

## SCHEDULE 2

### Certification requirements

#### PART 4

##### Certified material

###### **Requirements for certification as certified material**

**21.**—(1) Propagating material other than mother plants or a fruit plant may be officially certified as certified material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it has been propagated from a certified mother plant;
  - (b) the certified mother plant mentioned in head (a) has been grown from pre-basic material or basic material;
  - (c) the certified mother plant mentioned in head (a) complies with the requirements in paragraph 24;
  - (d) it complies with the requirements in—
    - (i) paragraph 7;
    - (ii) paragraph 8(5); and
    - (iii) paragraph 12;
  - (e) it complies with the requirements in paragraph 23; and
  - (f) it complies with the requirements in paragraph 24.
- (2) For the purposes of sub-paragraph (1)(d), references in paragraphs 7, 8(5) and 12 to—
- (a) pre-basic mother plants, may be construed as references to certified mother plants; and
  - (b) pre-basic material, may be construed as references to certified material.

###### **Rootstocks not belonging to a variety**

**22.**—(1) A rootstock which does not belong to a variety may be officially certified as certified material if it has been found on official inspection and, where appropriate, through administrative checks, to fulfil the following requirements:—

- (a) it is true to the description of its species;
  - (b) it complies with the requirements in—
    - (i) paragraph 8(5); and
    - (ii) paragraph 12; and
  - (c) it complies with the requirements in paragraphs 23 and 24.
- (2) For the purposes of sub-paragraph (1)(b), references in paragraphs 8(5) and 12 to—
- (a) pre-basic mother plants, may be construed as references to certified mother plants; and
  - (b) pre-basic material may, be construed as references to certified material.

###### **Health requirements for certified mother plants and certified material**

**23.**—(1) Subject to sub-paragraph (2), a certified mother plant or certified material must be found free, on the basis of visual inspections of the facilities, fields and lots, of the pests listed in Table IA

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and Table II in schedule 6 in relation to the particular genus or species concerned and, if there are doubts concerning the presence of those pests, there must be sampling and testing of the certified mother plant or certified material.

(2) The visual inspections mentioned in sub-paragraph (1) may not be conducted during cryopreservation.

(3) The percentage of certified mother plants or certified material which is found, on visual inspection of the facilities, fields and lots, to be infested by the pests listed in column 1 of Table IB in schedule 6, must not exceed the tolerance level set out in respect of those pests in column 2(c) of that Table (certified category) and, if there are doubts concerning the presence of those pests, there must be sampling and testing of the relevant certified mother plant or certified material.

(4) In relation to the genera and species listed in column 1 of the Table in schedule 7, the visual inspection and sampling and testing of certified mother plants and certified material within those genera and species must be carried out in accordance with the requirements set out for the certified category in columns 3 (visual inspections) and 4 (sampling and testing) of that Table.

(5) Without prejudice to sub-paragraph (3), in this paragraph a reference to “sampling and testing” means sampling and testing carried out by or on behalf of the Scottish Ministers and, where appropriate, by the supplier—

- (a) in accordance with the appropriate EPPO protocol; and
- (b) through submission of samples to laboratories officially accepted by the Scottish Ministers for the purposes of such sampling and testing.

### **Soil requirements**

**24.**—(1) Subject to sub-paragraphs (2) and (3), certified mother plants must only be grown in soil which is found, on the basis of sampling and testing carried out prior to the planting of such mother plants, to be free from any pest listed in Table III in schedule 6 for the genus or species concerned and which may host viruses affecting that genus or species.

(2) Sampling and testing is not required under sub-paragraph (1) if—

- (a) there have been no plants which are hosts for any of the pests listed in Table III in schedule 6 grown in the relevant soil for a period of at least 5 years prior to the planting of the certified mother plants mentioned in sub-paragraph (1) and where there is no doubt concerning the absence of the relevant pests in the soil; or
- (b) an official inspection is carried out which concludes that the soil is free from any of the pests listed in Table III in schedule 6 for the genus or species concerned and which is host to viruses affecting that genus or species.

(3) Sampling and testing of the soil must be carried out during the growing period of the certified mother plant mentioned in sub-paragraph (1) where there is suspicion concerning the presence of the pests mentioned in that sub-paragraph.

(4) In this paragraph, “sampling and testing” means sampling and testing carried out by or on behalf of the Scottish Ministers and, where appropriate, by the supplier—

- (a) in accordance with the appropriate EPPO protocol; and
- (b) taking into account the climatic conditions and the biology of the pests listed in Table III in schedule 6 and their relevance to the certified mother plants concerned.