Commission Directive 93/61/EEC of 2 July 1993 setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seed pursuant to Council Directive 92/33/EEC

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 92/33/EEC of 28 April 1992 on the marketing of vegetable propagating and planting material, other than seed[(1)], and in particular Article 4 thereof,

Whereas, in applying the provisions of this Directive, it is appropriate to take into account the production cycles of the various materials;

Whereas, the conditions laid down in this Directive may be regarded as the minimum standard acceptable at this stage, regard being had to the current production conditions in the Community; whereas they will progressively be developed and refined in order ultimately to achieve high standards of quality;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1 This Directive establishes the schedules referred to in Article 4 of Directive 92/33/EEC and sets out requirements as to labelling referred to in Article 11 of that Directive.

2 The schedules apply to the growing crop and vegetable propagating material (including rootstock), and planting material derived therefrom, of all the genera and species referred to in Annex II to Directive 92/33/EEC, and to rootstocks of other genera and species referred to in Article 4 of that Directive, irrespective of the propagation system applied, the abovementioned items being hereinafter collectively referred to as ‘the material’.

3 The provisions of this Directive shall apply progressively, account being taken of the production cycles of the material referred to in paragraph 2.

Article 2

The material shall, where applicable, comply with the relevant plant health conditions laid down in Council Directive 77/93/EEC[(2)].

Status: *EU Directives are being published on this site to aid cross referencing from UK legislation. After exit day no further amendments will be applied to this version.*

[F1 Article 3

The vegetable propagating and planting material shall, at least on visual inspection, be found at the place of production to be practically free from all pests listed in the Annex, with regard to the respective propagating and planting material.

The presence of regulated non-quarantine pests (RNQPs) on vegetable propagating and planting material that is marketed shall, at least upon visual inspection, not exceed the respective thresholds set out in the Annex.

The vegetable propagating and planting material shall upon visual inspection be found to be practically free from any pests, other than the pests listed in the Annex with regard to the respective propagating and planting material, which reduce the usefulness and quality of the vegetable propagating and planting material.

The vegetable propagating and planting material shall also comply with the requirements concerning Union quarantine pests, protected zone quarantine pests and regulated non-quarantine pests provided for in Regulation (EU) 2016/2031[(3)] and in the implementing acts adopted pursuant to that Regulation, including with the measures adopted pursuant to Article 30(1) of that Regulation.**]**

Textual Amendments

F1 Substituted by Commission Implementing Directive (EU) 2020/177 of 11 February 2020 amending Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/55/EC, 2002/56/EC and 2002/57/EC, Commission Directives 93/49/EEC and 93/61/EEC and Implementing Directives 2014/21/EU and 2014/98/EU as regards pests of plants on seeds and other plant reproductive material (Text with EEA relevance).

Article 4

The material shall have identity and purity in respect of genera or species and shall also have sufficient varietal identity and varietal purity.

Article 5

1 The material shall be substantially free from defects likely to impair its quality as propagating or planting material.

2 The vigour and dimensions of the material shall be satisfactory in respect of its usefulness as vegetable propagating and planting material. Furthermore, an appropriate balance shall be assured between the roots, stems and leaves.

Article 6

1 The supplier's document referred to in Article 11 of Directive 92/33/EEC shall be of suitable material which has not previously been used and shall be printed in at least one of the official languages of the Community. It shall contain the following information headings:

(i) indication ‘EEC quality’

(ii) indication of EEC Member State code;

(iii) indication of responsible official body or its distinguishing code;

(iv) registration or accreditation number;

(v) name of supplier;

(vi) individual serial, week or batch number;

(vii) date of issue of the supplier's document;

(viii) reference number of seed lot in the case of young plants raised direct from seeds marketed pursuant to Council Directive 70/458/EEC[(4)]. Alternatively this reference number shall be made available, on request, to the responsible official body;

(ix) common name, or where the material is accompanied by a plant passport in accordance with Commission Directive 92/105/EEC[(5)], botanical name;

(x) denomination of the variety. In the case of rootstock, denomination of the variety or its designation;

(xi) quantity;

(xii) in the case of imports from third countries pursuant to Article 16 (2) of Directive 92/33/EEC, the name of the country of harvesting.

2 Where the material is accompanied by a plant passport in accordance with Directive 92/105/EEC, the plant passport may, if the supplier so wishes, constitute the supplier's document referred to in paragraph 1. Nonetheless, the remark ‘EEC-quality’ and an indication as to the responsible official body under Directive 92/33/EEC must be given, together with a reference to the denomination of the variety. In the case of imports from third countries under Article 16 (2) of Directive 92/33/EEC, the name of the country of harvesting must also be given. This information may be on the same document as the plant passport but must be clearly separated.

Article 7

1 Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 31 December 1993. They shall forthwith inform the Commission thereof.

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

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

Article 8

This Directive is addressed to the Member States.