

Statutory Instrument 2004 No. 2603

The Marketing of Fruit Plant Material (Amendment) (England) Regulations 2004

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STATUTORY INSTRUMENTS

2004 No. 2603

PLANT HEALTH, ENGLAND

SEEDS, ENGLAND

**The Marketing of Fruit Plant Material (Amendment) (England)
Regulations 2004**

Made

5th October 2004

Laid before Parliament

7th October 2004

Coming into force

31st October 2004

The Secretary of State, being designated^[1] for the purposes of section 2(2) of the European Communities Act 1972^[2] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred upon her by that section makes the following Regulations:

Title, commencement, extent and application

1. - (1) These Regulations may be cited as The Marketing of Fruit Plant Material (Amendment) (England) Regulations 2004 and shall come into force on 31st October 2004.

(2) These Regulations extend to England and Wales but apply in relation to England only.

Amendment of Regulations

2. - (1) The Marketing of Fruit Plant Material Regulations 1995^[3] shall be amended, in relation to England, in accordance with paragraph (2).

(2) For Schedule 1 to those Regulations there shall be substituted the following Schedule -

" SCHEDULE 1

Regulation 3(1)

Genera and species to which these Regulations apply

Castanea sativa Mill. *Prunus cerasus* L. (Sour cherry)
(Chestnut)

Citrus L. (e.g. *Prunus domestica* L. (Plum)
Grapefruit, Lemon,
Lime, Mandarin and
Orange)

Prunus dulcis (Mill.) D A Webb
(Almond) (but described as *Prunus*
amygdalus Batsch in Directive
2003/111/EC)^[4]

Corylus avellana L.
(Hazel)

Cydonia oblonga
Mill. (Quince)

Ficus carica L. *Prunus persica* (L.) Batsch (Peach)
(Common edible fig)

Fortunella Swingle *Prunus salicina* Lindley (Japanese
(Kumquat) Plum)

Fragaria L. (all *Pyrus* L. (all cultivated edible pears,
cultivated strawberry including perry pears)
species)

Juglans regia L.
(Walnut)

Malus Mill. (Apple) *Ribes* L. (Blackcurrant, gooseberry,
redcurrant and white currant)

Olea europaea L.
(Olive)

Pistacia vera L. *Rubus* L. (Blackberry, raspberry and
(Pistachio) hybrid berries)

Poncirus Raf.
(Trifoliate orange)

Prunus armeniaca L. *Vaccinium* L. (e.g. Blueberry, cranberry
(Apricot) and bilberry)".

Prunus avium (L.) L.
(Sweet cherry)

Ben Bradshaw
Parliamentary Under Secretary of State, Department for Environment Food and
Rural Affairs

5th October 2004

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations, which extend to England and Wales but apply in relation to England only, come into force on 31st October 2004. They give effect to Commission Directive 2003/111/EC (O.J. No. L311, 27.11.2003, p. 12) amending Annex II to Directive 92/34/EEC (O.J. No. L157, 10.6.1992, p. 10) on the marketing of fruit plant propagating material and fruit plants intended for fruit production.

Regulation 2 replaces Schedule 1 to the Marketing of Fruit Plant Material Regulations 1995 with a new Schedule 1 specifying the genera and species to which those Regulations apply.

A Regulatory Impact Assessment has been prepared and placed in the Library of each House of Parliament. Copies can be obtained from Plant Health Division, Defra, Foss House, Kings Pool, Peasholme Green, York YO1 7PX.

Notes:

[1] SI 1972/1811.[back](#)

[2] 1972 c. 68.[back](#)

[3] S.I. 1995/2653.[back](#)

[4] *Prunus dulcis* (Mill.) D A Webb is the accepted scientific name used in the United States Germplasm Resources Information Network ("GRIN") database (available at <http://www.ars-grin.gov/cgi-bin/npgs/html/index.pl>) and by the Royal Horticultural Society.[back](#)

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Prepared 15 October 2004