
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Great Britain, implement Council Directive [91/682/EEC](#) (OJNo. L376, 31.12.91, p.21) and Commission Directives [93/49/EEC](#) (OJ No. L250, 7.10.93, p.9), [93/63/EEC](#) (OJ No. L250, 7.10.93, p.31) and [93/78/EEC](#) (OJ No. L256, 14.10.93, p.19) on the marketing of ornamental plant propagating material and ornamental plants within the European Community.

The Regulations, which come into force on 1st December 1995, set quality standards to be met by certain genera and species of plant material when marketed and prescribe conditions to be satisfied by suppliers of plant material, subject to an exemption for small producers all of whose production and sales of plant material are intended for final use by persons on the local market who are not professionally involved in plant production (regulation 4).

Suppliers may not market plant material unless it is substantially free on visual inspection from harmful organisms and diseases and unless it satisfies minimum quality requirements; and producers are required to take certain measures if such organisms and diseases are found (regulations 5 and 6). Additional quality requirements are prescribed in respect of the marketing of flower bulbs by producers (regulation 7).

Plant material must be marketed with reference to either the group of plants or the variety to which it belongs (regulation 8). It must be accompanied by a supplier's document or, when marketed to non-professional final consumers, by appropriate product information (regulation 9 and Schedule 2).

The Regulations require suppliers who are neither producers nor engaged only in the marketing of small quantities of plant material to non-professional final consumers to keep records on the buying, selling or delivery of plant material. Suppliers (including producers) other than those engaged only in the marketing of plant material to non-professional final consumers are also required to keep records on any mixing of plant material of different origins. Producers must in addition keep records on occurrences of harmful organisms and diseases (regulation 10).

Producers who market plant material must be accredited by the Minister. Accreditation is conditional on the maintenance of production practices in accordance with requirements established by the Regulations and on the keeping of prescribed records (regulation 11 and Schedule 3).

An inspector may enter the premises of a supplier to ensure compliance with these Regulations and may by notice prohibit the marketing or movement of unsatisfactory plant material (regulation 12).

A Compliance Cost Assessment in relation to these Regulations has been placed in the libraries of both Houses of Parliament, and copies can be obtained from the Plant Health Division of the Ministry of Agriculture, Fisheries and Food, Foss House, Kings Pool, 1–2 Peasholme Green, York YO1 2PX.