

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,516, 24 ta' Diċembru, 2015
Taqsimha B

L.N. 428 of 2015

PLANT QUARANTINE ACT
(CAP. 433)

Seeds of Agricultural Plants and Vegetables
(Amendment No. 2) Regulations, 2015

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Sustainable Development, the Environment and Climate Change has made the following regulations:-

1. (1) The title of these regulations is the Seeds of Agricultural Plants and Vegetables (Amendment No. 2) Regulations, 2015, and these regulations shall be read and construed as one with the Seeds of Agricultural Plants and Vegetables Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L. 433.21

(2) The scope of these regulations is to transpose part of Commission Implementing Directive 2014/21/EU determining Union grades for pre-basic seed potatoes and Commission Implementing Directive 2014/20/EU determining Union grades of basic and certified seed potatoes and the conditions and designations applicable to such grades.

2. Immediately after regulation 34 of the principal regulations, there shall be added the following new regulations:

Adds new regulations to the principal regulations.

"Union grades of pre-basic seed potatoes.

35. Pre-basic seed potatoes may be marketed as "Union grades PBTC" and "Union grade PB" in accordance with the conditions set out in Schedule III

Union grades of basic seed potatoes.

36. (1) Basic seed potatoes may be marketed as "Union grade S" if they fulfil the following conditions:

(a) the potatoes have been found by official inspection to fulfil the conditions as set out in point (1)(a) of Schedule III; and

(b) their lots have been found by official inspection to fulfil the conditions, as set out in point (1)(b) of that Schedule.

(2) Basic seed potatoes may be marketed as "Union grade SE" if they fulfil the following conditions:

(a) the potatoes have been found by official inspection to fulfil the conditions, as set out in point (2)(a) of Schedule III; and

(b) their lots have been found by official inspection to fulfil the conditions, as set out in point (2)(b) of that Schedule.

(3) Basic seed potatoes may be marketed as "Union grade E" if they fulfil the following conditions:

(a) the potatoes have been found by official inspection to fulfil the conditions, as set out in point 3(a) of Schedule III; and

(b) their lots have been found by official inspection to fulfil the conditions, as set out in point (3)(b) of that Schedule.

Union grades of certified seed potatoes.

37. (1) Certified seed potatoes may be marketed as "Union grade A" if they fulfil the following conditions:

(a) the potatoes have been found by official inspection to fulfil the conditions, as set out in point (1)(a) of Schedule III; and

(b) their lots have been found by official inspection to fulfil the conditions, as set out in point (1)(b) of that Schedule.

(2) Certified seed potatoes may be marketed as "Union grade B" if they fulfil the following conditions:

(a) the potatoes have been found by official inspection to fulfil the conditions, as set out in point (2)(a) of Schedule III; and

(b) their lots have been found by official inspection to fulfil the conditions, as set out in point (2)(b) of that Schedule."

Amends Section III of Schedule III to the principal regulations.

3. Immediately after the words "Total tolerance for subparagraphs (b) to (g): 6.0% by mass for basic seed potatoes and 8.0% by mass for certified seed potatoes." at the end of Section III of Schedule III to the principal regulations, there shall be added the

following

"Conditions for placing on the market of pre-basic seed potatoes as "Union grades PBTC and PB"

1. The conditions for pre-basic seed potatoes of "Union grade PBTC" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) plants not breeding true to the variety, or plants of a different variety, shall not be present in the crop;

(ii) plants affected by blackleg shall not be present in the crop;

(iii) in the direct progeny, virus infection shall not be present in the crop;

(iv) plants with mosaic symptoms or symptoms caused by leaf roll virus shall not be present in the crop;

(v) the plants, including tubers, are produced through micro-propagation;

(vi) the plants, including tubers, are produced in a protected facility and in a growing medium which is free from pests; and

(vii) tubers shall not be multiplied beyond the first generation.

(b) Lots shall be free from seed potatoes falling under any of the following points:

(i) they are affected by rots;

(ii) they are affected by black scurf;

(iii) they are affected by common scab;

(iv) they are affected by powdery scab;

(v) they have become excessively shrivelled due to dehydration; and

(vi) they have external blemishes, including misshapen or damaged tubers.

2. The conditions for pre-basic seed potatoes of "Union grade PB" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) the number of plants not breeding true to the variety and the number of plants of a different variety together, shall not exceed 0.01%;

(ii) plants shall be free from symptoms of blackleg;

(iii) the number of growing plants with mosaic symptoms or symptoms caused by leaf roll virus shall not exceed 0.1%; and

(iv) in the direct progeny, the number of plants with symptoms caused by any virus, shall not exceed 0.5%.

(b) Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(i) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.2% by mass;

(ii) seed potatoes affected by black scurf over more than 10.0% of their surface, shall not exceed 1.0% by mass;

(iii) seed potatoes affected by common scab over more than one third of their surface, shall not exceed 5.0% by mass;

(iv) seed potatoes affected by powdery scab over more than 10.0% of their surface, shall not exceed 1.0% by mass;

(v) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 0.5% by mass;

(vi) seed potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(vii) the presence of earth and extraneous matter shall not exceed 1.0% by mass; and

(viii) the total percentage of seed potatoes covered by tolerances, as referred to in points (i) to (vi), shall not exceed 6.0% by mass.

Conditions for placing on the market of basic seed potatoes as "Union grades S, SE and E"

1. The conditions for basic seed potatoes of "Union grade S" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) the number of plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0.1%;

(ii) the number of growing plants affected by blackleg shall not exceed 0.1%;

(iii) in the direct progeny, the number of plants with symptoms of virus infection shall not exceed 1.0%;

(iv) the number of growing plants with mosaic symptoms and the number of plants with symptoms caused by leaf roll virus shall, together, not exceed 0.2%;

(v) the number of generations, including pre-basic in the field and basic generations, shall be restricted to five; and

(vi) if the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the fifth generation.

(b) Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(i) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5% by mass, of which seed potatoes affected by wet rot shall not exceed 0.2% by mass;

(ii) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass;

(iii) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0%

by mass;

(iv) seed potatoes affected by powdery scab over more than 10% of their surface shall not exceed 3.0% by mass;

(v) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf shall not exceed 1.0% by mass;

(vi) seed potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(vii) presence of earth and extraneous matter shall not exceed 1.0% by mass; and

(viii) the total percentage of seed potatoes covered by tolerances, as referred to in points (i) to (vi), shall not exceed 6.0% by mass.

2. The conditions for basic seed potatoes of "Union grade SE" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) the number of plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0.1%;

(ii) the number of growing plants affected by blackleg shall not exceed 0.5%;

(iii) in the direct progeny the number of plants with symptoms of virus infection shall not exceed 2.0%;

(iv) the number of growing plants with mosaic symptoms or symptoms caused by leaf roll virus shall not exceed 0.5%;

(v) the number of generations, including pre-basic in the field and basic generations, shall be restricted to six; and

(vi) if the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the sixth generation.

(b) Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(i) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5% by mass, of which seed potatoes affected by wet rot shall not exceed 0.2% by mass;

(ii) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass;

(iii) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0% by mass;

(iv) seed potatoes affected by powdery scab over more than 10% of their surface shall not exceed 3.0% by mass;

(v) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf shall not exceed 1.0% by mass;

(vi) seed potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(vii) presence of earth and extraneous matter shall not exceed 1.0% by mass; and

(viii) the total percentage of seed potatoes covered by tolerances, as referred to in points (i) to (vi), shall not exceed 6.0% by mass.

3. The conditions for basic seed potatoes of "Union grade E" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) the number of growing plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0.1%;

(ii) the number of growing plants affected by blackleg shall not exceed 1.0%;

(iii) in the direct progeny the number of plants

with symptoms of virus infection shall not exceed 4.0%;

(iv) the number of growing plants with mosaic symptoms or symptoms caused by leaf roll virus shall not exceed 0.8%;

(v) the number of generations, including pre-basic in the field and basic generations, shall be restricted to seven; and

(vi) if the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the seventh generation.

(b) Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(i) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5% by mass, of which seed potatoes affected by wet rot shall not exceed 0.2% by mass;

(ii) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass;

(iii) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0% by mass;

(iv) seed potatoes affected by powdery scab over more than 10% of their surface shall not exceed 3.0% by mass;

(v) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf shall not exceed 1.0% by mass;

(vi) seed potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(vii) presence of earth and extraneous matter shall not exceed 1.0% by mass; and

(viii) the total percentage of seed potatoes covered by tolerances, as referred to in points (i) to (vi), shall not exceed 6.0% by mass.

Conditions for placing on the market of certified seed potatoes as "Union grades A and B"

1. The conditions for certified seed potatoes of "Union grade A" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) the number of plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0.2%;

(ii) the number of growing plants affected by blackleg shall not exceed 2.0%;

(iii) in the direct progeny the number of plants with symptoms of virus infection shall not exceed 8.0%;
and

(iv) the number of growing plants with mosaic symptoms or symptoms caused by leaf roll virus shall not exceed 2.0%.

(b) Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(i) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5% by mass, of which seed potatoes affected by wet rot shall not exceed 0.2% by mass;

(ii) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass;

(iii) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0% by mass;

(iv) seed potatoes affected by powdery scab over more than 10% of their surface shall not exceed 3.0% by mass;

(v) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf shall not exceed 1.0% by mass;

(vi) seed potatoes with external blemishes,

including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(vii) presence of earth and extraneous matter shall not exceed 2.0% by mass; and

(viii) the total percentage of seed potatoes covered by tolerances, as referred to in points (i) to (vi), shall not exceed 8.0% by mass.

2. The conditions for certified seed potatoes of "Union grade B" shall be as follows:

(a) Conditions concerning seed potatoes:

(i) the number of plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0.5%;

(ii) the number of growing plants affected by blackleg shall not exceed 4.0%;

(iii) in the direct progeny the number of plants with symptoms of virus infection shall not exceed 10.0%; and

(iv) the number of growing plants with mosaic symptoms or symptoms caused by leaf roll virus shall not exceed 6.0%.

(b) Tolerances applicable to lots, as regards the following impurities, blemishes and diseases:

(i) seed potatoes affected by rots, other than ring rot or brown rot, shall not exceed 0.5% by mass, of which seed potatoes affected by wet rot shall not exceed 0.2% by mass;

(ii) seed potatoes affected by black scurf over more than 10% of their surface shall not exceed 5.0% by mass;

(iii) seed potatoes affected by common scab over more than one third of their surface shall not exceed 5.0% by mass;

(iv) seed potatoes affected by powdery scab over more than 10% of their surface shall not exceed 3.0% by

mass;

(v) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf shall not exceed 1.0% by mass;

(vi) seed potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(vii) presence of earth and extraneous matter shall not exceed 2.0% by mass; and

(viii) the total percentage of seed potatoes covered by tolerances, as referred to in points (i) to (vi), shall not exceed 8.0% by mass."

