No. 1563

MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Explanatory Notes[1]

1. Introduction

Title of the Legal Notice	Fruit Plant Propagation Material (Amendment) Regulations, 2025 (hereinafter referred to as the "amending regulations")
Activity to be regulated	Regulated non-quarantine pests (RNQPs)
Responsible entity	Food Safety and Security Authority

2. Summary and background

The scope of the amending regulations is to transpose Commission Implementing Directive (EU) 2025/145 of 29 January 2025 amending Implementing Directive (EU) 2014/98/EU as regards the Union regulated non-quarantine pests Tobacco ringspot virus, Tomato ringspot virus, *Pucciniastrum minimum* (Schweinitz) Arthur and Fig mosaic agent and correcting that Implementing Directive as regards measures concerning *Candidatus* Phytoplasma *prunorum* Seemüller & Schneider. Through these amending regulations, the Fruit Trees Propagation Material Regulations (S.L. 433.08) (hereinafter referred to as the "principal regulations") shall be updated.

Tobacco ringspot virus and Tomato ringspot virus have been included as regulated non-quarantine pests (RNQPs) following their removal from the list of Union quarantine pests for certain genera and species and *Pucciniastrum minimum* included as an RNQP for *Vaccinium* L.. Fig mosaic agent has been deleted for *Ficus carica* L.. In addition, *Pseudomonas syringae pv. persicae* and *Xanthomonas arboricola pv. pruni* were erroneously included under the measures for *Candidatus* Phytoplasma *prunorum*.

Malta as an EU Member State is bound to take on-board the new updated technical rules on the phytosanitary status of certain pests as well as where applicable amend the specific measures aimed against certain pests.

3. Overview of the structure of the instrument

The amending regulations are made up of four (4) regulations and consist of the following:

Regulation 1: Citation and scope.
Regulation 2: Amends Schedule A to the principal regulations.
Regulation 3: Amends Schedule B to the principal regulations.
Regulation 4: Amends Schedule D to the principal regulations.

4. Commentary

Regulation 2: Amends Schedule A to the principal regulations by deleting Fig mosaic agent to the list of viruses, viroids, virus-like diseases and phytoplasmas.for *Ficus carica* and by adding *Pucciniastrum minimum* Sydow & P. Sydow to the list of fungi and oomycetes for Vaccinium L.

Regulation 3: Amends Schedule B to the principal regulations by adding Tomato ringspot virus to the list of viruses, viroids, virus-like diseases and phytoplasmas for *Malus* Mill., *Prunus* L., *Rubus* L. and *Vaccinium* L. and Tobacco ringspot virus for *Vaccinium* L..

Regulation 4: Substitutes items 8, 11, 14 and 15 of Schedule D to the principal regulations by:

[1]These Explanatory Notes are for the purpose of and in accordance with article 3(2)(c) and Schedule III of Chapter 512 of the Laws of Malta.

- Adding provisions for Tomato ringspot virus under the requirements with regards to sampling and testing and, or the production site and the place of production or area for:

(a) pre-basic, basic, certified and CAC categories of *Malus Mill*;
(b) pre-basic, basic, certified and CAC categories of *Prunus armeniaca* L., *Prunus avium* L., *Prunus cerasifera* Ehrh., *Prunus cerasus* L., *Prunus domestica* L., *Prunus dulci*s (Miller) Webb, *Prunus persica* (L.) *Batsch* and *Prunus salicina* Lindley;
(c) basic, certified and CAC categories of *Rubus L.*;
(d) basic, certified and CAC categories of *Vaccinium L.*;

- Adding provisions for Tobacco ringspot virus under the requirements with regards to the production site and the place of production or area for basic, certified and CAC categories of *Vaccinium L.*;

- Providing separately the measures against *Pseudomonas syringae* pv. *persicae* (Prunier, Luisetti &. Gardan) Young, Dye & Wilkie and *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al*. from those for *Candidatus* Phytoplasma *prunorum* Seemüller & Schneider in the case of the requirements for the CAC category of *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.

5. Concluding Section

These regulations shall come into force from the date of their publication in the Government Gazette of Malta.

For further information kindly contact the Food Safety and Security Authority via email at plantprotection@gov.mt or via telephone 80072310 or 22926535.

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

3rd October, 2025

User Guidelines

Legal Notice: Fruit Plant Propagation Material (Amendment) Regulations, 2025

Target Audience

The following information pertains to professional operators that are registered with the Food Safety and Security Authority and which are active in the sector of propagation and marketing of propagation material of fruit plants and/or of fruit plants for fruit production.

Objective of the Legal Notice

The national law, Subsidiary Legislation 433.08 – Fruit Trees Propagation Material Regulations LEGISLATION MALTA, provides the rules and standards for the production and marketing of propagation material of fruit plants and of fruit plants for fruit production

The new Legal Notice adopted at national level updates the following parts of Subsidiary Legislation 433.08:

- Schedule A of Section IV
- Schedule B of Section IV
- Schedule D of Section IV.

Schedule A

From the table of this schedule, the plant pest *Fig mosaic* agent has been deleted from the list of viruses, viroids, virus-like diseases and phytoplasmas and the pest *Pucciniastrum minimum* has been added to the same table under the list of fungi and oomycetes for *Vaccinium* L...

Schedule B

In the table of this schedule, the pest *Tomato ringspot* virus has been included for the first time for *Malus* Mill., *Prunus* L., *Rubus* L. and *Vaccinium* L. and Tobacco ringspot virus for *Vaccinium* L. as these pests are now Regulated Non-Quarantine Pests.

Schedule D

The new Legal Notice provides changes to the following parts of the schedule:

- Adding provisions for *Tomato ringspot* virus under the requirements with regards to sampling and testing and/or the production site and the place of production or area for:

(a) pre-basic, basic, certified and CAC categories of *Malus* Mill.;
(b) pre-basic, basic, certified and CAC categories of various species of *Prunus* L.;
(c) basic, certified and CAC categories of *Rubus* L.;
(d) basic, certified and CAC categories of *Vaccinium* L.;

- Adding provisions for Tobacco ringspot virus under the requirements with regards to the production site and the place of production or area for basic, certified and CAC categories of Vaccinium L.;

- Providing separately the measures against the pests *Pseudomonas syringae* pv. *persicae* and *Xanthomonas arboricola* pv. *pruni* from those for *Candidatus* Phytoplasma *prunorum* in the case of the requirements for the CAC category of *Prunus* L..

Sectors affected

Business related to the fruit sector.

Compliance

Professional operators need to take all the necessary measures to guarantee compliance with these new regulations when cultivating the above mentioned species such as by growing plant material in areas established to be free from the relevant pests, regularly inspecting visually the plant material, keeping lots separately identifiable, labelling the material appropriately, contacting the Plant Protection Directorate in case of suspicion or actual presence of the plant pests in question and destruction of any infected plant material.

The detail in this document do not substitute the national legislation and do not have any legal weighting. Any mistake or omission in these guidelines does not exempt the professional operator from the compliance required by Subsidiary Legislation 433.08 together with the new Legal Notice.

Regulator

Among other responsibilities, the Food Safety and Security Authority shall ensure that the propagation material and fruit plants for fruit production are officially inspected, sampled and tested in laboratories before marketing takes place.

Contact Details

More explanations can be obtained by communication with the Food Safety and Security Authority by calling on 8007 2310 or 2292 6535 or by email on (plantprotection@gov.mt).

Disclaimer: The information contained within this document is intended only as guidelines and is not intended, nor should be construed, as legislation. Please refer to the related legal notice for a more comprehensive understanding.