

SCOTTISH STATUTORY INSTRUMENTS

2017 No. 177

**The Marketing of Fruit Plant and Propagating
Material (Scotland) Regulations 2017**

PART 5

General

Transitional provision

23.—(1) This regulation applies where plant material is produced from a parent plant existing before 1st July 2017.

(2) A supplier may until 31st December 2022 market the plant material mentioned in paragraph (1) provided—

- (a) the parent plant meets any certification or CAC material requirements relevant to it under the Marketing of Fruit Plant Material Regulations 2010 ^{M1}; and
- (b) the supplier's document accompanying it, or the official label affixed to it, includes a reference to Article 32 of Commission Implementing Directive 2014/98/EU.

Marginal Citations

M1 [S.I. 2010/2079](#).

[^{F1}Transitional provision for official labels on IP completion day

23A. A label pre-printed before IP completion day which at the date on which it was printed was an official label for the purposes of these Regulations, is to be treated as an official label for plant material, for the purposes of any use of that label before the end of the period of twelve months beginning with the day after the day on which IP completion day falls.]

Textual Amendments

F1 [Reg. 23A](#) inserted (31.12.2020) by [The Seed and Propagating Material \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/59\)](#), regs. 1(1)(b), **18(5)** (as amended by [S.S.I. 2020/445](#), regs. 1(1)(b), **18(6)**); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

[^{F2}Transitional provisions for supplier's documents affixed to CAC material

23ZA.—(1) This regulation applies where CAC material—

- (a) has affixed to it, in the form of a label, a supplier's document in a colour other than yellow, and

(b) such supplier's document was in use before 1 April 2020.

(2) Notwithstanding paragraph 6A of Part 2 (supplier's documents for CAC material) of schedule 5 (official labels, supplier's documents and accompanying documents), a supplier may market in Scotland CAC material described in paragraph (1).

(3) A supplier who markets CAC material described in paragraph (1) must ensure that the supplier's document states that it is marketed in accordance with Article 3 of Commission Implementing Directive 2019/1813.

(4) This regulation ceases to have effect on 30 June 2021.]

Textual Amendments

F2 [Reg. 23ZA](#) inserted (1.4.2020) by [The Marketing of Fruit Plant and Propagating Material \(Scotland\) Amendment Regulations 2020 \(S.S.I. 2020/34\)](#), regs. 1(1), **2(2)**

Revocation

24. The Marketing of Fruit Plant Material Regulations 2010 are revoked.

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017, PART 5.