

L.N. 282 of 2023

**PLANT QUARANTINE ACT
(CAP. 433)**

**Examination of Varieties of Agricultural Plant and Vegetable
Species (Amendment) Regulations, 2023**

IN EXERCISE of the powers conferred upon him by article 32 of the Plant Quarantine Act, the Minister responsible for agriculture, has made the following regulations:-

1. (1) The title of these regulations is the Examination of Varieties of Agricultural Plant and Vegetable Species (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Examination of Varieties of Agriculture Plant and Vegetable Species Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L 433.36.

(2) The scope of these regulations is to transpose Commission Implementing Directive (EU) 2023/1438 of 10 July 2023 amending Directives 2003/90/EC and 2003/91/EC as regards the protocols for the examination of certain varieties of agricultural plant species and vegetable species.

2. Schedule I to the principal regulations shall be substituted by the following new Schedule:

Substitutes Schedule I to the principal regulations.

**"SCHEDULE I
(regulation 3(2)(a)(i))
CPVO guidelines**

The following tables list the genera and species for which CPVO guidelines apply. These technical protocols can be found on the CPVO website www.cpvo.europa.eu.

1. Agricultural Plants

A. Cereals

Table 1.1

Scientific name	Common name	CPVO protocol
<i>Avena nuda</i> L.	Small naked oat, Hulless oat	TP 20/3 of 6.3.2020

<i>Avena sativa</i> L. (includes <i>A. byzantina</i> K. Koch)	Oats and Red oat	TP 20/3 of 6.3.2020
<i>Hordeum vulgare</i> L.	Barley	TP 19/5 of 19.3.2019
<i>Secale cereale</i> L.	Rye	TP 58/1 Rev of 27.4.2022
<i>Sorghum bicolor</i> (L.) Moench subsp. <i>bicolor</i>	Sorghum	TP 122/1 of 19.3.2019
<i>Sorghum bicolor</i> (L.) Moench subsp. <i>drummondii</i> (Steud.) de Wet ex Davidse	Sudan grass	TP 122/1 of 19.3.2019
<i>Sorghum bicolor</i> (L.) Moench subsp. <i>bicolor</i> x <i>Sorghum bicolor</i> (L.) Moench subsp. <i>drummondii</i> (Steud.) de Wet ex Davidse	Hybrids resulting from the crossing of <i>Sorghum</i> <i>bicolor</i> subsp. <i>bicolor</i> and <i>Sorghum bicolor</i> subsp. <i>drummondii</i>	TP 122/1 of 19.3.2019
<i>xTriticosecale</i> Wittm. ex A. Camus	Hybrids resulting from the crossing of a species of the genus <i>Triticum</i> and a species of the genus <i>Secale</i>	TP 121/3 of 27.4.2022
<i>Triticum aestivum</i> L. subsp. <i>aestivum</i>	Wheat	TP 3/5 of 19.3.2019
<i>Triticum turgidum</i> L. subsp. <i>durum</i> (Desf.) van Slageren	Durum wheat	TP 120/3 of 19.3.2014
<i>Zea mays</i> L. (partim)	Maize	TP 2/3 of 11.3.2010

B. Fodder Plants

Table 1.2

Scientific name	Common name	CPVO protocol
<i>Poaceae (Gramineae)</i>		
<i>Festuca filiformis</i> Pourr.	Fine-leaved sheep's fescue	TP 67/1 of 23.6.2011
<i>Festuca ovina</i> L.	Sheep's fescue	TP 67/1 of 23.6.2011

<i>Festuca pratensis</i> Huds.	Meadow fescue	TP 39/1 of 1.10.2015
<i>Festuca rubra</i> L.	Red fescue	TP 67/1 of 23.6.2011
<i>Festuca trachyphylla</i> (Hack.) Hack.	Hard fescue	TP 67/1 of 23.6.2011
<i>Lolium multiflorum</i> Lam.	Italian ryegrass	TP 4/2 of 19.3.2019
<i>Lolium perenne</i> L.	Perennial ryegrass	TP 4/2 of 19.3.2019
<i>Poa pratensis</i> L.	Smooth-stalked meadow grass	TP 33/1 of 15.3.2017
<i>Fabaceae (Leguminosae)</i>		
<i>Medicago sativa</i> L.	Lucerne	TP/6/1 Corr. of 22.12.2021
<i>Pisum sativum</i> L. (partim)	Field pea	TP 7/2 Rev. 3 Corr of 16.3.2020
<i>Trifolium pratense</i> L.	Red clover	TP/5/1 of 22.12.2021
<i>Vicia faba</i> L.	Field bean	TP 8/1 of 19.3.2019
<i>Vicia sativa</i> L.	Common vetch	TP 32/1 of 19.4.2016

C. Potatoes

Table 1.3

Scientific name	Common name	CPVO protocol
<i>Solanum tuberosum</i> L.	Potato	TP 23/3 of 15.3.2017

2. Vegetables

Table 1.4

Scientific name	Common name	CPVO protocol
<i>Allium cepa</i> L. (Cepa group)	Onion and Echalion	TP 46/2 of 1.4.2009
<i>Allium cepa</i> L. (Aggregatum group)	Shallot	TP 46/2 of 1.4.2009
<i>Allium fistulosum</i> L.	Japanese bunching onion or Welsh onion	TP 161/1 of 11.3.2010
<i>Allium porrum</i> L.	Leek	TP 85/2 of 1.4.2009
<i>Allium sativum</i> L.	Garlic	TP 162/2 of 30.5.2023
<i>Allium schoenoprasum</i> L.	Chives	TP 198/2 of 11.3.2015
<i>Apium graveolens</i> L.	Celery	TP 82/1 of 13.3.2008
<i>Apium graveolens</i> L.	Celeriac	TP 74/1 of 13.3.2008

<i>Asparagus officinalis</i> L.	Asparagus	TP 130/2 of 16.2.2011
<i>Beta vulgaris</i> L.	Beetroot including Cheltenham beet	TP 60/1 of 1.4.2009
<i>Beta vulgaris</i> L.	Spinach beet or Chard	TP 106/2 of 14.4.2021
<i>Brassica oleracea</i> L.	Curly kale	TP 90/1 of 16.2.2011
<i>Brassica oleracea</i> L.	Cauliflower	TP 45/2 Rev. 2 of 21.3.2018
<i>Brassica oleracea</i> L.	Sprouting Broccoli or Calabrese	TP 151/2 Rev. 2 of 21.4.2020
<i>Brassica oleracea</i> L.	Brussels sprouts	TP 54/2 Rev. of 15.3.2017
<i>Brassica oleracea</i> L.	Kohlrabi	TP 65/2 of 30.5.2023
<i>Brassica oleracea</i> L.	Savoy cabbage, White cabbage and Red cabbage	TP 48/3 Rev. 2 of 25.3.2021
<i>Brassica rapa</i> L.	Chinese cabbage	TP 105/1 of 13.3.2008
<i>Capsicum annuum</i> L.	Chilli or Pepper	TP 76/2 Rev. 2 Corr of 21.4.2020
<i>Cichorium endivia</i> L.	Curled-leaved endive and Plain-leaved endive	TP 118/3 of 19.3.2014
<i>Cichorium intybus</i> L.	Industrial chicory	TP 172/2 of 1.12.2005
<i>Cichorium intybus</i> L.	Leaf chicory	TP 154/2 Rev. of 31.3.2023
<i>Cichorium intybus</i> L.	Witloof chicory	TP 173/2 of 21.3.2018
<i>Citrullus lanatus</i> (Thunb.) Matsum. & Nakai	Watermelon	TP 142/2 Rev. 2 of 31.3.2023
<i>Cucumis melo</i> L.	Melon	TP 104/2 Rev. 2 of 25.3.2021
<i>Cucumis sativus</i> L.	Cucumber and Gherkin	TP 61/2 Rev. 2 of 19.3.2019
<i>Cucurbita maxima</i> Duchesne	Gourd	TP 155/1 of 11.3.2015
<i>Cucurbita pepo</i> L.	Marrow or Courgette	TP 119/1 Rev. of 19.3.2014
<i>Cynara cardunculus</i> L.	Globe artichoke and Cardoon	TP 184/2 Rev. of 6.3.2020

<i>Daucus carota</i> L.	Carrot and Fodder carrot	TP 49/3 of 13.3.2008
<i>Foeniculum vulgare</i> Mill.	Fennel	TP 183/2 of 14.4.2021
<i>Lactuca sativa</i> L.	Lettuce	TP 13/6 Rev. 3 of 27.4.2022
<i>Solanum lycopersicum</i> L.	Tomato	TP 44/4 Rev. 5 of 14.4.2021
<i>Petroselinum crispum</i> (Mill.) Nyman ex A.W. Hill	Parsley	TP 136/1 Corr of 21.3.2007
<i>Phaseolus coccineus</i> L.	Runner bean	TP 9/1 of 21.3.2007
<i>Phaseolus vulgaris</i> L.	Dwarf French bean and Climbing French bean	TP 12/4 of 27.2.2013
<i>Pisum sativum</i> L. (partim)	Wrinkled pea, Round pea and Sugar pea	TP 7/2 Rev. 3 Corr of 16.3.2020
<i>Raphanus sativus</i> L.	Radish, Black radish	TP 64/2 Rev. Corr. of 11.3.2015
<i>Rheum rhabarbarum</i> L.	Rhubarb	TP 62/1 of 19.4.2016
<i>Scorzonera hispanica</i> L.	Scorzonera or Black salsify	TP 116/1 of 11.3.2015
<i>Solanum melongena</i> L.	Aubergine or Egg plant	TP 117/1 of 13.3.2008
<i>Spinacia oleracea</i> L.	Spinach	TP 55/5 Rev. 4 Of 27.4.2022
<i>Valerianella locusta</i> (L.) Laterr.	Corn salad or Lamb's lettuce	TP 75/2 of 21.3.2007
<i>Vicia faba</i> L. (partim)	Broad bean	TP 206/1 of 25.3.2004
<i>Zea mays</i> L. (partim)	Sweet corn and Pop corn	TP 2/3 of 11.3.2010

<p><i>Solanum habrochaites</i> S. Knapp & D.M. Spooner; <i>Solanum lycopersicum</i> L. x <i>Solanum habrochaites</i> S. Knapp & D.M. Spooner; <i>Solanum lycopersicum</i> L. x <i>Solanum peruvianum</i> (L.) Mill.; <i>Solanum lycopersicum</i> L. x <i>Solanum cheesmaniae</i> (L. Ridley) Fosberg; <i>Solanum pimpinellifolium</i> L. x <i>Solanum habrochaites</i> S. Knapp & D.M. Spooner</p>	<p>Tomato rootstocks</p>	<p>TP 294/1 Rev. 5 of 14.4.2021</p>
<p><i>Cucurbita maxima</i> Duchesne x <i>Cucurbita moschata</i> Duchesne</p>	<p>Interspecific hybrids of <i>Cucurbita maxima</i> Duchesne x <i>Cucurbita moschata</i> Duchesne for use as rootstocks</p>	<p>TP 311/1 of 15.3.2017".</p>

Substitutes Schedule II to the principal regulations.

3. Schedule II to the principal regulations shall be substituted by the following new Schedule:

"SCHEDULE II
(regulation 3(2)(a)(ii))
UPOV guidelines

The following tables list the genera and species for which UPOV guidelines apply. These technical protocols can be found on the UPOV website www.upov.int.

1. Agricultural Plants

A. Fodder Plants

Table 2.1

Scientific name	Common name	UPOV guideline
Poaceae (Gramineae)		
<i>Agrostis canina</i> L.	Velvet bent	TG/30/6 of 12.10.1990
<i>Agrostis capillaris</i> L.	Brown top	TG/30/6 of 12.10.1990
<i>Agrostis gigantea</i> Roth	Red top	TG/30/6 of 12.10.1990
<i>Agrostis stolonifera</i> L.	Creeping bent grass	TG/30/6 of 12.10.1990
Fabaceae (Leguminosae)		
<i>Medicago doliata</i> Carmign.	Straight-spined medic	TG 228/1 of 5.4.2006
<i>Medicago italica</i> (Mill.) Fiori	Disc medic	TG 228/1 of 5.4.2006
<i>Medicago littoralis</i> Rohde ex Loisel.	Shore medic/Strand medic	TG 228/1 of 5.4.2006
<i>Medicago murex</i> Willd.	Sphere medic	TG 228/1 of 5.4.2006
<i>Medicago polymorpha</i> L.	Bur medic	TG 228/1 of 5.4.2006
<i>Medicago rugosa</i> Desr.	Wrinkled medic/ Gama medic	TG 228/1 of 5.4.2006
<i>Medicago scutellata</i> (L.) Mill.	Snail medic/Shield medic	TG 228/1 of 5.4.2006
<i>Medicago truncatula</i> Gaertn.	Barrel medic	TG 228/1 of 5.4.2006
<i>Trifolium subterraneum</i> L.	Subterranean clover	TG/170/3 of 4.4.2001

2. Vegetables

Table 2.2

Scientific name	Common name	UPOV guideline
<i>Brassica rapa</i> L.	Turnip	TG/37/11 of 23.9.2022"