

Council Directive 98/56/EC of 20 July 1998 on the
marketing of propagating material of ornamental plants

TITLE II

DEFINITIONS

Article 2

For the purpose of this Directive, the following definitions shall apply:

1. 'Propagating material': plant material intended for:
 - the propagation of ornamental plants, or
 - the production of ornamental plants; however, in the case of production from complete plants, this definition applies only to the extent that the resulting ornamental plant is intended for further marketing.

'Propagation': reproduction by vegetative or other means.
2. 'Supplier': any natural or legal person engaged professionally in marketing or importing of propagating material.
3. 'Marketing': sale or delivery by a supplier to another person. 'Sale' includes holding available or in stock, display with a view to sale, offering for sale.
4. 'Responsible official body':
 - (a) an authority, established or designated by the Member State under the supervision of the national government and responsible for questions concerning quality;
 - (b) any State authority established:
 - either at national level, or
 - at regional level, under the supervision of national authorities, within the limits set by the constitution of the Member State concerned.

The bodies referred to above may, in accordance with their national legislation, delegate the tasks provided for in this Directive to be accomplished under their authority and supervision to any legal person, whether governed by public or by private law, which, under its officially approved constitution, is charged exclusively with specific public functions, provided that such person, and its members, has no personal interest in the outcome of the measures it takes.

Moreover, in accordance with the procedure laid down in Article 17, other legal persons established on behalf of the body referred to in point (a) and acting under the authority and supervision of such body may be approved, provided that such person has no personal interest in the outcome of the measures it takes.

Member States shall notify the Commission of their responsible official bodies. The Commission shall forward that information to the other Member States.

5. 'Lot': a number of units of a single commodity, identifiable by its homogeneity of composition and origin.