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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1155 (W.72)**

**PLANT HEALTH, WALES  
SEEDS, WALES**

**The Marketing of Fruit Plant Material  
(Amendment) (Wales) Regulations 2005**

*Made* - - - - 12 April 2005  
*Coming into force* - - 30 April 2005

The National Assembly for Wales, being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by that section makes the following Regulations:

**Title, commencement and application**

1.—(1) These Regulations may be cited as The Marketing of Fruit Plant Material (Amendment) (Wales) Regulations 2005 and come into force on 30 April 2005.

(2) These Regulations apply in relation to Wales.

**Amendment of Regulations**

2.—(1) The Marketing of Fruit Plant Material Regulations 1995<sup>(3)</sup> shall be amended, in relation to Wales, in accordance with paragraph (2).

(2) For Schedule 1 to those Regulations there shall be substituted the following Schedule -

“SCHEDULE 1

Regulation 3(1)

Genera and species to which these Regulations apply

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*Castanea sativa* Mill. (Chestnut)

*Prunus armeniaca* L. (Apricot)

*Citrus* L. (e.g. Grapefruit, Lemon, Lime, Mandarin and Orange)

*Prunus avium* (L.) L. (Sweet cherry)

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(1) S.I.1999/2788.  
(2) 1972 c. 68.  
(3) S.I. 1995/2653.

<i>Corylus avellana</i> L. (Hazel)	<i>Prunus cerasus</i> L. (Sour cherry)
<i>Cydonia oblonga</i> Mill. (Quince)	<i>Prunus domestica</i> L. (Plum)
<i>Ficus carica</i> L. (Common edible fig)	<i>Prunus dulcis</i> (Mill.) D A Webb (Almond) (but described as <i>Prunus amygdalus</i> Batsch in Directive 2003/111/EC)(4)
<i>Fortunella</i> Swingle (Kumquat)	
<i>Fragaria</i> L. (all cultivated strawberry species)	<i>Prunus persica</i> (L.) Batsch (Peach)
<i>Juglans regia</i> L. (Walnut)	<i>Prunus salicina</i> Lindley (Japanese Plum)
<i>Malus</i> Mill. (Apple)	<i>Pyrus</i> L. (all cultivated edible pears, including perry pears)
<i>Olea europaea</i> L. (Olive)	
<i>Pistacia vera</i> L. (Pistachio)	<i>Ribes</i> L. (Blackcurrant, gooseberry, redcurrant and white currant)
<i>Poncirus</i> Raf. (Trifoliate orange)	<i>Rubus</i> L. (Blackberry, raspberry and hybrid berries)
	<i>Vaccinium</i> L. (e.g. Blueberry, cranberry and bilberry)”. ”

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5).

12 April 2005

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(4) *Prunus dulcis* (Mill.) D A Webb is the accepted scientific name used in the United States Germplasm Resources Information Network (“GRIN”) database (available at <http://www.ars-grin.gov/cgi-bin/npgs/html/index.pl>) and by the Royal Horticultural Society.

(5) 1998 c. 38.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply in relation to Wales, come into force on 30 April 2005. They give effect to Commission Directive [2003/111/EC](#) (O.J. No. L311, 27.11.2003, p.12) amending Annex II to Directive [92/34/EEC](#) (O.J. No. L157, 10.6.1992, p.10) on the marketing of fruit plant propagating material and fruit plants intended for fruit production.

Regulation 2 replaces Schedule 1 to the Marketing of Fruit Plant Material Regulations 1995 with a new Schedule 1 specifying the genera and species to which those Regulations apply.

A Regulatory Appraisal has been prepared. Copies can be obtained from the Animal and Plant Health Division, National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ.