
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Marketing of Ornamental Plant Material Regulations 1995. The Regulations implement:

1) Council Directive [98/56/EC](#) on the marketing of propagating material of ornamental plants (O.J. No. L226, 13.8.98, p. 16);

2) a Commission Directive setting out additional provisions for lists of varieties of ornamental plants as kept by suppliers under Directive 98/56;

3) a Commission Directive setting out requirements as to the label or other document made out by the supplier pursuant to Council Directive 98/56; and

4) a Commission Directive amending Commission Directive [93/49/EEC](#) setting out the schedule indicating the conditions to be met by ornamental plant propagating material and ornamental plants pursuant to Council Directive [91/682/EEC](#); those provisions of Directive 93/49 which remain in force are re-enacted in the Regulations.

The bulk of the Regulations come into force on 1st July 1999; regulation 7 will come into force on 1st August 1999 and regulation 9 will come into force on 31st December 1999. The Regulations set quality standards to be met by ornamental plant propagating material when marketed and prescribe conditions to be satisfied by suppliers. They introduce the following principal changes—

1) The Regulations apply to the propagating material of all ornamental plants (regulations 2 and 3).

2) Propagating material intended for use in the conservation of genetic diversity is exempted from the Regulations (regulation 3).

3) The quality requirements for propagating material, including citrus material and flower bulbs, are modified (regulations 4, 5 and 6).

4) The system of accreditation for those who market plant material is ended with effect from 1st August and a system of registration is introduced with effect from that date, although accreditation numbers can continue in use until 31st December (regulations 1, 7 and 16).

5) Suppliers must notify the Minister of the appearance on their premises of any plant pest which is listed in the Plant Health (Great Britain) Order 1993 (regulation 8).

6) The information to appear in suppliers' documentation is modified with effect from 31st December 1999, when the form of documentation prescribed under the 1995 Regulations ceases to have effect (regulations 1, 9, 16 and the Schedule).

7) Importers of propagating material from third countries are required to ensure that it is equivalent to material produced in accordance with Directive 98/56 and to notify the responsible official body (regulation 12).

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Plant Health Division of the Ministry of Agriculture, Fisheries and Food, Foss House, Kings Pool, 1–2 Peasholme Green, York YO1 7PX.

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Ornamental Plant Propagating Material Regulations 1999.