
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 445

**The Seed, Plant Propagating Material and
Forest Reproductive Material (EU Exit)
(Scotland) (Amendment etc.) Regulations 2020**

PART 3

**Amendment of Secondary Legislation Relating
to Withdrawal from the European Union**

**Amendments relating to the Marketing of Ornamental Plant Propagating Material
Regulations 1999**

12.—(1) Regulation 11 (the Marketing of Ornamental Plant Propagating Material Regulations 1999) is amended as follows.

(2) In paragraph (2)(a), omit ““[Directive 2000/29/EC](#)”,”.

(3) After paragraph (3), insert—

“(3A) In regulation 4 (quality requirements for propagating material)—

(a) in paragraph (1)(d)—

(i) for “Union” substitute “GB”,

(ii) for “protected zone” substitute “PFA”,

(b) in paragraph (2)—

(i) after the definition of “the EU Plant Health Regulation” insert—

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

(ii) for the definition of “protected zone quarantine pest” substitute—

““PFA quarantine pest” has the meaning given in Article 32 (recognition of GB pest free areas), paragraph 1 of the EU Plant Health Regulation,”

(iii) in the definition of “RNQP”, for “Union” in each place it occurs substitute “GB”,

(iv) omit the definition of “Union quarantine pest”.”.

(4) Omit paragraphs (4) and (5).

(5) For paragraph (6)(a) substitute—

“(a) in sub-paragraph (a), for “Community plant variety rights pursuant to Regulation 2100/94 or national” substitute “UK”,”.

(6) In paragraph (7)—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in sub-paragraph (b)(i), for “into the United Kingdom” substitute “produced in a country outside of the United Kingdom”,
- (b) in sub-paragraph (d), in the new paragraph (5) to be inserted by that paragraph, omit new sub-paragraph (a).