

Council Directive 2008/72/EC of 15 July 2008 on the
marketing of vegetable propagating and planting material,
other than seed (Text with EEA relevance) (Codified version)

Article 3

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

- (a) ‘propagating material’ means parts of plants and all plant material, including rootstocks intended for the propagation and production of vegetables;
- (b) ‘planting material’ means entire plants and parts of plants including, for grafted plants, the grafted components, intended for planting for the production of vegetables;
- (c) ‘supplier’ means any natural or legal person carrying out professionally at least one of the following activities with regard to vegetable propagating and planting material: reproducing, producing, preserving and/or treating and marketing;
- (d) ‘marketing’ means the holding available or in stock, displaying or offering for sale, selling and/or delivering to another person, in whatever form, of propagating or planting material;
- (e) ‘responsible official body’ means:
 - (i) the sole and central authority, established or designated by the Member State under the supervision of the national government and responsible for questions concerning quality;
 - (ii) any State authority established:
 - either at national level,
 - or at regional level, under the supervision of the national authorities within the limits set by the national legislation of the Member State concerned.

The bodies referred to in (i) and (ii) 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 private law, which, under its officially approved statute, 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.

The Member States shall ensure that there is close cooperation between the bodies referred to in (i) and those referred to in (ii).

Moreover, in accordance with the procedure referred to in Article 21(2), another legal person established on behalf of any body referred to in (i) and (ii) 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.

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

- (f) ‘official measures’ means measures taken by the responsible official body;
- (g) ‘official inspection’ means an inspection carried out by the responsible official body;

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- (h) ‘official statement’ means a statement issued by, or under the responsibility of, the responsible official body;
- (i) ‘lot’ means a number of units of a single commodity, identifiable by its homogeneity of composition and origin;
- (j) ‘laboratory’ means a public or private law entity carrying out analysis and proper diagnosis, enabling the producer to monitor production quality.