
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 165

The Seed and Plant Material (Miscellaneous Amendments) (Scotland) Regulations 2020

Amendment of the Marketing of Ornamental Plant Propagating Material Regulations 1999

4.—(1) The Marketing of Ornamental Plant Propagating Material Regulations 1999(1) are amended as follows.

(2) For regulation 4 (quality requirements for propagating material) substitute—

“Quality requirements for propagating material

4.—(1) Propagating material must, when marketed—

- (a) in respect of the genera and species listed in column 2 of the table in schedule 2 (organisms and diseases), have been found, at least on visual inspection, at the place of production to be practically free from all pests listed in column 1 of that table;
- (b) not exceed, at least on visual inspection, the respective thresholds for the presence of RNQPs listed in column 3 of the table in schedule 2;
- (c) be, at least on visual inspection, practically free from any pests, other than the pests listed in column 1 of the table in schedule 2 in respect of the genera and species listed in the corresponding row of column 2 of that table, which reduce the usefulness and quality of that material, or from any signs or symptoms thereof;
- (d) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs provided for in implementing acts adopted pursuant to the EU Plant Health Regulation, as well as with the measures adopted pursuant to Article 30(1) of that Regulation;
- (e) have satisfactory vigour and dimensions in respect of its usefulness as propagating material;
- (f) in the case of seeds, have a satisfactory germination capacity;
- (g) have satisfactory identity and purity relative to the genus or species or group of plants to which it belongs; and
- (h) if marketed with reference to a variety pursuant to regulation 11, have satisfactory varietal identity and purity.

(2) In this regulation—

“the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives [69/464/EEC](#), [74/647/EEC](#), [93/85/EEC](#), [98/57/EC](#), [2000/29/EC](#), [2006/91/EC](#) and [2007/33/EC](#)(2),

(1) [S.I. 1999/1801](#), as relevantly amended by [S.S.I. 2018/284](#) and [S.S.I. 2019/421](#).

(2) [OJ L 317](#), 23.11.2016, p.4, as last amended by Regulation (EU) 2017/625 ([OJ L 95](#), 7.4.2017, p.1) with effect from 14 December 2019.

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“protected zone quarantine pest” has the meaning given in Article 32 (recognition of protected zones), paragraph 1 of the EU Plant Health Regulation,

“RNQP” means a Union regulated non-quarantine pest within the meaning given in Article 36 (definition of Union regulated non-quarantine pests) of the EU Plant Health Regulation, and

“Union quarantine pest” has the meaning given in Article 4 (definition of Union quarantine pests) of the EU Plant Health Regulation.”.

(3) Omit regulation 6A (further provisions relating to propagating material of Palmae).

(4) For schedule 2 (organisms and diseases) substitute—

“SCHEDULE 2

Regulations 4 and 6A

Organisms and diseases

Bacteria		
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of the ornamental plant
<i>Erwinia amylovora</i> (Burrill) Winslow <i>et al.</i> [ERWIAM]	Propagating material of ornamental plants other than seeds <i>Amelanchier</i> Medik., <i>Chaenomeles</i> Lindl., <i>Cotoneaster</i> Medik., <i>Crataegus</i> Tourn. ex L., <i>Cydonia</i> Mill., <i>Eriobotrya</i> Lindl., <i>Malus</i> Mill., <i>Mespilus</i> Bosc ex Spach, <i>Photinia davidiana</i> Decne., <i>Pyracantha</i> M. Roem., <i>Pyrus</i> L., <i>Sorbus</i> L.	0%
<i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie [PSDMPE]	Propagating material of ornamental plants other than seeds <i>Prunus persica</i> (L.) Batsch, <i>Prunus salicina</i> Lindl.	0%
<i>Spiroplasma citri</i> Saglio <i>et al.</i> [SPIRCI]	Propagating material of ornamental plants other than seeds <i>Citrus</i> L., <i>Citrus</i> L. hybrids, <i>Fortunella</i> Swingle., <i>Fortunella</i> Swingle. hybrids, <i>Poncirus</i> Raf., <i>Poncirus</i> Raf. hybrids	0%
<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i> [XANTPR]	Propagating material of ornamental plants other than seeds <i>Prunus</i> L.	0%

Bacteria		
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of the ornamental plant
<i>Xanthomonas euvesicatoria</i> Jones et al. [XANTEU]	<i>Capsicum annuum</i> L.	0%
<i>Xanthomonas gardneri</i> (ex Šutič) Jones et al. [XANTGA]	<i>Capsicum annuum</i> L.	0%
<i>Xanthomonas perforans</i> Jones et al. [XANTPF]	<i>Capsicum annuum</i> L.	0%
<i>Xanthomonas vesicatoria</i> (ex Doidge) Vauterin et al. [XANTVE]	<i>Capsicum annuum</i> L.	0%
Fungi and oomycetes		
<i>Column 1</i>	<i>Column 1</i>	<i>Column 1</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Cryphonectria parasitica</i> (Murrill) Barr [ENDOPA]	Propagating material of ornamental plants other than seeds <i>Castanea</i> L.	0%
<i>Dothistroma pini</i> Hulbary [DOTSPI]	Propagating material of ornamental plants other than seeds <i>Pinus</i> L.	0%
<i>Dothistroma septosporum</i> (Dorogin) Morelet [SCIRPI]	Propagating material of ornamental plants other than seeds <i>Pinus</i> L.	0%
<i>Lecanosticta acicola</i> (von Thümen) Sydow [SCIRAC]	Propagating material of ornamental plants other than seeds <i>Pinus</i> L.	0%
<i>Plasmopara halstedii</i> (Farlow) Berlese & de Toni [PLASHA]	Seeds <i>Helianthus annuus</i> L.	0%
<i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley [DEUTTR]	Propagating material of ornamental plants other than seeds <i>Citrus</i> L. <i>Citrus</i> L. hybrids, <i>Fortunella</i> Swingle, <i>Fortunella</i> Swingle hybrids, <i>Poncirus</i> Raf., <i>Poncirus</i> Raf. hybrids	0%

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Bacteria		
Column 1	Column 2	Column 3
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of the ornamental plant
<i>Puccinia horiana</i> P. Hennings [PUCCHN]	Propagating material of ornamental plants other than seeds <i>Chrysanthemum</i> L.	0%
Insects and mites		
Column 1	Column 1	Column 1
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Aculops fuchsiae</i> [ACUPFU]	Keifer Propagating material of ornamental plants other than seeds <i>Fuchsia</i> L.	0%
<i>Opogona sacchari</i> [OPOGSC]	Bojer Propagating material of ornamental plants other than seeds <i>Beaucarnea</i> Lem., <i>Bougainvillea</i> Comm. ex Juss., <i>Crassula</i> L., <i>Crinum</i> L., <i>Dracaena</i> Vand. ex L., <i>Ficus</i> L., <i>Musa</i> L., <i>Pachira</i> Aubl., <i>Palmae</i> , <i>Sansevieria</i> Thunb., <i>Yucca</i> L.	0%
<i>Rhynchophorus ferrugineus</i> (Olivier) [RHYCFE]	Propagating material of ornamental plants other than seeds <i>Palmae</i> , as regards the following genera and species <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 maxima</i> Blume, <i>Caryota cumingii</i> Lodd. ex Mart., <i>Chamaerops humilis</i> L., <i>Cocos nucifera</i> L., <i>Corypha utan</i> Lam., <i>Copernicia</i> Mart., <i>Elaeis guineensis</i> Jacq., <i>Howea forsteriana</i> Becc., <i>Jubaea chilensis</i> (Molina) Baill.,	0%

Bacteria		
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of the ornamental plant
	<i>Livistona australis</i> C. Martius, <i>Livistona decora</i> (W. Bull) Dowe, <i>Livistona rotundifolia</i> (Lam.) Mart., <i>Metroxylon sagu</i> Rottb., <i>Phoenix canariensis</i> Chabaud, <i>Phoenix dactylifera</i> L., <i>Phoenix</i> <i>reclinata</i> Jacq., <i>Phoenix roebelenii</i> O'Brien, <i>Phoenix sylvestris</i> (L.) Roxb., <i>Phoenix theophrasti</i> Greuter, <i>Pritchardia</i> Seem. & H. Wendl., <i>Ravenea rivularis</i> Jum. & H. Perrier, <i>Roystonea regia</i> (Kunth) O.F. Cook, <i>Sabal palmetto</i> (Walter) Lodd. ex Schult. & Schult.f., <i>Syagrus romanzoffiana</i> (Cham.) Glassman, <i>Trachycarpus</i> <i>fortunei</i> (Hook.) H. Wendl., <i>Washingtonia</i> H. Wendl.	
Nematodes		
<i>Column 1</i>	<i>Column 1</i>	<i>Column 1</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of ornamental plants
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	<i>Allium</i> L.	0%
<i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI]	Propagating material of ornamental plants other than seeds	0%
	<i>Camassia</i> Lindl., <i>Chionodoxa</i> Boiss., <i>Crocus flavus</i> Weston, <i>Galanthus</i> L., <i>Hyacinthus</i> Tourn. ex L., <i>Hymenocallis</i> Salisb., <i>Muscari</i> Mill., <i>Narcissus</i> L., <i>Ornithogalum</i> L., <i>Puschkinia</i> Adams, <i>Scilla</i> L., <i>Sternbergia</i> Waldst. & Kit., <i>Tulipa</i> L.	
Viruses, viroids, virus-like diseases and phytoplasmas		
<i>Column 1</i>	<i>Column 1</i>	<i>Column 1</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of ornamental plants

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			Bacteria	
<i>Column 1</i>			<i>Column 2</i>	<i>Column 3</i>
RNQPs or symptoms caused by RNQPs			Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of the ornamental plant
<i>Candidatus</i> Seemüller [PHYPMA]	Phytoplasma & Schneider	mali	Propagating material of ornamental plants other than seeds <i>Malus</i> Mill.	0%
<i>Candidatus</i> Seemüller [PHYPPR]	Phytoplasma & Schneider	prunorum	Propagating material of ornamental plants other than seeds <i>Prunus</i> L.	0%
<i>Candidatus</i> Seemüller [PHYPPY]	Phytoplasma & Schneider	pyri	Propagating material of ornamental plants other than seeds <i>Pyrus</i> L.	0%
<i>Candidatus</i> Quaglinoet al. [PHYPSO]	Phytoplasma	solani	Propagating material of ornamental plants other than seeds <i>Lavandula</i> L.	0%
Chrysanthemum [CSVD00]	stunt	viroid	Propagating material of ornamental plants other than seeds <i>Argyranthemum</i> Webb ex Sch.Bip., <i>Chrysanthemum</i> L.	0%
<i>Citrus</i> exocortis [CEVD00]		viroid	Propagating material of ornamental plants other than seeds <i>Citrus</i> L.	0%
<i>Citrus</i> tristeza virus [CTV000](EU isolates)			Propagating material of ornamental plants other than seeds <i>Citrus</i> L., <i>Citrus</i> L. hybrids, <i>Fortunella</i> Swingle, <i>Fortunella</i> Swingle hybrids, <i>Poncirus</i> Raf., <i>Poncirus</i> Raf. Hybrids	0%
<i>Impatiens</i> [INSV00]	necrotic spot	tospovirus	Propagating material of ornamental plants other than seeds <i>Begonia x hiemalis</i> Fotsch, <i>Impatiens</i> L. New Guinea Hybrids	0%
Potato [PSTVD0]	spindle tuber	viroid	<i>Capsicum annuum</i> L.,	0%

Bacteria		
<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
RNQPs or symptoms caused by RNQPs	Genus or species of propagating material of ornamental plants	Threshold for the presence of RNQPs on the propagating material of the ornamental plant
Plum pox virus [PPV000]	<p>Propagating material of ornamental plants other than seeds</p> <p><i>Prunus armeniaca</i> L., <i>Prunus blireana</i> Andre, <i>Prunus brigantina</i> Vill., <i>Prunus cerasifera</i> Ehrh., <i>Prunus cistena</i> Hansen, <i>Prunus curdica</i> Fenzl and Fritsch., <i>Prunus domestica</i> L., <i>Prunus domestica</i> ssp. <i>insititia</i> (L.) C.K. Schneid, <i>Prunus domestica</i> ssp. <i>italica</i> (Borkh.) Hegi., <i>Prunus dulcis</i> (Miller) Webb, <i>Prunus glandulosa</i> Thunb., <i>Prunus holosericea</i> Batal., <i>Prunus hortulana</i> Bailey, <i>Prunus japonica</i> Thunb., <i>Prunus mandshurica</i> (Maxim.) Koehne, <i>Prunus maritima</i> Marsh., <i>Prunus mume</i> Sieb. and Zucc., <i>Prunus nigra</i> Ait., <i>Prunus persica</i> (L.) Batsch, <i>Prunus salicina</i> L., <i>Prunus sibirica</i> L., <i>Prunus simonii</i> Carr., <i>Prunus spinosa</i> L., <i>Prunus tomentosa</i> Thunb., <i>Prunus triloba</i> Lindl.</p> <p>Other species of <i>Prunus</i> L. susceptible to Plum pox virus</p>	0%
Tomato spotted wilt tospovirus [TSWV00]	<p>Propagating material of ornamental plants other than seeds</p> <p><i>Begonia x hiemalis</i></p> <p>Fotsch, <i>Capsicum annuum</i> L., <i>Chrysanthemum</i> L., <i>Gerbera</i> L., <i>Impatiens</i> L. New Guinea Hybrids, <i>Pelargonium</i> L.</p>	0% ² .
