

Marketing of fruit plant propagating material and fruit plants intended for fruit production (repeal. Directive 92/34/EEC). Recast

2007/0014(CNS) - 29/09/2008 - Final act

PURPOSE: to revise legislation on the marketing of fruit plant propagating material and fruit plants intended for fruit production.

LEGISLATIVE ACT: Council Directive 2008/90/EC on the marketing of fruit plant propagating material and fruit plants intended for fruit production (recast).

CONTENT: Community legislation on the marketing of fruit plant propagating material and fruit plants intended for fruit production was adopted in 1992 with a view to setting harmonised conditions at Community level to ensure that purchasers throughout the Community receive propagating material and fruit plants which are healthy and of good quality. Since it was adopted, it has proven to be a simple and effective tool for the harmonisation of the internal market.

In the meantime, the reform of the Common Agricultural Policy in June 2003 and April 2004 introduced major changes likely to have a significant impact on the economy in terms of agricultural product patterns, land management methods, employment and the wider social and economic conditions in rural areas.

In this context, this Directive repeals Council Directive 92/34/ECC, with effect from 30 September 2012. It brings it up to date by improving Community conditions that ensure that purchasers receive propagating material and fruit plants which are healthy and of good quality. It improves and simplifies the regulatory framework in which businesses operate, based on technical and scientific progress and clear conditions to be satisfied, to respond to the new consumers' and industry's needs; It also complements the harmonisation of the other Directives on the marketing of propagating material which have recently been amended in the framework of the new Common Agricultural Policy.

The Directive applies to the marketing of fruit plant propagating material and fruit plants intended for fruit production within the Community. It shall apply to the genera and species listed in Annex I as well as to their hybrids. It shall also apply to rootstocks and other parts of plants of other genera or species than those listed in Annex I or their hybrids, if material of genera or species listed in Annex I or their hybrids is grafted or is to be grafted onto them.

The Directive shall not apply to propagating material or fruit plants shown to be intended for export to third countries, provided they are identified as such and kept sufficiently isolated.

The main provisions of the Directive relate to:

- requirements for propagating material and fruit plants;
- requirements to be met by suppliers;
- variety identification and labelling;
- exemptions;
- propagating material and fruit plants produced in third countries;
- control measures.

Transitional measures: Member States may, until 31 December 2018, allow the marketing in their own territory of 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. When marketed, such propagating material and fruit plants shall be identified by a reference to this Article on the label and/or document. Beyond 31 December 2018 propagating material and fruit plants may be marketed if the requirements of this Directive are fulfilled.

ENTRY INTO FORCE: 28/10/2008.

TRANSPOSITION: 31/03/2010.

APPLICATION: from 30/09/2012.