

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

Rootstock not belonging to a variety

15.—(1) A rootstock not belonging to a variety may be certified as basic material if it meets the requirements in sub-paragraph (2).

(2) The requirements are that the rootstock—

- (a) is true to the description of its species;
- (b) is individually identified throughout the production process;
- (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;
- [^{F1}(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 pre-basic material in the paragraphs mentioned in sub-paragraph (2) is to be construed as reference to basic mother plants or basic material, as the case may be.

(4) Where a rootstock not belonging to a variety is a basic mother plant or basic material that no longer fulfils the requirements of sub-paragraph (2) the supplier—

- (a) must remove the rootstock from the vicinity of other basic mother plants and basic material;
- (b) may take appropriate measures in order to ensure the rootstock complies with those requirements again.

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

Textual Amendments

- F1** Sch. 5 para. 15(2)(g)-(i) substituted for Sch. 5 para. 15(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)**

Changes to legislation: There are currently no known outstanding effects for the *The Marketing of Fruit Plant and Propagating Material (Wales) Regulations 2017, Paragraph 15*. (See end of Document for details)

Commencement Information

II Sch. 5 para. 15 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 15.