Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<ul style="list-style-type: none"> — <i>Myzus ornatus</i> — <i>Otiorrhynchus sulcatus</i> — <i>Sciara</i> — Thysanoptera, in particular, <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Erwinia chrysanthemi</i> — <i>Rhodococcus fascians</i> — <i>Xanthomonas campestris</i> pv. <i>begoniae</i> <p>Fungi</p> <ul style="list-style-type: none"> — Powdery mildew — Stem rot pathogens (<i>Phytophthora</i> spp., <i>Pythium</i> spp. and <i>Rhizoctonia</i> spp.) <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Leafcurl disease — Tospoviruses (Tomato spotted wilt virus, Impatiens necrotic spot virus)
Citrus	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Aleurothrixus floccosus</i> (Mashell) — <i>Meloidogyne</i> spp. — <i>Parabemisia myricae</i> (Kuwana) — <i>Tylenchulus semipenetrans</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Phytophthora</i> spp. <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Viroids such as exocortis, cachexia-xyloporosis — Diseases that induce psorosis - like young leaves symptoms such as psorosis, ring spot, cristacortis, impietratura, concave gum — Infectious variegation — Citrus leaf rugose
<i>Dendranthema x grandiflorum</i>	<i>Insects, mites and nematodes at all stages of their development</i>

<i>Column 1</i> <i>Genus / species</i>	<i>Column 2</i> <i>Specific harmful organisms and diseases</i>
(Ramat) Kitam	<ul style="list-style-type: none"> — Agromyzidae — Aleurodidae, in particular, <i>Bemisia tabaci</i> — <i>Aphelencoides</i> spp. — <i>Diarthronomia chrysanthemi</i> — Lepidoptera, in particular, <i>Cacoecimorpha pronubana</i>, <i>Epichoristodes acerbella</i> — Thysanoptera, in particular, <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Agrobacterium tumefaciens</i> — <i>Erwinia chrysanthemi</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Fusarium oxysporum</i> f. sp. <i>chrysanthemi</i> — <i>Puccinia chrysanthemi</i> — <i>Pythium</i> spp. — <i>Rhizoctonia solani</i> — <i>Verticillium</i> spp. <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Chrysanthemum B mosaic virus — Tomato aspermy cucumovirus
<i>Dianthus caryophyllus</i> L. and hybrids	<p><i>Insects, mites and nematodes at all stages of their development</i></p> <ul style="list-style-type: none"> — Agromyzidae — Aleurodidae, in particular, <i>Bemisia tabaci</i> — Thysanoptera, in particular, <i>Frankliniella occidentalis</i> — Lepidoptera, in particular, <i>Cacoecimorpha pronubana</i>, <i>Epichoristodes acerbella</i> <p><i>Fungi and fungus-like organisms</i></p> <ul style="list-style-type: none"> — <i>Alternaria dianthi</i> — <i>Alternaria dianthicola</i>

Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<ul style="list-style-type: none"> — <i>Fusarium oxysporum</i> f. sp. <i>dianthi</i> — <i>Mycosphaerella dianthi</i> — <i>Phytophthora nicotiana</i> var. <i>parasitica</i> — <i>Rhizoctonia solani</i> — Stem rot: <i>Fusarium</i> spp. and <i>Pythium</i> spp. — <i>Uromyces dianthi</i> <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Carnation etched ring caulimovirus — Carnation mottle carmovirus — Carnation necrotic fleck closterovirus — Tosspoviruses (Tomato spotted wilt virus, Impatiens necrotic spot virus)
<p><i>Euphorbia pulcherrima</i> Willd ex Klotzch</p>	<p><i>Insects, mites and nematodes at all stages of their development</i></p> <ul style="list-style-type: none"> — Aleurodidae, in particular, <i>Bemisia tabaci</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Erwinia chrysanthemi</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Fusarium</i> spp. — <i>Pythium ultimum</i> — <i>Phytophthora</i> spp. — <i>Rhizoctonia solani</i> — <i>Thielaviopsis basicola</i> <p>Viruses and virus-like organisms, and in particular</p> <p>Tospoviruses (Tomato spotted wilt virus, Impatiens necrotic spot virus)</p>
<p><i>Gerbera</i> L.</p>	<p><i>Insects, mites and nematodes at all stages of their development</i></p> <ul style="list-style-type: none"> — Agromyzidae — Aleurodidae, in particular, <i>Bemisia tabaci</i> — <i>Aphelenchoides</i> spp. — <i>Lepidoptera</i>

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Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<p>— <i>Meloidogyne</i></p> <p>— <i>Thysanoptera</i>, in particular, <i>Frankliniella occidentalis</i></p> <p>Fungi</p> <p>— <i>Fusarium</i> spp.</p> <p>— <i>Phytophthora cryptogea</i></p> <p>— Powdery mildew</p> <p>— <i>Rhizoctonia solani</i></p> <p>— <i>Verticillium</i> spp.</p> <p>Viruses and virus-like organisms, and in particular</p> <p>Tospoviruses (Tomato spotted wilt virus, Impatiens necrotic spot virus)</p>
Gladiolus L.	<p>Insects, mites and nematodes at all stages of their development</p> <p>— <i>Ditylenchus dipsaci</i></p> <p>— <i>Thysanoptera</i>, in particular, <i>Frankliniella occidentalis</i></p> <p>Bacteria</p> <p>— <i>Pseudomonas marginata</i></p> <p>— <i>Rhodococcus fascians</i></p> <p>Fungi</p> <p>— <i>Botrytis gladiolorum</i></p> <p>— <i>Curvularia trifolii</i></p> <p>— <i>Fusarium oxysporum</i> f. sp. <i>gladioli</i></p> <p>— <i>Penicillium gladioli</i></p> <p>— <i>Sclerotinia</i> spp.</p> <p>— <i>Septoria gladioli</i></p> <p>— <i>Urocystis gladiolicola</i></p> <p>— <i>Uromyces trasversalis</i></p> <p>Viruses and virus-like organisms, and in particular</p> <p>— Aster yellow mycoplasma</p> <p>— Corky pit agent</p>

Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<ul style="list-style-type: none"> — Cucumber mosaic virus — Gladiolus ringspot virus (syn. Narcissus latent virus) — Tobacco rattle virus <p>Other harmful organisms:</p> <ul style="list-style-type: none"> — <i>Cyperus esculentus</i>
Lilium L.	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Aphelenchoides</i> spp. — <i>Rhizoglyphus</i> spp. — <i>Pratylenchus penetrans</i> — <i>Rotylenchus robustus</i> — <i>Thysanoptera</i>, in particular, <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Erwinia carotovora</i> subsp. <i>carotovora</i> — <i>Rhodococcus fascians</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Cylindrocarpon destructans</i> — <i>Fusarium oxysporum</i> f. sp. <i>lilii</i> — <i>Pythium</i> spp. — <i>Rhizoctonia</i> spp. — <i>Rhizopus</i> spp. — <i>Sclerotium</i> spp. <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Cucumber mosaic virus — Lily symptomless virus — Lily virus x — Tobacco rattle virus — Tulip breaking virus <p>Other harmful organisms</p>

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	— <i>Cyperus esculentus</i>
Malus Miller	<p>Insects, mites and nematodes at all stages of their development</p> <p>— <i>Anarsia lineatella</i></p> <p>— <i>Eriosoma lanigerum</i></p> <p>— Scale insects, in particular, <i>Epidiaspis leperii</i>, <i>Pseudaulacaspis pentagona</i>, <i>Quadraspidiotus perniciosus</i></p> <p>Bacteria</p> <p>— <i>Agrobacterium tumefaciens</i></p> <p>— <i>Pseudomonas syringae</i> pv. <i>syringae</i></p> <p>Fungi</p> <p>— <i>Armillariella mellea</i></p> <p>— <i>Chondrostereum purpureum</i></p> <p>— <i>Nectria galligena</i></p> <p>— <i>Phytophthora cactorum</i></p> <p>— <i>Rosellinia necatrix</i></p> <p>— <i>Venturia</i> spp.</p> <p>— <i>Verticillium</i> spp.</p> <p>Viruses and virus-like organisms</p> <p>All</p>
Narcissus L.	<p>Insects, mites and nematodes at all stages of their development</p> <p>— <i>Aphelenchoides subtenuis</i></p> <p>— <i>Ditylenchus destructor</i></p> <p>— <i>Eumerus</i> spp.</p> <p>— <i>Merodon equestris</i></p> <p>— <i>Pratylenchus penetrans</i></p> <p>— <i>Rhizoglyphidae</i></p> <p>— <i>Tarsonemidae</i></p> <p>Fungi</p>

Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<ul style="list-style-type: none"> — <i>Fusarium oxysporum</i> f. sp. <i>narcissi</i> — <i>Sclerotinia</i> spp. — <i>Sclerotium bulborum</i> <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Tobacco rattle virus — Narcissus white streak agent — Narcissus yellow stripe virus <p>Other harmful organisms</p> <ul style="list-style-type: none"> — <i>Cyperus esculentus</i>
<p>the following genera and species as regards Palmae</p> <ul style="list-style-type: none"> — <i>Areca catechu</i> L. — <i>Arenga pinnata</i> (Wurmb) Merr. — <i>Bismarckia</i> Hildebr. & H.Wendl. — <i>Borassus flabellifer</i> L. — <i>Brahea armata</i> S. Watson — <i>Brahea edulis</i> H.Wendl. — <i>Butia capitata</i> (Mart.) Becc. — <i>Calamus merrillii</i> Becc. — <i>Caryota cumingii</i> Lodd. ex Mart. — <i>Caryota maxima</i> Blume — <i>Chamaerops humilis</i> L. — <i>Cocos nucifera</i> L. — <i>Copernicia</i> Mart. — <i>Corypha utan</i> Lam. — <i>Elaeis guineensis</i> Jacq. 	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Rhynchophorus ferrugineus</i> (Olivier)

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<i>Column 1</i> <i>Genus / species</i>	<i>Column 2</i> <i>Specific harmful organisms and diseases</i>
<p>— <i>Howea forsteriana</i> Becc.</p> <p>— <i>Jubaea chilensis</i> (Molina) Baill.</p> <p>— <i>Livistona australis</i> C. Martius</p> <p>— <i>Livistona decora</i> (W. Bull) Dowe</p> <p>— <i>Livistona rotundifolia</i> (Lam.) Mart.</p> <p>— <i>Metroxylon sagu</i> Rottb.</p> <p>— <i>Roystonea regia</i> (Kunth) O.F. Cook</p> <p>— <i>Phoenix canariensis</i> Chabaud</p> <p>— <i>Phoenix dactylifera</i> L.</p> <p>— <i>Phoenix reclinata</i> Jacq.</p> <p>— <i>Phoenix roebelenii</i> O'Brien</p> <p>— <i>Phoenix sylvestris</i> (L.) Roxb.</p> <p>— <i>Phoenix theophrasti</i> Greuter</p> <p>— <i>Pritchardia</i> Seem. & H.Wendl.</p> <p>— <i>Ravenea rivularis</i> Jum. & H.Perrier</p> <p>— <i>Sabal palmetto</i> (Walter) Lodd. ex Schult. & Schult.f.</p> <p>— <i>Syagrus romanzoffiana</i> (Cham.) Glassman</p> <p>— <i>Trachycarpus fortunei</i> (Hook.) H. Wendl.</p> <p>— <i>Washingtonia</i> H. Wendl.</p>	
<i>Pelargonium</i> L.	<i>Insects, mites and nematodes at all stages of their development</i>

Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<ul style="list-style-type: none"> — Aleurodidae, in particular, <i>Bemisia tabaci</i> — <i>Lepidoptera</i> — Thysanoptera, in particular, <i>Frankliniella occidentalis</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Rhodococcus fascians</i> — <i>Xanthomonas campestris</i> pv. <i>pelargonii</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Puccinia pelargonii zonalis</i> — Stem rot pathogens (<i>Botrytis</i> spp., <i>Pythium</i> spp.) — <i>Verticillium</i> spp. <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Pelargonium flower break carmovirus — Pelargonium leaf curl tobusvirus — Pelargonium line pattern virus — Tospoviruses (Tomato spotted wilt virus, Impatiens necrotic spot virus)
Phoenix	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Thysanoptera</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Exosporium palmivorum</i> — <i>Gliocladium wermoeseni</i> — <i>Graphiola phoenicis</i> — <i>Pestalozzia Phoenicis</i> — <i>Pythium</i> spp. <p>Viruses and virus-like organisms</p> <p>All</p>
<i>Pinus nigra</i>	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Blastophaga</i> spp. — <i>Rhyacionia buoliana</i>

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	<p>Fungi</p> <ul style="list-style-type: none"> — <i>Ophodermium seditiosum</i> <p>Viruses and virus-like organisms, and in particular</p> <p>All</p>
Prunus L.	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Capnodis tenebrionis</i> — <i>Meloidogyne</i> spp. — Scale insects, in particular, <i>Epidiaspis leperii</i>, <i>Pseudaulacaspis pentagona</i>, <i>Quadraspidiotus perniciosus</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Agrobacterium tumefaciens</i> — <i>Pseudomonas syringae</i> pv. <i>mors prunorum</i> — <i>Pseudomonas syringae</i> pv. <i>syringae</i> <p>Fungi</p> <ul style="list-style-type: none"> — <i>Armillariella mellea</i> — <i>Chondrostereum purpureum</i> — <i>Nectria galligena</i> — <i>Rosellinia necatrix</i> — <i>Taphrina deformans</i> — <i>Verticillium</i> spp. <p>Viruses and virus-like organisms, and in particular</p> <ul style="list-style-type: none"> — Prune dwarf virus — Prunus necrotic ringspot virus
Pyrus L.	<p>Insects, mites and nematodes at all stages of their development</p> <ul style="list-style-type: none"> — <i>Anarsia lineatella</i> — <i>Eriosoma lanigerum</i> — Scale insects, in particular, <i>Epidiaspis leperii</i>, <i>Pseudaulacaspis pentagona</i>, <i>Quadraspidiotus perniciosus</i> <p>Bacteria</p> <ul style="list-style-type: none"> — <i>Agrobacterium tumefaciens</i>

Column 1 Genus / species	Column 2 Specific harmful organisms and diseases
	<p>— <i>Pseudomonas syringae</i> pv. <i>syringae</i></p> <p>Fungi</p> <p>— <i>Armillariella mellea</i></p> <p>— <i>Chondrostereum purpureum</i></p> <p>— <i>Nectria galligena</i></p> <p>— <i>Phytophthora</i> spp.</p> <p>— <i>Rosellinia necatrix</i></p> <p>— <i>Verticillium</i> spp.</p> <p>Viruses and virus-like organisms</p> <p>All</p>
Rosa	<p>Insects, mites and nematodes at all stages of their development</p> <p>— <i>Lepidoptera</i>, in particular, <i>Epichoristodes acerbella</i>, <i>Cacoecimorpha pronubana</i></p> <p>— <i>Meloidogyne</i> spp.</p> <p>— <i>Pratylenchus</i> spp.</p> <p>— <i>Tetranychus urticae</i></p> <p>Bacteria</p> <p>— <i>Agrobacterium tumefaciens</i></p> <p>Fungi</p> <p>— <i>Chondrostereum purpureum</i></p> <p>— <i>Coniothyrium</i> spp.</p> <p>— <i>Diplocarpon rosae</i></p> <p>— <i>Peronospora sparsa</i></p> <p>— <i>Phragmidium</i> spp.</p> <p>— <i>Rosellinia necatrix</i></p> <p>— <i>Sphaeroteca pannosa</i></p> <p>— <i>Verticillium</i> spp.</p> <p>Viruses and virus-like organisms, and in particular</p> <p>— Apple mosaic virus</p>

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<i>Column 1</i>	<i>Column 2</i>
<i>Genus / species</i>	<i>Specific harmful organisms and diseases</i>
	— Arabis mosaic nepovirus — Prunus necrotic ringspot virus”.