

COMMISSION DIRECTIVE 93/79/EEC

of 21 September 1993

setting out additional implementing provisions for lists of varieties of fruit plant propagating material and fruit plants, as kept by suppliers under Council Directive 92/34/EEC

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 92/34/EEC of 28 April 1992 on the marketing of fruit plant propagating material and fruit plants intended for fruit production⁽¹⁾, as amended by Commission Decision 93/401/EEC⁽²⁾, and in particular Article 9 (6) thereof,

Whereas a system of description of varieties already exists at an international level; whereas the International Union for the Protection of New Varieties of Plants (UPOV) has developed such a system;

Whereas it is desirable to base the Community system on the experience gained at international level;

Whereas suppliers whose activity is confined to the placing on the market of fruit plant propagating material and fruit plants should be subject to less onerous requirements;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Propagating Material and Plants of Fruit Genera and Species,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive establishes additional implementing provisions for lists of varieties of fruit plant propagating material and fruit plants as kept by suppliers pursuant to Article 9 (2) (ii) of Directive 92/34/EEC.

Article 2

1. The lists kept by suppliers shall include the following:

- (i) the name of the variety, together with its commonly known synonyms, where appropriate;
- (ii) indications as to the maintenance of the variety and propagation system applied;
- (iii) description of the variety at least on the basis of the characteristics and their expressions as specified in the Annex hereto;
- (iv) if possible, indications as to how the variety differs from the other varieties most closely resembling it.

2. Subparagraphs (ii) and (iv) of paragraph 1 shall not apply to any supplier whose activity is confined to the placing on the market of fruit plant propagating material or fruit plants.

Article 3

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 30 June 1994. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by the Member States.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law they adopt in the field covered by this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 21 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 157, 10. 6. 1992, p. 10.

⁽²⁾ OJ No L 177, 21. 7. 1993, p. 28.

ANNEX

CHARACTERISTICS OF THE VARIETIES AND STATES OF EXPRESSION

Citrus sp.

Young shoot: anthocyanin colouration of tip (10 to 15 cm from tip)

absent
present

Fruit: shape of distal end

depressed
truncate
rounded
slightly nipped
prominently nipped

Fruit: colour of surface

green
green to yellow
yellow
yellow to orange
orange
orange to red
pink
red
purple

Time of maturity of fruit

very early
early
medium
late
very late

Corylus avellana L.

Time of leaf bud burst (when two leaves appear out of the bud)

very early
very early to early
early
early to medium
medium
medium to late
late
late to very late
very late

Time of male flowering

very early
very early to early
early
early to medium
medium
medium to late
late
late to very late
very late

Time of female flowering

very early
very early to early
early
early to medium

medium
medium to late
late
late to very late
very late

Involucre: length compared to fruit length

short
equal
longer

Involucre: indentation

weak
medium
strong

Involucre: serration of indentations

weak
medium
strong

Fruit: size

very small
small
medium
large
very large

Fruit: shape

globular
conical
ovoid
short subcylindrical
long subcylindrical

Time of ripening

very early
very early to early
early
early to medium
medium
medium to late
late
late to very late
very late

Fruit: percentage of kernel (by weight)

very low
low
medium
high
very high

Cydonia Mill.

Plant: habit

erect
semi-erect
spreading

Leaf blade: shape

elliptic
obovate
ovate
rounded

Fruit: general shape

globose
ovate
pyriform
waisted
irregular
oblong

*Fragaria x. ananassa Duch.**Inflorescence: position relative to foliage*

beneath
level with
above

Fruit: size

very small
small
medium
large
very large

Fruit: predominant shape

kidney shape
oblate
round
conical
bi-conical
almost cylindrical
wedged
ovoid
cordate

Fruit: colour

whitish yellow
light orange
orange
orange red
red
purple
dark purple

Time of ripening (50 % of plants with ripe fruits)

very early
early
medium
late
very late

Type of bearing

not remountant
partially remountant
fully remountant

*Juglans regia L.**Time of bud burst*

very early
very early to early
early to early
medium
medium
medium to late
late
late to very late
very late

Tree: type of female inflorescence

single
compound

Tree: type of branching of female flowering branches

indeterminate
determinate

Time of maturity

early
early to medium
medium
medium to late
late

*Malus Mill.**Tree: vigour*

weak
medium
strong

Fruit: shape

globose
globose conical
short globose conical
flat
flat globose (oblate)
conical
long conical
truncate conical
ellipsoid
ellipsoid conical (ovate)
oblong
oblong conical
oblong waisted

Fruit: over colour of skin

orange
red
purple
brownish

Time of beginning of flowering (10 % open flowers)

very early
early
medium
late
very late

Rootstock varieties

Tree: vigour (in stool bed)

weak
medium
strong

Tree: number of basal shoots (in stool bed)

very few
few
medium
many
very many

Olea europae* L.**Fruit : shape***

elongated
elliptic
globose

Fruit : mucron

absent
present

Fruit : shape of base

rounded
truncate
depressed

Fruit : width of stalk cavity

narrow
medium
broad

Prunus amygdalus* Batsch.**Time of beginning of flowering***

very early
very early to early
early
early to medium
medium
medium to late
late
late to very late
very late

Flower : colour of petals

white
pink white
pink
dark pink

Time of maturity

very early
early
medium
late
very late

Dry fruit : shape of apex

flat
rounded
pointed

Kernel : shape

narrow elliptic
elliptic
broad elliptic
very broad elliptic

Prunus armeniaca* L.**Fruit size***

small
medium
large

Fruit : depth of pedicel cavity

shallow
medium
deep

Fruit : ground colour of skin

white
cream to yellow
light orange
orange
dark orange

Fruit : colour of flesh

white
cream
light orange
orange
dark orange

Time of beginning of flowering (when tree presents some fully opened flowers)

early
medium
late

Time of maturity

very early
early
medium
late
very late

Prunus avium* L. and *Prunus cerasus* L.**Time of flowering***

very early
early
medium
late
very late

Fruit : size

very small
small
medium
large
very large

Fruit : colour of skin

yellow
orange red
vermilion on a pale yellow ground colour
vermilion
mahogany
black

Fruit : time of maturity

very early
early
medium
late
very late

Prunus domestica* L.**Fruit : size (on physiologically ripe fruits)***

very small
small
medium
large
very large

Fruit: general shape in profile (on physiologically ripe fruit)

rounded flattened
rounded
oblong
elongated

Fruit: ground colour of skin (including its bloom; on physiologically ripe fruit)

whitish (transparent)
green
yellowish green
yellow
orange yellow
red
purple
violet blue

Fruit: colour of flesh (on physiologically ripe fruit)

whitish
yellow
yellowish green
green
orange
red

Stone: adherence to the flesh (on physiologically ripe fruit)

non-adherent
semi-adherent
adherent

Stone: size relative to fruit (on physiologically ripe fruit)

small
medium
large

Season of ripening

very early
early
medium
late
very late

*Prunus persica (L.) Batsch.**Tree: type*

normal
spur

Flowering shoot: anthocyanin coloration

absent
present

Time of beginning of flowering

very early
early
medium
late
very late

Flower: shape

rosaceous
complanate

Petal: size

very small
small
medium
large
very large

Petiole: nectaries

absent
present

Petiole: shape of nectaries

round
kidney-shaped

Fruit: pubescence

absent
present

Fruit: ground of flesh

white
yellow to orange yellow
red

Stone: adherence to flesh

absent
present

Time of maturity

very early
early
medium
late
very late

*Prunus Salicina L.**Fruit: size*

very small
small
medium
large
very large

Fruit: ground colour of skin

whitish (transparent)
green
yellowish green
yellow
orange to yellow
red
purple
violet blue
dark blue

Fruit: colour of flesh

whitish
yellow
yellowish to green
green
orange
red

Time of flowering

very early
early
medium
late
very late

Time of ripening

very early
early
medium
late
very late

Pyrus communis* L.**Time of flowering (date of full flower)***

very early
early
medium
late
very late

Fruit: size

very small
small
medium
large
very large

Fruit: shape in profile (in longitudinal section)

concave
straight
convex

Fruit: length relative to maximum diameter

very short
short
intermediate
elongate
very elongate

Fruit: ground colour of skin (at maturity)

green
yellow green
yellow
red

Fruit: length of stalk

short
medium
long

Season of maturity for picking

very early
early
medium
late
very late

***Ribes silvestre* Mert et Koch,
Ribes niveum Lindl. (red and white currant); *Ribes
silvestre*)**

Time of fruit ripening

very early
early
medium
late
very late

Fruit truss: length including stalk

very short
short
medium
long
very long

Berry: size

very small
small
medium
large
very large

Berry: colour

white
whitish yellow
pink
red

Ribes uva crisper* L. (gooseberry)**Plant: shape***

obovoid
globose
transverse ellipsoid

Fruit: size

very small
small
medium
large
very large

Fruit: shape

globose
ellipsoid
pyriform

Fruit: colour

yellow
yellow green
green with white tinge
green
red

Time of fruit ripening

very early
early
medium
late
very late

Ribes nigrum* L. (blackcurrant)**Plant: ratio height/diameter***

low
medium
high

Fruit: size

very small
small
medium
large
very large

Time of fruit ripening

very early
early
medium
late
very late

Rubus subgenus Eubatus Sect. Moriferi and Ursini (black-berry) and hybrids*Plant: growth habit*

erect
 erect to semi-erect
 semi-erect
 semi-erect to rambling
 rambling

Dormant cane: prickles

absent
 present

Fruit: size

very small
 small
 medium
 large
 very large

Time of beginning of ripening

very early
 early
 medium
 late
 very late

Rubus idaeus L. (raspberry)*Plant: number of young shoots*

very few
 few
 medium
 many
 very many

Only varieties whose main fruiting is on the previous year's cane in summer

Dormant cane: colour

greyish brown
 greyish brown to brown
 brown
 brown to purple brown
 purple brown

Fruit: colour

yellow
 pale red
 medium red
 dark red
 orange
 purple
 black

Fruit: size

very small
 small
 medium
 large
 very large

Fruit: ratio length/width

as long as broad
 longer than broad
 much longer than broad

Main fruiting:

on previous year's cane in summer
 on current year's cane in autumn

Time of ripening on previous year's canes

very early
 early
 medium
 late
 very late