
WELSH STATUTORY INSTRUMENTS

2020 No. 833

**The Marketing of Seed, Plant and Propagating
Material (Wales) Regulations 2020**

The Marketing of Ornamental Plant Propagating Material Regulations 1999

3.—(1) The Marketing of Ornamental Plant Propagating Material Regulations 1999(1) are amended as follows.

(2) In regulation 2(1), before the definition of “[Directive 98/56/EC](#)” insert—

““[Directive 93/49/EEC](#)” means 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\(2\)](#).”

(3) In regulation 4—

(a) the existing text becomes paragraph (1);

(b) in paragraph (1), after sub-paragraph (a) insert—

“(ab) have been found at the place of production to be practically free, at least on visual inspection, from all pests listed in the Annex to [Directive 93/49/EEC](#) in relation to that propagating material;

(ac) be free, at least on visual inspection, from any RNQP in a quantity exceeding the thresholds set out in the Annex to [Directive 93/49/EEC](#) for the presence of that RNQP;

(ad) be, at least on visual inspection, practically free from, and from any signs or symptoms of, any pests which reduce its usefulness or quality as propagating material, other than the pests listed in the Annex to [Directive 93/49/EEC](#) with regard to the respective propagating material;

(ae) comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs set out in the implementing acts adopted pursuant to the EU Plant Health Regulation, and measures adopted pursuant to Article 30(1) of that Regulation.”;

(c) after paragraph (1) insert—

“(2) In this regulation—

“protected zone quarantine pest” means a pest within the meaning given by Article 32(1) of the EU Plant Health Regulation;

“RNQP” means a Union regulated non-quarantine pest within the meaning given by Article 36 of the EU Plant Health Regulation;

“Union quarantine pest” means a pest within the meaning given by Article 4 of the EU Plant Health Regulation.”

(1) [S.I. 1999/1801](#), relevant amending instruments are [S.I. 2018/974](#), [2018/1216 \(W. 249\)](#), [2020/206 \(W. 48\)](#). [S.I. 1999/1801](#) is amended prospectively by [S.I. 2019/131](#).

(2) OJ No. L 250, 7.10.1993, p. 9, as last amended by Commission Implementing [Directive \(EU\) 2020/177](#) (OJ No. L 41, 13.2.2020, p. 1).

Status: This is the original version (as it was originally made).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

(4) Omit regulation 6A.