

Commission Implementing Directive 2014/98/EU of 15 October 2014 implementing Council Directive 2008/90/EC as regards specific requirements for the genus and species of fruit plants referred to in Annex I thereto, specific requirements to be met by suppliers and detailed rules concerning official inspections

CHAPTER 2

REQUIREMENTS FOR PROPAGATING MATERIAL AND, WHERE APPLICABLE, FRUIT PLANTS

SECTION 3

Requirements for certified material

Article 20

Requirements for certification of certified material

1 Propagating material, other than mother plants, and fruit plants shall, on request, be officially certified as certified material if they fulfil the requirements set out in paragraphs 2, 3 and 4.

2 The propagating material, and fruit plants, shall be propagated from a certified mother plant.

A certified mother plant shall fulfil one of the following requirements:

- a be grown from pre-basic material;
- b be grown from basic material.

3 The propagating material, and fruit plants, shall fulfil the requirements set out in Article 7, Article 8(6) and Articles 12, 21 and 22.

4 The propagating material, and fruit plants, shall fulfil the health requirements set out in Article 21.

The propagating material and fruit plants shall be propagated from a certified mother plant which fulfils the soil requirements of Article 22.

5 A rootstock not belonging to a variety, shall, on request, be officially certified as certified material if it is true to the description of its species, it fulfils the requirements set out in Article 8(6) and the additional requirements of Articles 12, 21 and 22.

6 For the purpose of this Section, any reference in the provisions referred to in paragraphs 3 and 5 to pre-basic mother plants shall be construed as reference to certified mother plants, and any reference to pre-basic material shall be construed as reference to certified material.

7 Where a certified mother plant or certified material no longer fulfils the requirements of Article 7, Article 8(6) and Articles 12, 21 and 22, the supplier shall remove it from the vicinity of other certified mother plants and certified material. That removed mother plant or material may be used as CAC material provided that it fulfils the requirements set out in Section 4.

Instead of removing that mother plant or that material, the supplier may take appropriate measures in order to ensure that that mother plant or that material complies with those requirements again.

8 Where a rootstock not belonging to a variety is a certified mother plant or certified material that no longer fulfils the requirements of Article 8(6) and Articles 12, 21 and 22, the supplier shall remove it from the vicinity of other certified mother plants and certified material. That removed mother plant or material may be used as CAC material provided that it fulfils the requirements set out in Section 4.

Instead of removing that rootstock, the supplier may take appropriate measures in order to ensure that that rootstock complies with those requirements again.

Article 21

Health requirements

1 A certified mother plant or certified material shall be free from the pests listed in Part A of Annex I and Annex II, as regards the genus or species concerned.

The certified mother plant or the certified material concerned shall, by visual inspection in the facilities, fields and lots, be found free from the pests listed in Part A of Annex I and Annex II, as regards the genus or species concerned. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

The percentage of certified mother plants or certified material, which is infested by the pests listed in Part B of Annex I, shall not exceed the tolerance levels as set out therein. The certified mother plants or the certified material concerned shall, by visual inspection in the facilities, fields and lots, be found to comply with those levels. That visual inspection shall be carried out by the responsible official body and, where appropriate, the supplier.

In case of doubts concerning the presence of those pests, the responsible official body and, where appropriate, the supplier shall carry out sampling and testing of the certified mother plant or certified material concerned.

2 The responsible official body and, where appropriate, the supplier shall carry out visual inspection, sampling and testing of a certified mother plant or certified material, as set out in Annex IV as regards the genus or species concerned.

3 As regards sampling and testing, as provided for in paragraph 1, Member States shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, the responsible official body shall apply the relevant protocols established at national level. In that case, Member States shall, on request, make available those protocols to the other Member States and to the Commission.

The responsible official body and, where appropriate, the supplier shall submit the samples to laboratories officially accepted by the responsible official body.

4 Paragraph 1 shall not apply to certified mother plants and certified material during cryopreservation.

Article 22

Soil requirements

1 Certified mother plants may only be grown in soil that is free from any pests which are listed in Annex III, for the genus or species concerned, and which host viruses affecting that genus or species. Freedom of such pests hosting viruses shall be established by sampling and testing.

That sampling shall be carried out by the responsible official body and, where appropriate, the supplier.

That sampling and testing shall be carried out before the certified mother plant concerned is planted, and it shall be repeated during growth where there is suspicion concerning the presence of the pests referred to in subparagraph 1.

That sampling and testing shall be carried out taking into account the climatic conditions and the biology of the pests listed in Annex III, and where those pests are relevant for the certified mother plants or the certified material concerned.

2 Sampling and testing shall not be carried out where plants which are hosts for the pests listed in Annex III, for the genus or species concerned, have not been grown in the soil of production for a period of at least five years and where there is no doubt concerning the absence of the relevant pests in that soil.

Sampling and testing shall not be carried out when the responsible official body concludes on the basis of an official inspection that the soil is free from any pests which are listed in Annex III, for the genus or species concerned, and which host viruses affecting that genus or species.

Sampling and testing shall not be carried out in the case of certified fruit plants.

3 In the case of sampling and testing as referred to in paragraph 1, Member States shall apply protocols of EPPO, or other protocols which are internationally recognised. Where such protocols do not exist, Member States shall apply the relevant protocols established at national level. In that case, Member States shall, on request, make available those protocols to the other Member States and to the Commission.