

Transposition Note

Transposition note in respect of:

Council Directive 2008/90/EC on the marketing of fruit plant propagating material and fruit plants intended for fruit production;

Commission Implementing Directive 2014/96/EU on the requirements for labelling, sealing and packaging of fruit propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC;

Commission Implementing Directive 2014/97/EU implementing Council Directive 2008/90/EC as regards the registration of suppliers and of varieties and the common list of varieties;

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

Transposition is through the Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

Council Directive 2008/90/EC on the marketing of fruit plant propagating material and fruit plants intended for fruit production		
Article	Objective	Implementation
Article 1	Scope	Regulation 4 and Schedule 4
Articles 2.1 to 2.11 and 2.13	Definitions: propagating material, fruit plants, variety, pre-basic material, basic material, certified material, CAC material, supplier, marketing, responsible authority, and lot. official inspection	Regulation 2
Article 2.12	Definition: official inspection	Schedule 5, paragraph 1
Requirements for propagating material and fruit plants Article 3	General requirements for placing on the market	Regulation 5
Article 3(3)	Additional requirements for products to be used as genetically modified food or feed	Schedule 3, paragraph 7
Article 3(4)	Exemptions to marketing requirements	Regulation 6
Article 4	Specific requirements for genus and species	See transposition of Directive 2014/98/EU
Article 5	Registration of suppliers	Regulation 11 and see transposition of Directive 2014/97/EU
Article 6	Specific requirements to be met by	Regulation 14 and see

	suppliers	transposition of 2014/98/EU
Article 7	Variety identification	Regulations 7 and 8 and see also transposition of Directive 2014/98/EU
Article 8	Lot composition and identification	Regulation 15(1)(d)
Article 9	Labelling	Regulation 10
Exemptions Article 10	Local circulation	Regulation 10(2)
Article 11	Temporary difficulties in supply	No transposition required
Propagating material and fruit plants produced in third countries Article 12	Propagating material and fruit plants produced in third countries	Regulation 4(3)
Control measures Article 13	Official inspection	Regulations 17 to 24
Article 14	Community monitoring	Transposition not required
Article 15	Community checks in member States	Transposition not required
Article 16	Follow up action by member States	Regulations 20 and 21
General and final provisions Article 17	Free movement clause	No transposition required
Article 18	Amendments and adaption of Annexes	No transposition required
Article 19	Committee	No transposition required
Article 20	Transposition	Not applicable
Article 21	Transitional measures	Regulation 27
Article 22	Repeal	No transposition required
Articles 23 and 24	Entry into force	No transposition required

Commission Implementing Directive 2014/96/EU on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC

Article	Objective	Implementation
Article 1	Labelling, sealing and packaging requirements	Regulation 10 and Schedule 2
Article 2	Label for pre-basic, basic or certified material	Regulation 10 and Schedule 2
Article 3	Accompanying document for pre-basic, basic or certified material	Not transposed
Article 4	Sealing and packaging requirements for pre-basic, basic or certified material	Regulation 10(6) and (7)
Article 5	Supplier's document for CAC material	Regulations 2, 5(2)(b)

		and Part 2 of Schedule 2
Article 6	Transposition	Regulation 1
Articles 7, 8 and 9	Review clause, Entry into force and Addresses	No transposition required

Commission Implementing Directive 2014/97/EU implementing Council Directive 2008/90/EC as regards the registration of suppliers and of varieties and the common list of varieties

Article	Objective	Implementation
Article 1	Register of suppliers	Regulation 11
Article 2	Notification obligations of suppliers	Regulation 11
Article 3	Variety register	Regulation 7 and Schedule 3
Article 4	Conditions for registration of varieties	Regulation 7 and Schedule 3
Article 5	Application for registration of a variety	Regulation 7 and paragraph 2 of Schedule 3
Article 6	Examination of applications	Regulation 7 and paragraph 3 of Schedule 3
Article 7	Period of validity of variety registration	Regulation 7 and paragraph 4 of Schedule 3
Article 8	Renewal of variety registration	Regulation 7 and paragraph 4(2) to (5) of Schedule 3
Article 9	Removal of a variety from the variety register	Regulation 7 and paragraph 5 of Schedule 3
Article 10	Notifications	No transposition required
Article 11	Common list	No transposition required
Article 12	Transposition	Regulation 1
Articles 13, 14 and 15	Repeal, Entry into force, Addresses	No transposition required

Commission Implementing Directive 2014/98/EU 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

Article	Objective	Implementation
Definitions and general provisions Article 1	Definitions: mother plant, candidate pre-basic mother plant, pre-basic mother plant, certified mother plant, pest, visual inspection, multiplication, renewal of a mother plant, micropropagation, cryopreservation	Paragraphs 1 of Schedule 5
Article 1	Definition: fruiting plant	Paragraph 5 of Schedule 5

Article 1	Definitions: basic mother plant, category, practically free from defects	Regulation 2
Article 1	Definition: practically free from pests	Paragraph 4 of Schedule 1
Article 2	General provisions	Regulation 9 and Schedule 5
Requirements for pre-basic material Article 3	Requirements for the certification of pre-basic material	Paragraph 3 of Schedule 5
Article 4	Requirements for the certification of rootstocks not belonging to a variety as pre-basic material	Paragraph 4 of Schedule 5
Article 5	Requirements for the acceptance of a pre-basic mother plant	Paragraph 5 of Schedule 5
Article 6	Requirements for the acceptance of a rootstock not belonging to a variety	Paragraph 6 of Schedule 5
Article 7	Verification of trueness to the description of a variety	Paragraph 7 of Schedule 5
Article 8	Requirements concerning the maintenance of pre-basic mother plants and pre-basic material	Paragraph 8 of Schedule 5
Article 9	Health requirements for candidate pre-basic mother plants and for pre-basic mother plants produced by renewal	Paragraph 9 of Schedule 5
Article 10	Health requirements for pre-basic mother plants and for pre-basic material	Paragraph 10 of Schedule 5
Article 11	Soil requirements	Paragraph 11 of Schedule 5
Article 12	Requirements concerning defects likely to impair quality	Paragraph 12 of Schedule 5
Article 13	Requirements concerning multiplication, renewal and propagation of pre-basic mother plants	Paragraph 13 of Schedule 5
Article 14	Requirements concerning multiplication, renewal and propagation by micropropagation of pre-basic mother plants	Paragraph 13 of Schedule 5
Requirements for basic material Article 15	Requirements for the certification of basic material	Paragraphs 14 and 15 of Schedule 5
Article 16	Health requirements	Paragraph 16 of Schedule 5
Article 17	Soil requirements	Paragraph 17 of Schedule 5
Article 18	Requirements concerning the maintenance of basic mother plants and	Paragraph 18 of Schedule 5

	basic material	
Article 19	Conditions for multiplication	Paragraph 19 of Schedule 5
Article 20	Requirements for certified material	Paragraphs 20 and 21 of Schedule 5
Article 21	Health requirements	Paragraph 22 of Schedule 5
Article 22	Soil requirements	Paragraph 23 of Schedule 5
Requirements for CAC material Article 23	Conditions for CAC material, other than rootstocks not belonging to a variety	Paragraph 1 of Schedule 1
Article 24	Conditions for CAC material in the case of rootstocks not belonging to a variety	Paragraph 2 of Schedule 1
Article 25	Trueness to the description of the variety	Paragraph 3 of Schedule 1
Article 26	Health requirements	Paragraph 4 of Schedule 1
Article 27	Requirements concerning defects	Paragraph 5 of Schedule 1
Specific requirement for suppliers Article 28	Plan to identify and monitor critical points in the production process	Regulation 14
Article 29	Keeping information on the monitoring available for examination	Regulation 15
Official inspections Article 30	General requirements concerning official inspections	Paragraph 2 of Schedule 5
Final provisions Article 31	Transposition	Regulation 1
Article 32	Transitional measures	Regulation 27
Article 33	Repeal	No transposition required