

REGULATION No. 3 OF 25 FEBRUARY 2010 ON THE MARKETING OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS INTENDED FOR FRUIT PRODUCTION ON THE MARKET OF THE EUROPEAN UNION

Issued by the Minister of Agriculture and Food

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Chapter One GENERAL PROVISIONS

Article 1. (1) (Effective date 31.03.2010) This Regulation shall apply to:

1. the marketing of fruit plant propagating material and fruit plants intended for fruit production on the market of the European Union;
2. the categories of fruit plant propagating material and fruit plants;
3. the control of fruit plant propagating material and fruit plants by the official authorities for the purposes of certification and control of CAC (standard) material;
4. the requirements for spatial isolation, varietal identity and purity, quality and health condition of the fruit plant material;
5. the requirements to producers and traders of fruit plant propagating material and fruit plants;
6. the conditions under which the fruit plant material is placed on the market;
7. the importation of fruit plant material from third countries;
8. the control of the fruit plant material placed on the market.

(2) (Effective date 30.09.2012, amended, SG No. 95/2016, effective date 1.01.2017 г.) This Regulation shall apply to fruit plant propagating material and fruit plants intended for fruit production from the varieties of the fruit plant genera and species listed in Annex No. 1, including hybrids.

(3) (Effective date 30.09.2012, amended, No. 95/2016, effective date 1.01.2017) This It shall also apply to rootstocks and other parts of fruit plants of other genera or species than those listed in Annex No. 1 or their hybrids, if material of genera or species listed in Annex No. 1 or their hybrids is grafted or is to be grafted onto them.

(4) (Effective date 30.09.2012, amended, No. 95/2016, effective date 1.01.2017) This Regulation shall apply without prejudice to the phytosanitary rules laid down by Regulation No. 8 of 2015 on phytosanitary control (SG, No. 19/2015).

Article 2. (Effective date 31/03/2010) (1) This Regulation shall not apply to fruit plant propagating material or fruit plants shown to be intended for export to third countries, provided they are identified and marked as such and kept isolated.

(2) The conditions for the implementation of paragraph 1 with regard to the identification and isolation of the material shall be adopted with an act of the European Commission (EC).

Chapter Two CATEGORIES OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS

Article 3. (Effective date 30/09/2012) (1) The fruit plant propagating material intended for the production of planting material shall include all plant propagating material, cuttings, rootstocks, scions and seeds.

(2) The fruit plant material referred to in paragraph 1 shall include also fruit plants intended for fruit production.

(3) The marketed fruit plants referred to in paragraph 2 shall be intended for planting or replanting permanently.

Article 4. (Effective date 30/09/2012) (1) Fruit plant propagating material and fruit plants shall be produced from the categories referred to in paragraphs 2 through 5 respectively.

(2) Pre-basic fruit plant material is propagating material which:

1. has been produced, according to generally accepted methods, for the maintenance of the identity of the variety including the relevant pomological characteristics and for the prevention of diseases;

2. is intended for the production of basic material or certified material other than fruit plants intended for fruit production;

3. satisfies the requirements for pre-basic material established pursuant to Article 7(1)(2) and Article 7(2);

4. has been found by official inspection carried out by the Executive Agency for Variety Testing, Field Inspection and Seed Control (IASAS) to satisfy the conditions in subparagraphs 1 through 3.

(3) Basic fruit plant material is propagating material which:

1. has been produced either directly or (in a known number of stages) in a vegetative way from pre-basic material, according to generally accepted methods, for the maintenance of the identity of the variety including the relevant pomological characteristics and for the prevention of diseases;

2. is intended for the production of certified material;

3. satisfies the requirements for basic material established pursuant to Article 7(1)(2) and Article 7(2);

4. has been found by official inspection carried out by the IASAS to satisfy the conditions in subparagraphs 1 through 3.

(4) Certified fruit plant material is:

1. propagating material which:

(a) has been produced directly in a vegetative way from basic material or pre-basic material or, if intended to be used for the production of rootstocks, also by certified seeds from basic or certified material of rootstocks;

(b) is intended for the production of fruit plants;

(c) satisfies the requirements for certified material established pursuant to Article 7(1)(2) (except for item (b)) and Article 7(2);

(d) has been found by official inspection carried out by the IASAS to satisfy the conditions in subparagraphs 1 and 2.

2. fruit plants which:

(a) have been produced directly from certified, basic or pre-basic propagating material;

(b) are intended for the production of fruits;

(c) satisfy the requirements for certified material established pursuant to Article 7(1)(2) (except for item (b)) and Article 7(2);

(d) have been found by official inspection carried out by the IASAS to satisfy the conditions in subparagraphs 1 and 3.

(5) CAC (standard) material is propagating material, including fruit plants intended for fruit production, which:

1. have varietal identity and adequate varietal purity;

2. are intended for:

(a) the production of propagating material, including fruit plants; and/or

(b) the production of fruit plants intended for fruit production;

3. satisfies the requirements for CAC (standard) material established pursuant to Article 7(1)(1) and Article 7(2) and (4).

(6) (New, SG No. 95/2016, effective date 1.01.2017) Propagating material that fulfils the requirements of a certain category shall not be mixed with material of other categories.

Article 4a. (New, SG No. 95/2016, effective date 1.01.2017) (1) Propagating material, other than mother plants and other than rootstocks not belonging to a variety, shall, on request, be officially certified as pre-basic material if it has been found to fulfil the following requirements:

1. it has been derived directly from a parent plant pursuant to Article 4g;
2. it is true to the description of the variety, in accordance with Article 4e;
3. it is maintained pursuant to Article 4f;
4. it complies with the phytosanitary requirements of Article 5b;
5. where the Commission has granted a derogation pursuant to Article 4f(5) to grow pre-basic mother plants and pre-basic material in the field under non-insect proof conditions, the soil complies with Article 7a;
6. it complies with Article 7 (5) and (7) concerning defects.

(2) The mother plant referred to in paragraph (1)(1) shall either have been accepted in accordance with Article 4c, or have been obtained by vegetative multiplication or micropropagation in accordance with Article 4g.

(3) Where a pre-basic mother plant or pre-basic material no longer fulfils the requirements of Articles 4e, 4f, 5a, 5b, 7(5) and (7) and 7a, the producer shall remove it from the vicinity of other pre-basic mother plants and pre-basic material. That removed mother plant may be used as certified or CAC material provided that it fulfils the requirements set out in this Regulation for the respective categories.

(4) The producer may take appropriate measures to ensure that the mother plant referred to in paragraph 3 complies with the requirements again. In that case, the mother plant shall not be removed from the vicinity of other pre-basic mother plants and pre-basic material.

Article 4b. (New, SG No. 95/2016, effective date 1.01.2017) (1) A rootstock not belonging to a variety, shall, on request, be officially certified as pre-basic material if it is directly propagated, by vegetative or sexual propagation from a mother plant (in the case of sexual propagation pollinating trees (pollenisers) are directly produced by vegetative propagation from a mother plant), it is true to the description of its species, and it complies with the requirements of Article 4a, paragraph 1, subparagraphs 3, 4, 5 and 6.

(2) The mother plant referred to in paragraph (1) shall either have been accepted in accordance with Article 4d, or have been obtained by vegetative multiplication or micropropagation in accordance with Article 4g.

(3) Where a rootstock which is a pre-basic mother plant or pre-basic material no longer fulfils the requirements of Articles 4e, 4f, 5a, 5b, 7(5) and (7) and 7a, the producer shall remove it from the vicinity of other pre-basic mother plants and pre-basic material. That removed rootstock may be used as basic, certified or CAC material provided that it fulfils the requirements set out in this Regulation for the respective categories.

(4) The producer may take appropriate measures to ensure that the rootstock referred to in paragraph 3 complies with the requirements again. In that case, the rootstock shall not be removed from the vicinity of other pre-basic mother plants and pre-basic material.

Article 4c. (New, SG No. 95/2016, effective date 1.01.2017) (1) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall accept a plant as a pre-basic mother plant if it complies with Articles 4e, 4f, 5a, 5b, 7(5) and (7) and 7a, and if its trueness to the description of its variety is established in accordance with paragraphs 3, 4 and 5.

(2) The acceptance referred to in paragraph 1 shall take place on the basis of an official inspection and the testing results, records and procedures pursuant to Article 5, paragraphs 3 through 5.

(3) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall establish the trueness of the pre-basic mother plant to the description of its variety by the observation of

the expression of the characteristics of the variety. That observation shall be based on one of the following elements:

1. the official description for varieties registered in any of the national registers, and for varieties legally protected by a plant variety right;
2. the description given in item 14 of the application pursuant to Annex No. 3 to Article 9(1) of Regulation No. 7 of 2013 setting out the conditions and procedures for variety testing, acceptance, registration and deregistration in the Official Variety List of the Republic of Bulgaria (Promulgated, SG No. 97/2013; Amended, No. 34/2014 and No. 48/2015; Amended and supplemented, SG No. 45/2016), hereinafter referred to as 'Regulation No. 7 of 2013';
3. the description accompanying the application for varieties which are the subject of an application for registration of a plant variety right;
4. the officially recognised description, if the variety subject to that description is registered in a national register.

(4) Where subparagraphs 2 and 3 of paragraph 3 apply, the pre-basic mother plant shall only be accepted if a final report on the technical DUS testing, produced by the IASAS or any other responsible official body in the EU or in a third country, is available proving that the respective variety is distinct, uniform and stable. Pending the registration of the variety, the mother plant concerned and the material produced from it may only be used for the production of basic or certified material and shall not be marketed as pre-basic, basic or certified material.

(5) Where the establishment of the trueness to the description of the variety is only possible on the basis of the characteristics of a fruiting plant, the observation of the expression of the characteristics of the variety shall be carried out on the fruits of a fruiting plant propagated from the pre-basic mother plant. Those fruiting plants shall be kept separate from the pre-basic mother plants and pre-basic material.

(6) The fruiting plants referred to in paragraph 5 shall be visually inspected in the most appropriate periods of the year taking into account climatic and growing conditions of plants of the genera or species concerned.

Article 4d. (New, SG No. 95/2016, effective date 1.01.2017) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall accept a rootstock not belonging to a variety as a pre-basic mother plant if it is true to the description of its species and if it complies with Articles 4f, 5a, 5b, 7(5) and (7) and 7a. That acceptance shall take place on the basis of an official inspection and the testing results, records and procedures used by the supplier pursuant to Article 5, paragraphs 3, 4 and 5.

Article 4e. (New, SG No. 95/2016, effective date 1.01.2017) The Executive Agency for Variety Testing, Field Inspection and Seed Control and, where appropriate, the producer shall regularly verify the trueness of pre-basic mother plants and of pre-basic material to the description of their variety, in accordance with Article 4c(3) and (4), as appropriate for the variety concerned and the propagation method used. They shall, after each renewal, verify the pre-basic mother plants resulting from it.

Article 4f. (New, SG No. 95/2016, effective date 1.01.2017) (1) The producers shall maintain pre-basic mother plants and pre-basic material in facilities, which are designated for the genera or species concerned, and which are insect proof and ensure freedom from infection through aerial vectors and any other possible sources throughout the production process.

(2) Candidate pre-basic mother plants shall be kept under insect proof conditions, and physically isolated from pre-basic mother plants in the facilities referred to in paragraph 1, until all tests concerning compliance with Article 5a(1), (2) and (3) have been concluded.

(3) Pre-basic mother plants and pre-basic material shall be maintained in a manner that ensures that they are individually identified throughout the production process.

(4) Pre-basic mother plants and pre-basic material shall be grown or produced, isolated from the soil, in pots of soil-free or of sterilised growing media. They shall be identified by labels ensuring their traceability.

(5) By way of derogation from paragraphs 1, 2, 3 and 4 an authorisation may be granted to produce pre-basic mother plants and pre-basic material in the field under non-insect proof conditions for specific genera or species. Such material shall be identified by labels to ensure its traceability. That authorisation shall be granted by the European Commission provided that it is ensured that appropriate measures are taken to prevent infection of the plants by aerial vectors, root contact, cross infection by machinery, grafting tools and any other possible sources.

(6) Pre-basic mother plants and pre-basic material may be maintained by cryopreservation.

(7) Pre-basic mother plants may only be used for a period calculated on the basis of the stability of the variety or the environmental conditions under which they are grown and any other determinants having an impact on the stability of the variety.

Article 4g. (New, SG No. 95/2016, effective date 1.01.2017) (1) The producer may carry out multiplication or renewal of the pre-basic mother plant in accordance with Article 4c(1) and (2).

(2) The producer may propagate a pre-basic mother plant to produce pre-basic material.

(3) Multiplication, renewal and planting of pre-basic mother plants shall be carried out in accordance with the protocols of the European and Mediterranean Plant Protection Organization (EPPO), or other protocols which are internationally recognised. Where such protocols do not exist, the relevant protocols established at national level shall be applied. In that case, those protocols shall, on request, be made available to the other Member States and to the Commission.

(4) The relevant genera or species shall have been tested in accordance with the protocols referred to in paragraph 3 for a period of time considered appropriate for those genera or species. That period of time shall be considered appropriate when it allows phenotype validation of the plants as regards the trueness to the description of the variety based on the observation of the fruit production or of the vegetative development of rootstocks.

(5) The producer may only renew the pre-basic mother plant before the end of the period referred to in Article 4f(7).

(6) The multiplication, renewal and propagation by micropropagation of pre-basic mother plants, for the production of other pre-basic mother plants or pre-basic material shall take place in accordance with the protocols set out in paragraphs 3 and 4.

Article 4h. (New, SG No. 95/2016, effective date 1.01.2017) (1) Propagating material, other than basic mother plants and other than rootstocks not belonging to a variety, shall, on request, be officially certified as basic material if:

1. It has been propagated from a basic mother plant produced from pre-basic material or through multiplication of a basic mother plant in accordance with Article 4k;

2. It has been tested in accordance with Article 4e, it is used within the period referred to in Article 4f(7), a visual inspection has been carried out in accordance with Article 7(5), and it complies with the phytosanitary requirements pursuant to Article 4i, the soil requirements pursuant to Article 7a, the maintenance requirements pursuant to Article 4j and the requirements for seedlings pursuant to Article 4k.

(2) Where a pre-basic mother plant or pre-basic material no longer fulfils the requirements of Articles 4e, 4f(3) and (7), 7(5) and (7), 4h and 7a, the producer shall remove it from the vicinity of other basic mother plants and basic material. That removed mother plant or material may be used as certified or CAC material provided that it fulfils the requirements for the respective categories. The producer may decide not to remove the mother plant or material provided that appropriate measures are taken to ensure that the plant or material complies with the requirements again.

(3) A rootstock not belonging to a variety shall, on request, be subject to official certification as basic material if it is true to the description of its species, complies with the requirements for maintenance and period of use pursuant to Article 4f(3) and (7), a visual inspection has been carried out in accordance with Article 7(5), and it complies with the phytosanitary requirements pursuant to Article 4i, the soil requirements pursuant to Article 7a, the maintenance requirements pursuant to Article 4j and the requirements for seedlings pursuant to Article 4k.

(4) Where a rootstock not belonging to a variety is a basic mother plant or basic material that no longer fulfils the requirements of Article 4f(3) and (7), Article 7(5) and (7) and Articles 4i and 7a, the producer shall remove it from the vicinity of other basic mother plants and basic material. That removed rootstock may be used as certified or CAC material provided that it fulfils the requirements set out in this Directive concerning the respective categories. The producer may decide not to remove the rootstock provided that appropriate measures are taken to ensure that the plant or material complies with the requirements again.

Article 4i. (New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020) (1) A pre-basic mother plant or pre-basic material shall, by visual inspection in the facilities, fields and lots, be found free from the regulated non-quarantine pests (RNQPs), listed in Annexes Nos. 3 and 4, and subject to the requirements of Annex No. 5, as regards the genus or species concerned. The visual inspection shall be carried out by the IASAS and, where appropriate by the producer.

(2) The Executive Agency for Variety Testing, Field Inspection and Seed Control and, where appropriate the producer, shall carry out sampling and testing of the basic mother plant or basic material for the RNQPs listed in Annex No. 4, and subject to the requirements of Annex No. 5, with regard to the genus or species concerned and category.

(3) In case of doubts concerning the presence of the RNQPs listed in Annex No. 3, the BFSA and, where appropriate, the producer shall carry out sampling and testing of the basic mother plant or basic material concerned.

(4) As regards sampling and testing pursuant to paragraph 1, protocols of the European and Mediterranean Plant Protection Organisation (EPPO), or other protocols which are internationally recognised shall be applied. Where such protocols do not exist, the relevant protocols established at national level shall be applied. In that case, Member States shall, on request, make available those protocols to the other Member States and to the Commission. The Bulgarian Food Safety Agency and, where appropriate, the producer shall send the samples to laboratories which have been officially recognised by the BFSA.

(5) In the case of a positive test result for any of the RNQPs, listed in Annexes Nos. 3 and 4, as regards the genus or species concerned, the producer shall remove the infested basic mother plant or basic material from the vicinity of other basic mother plants and basic material pursuant to Article 4h(2) or Article 4h(4), or take appropriate measures pursuant to Annex No. 5.

(6) The measures to ensure compliance with the requirements of paragraph 1 are set out in Annex No. 5, with regard to the genus or species concerned and category.

(7) Paragraph 1 shall not apply to basic mother plants and basic material during cryopreservation.

Article 4j. (New, SG No. 95/2016, effective date 1.01.2017) (1) Basic mother plants and basic material shall be maintained in fields isolated from potential sources of infection by aerial vectors, root contact, cross infection by machinery, grafting tools and any other possible sources.

(2) The isolation distance of the fields referred to in paragraph 1 shall depend on regional circumstances, the type of propagating material, the presence of pests in the area concerned and the relevant risks involved as set out by the responsible official body based on official inspection.

Article 4k. (New, SG No. 95/2016, effective date 1.01.2017) (1) The basic mother plants which are grown from pre-basic material within the meaning of Article 4h(1)(1) may be multiplied in a

number of generations to obtain the necessary number of basic mother plants. Basic mother plants shall be propagated through multiplication or micropropagation in accordance with Article 4g. The maximum permitted number of generations, and the maximum permitted life span of basic mother plants, shall be as set out in Annex No. 2 for the relevant genera or species.

(2) Where multiple generations of basic mother plants are permitted, each generation, other than the first one, may derive from any previous generation.

(3) Propagating material of different generations shall be kept separately.

Article 4l. (New, SG No. 95/2016, effective date 1.01.2017) (1) Propagating material, other than mother plants, and fruit plants shall, on request, be officially certified as certified material if:

1. they are grown from a certified mother plant produced from pre-basic or basic material;

2. they fulfil the requirements set out in Articles 4e, 4f(7), 4m, 7(5) and (7) and 7a;

3. they fulfil the soil requirements set out in Article 7a.

(2) A rootstock not belonging to a variety, shall, on request, be officially certified as certified material if it is true to the description of its species, and it fulfils the requirements set out in Articles 4f(7), 4m, 7(5) and (7) and 7a.

(3) Where a certified mother plant or certified material no longer fulfils the requirements of Article 4e, 4f(7), 4m, 7(5) and (7) and 7a, the supplier shall remove it from the vicinity of other certified mother plants and certified material. That removed mother plant or material may be used as CAC material provided that it fulfils the requirements set out in Articles 4n through 4p and Articles 5c and 7(6) and (7). The producer may decide not to remove the mother plant or material provided that appropriate measures are taken to ensure that the plant or material complies with the requirements again.

(4) Where a rootstock not belonging to a variety is a certified mother plant or certified material that no longer fulfils the requirements of Articles 4f(7), 4m, 7(5) and (7) and 7a, the supplier shall remove it from the vicinity of other certified mother plants and certified material. That removed mother plant or material may be used as CAC material provided that it fulfils the requirements set out in Articles 4n through 4p and Articles 5c and 7(6) and (7). The producer may decide not to remove the rootstock provided that appropriate measures are taken to ensure that the plant or material complies with the requirements again.

Article 4m. (New, SG No. 95/2016, effective date 1.01.2017; Amended, No. 63/2020, effective date 17.07.2020) (1) A certified mother plant or certified material shall, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in Annexes Nos. 3 and 4, and subject to the requirements of Annex No. 5, as regards the genus or species concerned. The visual inspection shall be carried out by the IASAS and, where appropriate by the producer.

(2) The Executive Agency for Variety Testing, Field Inspection and Seed Control and, where appropriate, the producer, shall carry out sampling and testing of the basic mother plant or basic material for the RNQPs listed in Annex No. 4, and subject to the requirements of Annex No. 5, with regard to the genus or species concerned and category.

(3) In case of doubts concerning the presence of the RNQPs listed in Annex No. 3, the BFSA and, where appropriate, the producer shall carry out sampling and testing of the certified mother plant or certified material concerned.

(4) As regards sampling and testing pursuant to paragraph 1, protocols of the European and Mediterranean Plant Protection Organisation (EPPO), or other protocols which are internationally recognised shall be applied. Where such protocols do not exist, the relevant protocols established at national level shall be applied. In that case, Member States shall, on request, make available those protocols to the other Member States and to the Commission. The Bulgarian Food Safety Agency and, where appropriate, the producer shall send the samples to laboratories which have been officially recognised by the BFSA.

(5) In the case of a positive test result for any of the RNQPs, listed in Annexes Nos. 3 and 4, as regards the genus or species concerned, the producer shall remove the infested certified mother

plant or certified material from the vicinity of other certified mother plants and certified material pursuant to Article 4l(3) or 4l(4), or take appropriate measures pursuant to Annex No. 5.

(6) The measures to ensure compliance with the requirements of paragraph 1 are set out in Annex No. 5, with regard to the genus or species concerned and category.

(7) Paragraph 1 shall not apply to certified mother plants and certified material during cryopreservation.

Article 4n. (New, SG No. 95/2016, effective date 1.01.2017) (1) CAC material other than rootstocks not belonging to a variety may be marketed only if it has been tested by the producer and found compliant with the following requirements:

1. it is propagated from an identified source of material recorded by the supplier;
2. it is true to the description of the variety, in accordance with Article 4p;
3. it complies with the phytosanitary requirements of Article 5c;
4. it complies with Article 7(6) and (7) concerning defects.

(2) Where the CAC material no longer fulfils the requirements of paragraph 1, the producer shall:

1. remove that material, from the vicinity of any other CAC material; or
2. take appropriate measures to ensure that material complies with those requirements again.

Article 4o. (New, SG No. 95/2016, effective date 1.01.2017) (1) In the case of rootstocks not belonging to a variety, the CAC material shall comply with the following requirements as tested by the producer:

1. it is true to the description of its species;
2. it complies with the phytosanitary requirements of Article 5c;
3. it complies with Article 7(6) and (7) concerning defects.

(2) Where the CAC material no longer fulfils the requirements of paragraph 1, the producer shall:

1. remove that material, from the vicinity of other CAC material; or
2. take appropriate measures to ensure that material complies with those requirements again.

Article 4p. (New, SG No. 95/2016, effective date 1.01.2017) (1) The trueness of CAC material to the description of its variety shall be established by the observation of the expression of the characteristics of the variety. That observation shall be based on one of the following elements:

1. the official description for registered varieties and for varieties legally protected by a plant variety right; or
2. the description accompanying the application for varieties which are the subject of an application for registration in accordance with Article 19 of Regulation No. 7 of 2013;
3. the description accompanying the application for a plant variety right;
4. the officially recognised description of a variety as referred to in Article 10, paragraph 3, subparagraphs 3 and 4.

(2) The trueness of the CAC material to the description of its variety, shall be regularly verified through the observation of the expression of the characteristics of the variety in the CAC material concerned.

Chapter Three

CONTROL OF FRUIT PLANT MATERIAL BY THE OFFICIAL AUTHORITIES FOR CERTIFICATION PURPOSES CONTROL OF CAC MATERIAL

Article 5. (Effective date 31.03.2010) (1) (Amended, SG No. 95/2016, effective date 1.01.2017) Fruit plant propagating material and fruit plants shall be subject to control in the Republic of Bulgaria through official inspections (control) carried out by the IASAS and the Bulgarian Food Safety Agency (BFS) in accordance with Articles 3, 4 and 5 of the Seed and Propagating Material Act (SPMA).

(2) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall carry out the certification of pre-basic, basic and certified fruit plant propagating material and fruit plants intended for fruit production through official inspections (control) which include:

1. the conduct of field inspections to establish their varietal identity, varietal purity and health condition, as well as the compliance with the spatial isolation requirements for the relevant categories of fruit plant material;
2. the conduct of laboratory testing to establish their health condition (where applicable);
3. The quality grading to establish their appearance, size, root system and other requirements for the purpose of using them as propagating material.

(3) (New, SG No. 95/2016, effective date 1.01.2017) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall carry out the official inspections consisting of visual inspections and the BFSA shall take samples for testing, if necessary.

(4) (New, SG No. 95/2016, effective date 1.01.2017) In the course of the official inspections provided for in paragraph 3, the IASAS shall pay particular attention to:

1. the suitability and actual use of methods by the producer for checking each of the critical points in the production process;
2. the overall competence of the producer to carry out the activities set out in Article 8(2), (3) and (4).

(5) (New, SG No. 95/2016, effective date 1.01.2017) The samples taken pursuant to paragraph 3 shall be tested at BFSA laboratories or laboratories approved pursuant to Article 8 of the Seed and Propagating Material Act.

(6) (New, SG No. 95/2016, effective date 1.01.2017) The Executive Agency for Variety Testing, Field Inspection and Seed Control and the BFSA shall produce and keep records of the results and dates of all official inspections, sampling and testing.

(7) (Ex Paragraph 3, amended, SG No. 95/2016, effective date 1.01.2017) The Bulgarian Food Safety Agency (BFSA) shall carry out the phytosanitary control of the fruit plant material in accordance with Regulation No. 8 of 2015 in phytosanitary control.

Article 5a. (New, SG No. 95/2016, effective date 1.01.2017) (1) The Executive Agency for Variety Testing, Field Inspection and Seed Control and, where appropriate, also the producer shall carry out visual inspection of candidate pre-basic mother plants in the facilities and fields to find them free from the pests listed in Annexes Nos. 3 and 4, as regards the genus or species concerned.

(2) In case of doubts concerning the presence of the pests listed in Annex No. 3, the BFSA and, where appropriate, also the producer shall carry out sampling and testing of the candidate pre-basic mother plant concerned.

(3) In view of establishing the presence of the pests listed in Annex No. 4, sampling and testing shall take place in the most appropriate period of the year taking into account the climatic conditions and the growing conditions of the plant, and the biology of the pests relevant for that plant. Sampling and testing shall also take place at any time of the year in case of doubts concerning the presence of those pests.

(4) As regards sampling and testing according paragraphs 2 and 3, protocols of the European and Mediterranean Plant Protection Organisation (EPPO), or other protocols which are internationally recognised shall be applied. Where such protocols do not exist, the BFSA shall apply the relevant protocols established at national level and make them available on request to other Member States or to the EC.

(5) The Bulgarian Food Safety Agency and the producer respectively shall send the samples referred to un paragraphs 2 and 3 to BFSA laboratories or laboratories approved pursuant to Article 8 of the Seed and Propagating Material Act. The testing method for viruses, viroids, virus-like diseases and phytoplasmas applied to candidate pre-basic mother plants shall be biological indexing on indicator plants. Other test methods may be applied if they produce results as reliable as biological indexing on indicator plants.

(6) Where a candidate pre-basic mother plant is a seedling, visual inspection, sampling and testing shall only be required in respect of viruses, viroids or virus-like diseases transmitted by pollen and listed in Annex No. 4, as regards the genus or species concerned, provided that an official inspection has confirmed that the seedling concerned was grown from a seed produced by a plant free from symptoms caused by those viruses, viroids and virus-like diseases and that seedling has been maintained in accordance with Article 4f(1) and (4).

(7) Paragraphs 1 and 4 shall also apply to a pre-basic mother plant produced by renewal.

(8) Pre-basic mother plants referred to in paragraph 7 shall be free from the viruses and viroids listed in Annex No. 4, as regards the genus or species concerned, which is to be established by visual inspection in the facilities, fields and lots, which is carried out by the IASAS and, where appropriate, also the producer.

Article 5b. (New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020) (1) A pre-basic mother plant or pre-basic material shall, by visual inspection in the facilities, fields and lots, be found free from the RNQPs listed in Annexes Nos. 3 and 4, and subject to the requirements of Annex No. 5, as regards the genus or species concerned. The visual inspection shall be carried out by the IASAS and, where appropriate by the producer.

(2) The Executive Agency for Variety Testing, Field Inspection and Seed Control and, where appropriate, the producer, shall carry out sampling and testing of the pre-basic mother plant or pre-basic material for the RNQPs listed in Annex No. 4, and subject to the requirements of Annex No. 5, with regard to the genus or species concerned and category.

(3) In case of doubts concerning the presence of the RNQPs listed in Annex No. 3, the BFSA and, where appropriate, the producer shall carry out sampling and testing of the pre-basic mother plant or pre-basic material concerned.

(4) As regards sampling and testing pursuant to paragraph 1, protocols of the European and Mediterranean Plant Protection Organisation (EPPO), or other protocols which are internationally recognised shall be applied. Where such protocols do not exist, the relevant protocols established at national level shall be applied. In that case, Member States shall, on request, make available those protocols to the other Member States and to the Commission. The Bulgarian Food Safety Agency and, where appropriate, the producer shall send the samples to laboratories which have been officially recognised by the BFSA.

(5) In the case of a positive test result for any of the RNQPs, listed in Annexes Nos. 3 and 4, as regards the genus or species concerned, the producer shall remove the infested pre-basic mother plant or pre-basic material from the vicinity of other pre-basic mother plants and pre-basic material pursuant to Article 4a(3) or Article 4b(3), or take appropriate measures pursuant to Annex No. 5.

(6) The measures to ensure compliance with the requirements of paragraph 1 are set out in Annex No. 5, with regard to the genus or species concerned and category.

(7) Paragraph 1 shall not apply to pre-basic mother plants and pre-basic material during cryopreservation.

Article 5c. (New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020) (1) CAC material shall, by visual inspection carried out by the producer in the facilities, fields and lots at the stage of production, be found practically free from the pests listed in Annexes Nos. 3 and 4, as regards the genus or species concerned, unless stated otherwise in Annex No. 5.

(2) The producer shall carry out sampling and testing of the identified source of material or CAC material for the RNQPs listed in Annex No. 4, and subject to the requirements of Annex No. 5, with regard to the genus or species concerned and category.

(3) In case of doubts concerning the presence of the RNQPs listed in Annex No. 3, the producer shall carry out sampling and testing of the identified source of material or CAC material concerned.

(4) CAC propagating material and CAC fruit plants in lots, after the stage of production, shall only be marketed if found free from signs or symptoms of the pests listed in Annexes Nos. 3 and 4, upon visual inspection carried out by the producer.

(5) The producer shall carry out the measures to ensure compliance with the requirements of paragraph 1 pursuant to Annex No. 5, with regard to the genus or species concerned and category.

(6) Paragraph 1 shall not apply to CAC material during cryopreservation.

Article 6. (Effective date 30.09.2012) (1) CAC (standard) material shall be produced under the responsibility of the producer subject to the requirements of Articles 7 and 8 of this Regulation.

(2) (Amended, SG No. 95/2016, effective date 1.01.2017) CAC (standard) material shall be subject to control by the IASAS and/or the BFSA subject to the provisions of Article 48 SPMA and subject to the requirements set out in this Regulation.

Chapter Four

QUALITY AND HEALTH REQUIREMENTS TO FRUIT PLANT MATERIAL

Article 7. (Effective date 31.03.2010) (1) (Amended, SG No. 95/2016, effective date 1.01.2017) The requirements to fruit plant propagating material and fruit plants of the genera and species listed in Annex No. 1 depend on the category of the fruit plant material and may be further elaborated or modified in accordance with the procedure set out in EC acts. The main requirements are those to which:

1. CAC (standard) material shall comply with as regards the propagation systems, the varietal purity of the crop, its health condition and varietal aspects (except for the rootstocks not belonging to a variety);

2. pre-basic (PB) material, basic (B) material and certified (C) material shall comply with as regards:

(a) quality;

(b) for pre-basic and basic material, including as regards the methods for the maintenance of the identity of the variety and, where applicable, of the clone, including the relevant pomological characteristics;

(c) health condition;

(d) the testing methods and procedures applied;

(e) the propagation systems applied; and

(f) varietal aspects (except in the case of rootstocks where the material does not belong to a variety);

3. the conditions with which rootstocks and other parts of plants of genera or species other than those listed in the Annex, or their hybrids, must comply if propagating material of a compatible genus or species listed in the Annex or their hybrids is grafted onto them.

(2) The health requirements to fruit plant propagating material and fruit plants as regards specific pests listed in Annex No. 1 to Regulation No. 81 of 2006 setting out conditions and schedule of health requirements to fruit plant propagating material intended for marketing in the European Union (Promulgated, SG No. 57/2006; Amended, SG No. 102/2006).

(3) Fruit plant seed (as propagating material) shall have adequate viability to be established in laboratory testing carried out by the IASAS.

(4) CAC (standard) material that belongs to citrus species shall also comply with all of the following requirements:

1. it shall be produced from a source of material which:

(a) is found free, on the basis of visual inspection, from the relevant viruses, virus-like organisms or diseases listed in Annex No. 1 to Regulation No. 81 of 2006;

(b) has been tested through appropriate laboratory methods to detect viruses, virus-like organisms or diseases listed in Annex No. 1 to Regulation No. 81 of 2006 and is found to be free from them;

2. since the beginning of the last cycle of vegetation it has been found practically free, on the basis of visual inspection, from the viruses, virus-like organisms or diseases listed in Annex No. 1 to Regulation No. 81 of 2006;

3. is grafted on rooted virus-resistant rootstocks.

(5) (New, SG No. 95/2016, effective date 1.01.2017) Pre-basic mother plants and pre-basic material shall be found free from defects on the basis of visual inspection. The visual inspection shall be carried out by the IASAS and, where appropriate by the producer.

(6) (New, SG No. 95/2016, effective date 1.01.2017) CAC material shall be found free from defects, on the basis of visual inspection.

(7) (New, SG No. 95/2016, effective date 1.01.2017) Injuries, discoloration, scar tissues or desiccation shall be considered as defects, if they affect the quality and usefulness of the propagating material referred to in paragraphs 5 and 6.

Article 7a. (New, SG No. 95/2016, effective date 1.01.2017) (1) Pre-basic mother plants and pre-basic material, basic mother plants and basic material, and certified mother plants may only be grown in soil that is free from any pests which are listed in Annex No. 6, for the genus or species concerned, and which host viruses affecting that genus or species. Freedom of such pests hosting viruses shall be established by sampling and testing.

(2) Samples shall be taken by the Bulgarian Food Safety Agency and, where appropriate, by the producer.

(3) That sampling and testing shall be carried out before the certified mother plant concerned is planted, and it shall be repeated during growth where there is suspicion concerning the presence of the pests referred to in paragraph 1.

(4) That sampling and testing shall be carried out taking into account the climatic conditions and the biology of the pests listed in Annex No. 6, and where those pests are relevant for the certified mother plants or the certified material concerned.

(5) Sampling and testing shall not be carried out:

1. where plants which are hosts for the pests listed in Annex No. 6, for the genus or species concerned, have not been grown in the soil of production for a period of at least five years and where there is no doubt concerning the absence of the relevant pests in that soil;

2. when the BFSA concludes on the basis of an official inspection that the soil is free from any pests which are listed in Annex No. 6, for the genus or species concerned, and which host viruses affecting that genus or species;

3. (Supplemented, SG No. 63/2020, effective date 17.07.2020) in the case of certified fruit plants, unless stated otherwise in the acts adopted in accordance with Article 87(4) of Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No. 228/2013, (EU) No. 652/2014 and (EU) No. 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016).

(6) In the case of sampling and testing as referred to in paragraphs 1, 2, 3 and 4, protocols of EPPO, or other protocols which are internationally recognised shall be applied. Where such protocols do not exist, the relevant protocols established at national level shall be applied, which the IASAS shall make available on request to other Member States or to the EC.

Article 7b. (New, SG No. 63/2020, effective date 17.07.2020) In addition to the phytosanitary and soil requirements of Articles 5a, 5b, 4i, 4m, 5c and 7a, propagating material and fruit plants

shall be produced in accordance with the requirements for the production site, place of production, or area as laid down in Annex No. 5, in order to limit the presence of the RNQPs listed in that Annex for the genus or species concerned.

Chapter Five

REQUIREMENTS TO PRODUCERS AND TRADERS OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS

Article 8. (Effective date 30.09.2012) (1) (Amended, SG No. 87/2018, effective date 19.10.2018) Production and marketing of fruit plant propagating material and fruit plants shall be carried out by the persons referred to in Article 28 SPMA.

(2) Pre-basic, basic, certified material as well as CAC material shall be produced/reproduced under the responsibility of the persons referred to in paragraph 1.

(3) Producers and traders of fruit plant propagating material and fruit plants shall implement the necessary measures to ensure the compliance of the fruit plant material with the requirements set out in this Regulation at all stages of their production and marketing.

(4) For the purposes of paragraph 3, producers shall:

1. (Amended, SG No. 95/2016, effective date 1.01.2017) identify and monitor critical points in their production process, taking into account:

(a) the location and number of plants;

(b) the timing of their cultivation;

(c) propagation operations;

(d) packaging, storage and transportation operations.

2. (Amended, SG No. 95/2016, effective date 1.01.2017) keep information on the monitoring of critical points for at least 3 years after the production of the relevant material and make it available for examination when requested by the responsible official body (IASAS/BFSA);

3. (Amended, SG No. 95/2016, effective date 1.01.2017) keep indelible records of the details pursuant to paragraphs 1 and 2 and details of the production and marketing of fruit plant propagating material and fruit plants intended for fruit production; the records shall be made available, on request, for examination to the IASAS or the BFSA and kept for at least 3 years;

4. take samples where necessary for analysis in a laboratory, to check the health condition;

5. create conditions for and ensure that, during production, lots of propagating material remain separately identifiable (kept separately);

6. (New, SG No. 95/2016, effective date 1.01.2017) keep records of field inspections, sampling and testing as long as the respective propagating material and fruit plants are under their control, and for a period of at least three years after that propagating material and those fruit plants have been removed or marketed.

(5) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall draw samples from pre-basic, basic and certified fruit plant material for certification purposes.

(6) (Amended, SG No. 95/2016, effective date 1.01.2017) In the case of the appearance, established as a result of own checks or information provided by the IASAS or the BFSA, of one or more harmful organisms listed in Regulation No. 8 of 2015 on phytosanitary control or presence of such organisms at a level higher than the level allowed in these specific requirements, the producer shall report to the IASAS and/or the BFSA without delays on the measures taken in accordance with the relevant legislation and the instructions given by the control authorities. Any other measures mitigating the risk of spread of harmful organisms shall also be allowed.

(7) Producers shall keep records of any epidemics and cases of appearance of harmful organisms on their production facilities and premises and of the measures taken.

Article 8a. (New, SG No. 95/2016, effective date 1.01.2017) (1) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall notify the information required for

access to the register of varieties of the Republic of Bulgaria to the responsible official bodies of the other Member States and to the EC.

(2) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall notify the inclusion of a variety in its register of varieties or any amendment thereof to the EC without delay.

(3) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall make available, on request, to another Member State or to the EC:

1. the official or officially recognised description of the varieties listed in the register of varieties;
2. the results of the checks of the applications for registration of varieties, which are carried out by the IASAS in accordance with Regulation No. 7 of 2013;
3. any other available information as regards the varieties included in or deleted from the register of varieties;
4. the list of varieties for which decisions on the applications for their registration are pending.

Chapter Six

REQUIREMENTS FOR PLACING FRUIT PLANT MATERIAL ON THE MARKET

Section I

General Provisions

Article 9. (Effective date 30/09/2012) (1) Fruit plant propagating material and fruit plants may only be marketed if:

1. the propagating material has been officially certified as ‘pre-basic material’, ‘basic material’ or ‘certified material’ or if it meets the conditions to be qualified as CAC (standard) material;
2. the fruit plants have been officially certified as certified material or they meet the conditions to be qualified as CAC (standard) material.

(2) Fruit plant propagating material and fruit plants which consist of a genetically modified organism within the meaning of points 1 and 2 of Article 2 of Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.04.2001) transposed with the Genetically Modified Organisms Act shall be placed on the market only if the genetically modified organism has been authorised pursuant to that Directive or pursuant to Regulation (EC) No. 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003).

(3) Where products derived from fruit plants or fruit plant propagating material are intended to be used as or in genetically modified food falling within the scope of Article 3 or as or in a genetically modified feed falling within the scope of Article 15 of Regulation (EC) No. 1829/2003, the propagating material and fruit plants concerned shall be placed on the market only if the food or the feed derived from this material has been authorised pursuant to that Regulation and the Genetically Modified Organisms Act.

(4) Pre-basic, basic and certified material shall be certified and marketed if it belongs to a variety referred to in Article 10 and complies with the requirements for the relevant category in accordance with Article 4, paragraphs 2 to 4 and Article 7. The category shall be indicated on the label referred to in Article 13(1)(2).

(5) CAC (standard) fruit plant propagating material and fruit plants shall be marketed if they comply with the requirements of Articles 4(5) and 7.

(6) Producers and traders may be authorised by the Executive Director of the IASAS to place on the market appropriate quantities of fruit plant propagating material and fruit plants intended for:

1. trials or scientific purposes; or
2. selection work; or
3. conservation of genetic diversity.

(7) The conditions under paragraph 6 shall be laid down by the European Commission (EC).

Article 10. (1) (Effective date 31.03.2010) Propagating material and fruit plants shall be marketed with a reference to the variety to which they belong.

(2) (Effective date 30.09.2012) The varieties to which reference is to be made pursuant to paragraph 1 shall be:

1. legally protected by a plant variety right in accordance with the Protection of New Varieties and Breeds Act; or
2. entered into the Official Variety List of the Republic of Bulgaria (OVL) in accordance with Article 10; or
3. commonly known.

(3) (Effective date 30.09.2012) A variety is considered to be commonly known if:

1. it has been officially registered in another Member State;
2. it is the subject of an application for official registration in this country of any other Member State, or of an application for a plant variety right referred to in paragraph 2, subparagraph 1 (or an application for a plant variety right under the laws of the EU Member State concerned); or
3. it has been already marketed before 30 September 2012 in the territory of the country or of another Member State, provided that it has an officially recognised description.

(4) (Effective date 30.09.2012) A variety of no intrinsic value for commercial crop production may be produced and marketed in the country provided that the variety has an official description and the propagating material and fruit plants are marketed as CAC (standard) material. The label and/or document accompanying the material shall contain the necessary indications for the authorisation of the marketing of the fruit plant material concerned of the relevant variety (a reference to the number of this Article and paragraph shall be indicated as legal grounds to market fruit plant material of such variety).

(5) (Effective date 30.09.2012) Each variety shall bear the same denomination in this country and in all the Member States, in accordance with specific implementing measures which may be adopted with an EC act or, in their absence, in accordance with accepted international guidelines.

(6) (Effective date 30.09.2012) Varieties of fruit plant species may be officially registered (included) in the Official Variety List of the Republic of Bulgaria if they have been found, through official variety testing in accordance with IASAS methodologies, to satisfy certain officially approved conditions and have an official description.

(7) (Effective date 30.09.2012) The varieties referred to in paragraph 6 may also be officially registered if their propagating material and/or fruit plants have been already marketed before 30 September 2012 in the territory of the country, provided that they have an officially recognised description.

(8) (Effective date 30.09.2012) A genetically modified variety may be officially registered only if the genetically modified organism of which it consists has been authorised pursuant to Directive 2001/18/EC or pursuant to Regulation (EC) No. 1829/2003 and in accordance with the requirements of the Genetically Modified Organisms Act respectively.

(9) (Effective date 30.09.2012) Where products derived from fruit plants or fruit plant propagating material are intended to be used as or in genetically modified food falling within the scope of Article 3 or as or in a genetically modified feed falling within the scope of Article 15 of Regulation (EC) No. 1829/2003, the variety concerned shall be officially registered only if the food or feed derived from this material has been authorised pursuant to that Regulation (EC) No. 1829/2003 and the Genetically Modified Organisms Act respectively.

(10) The requirements for official registration of varieties in the Official Variety List of the Republic of Bulgaria pursuant to paragraphs 6 and 7 shall cover:

1. the conditions of official registration, for distinctness, uniformity and stability (DUS) which may be amended or updated in accordance with EC acts;
2. the characteristics which as a minimum the examinations of the various species must cover;
3. the minimum requirements for carrying out the examination;

4. the period of validity of the official registration of a variety.

(11) (New, SG No. 95/2016, effective date 1.01.2017) The registration of a variety, for which an application is writing has not been submitted, may be renewed provided that the renewal is intended for conservation of genetic variety, sustainable production or another general interest.

Article 11. (Effective date 31.03.2010) Where the fruit plant propagating material placed (traded) on the market consists of rootstocks which do not belong to a variety, reference shall be made to the species and/or inbred hybrid concerned.

Section II

Packaging and labelling

Article 12. (Effective date 31.03.2010) (1) In the case of growing, harvesting (lifting) or producing cuttings (removing parts of plants) and of handling, fruit plant propagating material and fruit plants shall be kept in separate lots.

(2) By way of derogation from the requirements of paragraph 1, if fruit plant propagating material and fruit plants of different origins are put together or mixed during packaging, storage, transport or at delivery, the producer or trader shall keep records of the composition of the lot and origin of its individual components in the records referred to in Article 62(1) SPMA and in the other documents accompanying the lot.

(3) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall exercise control over the compliance with paragraphs 1 and 2.

(4) (New, SG No. 95/2016, effective date 1.01.2017) Pre-basic, basic or certified material shall be marketed in lots of two or more plants or parts of plants, those lots are sufficiently homogeneous.

(5) (New, SG No. 95/2016, effective date 1.01.2017) The plants or parts of plants referred to in paragraph 4 shall be marketed in packages, containers or bundles which are:

1. in the case of a package or container, closing in such a way that it cannot be opened without damaging the closure;

2. in the case of a bundle, tying up in such a way that the plants or parts of plants forming part of the bundle cannot be separated without damaging the tie or ties.

(6) (New, SG No. 95/2016, effective date 1.01.2017) The package, the container or bundle referred to in paragraph 5 shall be labelled in such a way that the removal of the label renders it invalid.

Article 13. (1) (Effective date 31.03.2010, amended, No. 95/2016, effective date 1.01.2017) Fruit plant propagating material and fruit plants intended for fruit production shall be marketed only in sufficiently homogeneous lots and if they are:

1. (Amended, SG No. 30/2020, effective date 1.04.2020) qualified as CAC (standard) material and accompanied by a document made out by the producer or trader and printed indelibly, visibly and legibly in the Bulgarian language or any other official language of the European Union in accordance with the requirements established pursuant to Annex No. 7; any other information of the producer or trader appearing on this document shall be clearly separate from all other information in the accompanying document referred to in Article 13a; where the document of the producer or trader is affixed on the CAC material, it shall be yellow in colour; or

2. qualified as pre-basic, basic or certified material by the IASAS in accordance with Article 7 and compliant with the requirements for the packaging, labelling and/or sealing pursuant to Articles 5, 6, 7, 8, 9 and 12(4), (5) and (6); where appropriate, the label may be supplemented by the document referred to in Article 13a.

(2) (Effective date 31.03.2010) In the case of retail supply of propagating material or fruit plants to a final consumer, the label shall contain information at least on the species, variety and category of the material concerned.

(3) (Effective date 31.03.2010) The requirements for the labelling and/or sealing and packaging of the propagating material and/or fruit plants may be specified in an EC act.

(4) (Effective date 30.09.2012) In the case of propagating material or a fruit plant of a variety which has been genetically modified, any label and document, official or otherwise, which is affixed to or accompanies the material shall indicate that the variety has been genetically modified and shall identify the genetically modified organisms.

(5) (New, SG No. 95/2016, effective date 1.01.2017) The label of pre-basic, basic and certified fruit plant propagating material shall be affixed by the IASAS or by the producer under the supervision of IASAS on the plants or parts of plants to be marketed as propagating material or fruit plants. Plants or parts of plants marketed in a single package, bundle or container, shall have a single label affixed on the package, bundle or container.

(6) (New, SG No. 95/2016, effective date 1.01.2017) Propagating material or fruit plants forming part of the same lot may be marketed with a single label where such material or such plants are part of the same package, bundle or container. The label shall be affixed on the package, bundle or container.

(7) (New, SG No. 95/2016, effective date 1.01.2017) Fruit plants, which are one or more years old, may be labelled individually. In this case, labelling may be carried out in the field before or during uprooting or later. Where labelling is carried out later, plants of the same lot shall be uprooted together and be kept separate from other lots in labelled containers until those plants are labelled.

(8) (New, SG No. 95/2016, effective date 1.01.2017) The particulars on the label of the pre-basic, basic and certified fruit plant propagating material shall be printed indelibly in the Bulgarian language or any other official language of the European Union in accordance with the requirements listed in Annex No. 8.

(9) (New, SG No. 95/2016, effective date 1.01.2017) The colour of the label shall be:

1. white with a diagonal violet line – for pre-basic material;
2. white – for basic material;
3. blue – for certified material.

(10) (New, SG No. 63/2020, effective date 17.07.2020) The official label shall contain the plant passport affixed clearly on the common label immediately above the official label and of the same width as the official label for the species for which RNQPs have been provided for. The plant passport shall be issued by the BFSA or by the authorised operator(s).

Article 13a. (New, SG No. 95/2016, effective date 1.01.2017) (1) An accompanying document maybe made by the IASAS or the producer concerned under the supervision of the IASAS, for lots of different varieties or types of pre-basic, basic or certified fruit plant material to be marketed together to complement the label referred to in Article 13(5).

(2) The accompanying document shall:

1. include the information set out in Article 13(8);
2. be written in the Bulgarian language or any other official language of the European Union;
3. be delivered at least in duplicate (producer and recipient);
4. accompany the fruit plant propagating material from the place of the producer to the place of the recipient;
5. include the name and address of the recipient;
6. include the date of issue of the document;
7. include, where appropriate, additional information relevant to the lots concerned.

(3) Where the information in the accompanying document contradicts the information on the label, the information on that label shall prevail.

Article 14. (Effective date 31.03.2010) (1) The provisions of Article 13(1) shall not apply to small producers and/or traders all of whose production and sales of fruit plant propagating

material and fruit plants is intended for final use by persons on the local market who use the propagating material for their own fruit production needs and who are not professionally involved in the production and/or marketing of fruit plant propagating material (local circulation).

(2) The producers and/or traders referred to in paragraph 1 shall be also exempted from the requirements set out in Article 16.

(3) Other requirements concerning the exemptions referred to in paragraphs 1 and 2 and the definitions of ‘small producers’ and ‘local market’ shall be adopted by the EC.

Chapter Seven

IMPORTATION OF FRUIT PLANT MATERIAL FROM THIRD COUNTRIES

Article 15. (1) (Effective date 30.09.2012) Fruit plant propagating material and fruit plants intended for fruit production may be imported from third countries provided that:

1. (Amended, SG No. 95/2016, effective date 1.01.2017) the European Commission has decided that the material produced in a third country and affording the same guarantees as regards obligations on the identity, quality (characteristics), plant health, growing medium, packaging and labelling, as well as the obligations of producers/traders are equivalent in all these respects to fruit plant material produced in the EU;

2. the requirements set out in the Seed and Propagating Material Act concerning the importation of propagating material from third countries are complied with.

(2) (Effective date 31.03.2010, amended, SG No. 56/2019, effective date 16/07.2019) Pending the EC decision referred to in paragraph 1, subparagraph 1, importation of fruit plant propagating material and fruit plants shall, until 31 December 2020 take place:

1. without prejudice to the requirements set out in the Seed and Propagating Material Act;

2. (Amended, SG No. 95/2016, effective date 1.01.2017) without prejudice to the requirements set out in Regulation No. 8 of 2015 on phytosanitary control; and

3. the propagating material and fruit plants produced in a third country comply with conditions at least equivalent to those indicated, on a temporary or permanent basis, in the specific requirements adopted pursuant to Article 7 and all other requirements applicable to production in this country.

(3) (Effective date 31.03.2010) In accordance with an EC procedure, the date referred to in paragraph 2 may, for the various third countries, be extended pending the EC decision referred to in paragraph 1.

(4) (Effective date 31.03.2010) Fruit plant propagating material and fruit plants imported from a third country in accordance with a decision taken by the EC pursuant to the paragraph 1, subparagraph 1 shall be subject to no marketing restrictions in the territory of the country.

Chapter Eight

CONTROL OF THE FRUIT PLANT MATERIAL PLACED ON THE MARKET

Article 16. (Effective date 30.09.2012) (1) The IASAS shall carry out official inspection during the production and marketing of fruit plant material and fruit plants to verify compliance with the requirements and conditions set out in this Regulation. Producers and traders shall provide the responsible official body with free access to all documents and parts of premises of the undertakings and trading facilities during the inspection.

(2) (Amended, SG No. 95/2016, effective date 1.01.2017) If, during the official inspection referred to in paragraph 1, or the trials and tests referred to in Articles 17 and 18, it is found that the fruit plant propagating material or fruit plants do not meet the requirements of this Regulation, the IASAS shall take appropriate action to ensure that they do comply with the requirements or, if that is not possible, to ban the marketing of that propagating material or those fruit plants in the territory of the country and the Union.

(3) If it is found that fruit plant propagating material or fruit plants marketed by a particular producer or trader do not comply with the requirements and conditions of this Regulation and the applicable law and has not provided the necessary conditions for compliance, the IASAS shall take appropriate measures are taken against that producer or trader. If the marketing of those fruit plant propagating material and fruit plants is forbidden, the IASAS shall accordingly inform the Commission and the competent national bodies in the Member States.

(4) Any measures taken under paragraph 3 shall be withdrawn as soon as it has been established with sufficient certainty by the IASAS that the propagating material or fruit plants intended for marketing by the supplier will, in the future, comply with the requirements and conditions of this Regulation and the applicable law.

Article 17. (Effective date 31.03.2010) (1) (Amended, SG No. 95/2016, effective date 1.01.2017) Comparative tests and trials organised by the EC in the territory of the Union may be carried out in the country to check the compliance of the fruit plant propagating material or fruit plants with the requirements set out in Directive 2008/90/EC, including those relating to plant health.

(2) (Amended, SG No. 95/2016, effective date 1.01.2017) C comparative tests and trials may be carried out within the Union for the post-control of samples of fruit plant propagating material or fruit plants placed on the market in accordance with the requirements of the Directive referred to in paragraph 1, including those relating to plant health. The comparative tests and trials may include propagating material or fruit plants:

1. produced in third countries;
2. suitable for organic farming;
3. marketed in relation to measures for the conservation of genetic diversity.

(3) (Amended, SG No. 95/2016, effective date 1.01.2017) The Executive Agency for Variety Testing, Field Inspection and Seed Control may participate with its representatives in the tests and trials organised within the territory of the Union pursuant to paragraphs 1 and 2 at an EC decision.

(4) The EC may finance comparative tests and trials within the territory of the country in accordance with the relevant procedure.

Article 18. (Effective date 31.03.2010) Commission experts may, in cooperation with the responsible official body (IASAS), make on-the-spot checks in so far as this is necessary to ensure the uniform application of Directive 2008/90/EC, and in particular to verify whether producers and/or traders are in effect complying with the requirements of the Directive. The Commission shall inform the Member States of the result of the investigations in accordance with Directive 2008/90/EC.

Article 19. (Effective date 31.03.2010, amended, No. 30/2019, effective date 9.04.2019) In the event of temporary difficulties in the supply of fruit plant propagating material and fruit plants, the Minister of Agriculture, Food and Forestry may allow, in accordance with an EC act, the marketing of certain quantities of fruit plant propagating material and fruit plants meeting less stringent requirements for a certain period of time.

Article 20. (Effective date 31.03.2010) (1) Fruit plant propagating material and fruit plants which comply with the requirements and conditions as regards plant health, growing medium and inspection arrangements, as well as those as regards producers and traders, shall be subject to no marketing restrictions, other than those laid down in Directive 2008/90/EC.

(2) As regards the fruit plant propagating material and fruit plants of the genera and species referred to in the Annex, more stringent conditions or marketing restrictions other than those laid down in this Regulation, including the specific requirements established pursuant to Article 7, shall not be imposed.

Article 21. (Effective date 30.09.2012) In the case of violation of the provisions of this Regulation, administrative liability shall be engaged and penalties shall be imposed in accordance with Chapters Eight and Nine of the SPMA.

SUPPLEMENTARY PROVISIONS

§ 1. (Effective date 30.09.2012) For the purposes of this Regulation:

1. 'Clone' means the vegetative genetically uniform progeny of a single plant.
2. (Amended, SG No. 95/2016, effective date 1.01.2017) 'Cuttings (parts of plants)' means seed plants or multiplied plants intended to be used as propagating material.
3. 'Rootstocks' means parts of ripe or green cuttings intended to form the underground part of the grafted fruit plant material.
4. 'Scions' means parts of ripe or green fruit plant cuttings intended to form the aerial part of grafted fruit plants or to be used for grafting on the spot.
5. 'Official inspection' means inspection carried out by the responsible official body or under the responsibility of the responsible official body.
6. (Amended, SG No. 95/2016, effective date 1.01.2017) 'Pomological characteristics' means the morphological, biological and commercial characteristics (properties) of a fruit plant variety.
7. (Amended, SG No. 95/2016, effective date 1.01.2017) 'CAC material' means fruit plant propagating material equivalent to the category of standard fruit plant material in the country, which is produced and marketed in the Union under the name 'CAC material', the acronym CAC standing for *Conformitas Agraria Communitatis*.
8. 'Producer and/or trader of fruit plant material' means any natural or legal person carrying out professionally at least one of the following activities with regard to propagating material or fruit plants intended for fruit production: reproducing, producing, preserving and/or treating, importing and marketing.
9. 'Marketing (placing on the market)' means the sale, holding with a view to sale, offer for sale, and any disposal, supply or transfer aimed at commercial exploitation of propagating material or fruit plants to third parties, whether or not for consideration.
10. (Amended, SG No. 95/2016, effective date 1.01.2017) 'Local circulation' of fruit plant propagating material and fruit plants means marketing of fruit plant material within a local community by producers and/or traders in accordance with Article 14.
11. (New, SG No. 95/2016, effective date 1.01.2017) 'Basic mother plant' means a mother plant intended for the production of basic material.
12. (New, SG No. 95/2016, effective date 1.01.2017) 'Multiplication' means vegetative production of mother plants in order to obtain a sufficient number of mother plants in the same category.
13. (New, SG No. 95/2016, effective date 1.01.2017) 'Visual inspection' means the examination of plants or parts of plants using the unaided eye, lens, stereoscope or microscope.
14. (New, SG No. 95/2016, effective date 1.01.2017) 'Pest' means any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products and listed in Annexes Nos. 3, 4 and 6.
15. (New, SG No. 95/2016, effective date 1.01.2017) 'Testing' means an examination other than visual inspection aimed at detecting and identifying pests.
16. (New, SG No. 95/2016, effective date 1.01.2017) 'Candidate pre-basic mother plant' means a mother plant which the producer intends to have accepted as pre-basic mother plant.
17. (New, SG No. 95/2016, effective date 1.01.2017) 'Category' means pre-basic material, basic material, certified material or CAC material.
18. (New, SG No. 95/2016, effective date 1.01.2017) 'Cryopreservation' means the maintenance of plant material by cooling to ultra-low temperatures, in order to retain the viability of the material.

19. (New, SG No. 95/2016, effective date 1.01.2017) ‘Laboratory’ means any facility used for the testing of propagating material and fruit plants.
20. (New, SG No. 95/2016, effective date 1.01.2017) ‘Mother plant’ means an identified plant intended for propagation.
21. (New, SG No. 95/2016, effective date 1.01.2017) ‘Micropropagation’ means the multiplication of plant material in order to produce a large number of plants, using in vitro culture of differentiated vegetative buds or differentiated vegetative meristems taken from a plant.
22. (New, SG No. 95/2016, effective date 1.01.2017) ‘Fruiting plant’ means a plant propagated from a mother plant and grown for the production of fruit in order to permit the verification of the varietal identity of that mother plant.
23. (New, SG No. 95/2016, effective date 1.01.2017) ‘Renewal of a mother plant’ means replacing a mother plant by a plant vegetatively produced from it.
24. (New, SG No. 95/2016, effective date 1.01.2017) ‘Practically free from defects’ means that defects likely to impair the quality and usefulness of the propagating material or fruit plants, are present at a level equal to, or lower than, the level expected to result from good cultivating and handling practices, and that level is consistent with good cultivating and handling practices.
25. (New, SG No. 95/2016, effective date 1.01.2017) ‘Practically free from pests’ means that the extent to which pests are present on the propagating material or fruit plants is sufficiently low to ensure acceptable quality and usefulness of the propagating material.
26. (New, SG No. 95/2016, effective date 1.01.2017) ‘Pre-basic mother plant’ means a mother plant intended for the production of pre-basic material.
27. (New, SG No. 95/2016, effective date 1.01.2017) ‘Certified mother plant’ means a mother plant intended for the production of certified material.

§ 2. (Amended, SG No. 95/2016, effective date 1.01.2017, supplemented, SG No. 56/2019, effective date 16.07.2019, supplemented, SG No. 30/2020, effective date 31.03.2020, supplemented, SG No. 63/2020, effective date 17.07.2020) This Regulation transposes Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008); Commission Implementing Directive 2014/96/EU of 15 October 2014 on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC (OJ L 298, 16.10.2014); requirements set out in Commission Implementing Directive 2014/97/EU of 15 October 2014 implementing Council Directive 2008/90/EC as regards the registration of suppliers and of varieties and the common list of varieties (OJ L 298, 16.10.2014); Commission Implementing Directive 2014/98/EU of 15 October 2014 implementing Council Directive 2008/90/EC as regards specific requirements for the genus and species of fruit plants referred to in Annex I thereto, specific requirements to be met by suppliers and detailed rules concerning official inspections (OJ L 298, 16.10.2014); Commission Implementing Directive (EU) 2019/1813 of 29 October 2019 amending Implementing Directive 2014/96/EU on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC as regards the colour of the label for certified categories of propagating material and fruit plants and the content of the supplier’s document (OJ L 278, 30.10.2019); Article 10 of 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 (OJ L 41, 13.2.2020) and ensures the implementation of Commission Implementing Decision (EU) 2019/120 of 24 January 2019 amending Council Directive 2008/90/EC as regards the extension of the derogation relating to

import conditions for fruit plant propagating material and fruit plants intended for fruit production from third countries (OJ L 24, 28.1.2019).

TRANSITIONAL AND FINAL PROVISIONS

§ 3. (Effective date 30.09.2012) Fruit plant propagating material and fruit plants taken from parent plants that existed before 30 September 2012 and have been officially certified or meet the conditions to be qualified as CAC material before 31 December 2018 may be marketed in the country until 31 December 2018. When marketed, such fruit plant propagating material and fruit plants shall be identified by a reference to this paragraph on the label and/or document accompanying the material.

Beyond 31 December 2018 fruit plant propagating material and fruit plants may be marketed if the requirements of this Regulation are fulfilled.

§ 4. This Regulation repeals Regulation No. 97 of 2006 on the marketing of fruit plant propagating material and fruit plants intended for fruit production in the European Union (Promulgated, SG No. 76/2006, amended, SG No. 2/2007) as follows:

1. Articles 1(1), 2, 4, 5, 7, 11(1), 12, 13, 14, 15, 16(2) and (3), 20 and 21 and the Annex to Article 1(2) as from 31 March 2010;
2. Article 1(2) and (3), 3, 4, 6, 8, 9, 10, 11(2) to (5), 16(1), 17, 18 and 19 and § 1 as from 30 September 2012.

§ 5. This Regulation is issued pursuant to Article 29(6)(8) of the Seed and Propagating Material Act.

§ 6. This Regulation shall enter into force as follows:

1. Articles 1(1), 2, 5, 7, 10(1), 11, 12, 13(1) to (3), 14, 15(2) to (4), 17, 18, 19 and 20, § 2(1) and the Annex to Article 1(2) as from 31 March 2010;
2. Article 1(2) to (4), 3, 4, 6, 8, 9, 10(2) to (9), 13(4), 15(1), 16 and 21 and §§ 1, 2(2) and 3 as from 30 September 2012.

Supplementary Provisions

AMENDING REGULATION TO REGULATION No. 3 OF 2010 ON THE MARKETING OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS INTENDED FOR FRUIT PRODUCTION ON THE MARKET OF THE EUROPEAN UNION

(PROMULGATED, SG No. 95/2016, EFFECTIVE DATE 01.01.2017)

§ 22. The words ‘the National Plant Protection Service’ shall be replaced by the words ‘the Bulgarian Food Safety Agency’, the acronym ‘NPPS’ shall be replaced by the acronym ‘BFSA’, the words ‘Regulation No. 1 of 1998 on phytosanitary control (Promulgated, SG No. 82/1998)’ shall be replaced by the words ‘Regulation No. 8 of 2015 on phytosanitary control (Promulgated, SG No. 19/2015)’ and the words ‘Community’ and ‘European Community’ shall be replaced by the words ‘Union’ and ‘European Union’ respectively everywhere in the text.

Transitional and Final Provisions

AMENDING REGULATION TO REGULATION No. 3 OF 2010 ON THE MARKETING OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS INTENDED FOR FRUIT PRODUCTION ON THE MARKET OF THE EUROPEAN UNION

(PROMULGATED, SG No. 95/2016, EFFECTIVE DATE 01.01.2017)

§ 23. (1) Fruit plant propagating material and fruit plants produced from pre-basic, basic and certified mother plants or CAC material which existed before 1 January 2017, and have been

officially certified or meet the conditions to be qualified as CAC material before 31 December 2022 may be marketed in the country until 31 December 2022.

(2) When marketed, the fruit plant propagating material and fruit plants referred to in paragraph 1 shall be identified by a reference to paragraph 1 on the label and a document.

§ 24. This Regulation shall enter into force on 1 January 2017.

Final Provisions

AMENDING REGULATION TO REGULATION No. 13 OF 2004 SETTING OUT THE CONDITIONS AND PROCEDURES FOR ISSUING AUTHORISATION TO PRODUCERS AND HANDLERS OF SEED AND PROPAGATING MATERIAL AND FOR REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL

(PROMULGATED, SG No. 87/2018, EFFECTIVE DATE 19.10.2018)

§ 33. This Regulation shall enter into force on the day of its promulgation in the State Gazette.

Transitional and Final Provisions

REGULATION No. 3 OF 28 MARCH 2019 SETTING OUT THE CONDITIONS AND PROCEDURES FOR ISSUING AUTHORISATION TO PERSONS MARKETING SEED FOR RESEARCH OR SELECTION WORK AND SEED FOR DEMONSTRATION AND/OR PRODUCTION TRIALS, THE ALLOWED QUANTITIES THEREOF DEPENDING ON THE PLANT SPECIES, AND THE PACKAGING AND LABELLING OF SEED

(PROMULGATED, SG No. 30/2019, EFFECTIVE DATE 9.04.2019)

§ 15. This Regulation shall enter into force on the day of its promulgation in the State Gazette.

Transitional and Final Provisions

AMENDING REGULATION TO REGULATION No. 7 OF 2013 SETTING OUT THE CONDITIONS AND PROCEDURES FOR VARIETY TESTING, ACCEPTANCE, REGISTRATION AND DEREGISTRATION OF PLANT VARIETIES IN THE OFFICIAL VARIETY LIST OF THE REPUBLIC OF BULGARIA

(PROMULGATED, SG No. 56/2019, EFFECTIVE DATE 16.07.2019)

§ 30. This Regulation shall enter into force on the day of its publication in the State Gazette, whereas § 20, 21, 22, 23 and 28 shall apply as from 1 September 2019.

Transitional and Final Provisions

AMENDING REGULATION TO REGULATION No. 3 OF 2010 ON THE MARKETING OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS INTENDED FOR FRUIT PRODUCTION ON THE MARKET OF THE EUROPEAN UNION

(PROMULGATED, SG No. 30/2020, EFFECTIVE DATE 31.03.2020)

§ 4. (1) CAC material to which labels in a colour other than yellow are affixed, to be marketed in their own territory, where those coloured labels were already in use up to 1 April 2020 may be marketed until 30 June 2021.

(2) When marketed, the fruit plant propagating material and fruit plants referred to in paragraph 1 shall be identified by a reference to paragraph 1 in the document of the producer or trader when used as a label.

§ 5. This Regulation shall enter into force on the date of its publication in the State Gazette, except for §§ 1 and 3 which shall enter into force on 1 April 2020.

Final Provisions
**AMENDING REGULATION TO REGULATION No. 3 OF 2010 ON THE MARKETING
OF FRUIT PLANT PROPAGATING MATERIAL AND FRUIT PLANTS INTENDED
FOR FRUIT PRODUCTION ON THE MARKET OF THE EUROPEAN UNION**

(PROMULGATED, SG No. 63/2020, EFFECTIVE DATE 17.07.2020)

§ 15. This Regulation shall enter into force on the day of its promulgation in the State Gazette.

Annex No. 1 to Article 1(2)

(Effective date 31.03.2010; ex Annex to Article 1(2), SG No. 95/2016, effective date 1.01.2017)

List of vegetable genera and species

1. *Castanea sativa* Mill. – chestnut
2. *Citrus* (L.) – citrus fruit
3. *Corylus avellana* L. – hazel
4. *Cydonia oblonga* Mill. – quince
5. *Ficus carica* L. – fig
6. *Fortunella Swingle* – kumquat
7. *Fragaria* L. – strawberry
8. *Juglans regia* L. – walnut
9. *Malus* Mill. – apple
10. *Olea europaea* L. – olive
11. *Pistacia vera* L. – pistachio
12. *Poncirus* Raf. – hardy orange and hybrids
13. *Prunus amygdalus* Batsch – almond
14. *Prunus armeniaca* (L.) – apricot
15. *Prunus avium* L. – sweet cherry
16. *Prunus cerasus* L. – sour cherry
17. *Prunus domestica* L. – plum
18. *Prunus persica* (L.) Batsch – peach
19. *Prunus salicina* Lindley – Japanese plum
20. *Pyrus* L. – pear
21. *Ribes* L. – currants
22. *Rubus* – blackberry, raspberry
23. *Vaccinium* L. – blackberry

Annex No. 2 to Article 4k(1)

(New, SG No. 95/2016, effective date 1.01.2017)

Maximum permitted number of generations in the field under non-insect proof conditions
and maximum permitted life span of basic mother plants per genera or species

Castanea sativa Mill.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations. In the case where a basic mother plant within the meaning of Article 4h(1)(1) is a rootstock, it may be multiplied for maximum three generations. Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Citrus L., *Fortunella Swingle* and *Poncirus* Raf.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum one generation. In the case where a basic mother plant within the meaning of Article 4h(1)(1) is a

rootstock, it may be multiplied for maximum three generations. Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Corylus avellana L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations.

Cydonia oblonga Mill., Malus Mill., Pyrus L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations. In the case where a basic mother plant within the meaning of Article 4h(1)(1) is a rootstock, it may be multiplied for maximum three generations. Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Ficus carica L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations.

Fragaria L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum five generations.

Juglans regia L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations.

Olea europaea L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum one generation.

Prunus amygdalus, P. armeniaca, P. domestica, P. persica and P. salicina

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations. In the case where a basic mother plant within the meaning of Article 4h(1)(1) is a rootstock, it may be multiplied for maximum three generations. Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Prunus avium and P. cerasus

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations. In the case where a basic mother plant within the meaning of Article 4h(1)(1) is a rootstock, it may be multiplied for maximum three generations. Where rootstocks are part of basic mother plants, those rootstocks shall be basic material of the first generation.

Ribes L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum three generations. Mother plants shall be maintained as mother plants for a maximum of six years.

Rubus L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations. Mother plants of each generation shall be maintained as mother plants for a maximum of four years.

Vaccinium L.

Basic category

A basic mother plant within the meaning of Article 4h(1)(1) may be multiplied for maximum two generations.

Annex No. 3 to Article 5a(1)

(New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020)

**List of RNQPs for the presence of which
visual inspection, and, in cases of doubt, sampling and testing are required pursuant to
Article 5a(1), Article 5b(1), Article 4i(1), Article 4m(1) and Article 5c(1)**

Genus or species	RNQPs
<i>Castanea sativa Mill.</i>	Fungi and oomycetes <i>Cryphonectria parasitica</i> (Murrill) Barr [ENDOPA] <i>Mycosphaerella punctiformis</i> Verkley & U. Braun [RAMUEN] <i>Phytophthora cambivora</i> (Petri) Buisman [PHYTCM] <i>Phytophthora cinnamomi</i> Rands [PHYTCN] Viruses, viroids, virus-like diseases and phytoplasmas Chestnut mosaic agent
<i>Citrus L., Fortunella Swingle, Poncirus Raf.</i>	Fungi and oomycetes <i>Phytophthora citrophthora</i> (R.E.Smith & E.H.Smith) Leonian [PHYTCO] <i>Phytophthora nicotianae var. parasitica</i> (Dastur) Waterhouse [PHYTNP] Insects and mites <i>Aleurothrixus floccosus</i> Maskell [ALTHFL] <i>Parabemisia myricae</i> Kuwana [PRABMY] Nematodes <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU] <i>Tylenchulus semipenetrans</i> Cobb [TYLESE]
<i>Corylus avellana L.</i>	Bacteria <i>Pseudomonas avellanae</i> Janse et al. [PSDMAL] <i>Xanthomonas arboricola pv. Corylina</i> (Miller, Bollen, Simmons, Gross & Barss) Vauterin, Hoste, Kersters & Swings [XANTCY] Fungi and oomycetes <i>Armillariella mellea</i> (Vahl) Kummer [ARMIME] <i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA] <i>Verticillium dahliae</i> Kleb [VERTDA] Insects and mites <i>Phytoptus avellanae</i> Nalepa [ERPHAV]
<i>Cydonia oblonga Mill. and Pyrus L.</i>	Bacteria

	<p><i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] <i>Erwinia amylovora</i> (Burrill) Winslow et al. [ERWIAM] <i>Pseudomonas syringae</i> pv. <i>Syringae</i> van Hall [PSDMSY] Fungi and oomycetes <i>Armillariella mellea</i> (Vahl) Kummer [ARMIME] <i>Chondrostereum purpureum</i> Pouzar [STERPU] <i>Glomerella cingulata</i> (Stoneman) Spaulding & von Schrenk [GLOMCI] <i>Neofabraea alba</i> Desmazieres [PEZIAL] <i>Neofabraea malicorticis</i> Jackson [PEZIMA] <i>Neonectria ditissima</i> (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA] <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC] <i>Sclerophora pallida</i> Yao & Spooner [SKLPPA] <i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA] <i>Verticillium dahliae</i> Kleb [VERTDA] Insects and mites <i>Eriosoma lanigerum</i> Hausmann [ERISLA] <i>Psylla</i> spp. Geoffroy [1PSYLG] Nematodes <i>Meloidogyne hapla</i> Chitwood [MELGHA] <i>Meloidogyne javanica</i> Chitwood [MELGJA] <i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Ficus carica</i> L.	<p>Bacteria <i>Xanthomonas campestris</i> pv. <i>fici</i> (Cavara) Dye [XANTFI] Fungi and oomycetes <i>Armillariella mellea</i> (Vahl) Kummer [ARMIME] Insects and mites <i>Ceroplastes rusci</i> Linnaeus [CERPRU] Nematodes <i>Heterodera fici</i> Kirjanova [HETDFI] <i>Meloidogyne arenaria</i> Chitwood [MELGAR] <i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN] <i>Meloidogyne javanica</i> Chitwood [MELGJA] <i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU] Viruses, viroids, virus-like diseases and phytoplasmas Fig mosaic agent [FGM000]</p>
<i>Fragaria</i> L.	<p>Bacteria <i>Candidatus Phlomobacter fragariae</i> Zreik, Bove & Garnier [PHMBFR] Fungi and oomycetes <i>Podospaera aphanis</i> (Wallroth) Braun & Takamatsu [PODOAP] <i>Rhizoctonia fragariae</i> Hussain & W.E.McKeen [RHIZFR]</p>

	<p><i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA] <i>Verticillium dahliae</i> Kleb [VERTDA] Insects and mites <i>Chaetosiphon fragaefolii</i> Cockerell [CHTSFR] <i>Phytonemus pallidus</i> Banks [TARSPA] Nematodes <i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI] <i>Meloidogyne hapla</i> Chitwood [MELGHA] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU] Viruses, viroids, virus-like diseases and phytoplasmas <i>Candidatus Phytoplasma asteris</i> Lee et al. [PHYPPAS] <i>Candidatus Phytoplasma australiense</i> Davis et al. [PHYPAU] <i>Candidatus Phytoplasma fragariae</i> Valiunas, Staniulis & Davis [PHYPPFG] <i>Candidatus Phytoplasma pruni</i> [PHYPPN] <i>Candidatus Phytoplasma solani</i> Quaglino et al. [PHYPSO] Clover phyllody phytoplasma [PHYPO3] Strawberry multiplier disease phytoplasma [PHYP75]</p>
<i>Juglans regia</i> L.	<p>Bacteria <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] <i>Xanthomonas arboricola</i> pv. <i>Juglandi</i> (Pierce) Vauterin et al. [XANTJU] Fungi and oomycetes <i>Armillariella mellea</i> (Vahl) Kummer [ARMIME] <i>Chondrostereum purpureum</i> Pouzar [STERPU] <i>Neonectria ditissima</i> (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA] <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schroter [PHYTCC] Insects and mites <i>Epidiaspis leperii</i> Signoret [EPIDBE] <i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE] <i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]</p>
<i>Malus</i> Mill.	<p>Bacteria <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] <i>Erwinia amylovora</i> (Burrill) Winslow et al. [ERWIAM] <i>Pseudomonas syringae</i> pv. <i>Syringae</i> van Hall [PSDMSY] Fungi and oomycetes <i>Armillariella mellea</i> (Vahl) Kummer [ARMIME] <i>Chondrostereum purpureum</i> Pouzar [STERPU] <i>Glomerella cingulata</i> (Stoneman) Spaulding & von Schrenk [GLOMCI] <i>Neofabraea alba</i> Desmazieres [PEZIAL] <i>Neofabraea malicorticis</i> Jackson [PEZIMA] <i>Neonectria ditissima</i> (Tulasne & C. Tulasne) Samuels & Rossman [NECTGA] <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC] <i>Sclerophora pallida</i> Yao & Spooner [SKLPPA] <i>Verticillium albo-atrum</i> Reinke & Berthold [VERTAA]</p>

	<p><i>Verticillium dahliae</i> Kleb [VERTDA]</p> <p>Insects and mites</p> <p><i>Eriosoma lanigerum</i> Hausmann [ERISLA] Psylla spp. Geoffroy [1PSYLG]</p> <p>Nematodes</p> <p><i>Meloidogyne hapla</i> Chitwood [MELGHA]</p> <p><i>Meloidogyne javanica</i> Chitwood [MELGJA]</p> <p><i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]</p> <p><i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Olea europaea</i> L.	<p>Bacteria</p> <p><i>Pseudomonas savastanoi</i> pv. <i>savastanoi</i> (Smith) Gardan et al. [PSDMSA]</p> <p>Nematodes</p> <p><i>Meloidogyne arenaria</i> Chitwood [MELGAR]</p> <p><i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]</p> <p><i>Meloidogyne javanica</i> Chitwood [MELGJA]</p> <p><i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Olive leaf yellowing-associated virus [OLYAV0]</p> <p>Olive vein yellowing-associated virus [OVYAV0]</p> <p>Olive yellow mottling and decline associated virus [OYMDAV]</p>
<i>Pistacia vera</i> L.	<p>Fungi and oomycetes</p> <p><i>Phytophthora cambivora</i> (Petri) Buisman [PHYTCM]</p> <p><i>Phytophthora cryptogea</i> Pethybridge & Lafferty [PHYTCR]</p> <p><i>Rosellinia necatrix</i> Prillieux [ROSLNE]</p> <p><i>Verticillium dahliae</i> Kleb [VERTDA]</p> <p>Nematodes</p> <p><i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE]</p> <p><i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Prunus domestica</i> L. and <i>Prunus dulcis</i> (Miller) Webb	<p>Bacteria</p> <p><i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU]</p> <p><i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP]</p> <p>Fungi and oomycetes</p> <p><i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]</p> <p><i>Verticillium dahliae</i> Kleb [VERTDA]</p> <p>Insects and mites</p> <p><i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE]</p> <p><i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]</p> <p>Nematodes</p> <p><i>Meloidogyne arenaria</i> Chitwood [MELGAR]</p> <p><i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN]</p>

	<p><i>Meloidogyne javanica</i> Chitwood [MELGJA] <i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Prunus armeniaca</i> L.	<p>Bacteria <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] <i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP] <i>Pseudomonas syringae</i> pv. <i>Syringae</i> van Hall [PSDMSY] <i>Pseudomonas viridiflava</i> (Burkholder) Dowson [PSDMVF]</p> <p>Fungi oomycetes <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC] <i>Verticillium dahliae</i> Kleb [VERTDA]</p> <p>Insects and mites <i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE] <i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]</p> <p>Nematodes <i>Meloidogyne arenaria</i> Chitwood [MELGAR] <i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN] <i>Meloidogyne javanica</i> Chitwood [MELGJA] <i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Prunus avium</i> L. and <i>Prunus cerasus</i> L.	<p>Bacteria <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] <i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young, Dye & Wilkie [PSDMMP]</p> <p>Fungi and oomycetes <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]</p> <p>Insects and mites <i>Quadraspidiotus perniciosus</i> Comstock [QUADPE]</p> <p>Nematodes <i>Meloidogyne arenaria</i> Chitwood [MELGAR] <i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN] <i>Meloidogyne javanica</i> Chitwood [MELGJA] <i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
<i>Prunus persica</i> (L.) Batsch and <i>Prunus salicina</i> Lindley	<p>Bacteria</p> <p><i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] <i>Pseudomonas syringae</i> pv. <i>morsprunorum</i> (Wormald) Young,</p>

	<p>Dye & Wilkie [PSDMMP] <i>Pseudomonas syringae</i> pv. <i>persicae</i> (Prunier, Luisetti & Gardan) Young, Dye & Wilkie [PSDMPE] Fungi and oomycetes <i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC] <i>Verticillium dahliae</i> Kleb [VERTDA] Insects and mites <i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE] <i>Quadraspidiotus perniciosus</i> Comstock [QUADPE] Nematodes <i>Meloidogyne arenaria</i> Chitwood [MELGAR] <i>Meloidogyne incognita</i> (Kofold & White) Chitwood [MELGIN] <i>Meloidogyne javanica</i> Chitwood [MELGJA] <i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans-Stekhoven [PRATPE] <i>Pratylenchus vulnus</i> Allen & Jensen [PRATVU]</p>
Ribes L.	<p>Fungi and oomycetes <i>Diaporthe strumella</i> (Fries) Fuckel [DIAPST] <i>Microsphaera grossulariae</i> (Wallroth) Leveille [MCRSGR] <i>Podospaera mors-uvae</i> (Schweinitz) Braun & Takamatsu [SPHRMU] Insects and mites <i>Cecidophyopsis ribis</i> Westwood [ERPHRI] <i>Dasineura tetensi</i> Rubsaamen [DASYTE] <i>Pseudaulacaspis pentagona</i> Targioni-Tozzetti [PSEAPE] <i>Quadraspidiotus perniciosus</i> Comstock [QUADPE] <i>Tetranychus urticae</i> Koch [TETRUR] Nematodes <i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner [APLORI] <i>Ditylenchus dipsaci</i> (Kuehn) Filipjev [DITYDI] Viruses, viroids, virus-like diseases and phytoplasmas Aucuba mosaic agent and blackcurrant yellows agent combined</p>
Rubus L.	<p>Bacteria <i>Agrobacterium</i> spp. Conn [1AGRBG] <i>Rhodococcus fascians</i> Tilford [CORBFA] Fungi and oomycetes <i>Peronospora rubi</i> Rabenhorst [PERORU] Insects and mites <i>Resseliella theobaldi</i> Barnes [THOMTE]</p>
Vaccinium L.	<p>Bacteria <i>Agrobacterium tumefaciens</i> (Smith & Townsend) Conn [AGRBTU] Fungi and oomycetes <i>Diaporthe vaccinii</i> Shear [DIAPVA] <i>Exobasidium vaccinii</i> (Fuckel) Woronin [EXOBVA] <i>Godronia cassandrae</i> (anamorph <i>Topospora myrtilli</i>) Peck [GODRCA]</p>

Annex No. 4 to Article 5a(1)

(New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020)

List of RNQPs for the presence of which visual inspection, and, where applicable, sampling and testing are required pursuant to Article 5a(2) and (5), Article 5b(1), Article 4i(1), Article 4m(1), Article 5c(1) and Annex No. 5

Genus or species	RNQPs
<i>Citrus L., Fortunella Swingle and Poncirus Raf.</i>	<p>Bacteria</p> <p><i>Spiroplasma citri</i> Saglio et al. [SPIRCI]</p> <p>Fungi and oomycetes</p> <p><i>Plenodomus tracheiphilus</i> (Petri) Gruyter, Aveskamp & Verkley [DEUTTR]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p><i>Citrus cristacortis</i> agent [CSCC00]</p> <p><i>Citrus exocortis</i> viroid [CEVD00]</p> <p><i>Citrus impietratura</i> agent [CSI000]</p> <p><i>Citrus leaf</i> blotch virus [CLBV00]</p> <p><i>Citrus psorosis</i> virus [CPSV00]</p> <p><i>Citrus tristeza</i> virus (EU isolates) [CTV000]</p> <p>Citrus variegation virus [CVV000]</p> <p>Hop stunt viroid [HSVD00]</p>
<i>Corylus avellana L.</i>	<p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Apple mosaic virus [APMV00]</p>
<i>Cydonia oblonga Mill.</i>	<p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Apple chlorotic leaf spot virus [ACLSV0]</p> <p>Apple rubbery wood agent [ARW000]</p> <p>Apple stem grooving virus [ASGV00]</p> <p>Apple stem-pitting virus [ASPV00]</p> <p>Pear bark necrosis agent [PRBN00]</p> <p>Pear bark split agent [PRBS00]</p> <p>Pear blister canker viroid [PBCVD0]</p> <p>Pear rough bark agent [PRRB00]</p> <p>Quince yellow blotch agent [ARW000]</p>
<i>Fragaria L.</i>	<p>Bacteria</p> <p><i>Xanthomonas fragariae</i> Kennedy & King [XANTFR]</p> <p>Fungi and oomycetes</p> <p><i>Colletotrichum acutatum</i> Simmonds [COLLAC]</p> <p><i>Phytophthora cactorum</i> (Lebert & Cohn) J.Schröter [PHYTCC]</p> <p><i>Phytophthora fragariae</i> C.J. Hickman [PHYTFR]</p> <p>Nematodes</p> <p><i>Aphelenchoides besseyi</i> Christie [APLOBE]</p> <p><i>Aphelenchoides blastophthorus</i> Franklin [APLOBL]</p> <p><i>Aphelenchoides fragariae</i> (Ritzema Bos) Christie [APLOFR]</p> <p><i>Aphelenchoides ritzemabosi</i> (Schwartz) Steiner & Buhner [APLORI]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas</p> <p>Arabis mosaic virus [ARMV00]</p>

	<p>Raspberry ringspot virus [RPRSV0] Strawberry crinkle virus [SCRV00] Strawberry latent ringspot virus [SLRSV0] Strawberry mild yellow edge virus [SMYEV0] Strawberry mottle virus [SMOV00] Strawberry vein banding virus [SVBV00] Tomato black ring virus [TBRV00]</p>
<i>Juglans regia L.</i>	<p>Viruses, viroids, virus-like diseases and phytoplasmas Cherry leaf roll virus [CLRV00]</p>
<i>Malus Mill.</i>	<p>Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple dimple fruit viroid [ADFVD0] Apple flat limb agent [AFL000] Apple mosaic virus [APMV00] Apple rubbery wood agent [ARW000] Apple scar skin viroid [ASSVD0] Apple star crack agent [APHW00] Apple stem grooving virus [ASGV00] Apple stem-pitting virus [ASPV00] Candidatus Phytoplasma mali Seemuller & Schneider [PHYPMA] Fruit disorders: chat fruit [APCF00], green crinkle [APGC00], bumpy fruit of Ben Davis, rough skin [APRSK0], star crack, russet ring [APLP00], russet wart</p>
<i>Olea europaea L.</i>	<p>Fungi and oomycetes <i>Verticillium dahliae</i> Kleb [VERTDA] Viruses, viroids, virus-like diseases and phytoplasmas Arabis mosaic virus [ARMV00] Cherry leaf roll virus [CLRV00] Strawberry latent ringspot virus [SLRSV0]</p>
<i>Prunus dulcis (Miller) Webb</i>	<p>Bacteria <i>Xanthomonas arboricola</i> pv. pruni (Smith) Vauterin et al. [XANTPR] Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] Candidatus Phytoplasma prunorum Seemuller & Schneider [PHYPPR] Plum pox virus [PPV000] Prune dwarf virus [PDV000] Prunus necrotic ringspot virus [PNRSV0]</p>
<i>Prunus armeniaca L.</i>	<p>Bacteria <i>Xanthomonas arboricola</i> pv. pruni (Smith) Vauterin et al. [XANTPR] Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] Apricot latent virus [ALV000] Candidatus Phytoplasma prunorum Seemuller & Schneider [PHYPPR] Plum pox virus [PPV000]</p>

	<p>Prune dwarf virus [PDV000] <i>Prunus</i> necrotic ringspot virus [PNRSV0]</p>
<p><i>Prunus avium</i> L. and <i>Prunus cerasus</i> L.</p>	<p>Bacteria <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin et al. [XANTPR]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] Arabidopsis mosaic virus [ARMV00] Candidatus Phytoplasma <i>prunorum</i> Seemuller & Schneider [PHYPPR] Cherry green ring mottle virus [CGRMV0] Cherry leaf roll virus [CLRV00] Cherry mottle leaf virus [CMLV00] Cherry necrotic rusty mottle virus [CRNRM0] Little cherry virus 1 and 2 [LCHV10], [LCHV20] Plum pox virus [PPV000] Prune dwarf virus [PDV000] <i>Prunus</i> necrotic ringspot virus [PNRSV0] Raspberry ringspot virus [RPRSV0] Strawberry latent ringspot virus [SLRSV0] Tomato black ring virus [TBRV00]</p>
<p><i>Prunus domestica</i> L., <i>Prunus salicina</i> Lindley, and other species of <i>Prunus</i> L. susceptible to Plum pox virus in the case of <i>Prunus</i> L. hybrids</p>	<p>Bacteria <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin et al. [XANTPR]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] Candidatus Phytoplasma <i>prunorum</i> Seemuller & Schneider [PHYPPR] Myrobalan latent ringspot virus [MLRSV0] Plum pox virus [PPV000] Prune dwarf virus [PDV000] <i>Prunus</i> necrotic ringspot virus [PNRSV0]</p>
<p><i>Prunus persica</i> (L.) Batsch</p>	<p>Bacteria <i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin et al. [XANTPR]</p> <p>Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple mosaic virus [APMV00] Apricot latent virus [ALV000] Candidatus Phytoplasma <i>prunorum</i> Seemuller & Schneider [PHYPPR] Peach latent mosaic viroid [PLMVD0] Plum pox virus [PPV000] Prune dwarf virus [PDV000] <i>Prunus</i> necrotic ringspot virus [PNRSV0] Strawberry latent ringspot virus [SLRSV0]</p>
<p><i>Pyrus</i> L.</p>	<p>Viruses, viroids, virus-like diseases and phytoplasmas Apple chlorotic leaf spot virus [ACLSV0] Apple rubbery wood agent [ARW000]</p>

	<p>Apple stem grooving virus [ASGV00] Apple stem-pitting virus [ASPV00] <i>Candidatus</i> Phytoplasma pyri Seemuller & Schneider [PHYPPY] Pear bark necrosis agent [PRBN00] Pear bark split agent [PRBS00] Pear blister canker viroid [PBCVD0] Pear rough bark agent [PRRB00] Quince yellow blotch agent [ARW000]</p>
<i>Ribes L.</i>	<p>Viruses, viroids, virus-like diseases and phytoplasmas Arabid mosaic virus [ARMV00] Blackcurrant reversion virus [BRAV00] Cucumber mosaic virus [CMV000] Gooseberry vein banding associated virus [GOVB00] Raspberry ringspot virus [RPRSV0] Strawberry latent ringspot virus [SLRSV0]</p>
<i>Rubus L.</i>	<p>Fungi and oomycetes <i>Phytophthora</i> spp. de Bary [1PHYTG] Viruses, viroids, virus-like diseases and phytoplasmas Apple mosaic virus [APMV00] Arabid mosaic virus [ARMV00] Black raspberry necrosis virus [BRNV00] <i>Candidatus</i> Phytoplasma <i>rubi</i> Malembic-Maher et al. [PHYPRU] Cucumber mosaic virus [CMV000] Raspberry bushy dwarf virus [RBDV00] Raspberry leaf mottle virus [RLMV00] Raspberry ringspot virus [RPRSV0] Raspberry vein chlorosis virus [RVCV00] Raspberry yellow spot [RYS000] <i>Rubus</i> yellow net virus [RYNV00] Strawberry latent ringspot virus [SLRSV0] Tomato black ring virus [TBRV00]</p>
<i>Vaccinium L.</i>	<p>Viruses, viroids, virus-like diseases and phytoplasmas Blueberry mosaic associated ophiovirus [BLMAV0] Blueberry red ringspot virus [BRRV00] Blueberry scorch virus [BLSCV0] Blueberry shock virus [BLSHV0] Blueberry shoestring virus [BSSV00] <i>Candidatus</i> Phytoplasma <i>asteris</i> Lee et al. [PHYPAS] <i>Candidatus</i> Phytoplasma <i>pruni</i> [PHYPPN] <i>Candidatus</i> Phytoplasma <i>solani</i> Quaglino et al. [PHYPSO] Cranberry false blossom phytoplasma [PHYFPB]</p>

Annex No. 5 to Article 5b(5)

(New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020)

Requirements concerning measures per genera or species and category pursuant to Article 5b(6), Article 4i(1), Article 4m(1) and Article 5c(2)

Propagating material shall comply with the requirements concerning Union quarantine pests and protected zone quarantine pests provided for in implementing acts adopted pursuant to Regulation (EU) 2016/2031, as well as the measures adopted pursuant to Article 30(1) of that Regulation.

Moreover, it shall comply with the following requirements per genera or species and category concerned:

1. *Castanea sativa* Mill.

1.1. All categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of the RNQPs listed in Annex No. 3.

1.2. Pre-basic category

Requirements with regard to the production site, place of production or area

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision (EU) 2017/925 of 29 May 2017 temporarily authorising certain Member States to certify pre-basic material of certain species of fruit plants, produced in the field under non-insect proof conditions, and repealing Implementing Decision (EU) 2017/167 (OJ L 140, 31.5.2017, pp. 7–14), the following requirements shall apply concerning *Cryphonectria parasitica* (Murrill) Barr:

- (a) propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Cryphonectria parasitica* (Murrill) Barr; or
- b) no symptoms of *Cryphonectria parasitica* (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the pre-basic category since the beginning of the last complete cycle of vegetation.

1.3. Basic category

Requirements with regard to the production site, place of production or area:

- (a) propagating material and fruit plants of the basic category shall be produced in areas known to be free from *Cryphonectria parasitica* (Murrill) Barr; or
- (b) no symptoms of *Cryphonectria parasitica* (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the basic category since the beginning of the last complete cycle of vegetation.

1.4. Certified and CAC categories

Requirements with regard to the production site, place of production or area:

- (a) propagating material and fruit plants of the certified and CAC categories shall be produced in areas known to be free from *Cryphonectria parasitica* (Murrill) Barr; or
- (b) no symptoms of *Cryphonectria parasitica* (Murrill) Barr are observed at the site of production on propagating material and fruit plants of the certified and CAC categories since the beginning of the last complete cycle of vegetation; or

(c) propagating material and fruit plants of the certified and CAC categories showing symptoms of *Cryphonectria parasitica* (Murrill) Barr have been rogued out, the remaining propagating material and fruit plants shall be inspected at weekly intervals and no symptoms are observed at the site of production for at least three weeks before dispatch.

2. Citrus L., Fortunella Swingle and Poncirus Raf.

2.1. Pre-basic category

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested every year concerning the presence of *Spiroplasma citri* Saglio *et al.* Each pre-basic mother plant shall be sampled and tested three years after its acceptance as a pre-basic mother plant and with subsequent intervals of three years concerning the presence of *Citrus tristeza virus* (EU isolates).

Each pre-basic mother plant shall be sampled and tested six years after its acceptance as a pre-basic mother plant and with subsequent intervals of six years concerning the presence of RNQPs, other than *Citrus tristeza virus* (EU isolates) and *Spiroplasma citri* Saglio *et al.*, listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

2.2. Basic category

Visual inspection

Visual inspections shall be carried out twice a year with regard to *Citrus tristeza virus* (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley. Visual inspections shall be carried out once a year for all RNQPs, other than *Citrus tristeza virus* (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley, listed in Annexes Nos. 3 and 4.

Sampling and testing

In the case of basic mother plants which have been maintained in insect proof facilities, each basic mother plant shall be sampled and tested every three years concerning the presence of *Citrus tristeza virus* (EU isolates). A representative portion of basic mother plants shall be sampled and tested every three years concerning the presence of *Spiroplasma citri* Saglio *et al.*

In the case of basic mother plants which have not been maintained in insect proof facilities, a representative portion of basic mother plants shall be sampled and tested every year concerning the presence of *Citrus tristeza virus* (EU isolates) and *Spiroplasma citri* Saglio *et al.* in order to have all mother plants tested within an interval of 2 years. In the case of a positive test result for *Citrus tristeza virus* (EU isolates) all basic mother plants in the production site shall be sampled and tested. A representative portion of basic mother plants which have not been maintained in insect proof facilities shall be sampled and tested every six years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Citrus tristeza virus* (EU isolates) and *Spiroplasma citri* Saglio *et al.*, listed in Annexes Nos. 3 and 4.

2.3. Certified category

Visual inspection

Visual inspections shall be carried out twice a year with regard to *Citrus tristeza virus* (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley. Visual inspections shall be carried out once a year for all RNQPs, other than *Citrus tristeza virus* (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley, listed in Annexes Nos. 3 and 4.

Sampling and testing

In the case of certified mother plants which have been maintained in insect proof facilities, a representative portion of certified mother plants shall be sampled and tested every four years concerning the presence of *Citrus tristeza virus* (EU isolates) in order to have all mother plants tested within an interval of 8 years.

In the case of certified mother plants which have not been maintained in insect proof facilities, a representative portion of certified mother plants shall be sampled and tested every year concerning the presence of *Citrus tristeza virus* (EU isolates) in order to have all mother plants tested within an interval of 3 years. A representative portion of certified mother plants which have not been maintained in insect proof facilities shall be sampled and tested in the case of doubts concerning the presence of pests, other than *Citrus tristeza virus* (EU isolates), listed in Annexes Nos. 3 and 4.

In the case of a positive test result for *Citrus tristeza virus* (EU isolates) all certified mother plants in the production site shall be sampled and tested.

2.4. Basic and certified categories

Requirements with regard to the production site, place of production or area:

(a) propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Citrus tristeza virus* (EU isolates), *Spiroplasma citri* Saglio *et al.* and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley; or

(b) in the case of propagating material and fruit plants of the basic and certified categories which have been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season and the material has been subjected to random sampling and testing *Citrus tristeza virus* (EU isolates) before marketing; or

(c) in the case of propagating material and fruit plants of the certified category which have not been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio *et al.* or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season, and a representative portion of the material has been sampled and tested for *Citrus tristeza virus* (EU isolates) before marketing; or

(d) in the case of propagating material and fruit plants of the certified category which have not been grown in insect proof facilities:

– symptoms of *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley or *Spiroplasma citri* Saglio *et al.* are observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; and

– a representative portion of propagating material and fruit plants of the certified category has been sampled and tested for *Citrus tristeza virus* (EU isolates), before marketing and no more than 2% of propagating material and fruit plants of the certified category in the production site have been found positive over the last complete growing season; that propagating material and fruit plants in the immediate vicinity have been subjected to random sampling and testing, and any propagating material and fruit plants which have been found positive have been rogued out and immediately destroyed.

2.5. CAC category

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Propagating material and fruit plants of the CAC category shall derive from an identified source of material, which has been found free, on the basis of visual inspection, sampling and testing, from the RNQPs as listed in Annex No. 4.

In the case the identified source of material has been maintained in insect proof facilities, a representative portion of that material shall be sampled and tested every eight years concerning the presence of *Citrus tristeza virus* (EU isolates).

In the case the identified source of material has not been maintained in insect-proof facilities, a representative portion of that material shall be sampled and tested every three years concerning the presence of *Citrus tristeza virus* (EU isolates).

Requirements with regard to the production site, place of production or area:

(a) propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Citrus tristeza virus* (EU isolates), *Spiroplasma citri* Saglio et al. and *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley; or

(b) in the case of propagating material and fruit plants of the CAC category which have been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio et al. or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on that propagating material and those fruit plants over the last complete growing season and the material has been subjected to random sampling and testing for *Citrus tristeza virus* (EU isolates) before marketing; or

(c) in the case of propagating material and fruit plants of the CAC category which have not been grown in insect proof facilities, no symptoms of *Spiroplasma citri* Saglio et al. or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative portion of the material has been sampled and tested for *Citrus tristeza virus* (EU isolates) before marketing; or

(d) in the case of propagating material and fruit plants of the CAC category which have not been grown in insect proof facilities:

– symptoms of *Spiroplasma citri* Saglio et al. or *Plenodomus tracheiphilus* (Petri) Gruyter, Aveskamp & Verkley are observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; and

– a representative portion of propagating material and fruit plants of the certified category has been sampled and tested for *Citrus tristeza virus* (EU isolates), before marketing and no more than 2% of propagating material and fruit plants of the certified category in the production site have been found positive over the last complete growing season; that propagating material and fruit plants in the immediate vicinity have been subjected to random sampling and testing, and any propagating material and fruit plants which have been found positive have been rogued out and immediately destroyed.

3. *Corylus avellana* L.

All categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

4. *Cydonia oblonga* Mill.

4.1. All categories

Visual inspection

Visual inspections shall be carried out over the last complete growing season for *Erwinia amylovora* (Burrill) Winslow et al. For all RNQPs, other than *Erwinia amylovora* (Burrill) Winslow et al., visual inspections shall be carried out once a year.

4.2. Pre-basic category

Sampling and testing

Each pre-basic mother plant shall be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

Requirements with regard to the production site, place of production or area

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision (EU) 2017/925, the following requirements shall apply concerning *Erwinia amylovora* (Burrill) Winslow et al.:

(a) propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

4.3. Basic category

Sampling and testing

A representative portion of basic mother plants shall be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs other than virus-like diseases and viroids listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

4.4. Certified category

Sampling and testing

A representative portion of certified mother plants shall be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs other than virus-like diseases and viroids listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

Certified fruit plants shall be sampled and tested in case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

4.5. Basic and certified categories

Requirements with regard to the production site, place of production or area:

(a) propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

(b) propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

4.6. CAC category

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area:

(a) propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

(b) propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

5. *Ficus carica* L.

All categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of the RNQPs listed in Annex No. 3.

6. *Fragaria* L.

6.1. All categories

Visual inspection

Visual inspections shall be carried out twice a year during the growing season. The foliage of *Fragaria* L. shall be visually inspected concerning the presence of *Phytophthora fragariae* C.J. Hickman.

For propagating material and fruit plants produced by micropropagation, and which are maintained for a period shorter than three months, only one visual inspection during this period is necessary.

6.2. Pre-basic category

Sampling and testing

Each pre-basic mother plant shall be sampled and tested one year after its acceptance as a pre-basic mother plant and subsequently once per growing season concerning the presence of RNQPs listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

6.3. Basic category

Sampling and testing

In the case of symptoms of *Phytophthora fragariae* C.J. Hickman on the foliage, a representative sample of roots shall be sampled and tested. Sampling and testing shall be carried out if the symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than *Arabis* mosaic virus, *Phytophthora fragariae* C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area:

(a) *Phytophthora fragariae* C.J. Hickman

– propagating material and fruit plants of the basic category shall be produced in areas known to be free from *Phytophthora fragariae* C.J. Hickman; or

– no symptoms of *Phytophthora fragariae* C.J. Hickman are observed on the foliage of propagating material and fruit plants of the basic category in the production site over the last

complete growing season and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5 m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected propagating material and fruit plants have been lifted;

– there shall be a rest period, during which the propagating material and fruit plants concerned shall not be grown, which shall be of at least ten years between findings of *Phytophthora fragariae* C.J. Hickman and the next planting; or

– the cropping and soil borne disease history of the production site shall be recorded;

(b) *Xanthomonas fragariae* Kennedy & King

– propagating material and fruit plants of the basic category shall be produced in areas known to be free from *Xanthomonas fragariae* Kennedy & King; or

– no symptoms of *Xanthomonas fragariae* Kennedy & King are observed on propagating material and fruit plants of the basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed;

– there shall be a rest period, during which the propagating material and fruit plants concerned shall not be grown, which shall be of at least one year between findings of *Xanthomonas fragariae* Kennedy & King and the next planting;

(c) Requirements for RNQPs, other than *Xanthomonas fragariae* Kennedy & King and *Phytophthora fragariae* C.J. Hickman and other than viruses:

– the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs shall not exceed:

– 0.05% in the case of *Aphelenchoides besseyi*;

– 0.1% in the case of Strawberry multiplier disease phytoplasma;

– 0.2% in the case of:

Candidatus Phytoplasma asteris Lee et al.;

Candidatus Phytoplasma pruni;

Candidatus Phytoplasma solani Quaglino et al.;

Verticillium albo-atrum Reinke & Berthold;

Verticillium dahliae Kleb.;

– 0.5% in the case of:

Chaetosiphon fragaefolii Cockerell;

Ditylenchus dipsaci (Kuehn) Filipjev;

Meloidogyne hapla Chitwood;

Podosphaera aphanis (Wallroth) Braun & Takamatsu;

– 1% in the case of *Pratylenchus vulnus* Allen & Jensen; and that propagating material and those fruit plants and any surrounding host plants have been rogued out and destroyed; and

– In the case of a positive test result for propagating material and fruit plants of the basic category showing symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned shall be rogued out and immediately destroyed.

(d) Requirements for all viruses:

Symptoms of all viruses listed in Annexes Nos. 3 and 4 have been observed on no more than 1% of propagating material and fruit plants of the basic category in the production site over the last

complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

6.4. Certified category

Sampling and testing

In the case of symptoms of *Phytophthora fragariae* C.J. Hickman on the foliage, a representative sample of roots shall be sampled and tested. Sampling and testing shall be carried out if the symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than *Arabis* mosaic virus, *Phytophthora fragariae* C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area:

(a) *Phytophthora fragariae* C.J. Hickman

- propagating material and fruit plants of the certified category shall be produced in areas known to be free from *Phytophthora fragariae* C.J. Hickman; or
- no symptoms of *Phytophthora fragariae* C.J. Hickman are observed on the foliage of propagating material and fruit plants of the basic category in the production site over the last complete growing season and any infected propagating material and fruit plants and plants in a surrounding zone of at least 5 m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected propagating material and fruit plants have been lifted;
- there shall be a rest period, during which the propagating material and fruit plants concerned shall not be grown, which shall be of at least ten years between findings of *Phytophthora fragariae* C.J. Hickman and the next planting; or
- the cropping and soil borne disease history of the production site shall be recorded;

(b) *Xanthomonas fragariae* Kennedy & King

- propagating material and fruit plants of the certified category shall be produced in areas known to be free from *Xanthomonas fragariae* Kennedy & King; or
- symptoms of *Xanthomonas fragariae* Kennedy & King have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed;
- there shall be a rest period, during which the propagating material and fruit plants concerned shall not be grown, which shall be of at least one year between findings of *Xanthomonas fragariae* Kennedy & King and the next planting;

(c) requirements for RNQPs, other than *Xanthomonas fragariae* Kennedy & King and *Phytophthora fragariae* C.J. Hickman and other than viruses:

- the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs shall not exceed:
 - 0.1% in the case of *Phytonemus pallidus* Banks;
 - 0.5% in the case of:
 - Aphelenchoides besseyi* Christie;
 - Strawberry multiplier disease phytoplasma;
 - 1% in the case of:
 - Aphelenchoides fragariae* (Ritzema Bos) Christie;

Candidatus Phlomobacter fragariae Zreik, Bove & Garnier;
Candidatus Phytoplasma asteris Lee et al.;
Candidatus Phytoplasma australiense Davis et al.;
Candidatus Phytoplasma fragariae Valiunas, Staniulis & Davis;
Candidatus Phytoplasma pruni;
Candidatus Phytoplasma solani Quaglino et al.;
Chaetosiphon fragaefolii Cockerell;
Clover phyllody phytoplasma;
Ditylenchus dipsaci (Kuehn) Filipjev;
Meloidogyne hapla Chitwood;
Podosphaera aphanis (Wallroth) Braun & Takamatsu;
Pratylenchus vulnus Allen & Jensen;
Rhizoctonia fragariae Hussain & W.E.McKeen;

– 2% in the case of:

Verticillium albo-atrum Reinke & Berthold;

Verticillium dahliae Kleb; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed; and

– in the case of a positive test result for propagating material and fruit plants of the certified category showing symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned shall be rogued out and immediately destroyed;

(d) Requirements for all viruses:

Symptoms of all viruses listed in Annexes Nos. 3 and 4 have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

6.5. CAC category

Sampling and testing

In the case of symptoms of *Phytophthora fragariae* C.J. Hickman on the foliage, a representative sample of roots shall be sampled and tested. Sampling and testing shall be carried out if the symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus are unclear upon visual inspection. Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than Arabis mosaic virus, *Phytophthora fragariae* C.J. Hickman, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area:

(a) *Phytophthora fragariae* C.J. Hickman

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Phytophthora fragariae* C.J. Hickman; or

– no symptoms of *Phytophthora fragariae* C.J. Hickman are observed on the foliage of propagating material and fruit plants of the CAC category in the production site over the last complete growing season and any infected propagating material and fruit plants and plants in a

surrounding zone of at least 5 m radius have been marked, excluded from lifting and marketing, and destroyed after uninfected propagating material and fruit plants have been lifted;

(b) *Xanthomonas fragariae* Kennedy & King

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Xanthomonas fragariae* Kennedy & King; or

– no symptoms of *Xanthomonas fragariae* Kennedy & King are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out; or

– symptoms of *Xanthomonas fragariae* Kennedy & King have been observed on no more than 5% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

(c) Requirements for viruses:

In the case of a positive test result for propagating material and fruit plants of the CAC category showing symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry crinkle virus, Strawberry latent ringspot virus, Strawberry mild yellow edge virus, Strawberry vein banding virus, and Tomato black ring virus, the propagating material and fruit plants concerned shall be rogued out and immediately destroyed.

7. *Juglans regia* L.

7.1. All categories

Visual inspection

Visual inspections shall be carried out once a year.

7.2. Pre-basic category

Sampling and testing

Each flowering pre-basic mother plant shall be sampled and tested one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year concerning the presence of RNQPs listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

7.3. Basic category

Sampling and testing

A representative portion of basic mother plants shall be sampled and tested every year on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in Annexes Nos. 3 and 4.

7.4. Certified category

Sampling and testing

A representative portion of certified mother plants shall be sampled and tested every three years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in Annexes Nos. 3 and 4.

Certified fruit plants shall be sampled and tested in case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

7.5. CAC category

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

8. *Malus Mill.*

8.1. All categories

Visual inspection

Visual inspections shall be carried out once a year.

8.2. Pre-basic category

Sampling and testing

Each pre-basic mother plant shall be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

Requirements with regard to the production site, place of production or area:

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision (EU) 2017/925, the following requirements shall apply concerning *Candidatus Phytoplasma mali* Seemüller & Schneider and *Erwinia amylovora* (Burrill) Winslow et al.:

a) *Candidatus Phytoplasma mali* Seemüller & Schneider

- propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Candidatus Phytoplasma mali* Seemüller & Schneider; or
- no symptoms of *Candidatus Phytoplasma mali* Seemüller & Schneider are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed;

(b) *Erwinia amylovora* (Burrill) Winslow et al.

- propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or
- propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

8.3. Basic category

Sampling and testing

In the case of basic mother plants, which have been maintained in insect proof facilities, a representative portion of basic mother plants shall be sampled and tested every fifteen years concerning the presence of *Candidatus Phytoplasma mali* Seemüller & Schneider.

In the case of basic mother plants, which have been not maintained in insect proof facilities, a representative portion of basic mother plants shall be sampled and tested every three years concerning the presence of *Candidatus Phytoplasma mali* Seemüller & Schneider; a representative portion of basic mother plants shall be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus Phytoplasma mali* Seemüller & Schneider and other than the virus-like diseases and viroids, listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

8.4. Certified category

Sampling and testing

In the case of certified mother plants, which have been maintained in insect proof facilities, a representative portion of certified mother plants shall be sampled and tested every fifteen years concerning the presence of *Candidatus Phytoplasma mali* Seemüller & Schneider.

In the case of certified mother plants which have not been maintained in insect proof facilities, a representative portion of certified mother plants shall be sampled and tested every five years

concerning the presence of *Candidatus Phytoplasma mali* Seemüller & Schneider; a representative portion of certified mother plants shall be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus Phytoplasma mali* Seemüller & Schneider and other than virus-like diseases and viroids, listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

Certified fruit plants shall be sampled and tested in case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

8.5. Basic and certified categories

Requirements with regard to the production site, place of production or area:

a) *Candidatus Phytoplasma mali* Seemüller & Schneider

– propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Candidatus Phytoplasma mali* Seemüller & Schneider; or

– no symptoms of *Candidatus Phytoplasma mali* Seemüller & Schneider are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Candidatus Phytoplasma mali* Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus Phytoplasma mali* Seemüller & Schneider;

(b) *Erwinia amylovora* (Burrill) Winslow et al.

– propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

– propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

8.6. CAC category

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

a) *Candidatus Phytoplasma mali* Seemüller & Schneider

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Candidatus Phytoplasma mali* Seemüller & Schneider or

– no symptoms of *Candidatus Phytoplasma mali* Seemüller & Schneider are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Candidatus Phytoplasma mali* Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining

asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus Phytoplasma mali* Seemüller & Schneider;

(b) *Erwinia amylovora* (Burrill) Winslow et al.

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

– propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

9. *Olea europaea* L.

9.1. All categories

Visual inspection

Visual inspections shall be carried out once a year.

9.2. Pre-basic category

Sampling and testing

Each pre-basic mother plant shall be sampled and tested ten years after its acceptance as a pre-basic mother plant and with subsequent intervals of ten years concerning the presence of RNQPs listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

9.3. Basic category

Sampling and testing

A representative portion of basic mother plants shall be sampled in order to have all plants tested within an interval of thirty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in Annexes Nos. 3 and 4.

9.4. Certified category

Sampling and testing

In the case of mother plants used for the production of seeds (“seed mother plants”), a representative portion of those seed mother plants shall be sampled in order to have all plants tested within an interval of forty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in Annexes Nos. 3 and 4. In the case of mother plants other than seed mother plants, a representative portion of those plants shall be sampled in order to have all plants tested within an interval of thirty years on the basis of an assessment of the risk of infection of those plants concerning the presence of the RNQPs listed in Annexes Nos. 3 and 4.

9.5. CAC category

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

10. *Pistacia vera* L.

All categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of the RNQPs listed in Annex No. 3.

11. Prunus armeniaca L., Prunus avium L., Prunus cerasifera Ehrh., Prunus cerasus L., Prunus domestica L., Prunus dulcis (Miller) Webb, Prunus persica (L.) Batsch and Prunus salicina Lindley

11.1. Pre-basic category

Visual inspection

Visual inspections shall be carried out twice a year with regard to *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Plum pox virus, *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al. and *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie (*Prunus persica* (L.) Batsch and *Prunus salicina* Lindley). Visual inspections shall be carried out once a year for all RNQPs, other than *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Plum pox virus, *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al. and *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie, listed in Annexes Nos. 3 and 4.

Sampling and testing

Propagating material and fruit plants of the pre-basic category of *Prunus armeniaca* L., *Prunus avium* L., *Prunus cerasus* L., *Prunus domestica* L., and *Prunus dulcis* (Miller) Webb, shall derive from mother plants, which have been tested within the previous growing season and found free from Plum pox virus.

Pre-basic rootstocks of *Prunus cerasifera* Ehrh. and *Prunus domestica* L. shall derive from mother plants, which have been tested within the previous growing season and found free from Plum pox virus. Pre-basic rootstocks of *Prunus cerasifera* Ehrh. and *Prunus domestica* L. shall derive from mother plants, which have been tested within the previous five growing seasons and found free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider.

Each flowering pre-basic mother plant shall be sampled and tested for Prune dwarf virus and Prunus necrotic ringspot virus one year after its acceptance as a pre-basic mother plant and with subsequent intervals of one year. In the case of *Prunus persica*, each flowering pre-basic mother plant shall be sampled one year after its acceptance as a pre-basic mother plant and tested for Peach latent mosaic viroid. Each tree planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for Prune dwarf virus and Prunus necrotic ringspot virus.

Each pre-basic mother plant shall be sampled five years after its acceptance as a pre-basic mother plant, and with subsequent intervals of five years, and tested for *Candidatus Phytoplasma prunorum* Seemüller & Schneider and Plum pox virus. Each pre-basic mother plant shall be sampled ten years after its acceptance as a pre-basic mother plant, and with subsequent intervals of ten years, and tested for RNQPs, other than Prune dwarf virus, Plum pox virus and Prunus necrotic ringspot virus, relevant for the species, as listed in Annex No. 4, and tested in the case of doubts concerning the presence of RNQPs listed in Annex No. 3. A representative portion of pre-basic mother plants shall be sampled and tested in the case of doubts concerning the presence of *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al.

Requirements with regard to the production site, place of production or area

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision (EU) 2017/925, the following requirements shall apply concerning *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Plum pox virus, *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al. and *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie:

a) *Candidatus Phytoplasma prunorum* Seemüller & Schneider

– propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider; or

– no symptoms of *Candidatus Phytoplasma prunorum* Seemüller & Schneider are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– propagating material and fruit plants of the pre-basic category in the production site shall be isolated from other host plants. The isolation distance of the production site shall depend on regional circumstances, the type of propagating material, the presence of *Candidatus Phytoplasma prunorum* Seemüller & Schneider in the area concerned and the relevant risks involved as set out by the competent authorities based on inspection;

(b) Plum pox virus

– propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Plum pox virus*; or

– no symptoms of Plum pox virus are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– propagating material and fruit plants of the pre-basic category in the production site shall be isolated from other host plants. The isolation distance of the production site shall depend on regional circumstances, the type of propagating material, the presence of Plum pox virus in the area concerned and the relevant risks involved as set out by the competent authorities based on inspection;

(c) *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie

– propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie; or

– no symptoms of *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed;

(d) *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al.

– propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al.; or

– no symptoms of *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al. are observed on propagating material and fruit plants of the pre-basic category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

11.2. Basic, certified and CAC categories

Visual inspection

Visual inspections shall be carried out once a year.

11.3. Basic category

Sampling and testing

(a) Mother plants which have been maintained in insect proof facilities

A representative portion of basic mother plants shall be sampled every three years and tested concerning the presence of Prune dwarf virus, Prunus necrotic ringspot virus and Plum pox virus. A representative portion of basic mother plants shall be sampled every ten years and tested concerning the presence of *Candidatus Phytoplasma prunorum* Seemüller & Schneider.

(b) Mother plants which have not been maintained in insect proof facilities

A representative portion of basic mother plants, other than those intended for the production of rootstocks, shall be sampled every year and tested for Plum pox virus in order to have all plants tested within an interval of ten years.

A representative portion of basic mother plants, intended for the production of rootstocks shall be sampled every year and tested concerning the presence of Plum pox virus and found free from that RNQPs. A representative portion of basic mother plants of *Prunus domestica* L. intended for the production of rootstocks must be sampled and tested in the previous five growing seasons concerning the presence of *Candidatus Phytoplasma prunorum* Seemüller & Schneider and found free from that RNQPs.

A representative portion of basic mother plants shall be sampled and tested in the case of doubts concerning the presence of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al. A representative portion of basic mother plants shall be sampled and tested every ten years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Prune dwarf virus, Prunus necrotic ringspot virus and Plum pox virus, listed in Annex No. 4, and tested in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

– Flowering mother plants

A representative portion of flowering basic mother plants shall be sampled every year and tested for *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Prune dwarf virus and Prunus necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.

In the case of *Prunus persica* (L.) Batsch, a representative portion of flowering basic mother plants shall be sampled once a year and tested for Peach latent mosaic viroid on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for Prune dwarf virus and Prunus necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.

– Non-flowering mother plants

A representative portion of non-flowering basic mother plants which have been not maintained in insect proof facilities shall be sampled and tested every three years concerning the presence of Prune dwarf virus, Prunus necrotic ringspot virus and *Candidatus Phytoplasma prunorum* Seemüller & Schneider on the basis of an assessment of the risk of infection of those plants.

11.4. Certified category

Sampling and testing

(a) Mother plants which have been maintained in insect proof facilities

A representative portion of certified mother plants shall be sampled every five years and tested concerning the presence of Prune dwarf virus, Prunus necrotic ringspot virus and Plum pox virus in order to have all plants tested within an interval of fifteen years. A representative portion of certified mother plants shall be sampled every fifteen years and tested concerning the presence of *Candidatus Phytoplasma prunorum* Seemüller & Schneider.

(b) Mother plants which have not been maintained in insect proof facilities

A representative portion of certified mother plants shall be sampled every three years and tested for Plum pox virus in order to have all plants tested within an interval of fifteen years.

A representative portion of certified mother plants intended for the production of rootstocks shall be sampled every year and tested concerning the presence of Plum pox virus and found free from that RNQPs. A representative portion of certified mother plants of *Prunus cerasifera* Ehrh. and *Prunus domestica* L. intended for the production of rootstocks have been sampled in the previous five growing seasons and tested concerning the presence of *Candidatus Phytoplasma prunorum* Seemüller & Schneider and found free from that RNQPs.

A representative portion of certified mother plants shall be sampled and tested in the case of doubts concerning the presence of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al. A representative portion of certified mother plants shall be sampled every fifteen years and tested on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Prune dwarf virus, Prunus necrotic ringspot virus and Plum pox virus, listed in Annex No. 4, and tested in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

– Flowering mother plants

A representative portion of flowering certified mother plants shall be sampled every year and tested for *Candidatus Phytoplasma prunorum* Seemüller & Schneider, Prune dwarf virus and Prunus necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants. In the case of *Prunus persica* (L.) Batsch, a representative portion of flowering certified mother plants shall be sampled once a year and tested for Peach latent mosaic viroid on the basis of an assessment of the risk of infection of those plants. A representative portion of trees planted intentionally for pollination and, where appropriate, the major pollinating trees in the environment shall be sampled and tested for Prune dwarf virus and Prunus necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.

– Non-flowering mother plants

A representative portion of non-flowering certified mother plants, which have not been maintained in insect proof facilities, shall be sampled every three years and tested concerning the presence of *Candidatus Phytoplasma prunorum*, Prune dwarf virus and Prunus necrotic ringspot virus on the basis of an assessment of the risk of infection of those plants.

11.5. Basic and certified categories

Requirements with regard to the production site, place of production or area

a) *Candidatus Phytoplasma prunorum* Seemüller & Schneider

- propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider; or
- no symptoms of *Candidatus Phytoplasma prunorum* Seemüller & Schneider are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or
- symptoms of *Candidatus Phytoplasma prunorum* Seemüller & Schneider have been observed on no more than 1% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic plants were found has been tested and found free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider;

(b) Plum pox virus

- propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from Plum pox virus; or
- no symptoms of Plum pox virus are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or
- symptoms of Plum pox virus have been observed on no more than 1% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the

immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic plants were found has been tested and found free from Plum pox virus;

(c) *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie

– propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie; or

– no symptoms of *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the pre-basic and certified categories in the production site over the last complete growing season and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Pseudomonas syringae pv. persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed;

(d) *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al.

– propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al.; or

– no symptoms of *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al. are observed on propagating material and fruit plants of the basic and certified categories in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al. have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

11.6. CAC category

Sampling and testing

Propagating material and fruit plants of the CAC category shall derive from an identified source of material, of which a representative portion has been sampled and tested within the previous three growing seasons and found free from Plum pox virus.

CAC rootstocks of *Prunus cerasifera* Ehrh. and *Prunus domestica* L. shall derive from an identified source of material of which a representative portion has been sampled and tested within the previous 5 years and found free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider and Plum pox virus.

A representative portion of propagating material and fruit plants of the CAC category shall be sampled and tested in the case of doubts concerning the presence of *Xanthomonas arboricola pv. pruni* (Smith) Vauterin et al.

A representative portion of CAC fruit plants not showing any symptoms of Plum pox virus upon visual inspection shall be sampled and tested on the basis of an assessment of the risk of infection of those fruit plants concerning the presence of that RNQPs and in the case of symptomatic plants in the immediate vicinity.

Upon the detection of propagating material and fruit plants of the CAC category showing symptoms of *Candidatus Phytoplasma prunorum* Seemüller & Schneider in the production site by visual inspection, a representative portion of the remaining asymptomatic CAC propagating material and fruit plants of the CAC category in the lots where symptomatic propagating

material and fruit plants have been found shall be sampled and tested concerning the presence of *Candidatus Phytoplasma prunorum* Seemüller & Schneider.

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than *Candidatus Phytoplasma prunorum* Seemüller & Schneider and Plum pox virus, listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

(a) *Candidatus Phytoplasma prunorum* Seemüller & Schneider

- propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider; or
- no symptoms of *Candidatus Phytoplasma prunorum* Seemüller & Schneider are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or
- symptoms of *Candidatus Phytoplasma prunorum* Seemüller & Schneider have been observed on no more than 1% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus Phytoplasma prunorum* Seemüller & Schneider; or
- symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie and *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al. have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

(b) Plum pox virus

- propagating material and fruit plants of the CAC category shall be produced in areas known to be free from Plum pox virus; or
- no symptoms of Plum pox virus are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or
- symptoms of Plum pox virus have been observed on no more than 1% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from Plum pox virus;

(c) *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie

- propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie; or
- no symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie are observed on propagating material and fruit plants of the CAC category in the

production site over the last complete growing season and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti & Gardan) Young, Dye & Wilkie have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

(d) *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al.

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al.; or

– no symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al. are observed on propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin et al. have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

12. *Pyrus* L.

12.1. All categories

Visual inspection

Visual inspections shall be carried out once a year.

12.2. Pre-basic category

Sampling and testing

Each pre-basic mother plant shall be sampled and tested fifteen years after its acceptance as a pre-basic mother plant and with subsequent intervals of fifteen years concerning the presence of RNQPs other than virus-like diseases and viroids listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

Requirements with regard to the production site, place of production or area

In the case where a derogation is allowed to produce pre-basic material in the field under non-insect proof conditions, pursuant to Commission Implementing Decision (EU) 2017/925, the following requirements shall apply concerning *Candidatus Phytoplasma pyri* Seemüller & Schneider and *Erwinia amylovora* (Burrill) Winslow et al.:

a) *Candidatus Phytoplasma pyri* Seemüller & Schneider

– propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Candidatus Phytoplasma pyri* Seemüller & Schneider; or

– no symptoms of *Candidatus Phytoplasma pyri* Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

(b) *Erwinia amylovora* (Burrill) Winslow et al.

– propagating material and fruit plants of the pre-basic category shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

– propagating material and fruit plants of the pre-basic category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

12.3. Basic category

Sampling and testing

In the case of basic mother plants which have been maintained in insect proof facilities, a representative portion of basic mother plants shall be sampled and tested every fifteen years concerning the presence of *Candidatus Phytoplasma pyri* Seemüller & Schneider.

In the case of basic mother plants which have been not maintained in insect proof facilities, a representative portion of basic mother plants shall be sampled and tested every three years concerning the presence of *Candidatus Phytoplasma pyri* Seemüller & Schneider; a representative portion of basic mother plants shall be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus Phytoplasma pyri* Seemüller & Schneider and other than the virus-like diseases and viroids, listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

12.4. Certified category

Sampling and testing

In the case of certified mother plants, which have been maintained in insect proof facilities, a representative portion of certified mother plants shall be sampled and tested every fifteen years concerning the presence of *Candidatus Phytoplasma pyri* Seemüller & Schneider.

In the case of certified mother plants, which have been not maintained in insect proof facilities, a representative portion of certified mother plants shall be sampled and tested every five years concerning the presence of *Candidatus Phytoplasma pyri* Seemüller & Schneider; a representative portion of certified mother plants shall be sampled and tested every fifteen years on the basis of an assessment of the risk of infection of those plants concerning the presence of RNQPs, other than *Candidatus Phytoplasma pyri* Seemüller & Schneider and other than virus-like diseases and viroids, listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

Certified fruit plants shall be sampled and tested in case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

12.5. Basic and certified categories

Requirements with regard to the production site, place of production or area

a) *Candidatus Phytoplasma pyri* Seemüller & Schneider

- propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Candidatus Phytoplasma pyri* Seemüller & Schneider; or
- no symptoms of *Candidatus Phytoplasma pyri* Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or
- symptoms of *Candidatus Phytoplasma pyri* Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus Phytoplasma pyri* Seemüller & Schneider.

(b) *Erwinia amylovora* (Burrill) Winslow et al.

- propagating material and fruit plants of the basic and certified categories shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or
- propagating material and fruit plants of the basic and certified categories in the production site have been inspected over the last complete growing season, and any propagating material and

fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

12.6. CAC category

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

a) *Candidatus Phytoplasma pyri* Seemüller & Schneider

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Candidatus Phytoplasma pyri* Seemüller & Schneider; or

– no symptoms of *Candidatus Phytoplasma pyri* Seemüller & Schneider are observed at the production site over the last complete growing season, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed; or

– symptoms of *Candidatus Phytoplasma pyri* Seemüller & Schneider have been observed on no more than 2% of propagating material and fruit plants of the CAC category in the production site over the last complete growing season, and that propagating material and those fruit plants, and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed, and a representative sample of the remaining asymptomatic propagating material and fruit plants in the lots in which symptomatic propagating material and fruit plants were found has been tested and found free from *Candidatus Phytoplasma pyri* Seemüller & Schneider.

(b) *Erwinia amylovora* (Burrill) Winslow et al.

– propagating material and fruit plants of the CAC category shall be produced in areas known to be free from *Erwinia amylovora* (Burrill) Winslow et al.; or

– propagating material and fruit plants of the CAC category in the production site have been inspected over the last complete growing season, and any propagating material and fruit plants showing symptoms of *Erwinia amylovora* (Burrill) Winslow et al. and any surrounding host plants have been immediately rogued out and destroyed.

13. Ribes L.

13.1. Pre-basic category

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested four years after its acceptance as a pre-basic mother plant and with subsequent intervals of four years concerning the presence of RNQPs listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

13.2. Basic, certified and CAC categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

13.3. Basic category

Requirements with regard to the production site, place of production or area

The percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season showing symptoms of *Aphelenchoides ritzemabosi*

(Schwartz) Steiner & Buhrer shall not exceed 0.05% and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

13.4. Certified category

Requirements with regard to the production site, place of production or area

The percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season showing symptoms of *Aphelenchoides ritzemabosi* (Schwartz) Steiner & Buhrer shall not exceed 0.5% and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

14. Rubus L.

14.1. Pre-basic category

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested two years after its acceptance as a pre-basic mother plant and with subsequent intervals of two years concerning the presence of RNQPs listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

14.2. Basic category

Visual inspection

Where propagating material and fruit plants are grown in the field or in pots, visual inspections shall be carried out twice a year.

For propagating material and fruit plants produced by micropropagation, and which are maintained for a period shorter than three months, only one visual inspection during this period is necessary.

Sampling and testing

Sampling and testing shall be carried out if the symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than Arabis mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

(a) In the case of a positive test result for propagating material and fruit plants of the basic category showing symptoms of Arabis mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned shall be rogued out and immediately destroyed.

(b) Requirements for RNQPs other than Arabis mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus:

The percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs shall not exceed:

– 0.1% in the case of:

Agrobacterium spp. Conn.;

Rhodococcus fascians Tilford; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed; and

(c) Requirements for all viruses:

Symptoms of all viruses listed in Annexes Nos. 3 and 4 have been observed on no more than 0.25% of propagating material and fruit plants of the basic category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

14.3. Certified category

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out if the symptoms of *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

(a) In the case of a positive test result for propagating material and fruit plants of the certified category showing symptoms of *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus or Tomato black ring virus, the propagating material and fruit plants concerned shall be rogued out and immediately destroyed.

(b) Requirements for RNQPs other than *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus:

The percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs shall not exceed:

– 0.5% in the case of *Resseliella theobaldi* Barnes;

– 1% in the case of:

Agrobacterium spp. Conn.;

Rhodococcus fascians Tilford; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

(c) Requirements for all viruses:

Symptoms of all viruses listed in Annexes Nos. 3 and 4 have been observed on no more than 0.5% of propagating material and fruit plants of the certified category in the production site over the last complete growing season, and that propagating material and those fruit plants and any symptomatic plants in the immediate vicinity have been rogued out and immediately destroyed.

14.4. CAC category

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out if the symptoms of *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus are unclear upon visual inspection. Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs, other than *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot virus and Tomato black ring virus, listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

In the case of a positive test result for propagating material and fruit plants of the CAC category showing symptoms of *Arabis* mosaic virus, Raspberry ringspot virus, Strawberry latent ringspot

virus or Tomato black ring virus, the propagating material and fruit plants concerned shall be rogued out and immediately destroyed.

15. *Vaccinium L.*

15.1. Pre-basic category

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Each pre-basic mother plant shall be sampled and tested five years after its acceptance as a pre-basic mother plant and with subsequent intervals of five years concerning the presence of RNQPs listed in Annex No. 4, and in the case of doubts concerning the presence of RNQPs listed in Annex No. 3.

15.2. Basic category

Visual inspection

Visual inspections shall be carried out twice a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

Requirements with regard to the production site, place of production or area

(a) *Agrobacterium tumefaciens* (Smith & Townsend) Conn

– no symptoms of *Agrobacterium tumefaciens* (Smith & Townsend) Conn are observed at the production site over the last complete growing season.

(b) *Diaporthe vaccinii* Shear

– propagating material and fruit plants of the basic category shall be produced in areas known to be free from *Diaporthe vaccinii* Shear; or

– no symptoms of *Diaporthe vaccinii* Shear are observed at the production site over the last complete growing season.

(c) *Exobasidium vaccinii* (Fuckel) Woronin and *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck

– the percentage of propagating material and fruit plants of the basic category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs shall not exceed:

– 0.1% in the case of *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck;

– 0.5% in the case of *Exobasidium vaccinii* (Fuckel) Woronin; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

15.3. Certified and CAC categories

Visual inspection

Visual inspections shall be carried out once a year.

Sampling and testing

Sampling and testing shall be carried out in the case of doubts concerning the presence of RNQPs listed in Annexes Nos. 3 and 4.

15.4. Certified category

Requirements with regard to the production site, place of production or area

a) *Diaporthe vaccinii* Shear

– propagating material and fruit plants of the certified category shall be produced in areas known to be free from *Diaporthe vaccinii* Shear; or

– no symptoms of *Diaporthe vaccinii* Shear are observed at the production site over the last complete growing season.

(b) *Agrobacterium tumefaciens* (Smith & Townsend) Conn, *Exobasidium vaccinii* (Fuckel) Woronin and *Godronia cassandrae* (anamorph *Topospora myrtilli*) Peck

– the percentage of propagating material and fruit plants of the certified category in the production site over the last complete growing season, showing symptoms of each of the following RNQPs shall not exceed:

– 0.5% in the case of:

Agrobacterium tumefaciens (Smith & Townsend) Conn;

Godronia cassandrae (anamorph *Topospora myrtilli*) Peck;

– 1% in the case of *Exobasidium vaccinii* (Fuckel) Woronin; and that propagating material and those fruit plants, and any surrounding host plants have been rogued out and destroyed.

Annex No. 6 to Article 7a(4)

(New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 63/2020, effective date 17.07.2020)

List of RNQPs whose presence in soil is governed by Article 7a(1) and (4)

Genus or species	RNQPs
<i>Fragaria L.</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikolletzky) Thorne [XIPHDI]
<i>Juglans regia L.</i>	Nematodes <i>Xiphinema diversicaudatum</i> (Mikolletzky) Thorne [XIPHDI]
<i>Olea europaea L.</i>	Nematodes <i>Xiphinema diversicaudatum</i> (Mikolletzky) Thorne [XIPHDI]
<i>Pistacia vera L.</i>	Nematodes <i>Xiphinema index</i> Thorne & Allen [XIPHIN]
<i>Prunus avium L. and Prunus cerasus L.</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikolletzky) Thorne [XIPHDI]
<i>Prunus domestica L., Prunus persica (L.) Batsch and Prunus salicina Lindley</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Xiphinema diversicaudatum</i> (Mikolletzky) Thorne

	[XIPHDI]
<i>Ribes L.</i>	Nematodes <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]
<i>Rubus L.</i>	Nematodes <i>Longidorus attenuatus</i> Hooper [LONGAT] <i>Longidorus elongatus</i> (de Man) Thorne & Swanger [LONGEL] <i>Longidorus macrosoma</i> Hooper [LONGMA] <i>Xiphinema diversicaudatum</i> (Mikoletzky) Thorne [XIPHDI]

Annex No. 7 to Article 13(1)(1)

(New, SG No. 95/2016, effective date 1.01.2017, amended, SG No. 30/2020, effective date 1.04.2020)

Particulars to be included in the producer's document/label

1. the words 'EC rules and standards';
2. indication of the code of the Republic of Bulgaria;
3. the responsible official body or its distinguishing code:
 - 3.1. control/certification authority or its distinguishing code – IASAS, Sofia, 125, Tsarigradsko Chausse, bl. 1;
 - 3.2. Bulgarian Food Safety Agency, Sofia, 15A Pencho Slaveykov Blvd.;
4. producer's name or registration number/code issued by the responsible official body;
5. individual batch number, number of the week or lot number;
6. botanical name;
7. CAC material;
8. denomination of the variety and, where appropriate, of the clone; in the case of rootstocks not belonging to a variety, the denomination of the species or interspecific hybrid; in the case of grafted plants, reference shall be made to the rootstock and the top scion; in the case of varieties for which the official registration or plant protection rights procedure is pending, the following reference shall be included: 'proposed denomination' and 'pending procedure';
9. (Repealed, SG No. 30/2020, effective date 1.04.2020);
10. (Repealed, SG No. 30/2020, effective date 1.04.2020);
11. date of issuance of the document.

Annex No. 8 to Article 13(8)

(New, SG No. 95/2016, effective date 1.01.2017, supplemented, SG No. 63/2020, effective date 17.07.2020)

Particulars to be included in the label

1. the words 'EC rules and standards';
2. indication of the code of the Republic of Bulgaria;
3. the responsible official body or its distinguishing code:

- 3.1. control/certification authority or its distinguishing code - IASAS, Sofia, 125 Tsarigradsko Chausse, bl. 1;
- 3.2. Bulgarian Food Safety Agency, Sofia, 15A, Pencho Slaveykov Blvd.;
4. producer's name or registration number/code issued by the responsible official body;
5. reference number of the package or bundle, individual batch number, number of the week or lot number;
6. botanical name;
7. category and, in the case of basic material, number of generation;
8. denomination of the variety and, where appropriate, of the clone; in the case of rootstocks not belonging to a variety, the denomination of the species or interspecific hybrid; in the case of grafted plants, reference shall be made to the rootstock and the top scion; in the case of varieties for which the official registration or plant protection rights procedure is pending, the following reference shall be included: 'proposed denomination' and 'pending procedure';
9. indication 'variety with officially accepted description', where appropriate;
10. quantity;
11. in the case of imports from third countries – the country of harvesting the fruit plant propagating material;
12. year of issue;
13. the year of issue of the original label shall be indicated, where the original label is replaced by another label;
14. (New, SG No. 63/2020, effective date 17.07.2020) plant passport with the following designations:
 1. for movement within the Union territory:
 - (a) the words 'plant passport' written in Bulgarian and in English divided by a slash in the upper-right corner of the common label;
 - (b) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label;
 2. for introduction and movement within protected zones:
 - (a) the words 'plant passport – PZ' written in Bulgarian and in English divided by a slash in the upper-right corner of the common label;
 - (b) the scientific name or code of the relevant quarantine pest(s) of significance for the protected zone immediately below these words;
 - (c) the Union logo printed in colour or in black-and-white in the upper-left corner of the common label.