

## SCHEDULE 9

Article 2(1)

### Requirements for plant passports

#### PART A

##### Requirements for plants passports for any relevant material in Schedule 6 or 7

1. A plant passport may only be issued in respect of relevant material that has been the subject of a satisfactory inspection at its place of production.

##### Commencement Information

**I1** Sch. 9 Pt. A para. 1 in force at 3.10.2005, see [art. 1\(1\)](#)

2. Subject to Part B, a plant passport shall comprise either an official label or an official label together with a document of a kind normally used for trade purposes, containing the information specified in paragraph 5 or (as the case may be) 6.

##### Commencement Information

**I2** Sch. 9 Pt. A para. 2 in force at 3.10.2005, see [art. 1\(1\)](#)

3. The references in paragraph 1 above to an official label are references to a label which—

- (a) has not been previously used and is made of a material suitable for its purpose, and
- (b) in the case of an adhesive label, is in a form approved for use as an official label by the Secretary of State, for plant passports issued in England, or by the authority with responsibility for such authorisation for plant passports in other member States.

##### Commencement Information

**I3** Sch. 9 Pt. A para. 3 in force at 3.10.2005, see [art. 1\(1\)](#)

4.—(1) The information contained in a plant passport shall be—

- (a) given in at least one of the official languages of the European Community, and
- (b) printed, except where it would not reasonably be practicable to do so.

(2) Where the information is printed, it shall be printed in block capitals.

(3) Where the information is not printed, it shall be given in typescript or written in block capitals.

##### Commencement Information

**I4** Sch. 9 Pt. A para. 4 in force at 3.10.2005, see [art. 1\(1\)](#)

5. Where a plant passport comprises only an official label, it shall contain the information specified in paragraph 7.

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#### Commencement Information

**I5** Sch. 9 Pt. A para. 5 in force at 3.10.2005, see [art. 1\(1\)](#)

6. Where the plant passport comprises an official label and an additional document—
- (a) the official label shall contain at least the information specified in sub-paragraphs (a)–(e) of paragraph 7, and
  - (b) the additional document shall contain all the information specified in paragraph 7, and may also contain, clearly separate from that information, any other information relevant for the purpose of labelling the material to which the plant passport relates and which is set out in Article 2(1) of Commission Directive [1999/66/EC](#) setting out requirements as the the label or other document made out by the supplier pursuant to Council Directive [98/56/EC\(1\)](#), Article 8(1) of Commission Directive [1993/48/EEC](#) setting out the schedule indicating the conditions to be met by fruit plant propagating material and fruit plants intended for fruit production pursuant to Council Directive [92/34/EEC\(2\)](#) or Article 6(1) of Commission Directive [1993/61/EEC](#) setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seeds, pursuant to Council Directive [92/33/EEC\(3\)](#).

#### Commencement Information

**I6** Sch. 9 Pt. A para. 6 in force at 3.10.2005, see [art. 1\(1\)](#)

7. The information referred to in paragraph 5 and 6 above shall be—
- (a) the title “EC-plant passport” or, until 31st December 2005 “EEC-plant passport”;
  - (b) the code for the member State in which the plant passport was issued;
  - (c) the name or code for the responsible official body of the member State in which the plant passport was issued;
  - (d) the registration number of the producer, importer or other person who is authorised to issue the plant passport or to whom the plant passport is issued;
  - (e) the week number of the date when the plant passport is attached to the material, or a serial or batch number identifying that material;
  - (f) the botanical name in Latin of the material to which the plant passport relates;
  - (g) the quantity of the material to which the plant passport relates (number of plants, plant products, volume or weight);
  - (h) where the relevant material fulfils the requirements for a protected zone, the marking “ZP” and the code for the protected zone;
  - (i) in the case of a replacement plant passport, the marking “RP” and where appropriate the registration number of the producer or importer who was authorised to issue the original plant passport or to whom the original plant passport was issued; and
  - (j) in the case of material originating in a third country, the name of the country of origin of the material or (if appropriate) the country from which the material was consigned to England.

(1) OJNo. L 164, 30.6.1999, p.76.

(2) OJ No. L 250, 7.10.1993, p.1.

(3) OJ No. L 250, 7.10.1993, p.19.

**Commencement Information**

**I7** Sch. 9 Pt. A para. 7 in force at 3.10.2005, see [art. 1\(1\)](#)

## PART B

### Requirements for plant passports permitted for certain material in Schedule 6 or 7

1. A plant passport in respect of any relevant material referred to in paragraph 2, 3, 4 or 5 may comprise an official label which complies with the requirements specified in the paragraph in which the reference is made.

**Commencement Information**

**I8** Sch. 9 Pt. B para. 1 in force at 3.10.2005, see [art. 1\(1\)](#)

2. The official label in paragraph 1 in respect of tubers of *Solanum tuberosum* L., intended for planting, shall—

- (a) comply with the requirements in Article 13(1)(a) of Council Directive [2002/56/EC](#) on the marketing of seed potatoes<sup>(4)</sup>;
- (b) from 1st January 2006, contain the title “EC plant passport”; and
- (c) where the tubers are intended to be consigned to another part of the European Community, provides evidence that they have been officially examined to ensure that they comply with the requirements in item 18.1 of Section II of Part A of Annex IV to Directive [2000/29/EC](#).

**Commencement Information**

**I9** Sch. 9 Pt. B para. 2 in force at 3.10.2005, see [art. 1\(1\)](#)

3. The official label in paragraph 1 in respect of seeds of *Helianthus annuus* L., shall—

- (a) comply with the requirements in Article 12(1)(a) of Council Directive [2002/57/EC](#) on the marketing of seed of oil and fibre plants<sup>(5)</sup>;
- (b) from 1st September 2005, contain the title “EC plant passport”; and
- (c) where the seeds are intended to be consigned to another part of the European Community, provides evidence that they have been officially examined to ensure that they comply with the requirements in item 26 of Section II of Part A of Annex IV to Directive [2000/29/EC](#).

**Commencement Information**

**I10** Sch. 9 Pt. B para. 3 in force at 3.10.2005, see [art. 1\(1\)](#)

4. The official label in paragraph 1 in respect of seeds of *Lycopersicon lycopersicum* (L.) Karsten ex Farw. or *Phaseolus* L., shall—

<sup>(4)</sup> OJ No. L 193, 20.7.2002, p.60, to which there are amendments not relevant to this Order.

<sup>(5)</sup> OJ No. L193, 20.7.2002, p.74; amended by Council Directives OJ No. L 195, 24.7.2002, p. 32. OJ No. L 138, 5.6.2003, p. 40 and OJ No. L 14, 18.1.2005, p.18, there is another amending Directive which is not relevant.

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- (a) comply with the requirements in Article 28(1)(a) of Council Directive [2002/55/EC](#) on the marketing of vegetable seed<sup>(6)</sup>;
- (b) from 1st September 2005, contain the title “EC plant passport”; and
- (c) where the seeds are intended to be consigned to another part of the European Community, provides evidence that they have been officially examined to ensure that they comply with the requirements in item 27 or 29 as the case may be of Section II of Part A of Annex IV to Directive [2000/29/EC](#).

**Commencement Information**

**I11** Sch. 9 Pt. B para. 4 in force at 3.10.2005, see [art. 1\(1\)](#)

5. The official label in paragraph 1 in respect of seeds of *Medicago sativa* L., shall—
- (a) comply with the requirements in Article 10(1)(a) of Council Directive [66/401/EEC](#) on the marketing of fodder plant seed<sup>(7)</sup>;
  - (b) from 1st September 2005, contain the title “EC-plant passport”; and
  - (c) where the seeds are intended to be consigned to another part of the EC, provides evidence that they have been officially examined to ensure that they comply with the requirements in items 28.1 and 28.1 of Section II of Part A of Annex IV to Directive [2000/29/EC](#).

**Commencement Information**

**I12** Sch. 9 Pt. B para. 5 in force at 3.10.2005, see [art. 1\(1\)](#)

(6) OJ No. L193, 20.7.2002, p.33; amended by the Act concerning the Conditions of Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, OJ No. L 236, 23.9.2003, p 820, 828 and 910 and Council Directive OJ No. L 14, 18.1.2005, p.18; there are other amending Directives but none is relevant.

(7) OJ No. P125, 11.7.1966, p.2298; as last amended by Commission Directive [2004/55/EC](#) OJ No. L 114, 21.4.2004, p.18.

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**Changes and effects yet to be applied to :**

- Sch. 9 Pt. A para. 7(i) words substituted by [S.I. 2006/2307 art. 2\(24\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Order revoked by [S.I. 2015/610 art. 49\(1\)](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 7A inserted by [S.I. 2008/2411 art. 2\(5\)](#)
- Pt. 7A omitted by [S.I. 2014/979 art. 4\(1\)](#)
- Sch. 1 Pt. C inserted by [S.I. 2014/2385 art. 14\(3\)](#)
- Sch. 5 Pt. A para. 2A inserted by [S.I. 2013/2687 art. 11](#)
- Sch. 5 Pt. A para. 2A substituted by [S.I. 2014/2385 art. 17\(1\)\(c\)](#)
- Sch. 5 Pt. A para. 2(e)-(j) substituted for 2(e)-(f) by [S.I. 2014/2385 art. 17\(1\)\(b\)](#)
- Sch. 6 Pt. A para. 7(ca) inserted by [S.I. 2009/587 art. 2\(10\)](#)
- Sch. 6 Pt. A para. 3B inserted by [S.I. 2013/1477 art. 11\(a\)](#)
- Sch. 6 Pt. A para. 1011 inserted by [S.I. 2013/1477 art. 11\(c\)](#)
- Sch. 6 Pt. B para. A1-A3 inserted by [S.I. 2014/2385 art. 18\(2\)](#)
- Sch. 6 Pt. A para. 8 substituted by [S.I. 2013/1477 art. 11\(b\)](#)
- Sch. 6 Pt. A para. 8 word substituted by [S.I. 2014/2385 art. 18\(1\)\(c\)](#)
- Sch. 7 Pt. A para. 3B inserted by [S.I. 2013/1477 art. 12\(a\)](#)
- Sch. 7 Pt. A para. 1011 inserted by [S.I. 2013/1477 art. 12\(c\)](#)
- Sch. 8 Pt. A para. 5(ea) inserted by [S.I. 2012/697 reg. 4\(2\)\(b\)](#)
- Sch. 16 para. 10(b)(c) substituted by [S.I. 2007/1893 art. 2\(6\)\(g\)](#)
- Sch. 16 para. 12(b)-(d) substituted for Sch. 16 para. (b)(c) by [S.I. 2007/1893 art. 2\(6\)\(i\)\(ii\)](#)
- Sch. 17 Pt. A para. 14(aa) inserted by [S.I. 2007/1893 art. 2\(7\)\(i\)](#)
- Sch. 17 Pt. B para. 6(a)(iv) inserted by [S.I. 2007/1893 art. 2\(8\)\(d\)](#)
- Sch. 17 Pt. A para. 10(b)(c) substituted by [S.I. 2007/1893 art. 2\(7\)\(f\)\(ii\)](#)
- Sch. 17 Pt. A para. 10(a)(ii)(aa) words substituted by [S.I. 2007/1893 art. 2\(7\)\(f\)\(i\)](#)
- art. 5(1A) inserted by [S.I. 2014/2385 art. 4\(b\)](#)
- art. 12(2)(aa) inserted by [S.I. 2006/2307 art. 2\(4\)\(a\)](#)
- art. 12(2)(aa) substituted by [S.I. 2013/1477 art. 5\(a\)](#)
- art. 12(2)(cc) inserted by [S.I. 2006/2307 art. 2\(4\)\(b\)](#)
- art. 12(2)(cc) substituted by [S.I. 2013/1477 art. 5\(c\)](#)
- art. 12(2)(cc) word substituted by [S.I. 2014/2385 art. 6\(b\)](#)
- art. 19(1A) inserted by [S.I. 2014/2385 art. 7\(b\)](#)
- art. 19(3) inserted by [S.I. 2008/2411 art. 2\(3\)](#)
- art. 19(3)-(5) substituted for art. 19(3) by [S.I. 2012/3033 art. 2\(2\)](#)
- art. 19(5) substituted by [S.I. 2013/23 art. 2\(2\)](#)
- art. 19(6)-(8) inserted by [S.I. 2013/23 art. 2\(3\)](#)
- art. 19(6) substituted by [S.I. 2014/979 art. 3\(1\)](#)
- art. 19(6)(a) words inserted by [S.I. 2013/2687 art. 5\(a\)](#)
- art. 19(6)(b) words inserted by [S.I. 2013/2687 art. 5\(b\)](#)
- art. 19(8) substituted by [S.I. 2014/979 art. 3\(2\)](#)
- art. 20(1)(a)(aa) substituted for art. 20(1)(a) by [S.I. 2014/2385 art. 8](#)
- art. 21(8)(9) inserted by [S.I. 2013/2687 art. 6](#)
- art. 21(8) substituted for art. 21(8)(9) by [S.I. 2014/2385 art. 9](#)
- art. 22(1)(1A) substituted for art. 22(1) by [S.I. 2013/2687 art. 7](#)

- art. 22(3)(4) inserted by S.I. 2013/1477 art. 6
- art. 22(4) substituted by S.I. 2014/2385 art. 10(b)
- art. 24(5) added by S.I. 2006/2307 art. 2(6)
- art. 24(5) words inserted by S.I. 2013/2687 art. 8
- art. 42(1A) inserted by S.I. 2006/2307 art. 2(8)(b)
- art. 42(2)(bb) inserted by S.I. 2014/2385 art. 13
- art. 43(1A) inserted by S.I. 2006/2307 art. 2(9)(b)
- art. 44A inserted by S.I. 2012/697 reg. 3(1)
- art. 45(1)(a)(viA) inserted by S.I. 2006/2307 art. 2(10)(a)
- art. 45(1)(a)(xiB) inserted by S.I. 2008/2411 art. 2(7)
- art. 45(1)(a)(xiva) inserted by S.I. 2012/697 reg. 3(2)(a)(ii)
- art. 45(1)(a)(xiA) words inserted by S.I. 2006/2307 art. 2(10)(b)
- art. 45(1)(a)(xiii)-(xv) substituted for art. 45(1)(a)(xiii)(xiv) by S.I. 2010/1510 art. 6
- art. 45(4A) inserted by S.I. 2012/697 reg. 3(2)(b)