

## SCHEDULE 5

### Certification of plant material

#### Modifications etc. (not altering text)

- C1** Sch. 5: power to amend conferred (31.12.2020) by [The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material \(Legislative Functions and Miscellaneous Provisions\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1463\)](#), regs. 1(2)(b), **20(1)** (with reg. 20(2))

## PART 3

### Certification of basic material

#### **Propagating material (other than basic mother plants and rootstocks not belonging to a variety)**

**14.**—(1) Propagating material (other than basic mother plants and rootstocks not belonging to a variety) may be certified as basic material if that material meets the requirements in sub-paragraph (2).

(2) The requirements are that the propagating material—

(a) is propagated from a basic mother plant—

(i) grown from pre-basic material;

(ii) produced by multiplication from a basic mother plant in accordance with paragraph 19;

(b) is verified by an inspector as being true to the description of its variety in accordance with paragraph 7;

(c) complies with the time period specified in paragraph 8(3)(b);

(d) complies with paragraph 12 concerning defects;

(e) complies with the health requirements in paragraph 16;

(f) is grown in soil that is found, by sampling and testing, to comply with paragraph 17;

[<sup>F1</sup>(g) has been maintained in accordance with paragraph 18;

(h) where appropriate, has been multiplied in accordance with paragraph 19; and

(i) has been produced in accordance with the production site requirements in paragraph 12A.]

(3) For the purpose of this paragraph, any reference to pre-basic mother plants or to pre-basic material in the paragraphs mentioned in sub-paragraph (2)(b) to [<sup>F2</sup>(i)] is to be construed as reference to basic mother plants or basic material, as the case may be.

(4) Where the mother plant or material no longer fulfils the requirements referred to in sub-paragraph (2), the supplier—

(a) must remove the mother plant or material from the vicinity of other basic mother plants and basic material;

(b) may take appropriate measures in order to ensure that the mother plant or the material complies with those requirements again.

**Changes to legislation:** There are currently no known outstanding effects for the *The Marketing of Fruit Plant and Propagating Material (Wales) Regulations 2017, Paragraph 14*. (See end of Document for details)

(5) A supplier may use any mother plant or material removed in accordance with subparagraph (4)(a) as certified or CAC material provided the mother plant or material fulfils the requirements set out in these Regulations for the respective categories.

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**Textual Amendments**

- F1** Sch. 5 para. 14(2)(g)-(i) substituted for Sch. 5 para. 14(2)(g)(h) (29.8.2020) by [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, **6(7)(e)**
- F2** Word in Sch. 5 para. 14(3) substituted (29.8.2020) by [The Marketing of Seed, Plant and Propagating Material \(Wales\) Regulations 2020 \(S.I. 2020/833\)](#), regs. 1, **6(7)(f)**
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**Commencement Information**

- I1** Sch. 5 para. 14 in force at 19.6.2017, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Wales) Regulations 2017, Paragraph 14.