

L.N. 87 of 2007

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

Examination of Varieties of Vegetable Species Regulations, 2007

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Rural Affairs and the Environment has made the following regulations:-

1. The title of these regulations is the Examination of Varieties of Vegetable Species Regulations, 2007. Citation.

2. The scope of these regulations is to ensure that varieties of species of vegetables which shall be included in the national catalogue of such varieties in Malta shall comply with internationally recognised guidelines as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining such varieties. Scope.

3. (1) Varieties of vegetable species shall be officially accepted in the national catalogue within the meaning of regulation 8(1) of the Seeds of Agricultural Plants and Vegetables Regulations, 2006, after fulfilling the requirements, as regards distinctness, uniformity and stability, set out hereunder: Conditions for examination of varieties of vegetables. L.N. 81 of 2006.

(a) the species listed in Schedule I shall comply with the conditions laid down in the "Protocols for distinctness, uniformity and stability tests" of the Administrative Council of the Community Plant Variety Office (hereafter referred to as the "CPVO") which are relevant for the particular species;

(b) the species listed in Schedule II shall comply with the "Guidelines for the conduct of tests for distinctness, homogeneity and stability" of the International Union for the Protection of New Varieties of Plants (hereafter referred to as "UPOV") which are relevant for the particular species.

(2) All the varietal characteristics within the meaning of sub-regulation (1)(a) and any characteristics which are marked by an asterisk (*) in the test guidelines referred to in sub-regulation (1)(b) shall be used, provided that observation of a characteristic is not rendered impossible by the expression of any other characteristics and provided that the expression of a characteristic is not prevented by the environmental conditions under which the test is conducted.

(3) It shall be ensured that in respect of the species listed in

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Schedules I and II, the minimum requirements for carrying out the examinations in respect of trial design and growing conditions, as laid down in the test guidelines referred to in these Schedules, are fulfilled at the time of the examinations.

SCHEDULE 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

Table 1.1:

Scientific name	Common name	CPVO protocol
<i>Allium cepa</i> L. (Cepa group)	Onion and Echalion	TP 46/1 of 14.06.2005
<i>Allium cepa</i> L. (Aggregatum group)	Shallot	TP 46/1 of 14.06.2005
<i>Allium porrum</i> L.	Leek	TP 85/1 of 15.11.2001
<i>Allium sativum</i> L.	Garlic	TP 162/1 of 25.03.2004
<i>Asparagus officinalis</i> L.	Asparagus	TP 130/1 of 27.03.2002
<i>Brassica oleracea</i> L.	Cauliflower	TP 45/1 of 15.11.2001
<i>Brassica oleracea</i> L.	Sprouting Broccoli or Calabrese	TP 151/1 of 27.03.2002
<i>Brassica oleracea</i> L.	Brussels sprouts	TP 54/2 of 1.12.2005
<i>Brassica oleracea</i> L.	Kohlrabi	TP 65/1 of 25.03.2004
<i>Brassica oleracea</i> L.	Savoy cabbage, White cabbage and Red cabbage	TP 48/2 of 1.12.2005
<i>Capsicum annuum</i> L.	Chilli or Pepper	TP 76/1 of 27.03.2002
<i>Cichorium endivia</i> L.	Curled-leaved endive and Plain-leaved endive	TP 118/2 of 1.12.2005
<i>Cichorium intybus</i> L.	Industrial chicory	TP 172/2 of 1.12.2005
<i>Cichorium intybus</i> L.	Witloof chicory	TP 173/1 of 25.03.2004
<i>Cucumis melo</i> L.	Melon	TP 104/1 of 27.03.2002
<i>Cucumis sativus</i> L.	Cucumber and Gherkin	TP 61/1 of 27.03.2002
<i>Cucurbita pepo</i> L.	Marrow or Courgette	TP 119/1 of 25.03.2004
<i>Cynara cardunculus</i> L.	Globe artichoke and Cardoon	TP 184/1 of 25.03.2004
<i>Daucus carota</i> L.	Carrot and Fodder carrot	TP 49/2 of 1.12.2005
<i>Foeniculum vulgare</i> Mill.	Fennel	TP 183/1 of 25.03.2004

<i>Lactuca sativa</i> L.	Lettuce	TP 13/2 of 1.12.2005
<i>Lycopersicon esculentum</i> Mill.	Tomato	TP 44/2 of 15.11.2001
<i>Phaseolus vulgaris</i> L.	Dwarf French bean and Climbing French bean	TP 12/2 of 1.12.2005
<i>Pisum sativum</i> L. (partim)	Wrinkled pea, Round pea and Sugar pea	TP 07/1 of 6.11.2003
<i>Raphanus sativus</i> L.	Radish	TP 64/1 of 27.03.2002
<i>Spinacia oleracea</i> L.	Spinach	TP 55/1 of 27.03.2002
<i>Valerianella locusta</i> (L.) Laterr.	Corn salad or Lamb's lettuce	TP 75/1 of 27.03.2002
<i>Vicia faba</i> L. (partim)	Broad bean	TP Broadbean/1 of 25.03.2004
<i>Zea mays</i> L. (partim)	Sweet corn and Pop corn	TP 2/2 of 15.11.2001

SCHEDULE 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

Table 2.1:

Scientific name	Common name	UPOV guideline
<i>Allium fistulosum</i> L.	Japanese bunching onion or Welsh onion	TG/161/3 of 01.04.1998
<i>Allium schoenaprasum</i> L.	Chives	TG/198/1 of 09.04.2003
<i>Apium graveolens</i> L.	Celery	TG/82/4 of 17.04.2002
<i>Apium graveolens</i> L.	Celeriac	TG/74/4 corr. of 17.04.2002 + 05.04.2006
<i>Beta vulgaris</i> L.	Spinach beet or Chard	TG/106/4 of 31.03.2004
<i>Beta vulgaris</i> L.	Beetroot including Cheltenham beet	TG/60/6 of 18.10.1996
<i>Brassica oleracea</i> L.	Curly kale	TG/90/6 of 31.03.2004
<i>Brassica rapa</i> L.	Chinese cabbage	TG/105/4 of 09.04.2003

<i>Brassica rapa</i> L.	Turnip	TG/37/10 of 04.04.2001
<i>Cichorium intybus</i> L.	Large-leaved chicory or Italian chicory	TG/154/3 of 18.10.1996
<i>Citrullus lanatus</i> (Thunb.) Matsum. et Nakai	Watermelon	TG/142/4 of 31.03.2004
<i>Cucurbita maxima</i> Duchesne	Gourd	TG/155/3 of 18.10.1996
<i>Petroselinum crispum</i> (Mill.) Nyman ex A. W. Hill	Parsley	TG/136/5 of 6.4.2005
<i>Phaseolus coccineus</i> L.	Runner bean	TG/9/5 of 09.04.2003
<i>Raphanus sativus</i> L.	Black radish	TG/63/6 of 24.3.1999
<i>Rheum rhabarbarum</i> L.	Rhubarb	TG/62/6 of 24.03.1999
<i>Scorzonera hispanica</i> L.	Scorzonera or Black salsify	TG/116/3 of 21.10.1988
<i>Solanum melongena</i> L.	Aubergine or Egg plant	TG/117/4 of 17.04.2002