

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 4

Requirements for CAC material

Article 23

Conditions for CAC material, other than rootstocks not belonging to a variety

1 CAC material, other than rootstocks not belonging to a variety, may only be marketed if it has been found to fulfil the following requirements:

- a it is propagated from an identified source of material recorded by the supplier;
- b it is true to the description of the variety, in accordance with Article 25;
- c it complies with the health requirements of Article 26;
- d it complies with Article 27 concerning defects.

2 The actions to comply with paragraph 1 shall be carried out by the supplier.

3 In case CAC material no longer complies with paragraph 1, the supplier shall carry out one of the following actions:

- a remove that material, from the vicinity of other CAC material; or
- b take appropriate measures to ensure that that material complies with those requirements again.

Article 24

Conditions for CAC material in the case of rootstocks not belonging to a variety

1 In the case of rootstocks not belonging to a variety, CAC material shall comply with the following requirements:

- a it is true to the description of its species;
- b it complies with the health requirements of Article 26;
- c it complies with Article 27 concerning defects.

2 The actions to comply with the requirements of paragraph 1 shall be carried out by the supplier.

3 In case CAC material no longer complies with the requirements of paragraph 1, the supplier shall carry out one of the following actions:

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- a remove that material, from the vicinity of other CAC material; or
- b take appropriate measures to ensure that that material complies with those requirements again.

Article 25

Trueness to the description of the variety

1 The trueness of CAC material to the description of its variety shall be established by the observation of the expression of the characteristics of the variety. That observation shall be based on one of the following elements:

- a the official description for registered varieties, as referred to in Implementing Directive 2014/97/EU and for varieties legally protected by a plant variety right; or
- b the description accompanying the application for varieties which are the subject of an application for registration in any Member State, as referred to in Implementing Directive 2014/97/EU;
- c the description accompanying the application for a plant variety right;
- d the officially recognised description of a variety as referred to in Article 7(2)(c)(iii) of Directive 2008/90/EC.

2 The trueness of the CAC material to the description of its variety, shall be regularly verified through the observation of the expression of the characteristics of the variety in the CAC material concerned.

Article 26

Health requirements

1 CAC material shall be practically free from the pests listed in Annex I and Annex II, as regards the genus or species concerned.

The CAC material concerned shall, by visual inspection carried out by the supplier in the facilities, fields and lots, be found practically free from the pests listed Annex I and Annex II, as regards the genus or species concerned.

In case of doubts concerning the presence of those pests, the supplier shall carry out sampling and testing of the CAC material concerned.

2 The supplier shall carry out visual inspection, sampling and testing of CAC material, as set out in Annex IV as regards the genus or species concerned.

3 Paragraph 1 shall not apply to CAC material during cryopreservation.

4 In addition to the requirements of paragraphs 1 and 2, CAC material that belongs to the species *Citrus* L., *Fortunella* Swingle, and *Poncirus* Raf. shall comply with all of the following requirements:

- a it shall be produced from an identified source of material, and that source of material shall be found free, on the basis of sampling and testing, from the pests as listed for those species, in Annex II;
- b since the beginning of the last cycle of vegetation it shall be found practically free, on the basis of visual inspection, sampling and testing, from the pests as listed in Annex II, as regards species concerned.

Article 27

Requirements concerning defects

CAC material shall be found practically free from defects, on the basis of visual inspection. Injuries, discoloration, scar tissues or desiccation shall be considered as defects, if they affect the quality and usefulness as propagating material.