No. 1118

MINISTERU GĦALL-AGRIKOLTURA, IS-SAJD U D-DRITTIJIET TAL-ANNIMALI

Noti ta' Spjegazzjoni fir-rigward tar-Regolamenti tal-Avviż Legali 152 tal-2023 li jemendaw ir-Regolamenti dwar Materjal għat-Tkattir ta' Siġar tal-Frott[1]

1. Introduzzjoni

Titolu tal-Avviż Legali	Regolamenti dwar Materjal għat-Tkattir ta' Siġar tal-Frott (Emenda), 2023 – Avviż Legali 152 tal-2023
Attività li għandha tiġi regolata	Li tittrasponi d-Direttiva ta' Implimentazzjoni tal-Kummissjoni (UE) 2022/2438 tat-12 ta' Diċembru 2022 li temenda d-Direttiva 93/49/KEE u d-Direttiva ta' Implimentazzjoni 2014/98/UE fir-rigward tal-pesti regolati mhux ta' kwarantina fl-Unjoni fuq il-materjal tal-propagazzjoni tal-pjanti ornamentali, il-materjal tal-propagazzjoni tal-pjanti tal-frott u l-pjanti tal-frott maħsuba għall-produzzjoni tal-frott.
Entità responsabbli	Id-Direttorat għall-Ħarsien tal-Pjanti

2. Sommarju u Sfond

Id-Direttiva ta' Implimentazzjoni 2014/98/UE ġiet emendata fil-livell tal-UE u għalhekk tali emendi qed jiġu trasposti fir-regolamenti nazzjonali rispettivi. Permezz ta' dan l-Avviż Legali emendatorju, ir-Regolamenti dwar il-Materjal għat-Tkattir ta' Siġar tal-Frott (L.S. 433.08) (hawn iżjed 'il quddiem imsejħa "ir-regolamenti prinċipali") se jiġu aġġornati.

Malta bħala Stat Membru tal-UE hija obbligata li tadotta l-linji gwida tekniċi aġġornati dwar l-istatus fitosanitarju ta' ċerti pesti kif ukoll fejn applikabbli temenda l-miżuri speċifiċi mmirati kontra dawk il-pesti, kif ukoll taġġorna l-ismijiet tal-ispeċijiet tal-pjanti skont l-iżviluppi fin-nomenklatura tassonomika.

3. Ħarsa ġenerali lejn l-istruttura tal-istrument

Ir-regolamenti huma magħmula minn tmien (8) regolamenti u jikkonsistu f'dan li ġej:

1. Titolu u għan

2. Jemenda r-regolament 18 tar-regolamenti prinċipali

3. Jemenda l-Iskeda I li tinsab mar-regolamenti prinċipali

4. Jemenda l-Iskeda IV li tinsab mar--regolamenti prinċipali

[1]Dawn in-Noti ta' Spjegazzjoni huma għall-fini ta' u skont l-Artikolu 3(2)(ċ) u Skeda III tal-Kapitolu 512 tal-Liġijiet ta' Malta.

5. Jemenda l-Iskeda A li tinsab mar-regolamenti prinċipali

6. Jemenda l-Iskeda B li tinsab mar-regolamenti prinċipali

7. Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali

8. Jemenda l-Iskeda E li tinsab mar-regolamenti prinċipali

4. Kummentarju dwar ir-regolamenti

Ir-regolament 2: Jemenda r-regolament 18 tar-regolamenti prinċipali. Bħala miżura tranżitorja, Malta tista', sal-31 ta' Diċembru 2029, tippermetti l-kummerċjalizzazzjoni fit-territorju tagħha ta' żrieragħ u xitel prodotti minn pjanti omm prebażiċi, bażiċi u ċċertifikati jew minn materjal Conformitas Agraria Comunitatis (CAC) li kien jeżisti qabel l-1 ta' Jannar 2017. Dawn jeħtieġ li jiġu ċċertifikati uffiċjalment u jissodisfaw il-kundizzjonijiet ikkwantifikati bħala materjal CAC qabel l-31 ta' Diċembru 2029. Meta tali materjali jiġu kkummerċjalizzati, it-tikketta u d-dokumentazzjoni għandhom jagħmlu referenza għal dan ir-regolament.

Ir-regolament 3: Jemenda l-Iskeda I li tinsab mar-regolamenti prinċipali billi jissostitwixxi t-test "*Prunus amygdalus Batsch*." bi "*Prunus dulcis* (Mill.) D. A. Webb".

Ir-regolament 4(a): Jemenda l-Iskeda IV li tinsab mar-regolamenti prinċipali billi jissostitwixxi l-paragrafu (5). tal-partita 9. tal-Iskeda IV li jinsab mar-regolamenti prinċipali biex iżżid informazzjoni dwar materjal prebażiku li jkun ġie prodott f'żoni magħrufa, jew stabbiliti li huma ħielsa mill-pesti rilevanti skont l-istandards internazzjonali rilevanti għall-miżuri fitosanitarji (Rekwiżiti għall-istabbiliment ta' żoni ħielsa mill-pesti. ISPM Nru 4 (1995), Ruma, IPPC, FAO 2017).

Ir-regolament 4(b): Jemenda l-Iskeda IV li tinsab mar-regolamenti prinċipali billi jissostitwixxi l-paragrafu (5). tal-punt 15. tal-Iskeda IV li jinsab mar-regolamenti prinċipali biex iżid informazzjoni dwar materjal bażiku li jkun ġie prodott f'żoni magħrufa jew stabbiliti li huma ħielsa mill-pesti rilevanti skont l-istandards internazzjonali rilevanti għall-miżuri fitosanitarji (Rekwiżiti għall-istabbiliment ta' żoni ħielsa mill-pesti. ISPM Nru 4 (1995), Ruma, IPPC, FAO 2017).

Ir-regolament 4(c): Jemenda l-Iskeda IV li tinsab mar-regolamenti prinċipali billi jissostitwixxi l-paragrafu (5). tal-partita 20. tal-Iskeda IV li jinsab mar-regolamenti prinċipali biex iżid informazzjoni dwar materjal iċċertifikat li jkun ġie prodott f'żoni magħrufa li jew stabbiliti li huma ħielsa mill-pesti rilevanti skont l-istandards internazzjonali rilevanti għall-miżuri fitosanitarji (Rekwiżiti għall-istabbiliment ta' żoni ħielsa mill-pesti. ISPM Nru 4 (1995), Ruma, IPPC, FAO 2017).

Ir-regolament 4(d): Jemenda l-Iskeda IV li tinsab mar-regolamenti prinċipali billi jissostitwixxi l-paragrafu (2) tal-partita 25. tal-Iskeda IV tal-Parti IV li jinsab mar-regolamenti prinċipali biex iżżid informazzjoni dwar il-materjal CAC li jkun ġie prodott f'żoni magħrufa li huma, jew stabbiliti li huma ħielsa mill-pesti rilevanti skont l-istandards internazzjonali rilevanti għall-miżuri fitosanitarji (Rekwiżiti għall-istabbiliment ta' żoni ħielsa mill-pesti. ISPM Nru 4 (1995), Ruma, IPPC, FAO 2017).

Ir-regolament 5: Jemenda l-Iskeda A li tinsab mar-regolamenti prinċipali billi jħassar *Candidatus Phytoplasma australiense* Davis et al. [PHYPAU] mil-lista ta' mard għal Fragaria L.

Ir-regolament 6(a): Jemenda l-Iskeda B li tinsab mar-regolamenti prinċipali billi jżid il-*Phytoplasma ramorum* (iżolati tal-UE) Werres, De Cock & Man in 't Veld [PHYTRA] mal-lista ta' mard għal Castanea sativa Mill.

Ir-regolament 6(b): Jemenda l-Iskeda B li tinsab mar-regolamenti prinċipali billi jżid il-*Phytoplasma ramorum* (iżolati tal-UE) Werres, De Cock & Man in 't Veld [PHYTRA] mal-lista ta' mard għall-Vaccinium L.

Ir-regolament 7(a): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi tissostitwixxi l-informazzjoni dwar il-kategoriji Prebażiċi, Bażiċi u Ċertifikati u CAC għal Castanea sativa Mill. kif ġej:

(a) fir-rigward tal-kategorija Prebażika, ġew miżjuda r-rekwiżiti fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona fil-każ fejn deroga tiħalla tipproduċi materjal prebażiku fl-għalqa f'kundizzjonijiet mhux protetti mill-insetti skont id-Deċiżjoni ta' Implimentazzjoni tal-Kummissjoni (UE) 2017/925, ġew miżjuda ukoll rekwiżiti ġodda li jqisu l-*Cryphonectria parasitica* (Murrill) Barr u l-*Phytoplasma ramorum* (iżolati tal-UE) Werres, De Cock & Man f' t Veld.

(b) fir-rigward tal-kategorija Bażika, ġew miżjuda r-rekwiżiti fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona, ġew miżjuda ukoll rekwiżiti ġodda li jqisu l-*Cryphonectria parasitica* (Murrill) Barr u l-*Phytoplasma ramorum* (iżolati tal-UE) Werres, De Cock & Man in 't Veld.

(c) fir-rigward tal-kategoriji Certified u CAC, ġew miżjuda r-rekwiżiti fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona, ġew miżjuda ukoll rekwiżiti ġodda li jqisu l-*Cryphonectria parasitica* (Murrill) Barr u *Phytoplasma ramorum* (iżolati tal-UE) Werres, De Cock to Man & 't Veld.

Ir-regolament 7(b): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jħassar ir-rekwiżiti fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona għall-kategorija Prebażika għas-*Cydonia oblonga* Mill..

Ir-regolament 7(c): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jħassar *Candidatus Phytoplasma australiense* Davis et al. fl-inċiż "1 % fil-każ ta':" għall-kategorija Ċertifikata għal *Fragaria* L..

Ir-regolament 7(d)(i): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona għall-*Candidatus Phytoplasma mali* Seemüller for Schneider u *Erwinia amylovora* (Burrill) Winslow et al. għall-kategorija Bażika għal *Malus* Mill..

Ir-regolament 7(d)(ii): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona għall-*Candidatus Phytoplasma mali* Seemüller & Schneider u *Erwinia amylovora* (Burrill) Winslow et al. għall-kategorija Ċertifikata għal *Malus* Mill..

Ir-regolament 7(d)(iii): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jħassar il-kategoriji Bażiċi u ċċertifikati għal *Malus* Mill.

Ir-regolament 7(e)(i): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona għall-*Candidatus Phytoplasma mali* Seemüller & Schneider għall-kategorija Prebażika għall-*Pyrus* L.

Ir-regolament 7(e)(ii): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona għall-*Candidatus Phytoplasma pyri* Seemüller & Schneider għall-kategoriji Bażiċi u ċċertifikati għall-*Pyrus* L.

Ir-regolament 7(e) (iii): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona għall-*Candidatus Phytoplasma pyri* Seemüller & Schneider għall-kategorija CAC għall-*Pyrus* L.

Ir-regolament 7(f)(i): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona tal-P*hytoplasma ramorum* (iżolati tal-UE) Werres, De Cock & Man in 't Veld għall-kategorija Bażika għall-*Vaccinium* L.

Ir-regolament 7(f)(ii): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona tal-*Phytoplasma ramorum* (iżolati tal-UE) Werres, De Cock & Man in''t Veld għall-kategorija Ċertifikata għall-*Vaccinium* L.

Ir-regolament 7(f)(iii): Jemenda l-Iskeda D li tinsab mar-regolamenti prinċipali billi jżid rekwiżiti ġodda fir-rigward tas-sit tal-produzzjoni, tal-post tal-produzzjoni jew taż-żona tal-Phytoplasma ramorum (iżolati tal-UE) Werres, De Cock & Man in 't Veld għall-kategorija CAC għall-*Vaccinium* L.

Ir-regolament 8: Jemenda l-Iskeda E li tinsab mar-regolamenti prinċipali billi jissostitwixxi l-partita "*Prunus amygdalus* Batsch." bi "*Prunus dulcis* (Mill.) D. A. Webb".

5. Sezzjoni ta' Konklużjoni

Dawn ir-regolamenti għandhom jidħlu fis-seħħ mid-data tal-pubblikazzjoni tagħhom fil-Gazzetta tal-Gvern.

Għal aktar informazzjoni jekk jogħġbok ikkuntattja lid-Direttorat għall-Ħarsien tal-Pjanti fuq l-imejl (plantprotection@gov.mt) jew telefown 2292 6535.

N.B. Dawn in-Noti ta' Spjegazzjoni mhumiex maħsuba biex ikunu deskrizzjoni eżawrjenti tal-istrument legali u lanqas sostitut tiegħu jew suppliment leġiżlattiv għall-istess. Dawn in-Noti ta' Spjegazzjoni mhumiex intiżi bħala deċiżjoni awtorevoli fuq l-interpretazzjoni tal-leġiżlazzjoni.

Il-11 ta' Awwissu, 2023

No. 1118

MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Explanatory Notes with regards to the Fruit Trees Propagation Material (Amendment) Regulations, 2023[1] - Legal Notice 152 of 2023

1. Introduction

Title of the Legal Notice	Fruit Trees Propagation Material (Amendment) Regulations, 2023 – Legal Notice 152 of 2023
Activity to be regulated	To transpose Commission Implementing Directive (EU) 2022/2438 of 12 December 2022 amending Directive 93/49/EEC and Implementing Directive 2014/98/EU as regards Union regulated non-quarantine pests on propagating material of ornamental plants, fruit plant propagating material and fruit plants intended for fruit production.
Responsible entity	Plant Protection Directorate

2. Summary and Background

Implementing Directive 2014/98/EU has been amended at EU level and therefore such amendments are being transposed in the respective national regulations. Through this amending Legal Notice, the Fruit Trees Propagation Material Regulations (S.L. 433.08) (hereinafter referred to as "the principal regulations") will be updated.

Malta as an EU Member State is bound to take on-board the new updated technical guidelines on the phytosanitary status of certain pests as well as where applicable amend the specific measures aimed against those pests, as well as update the plant species names according to developments in taxonomic nomenclature.

3. Overview of the structure of the instrument

These regulations are made up of eight (8) regulations and consist of the following:

1. Citation and scope

2. Amends regulation 18 of the principal regulations

3. Amends Schedule I to the principal regulations

4. Amends Schedule IV to the principal regulations

[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.

5. Amends Schedule A to the principal regulations

6. Amends Schedule B to the principal regulations

7. Amends Schedule D to the principal regulations

8. Amends Schedule E to the principal regulations

4. Commentary on the regulations

Regulation 2: Substitutes regulation 18 of the principal regulations. As a transitional measure, Malta may, until 31st December 2029, allow the marketing in its territory of seeds and seedlings produced from pre-basic, basic and certified mother plants or Conformitas Agraria Communitatis (CAC) material which existed before 1 January 2017. These need to be officially certified and meet the conditions quantified as CAC material before 31 December 2029. When such materials are marketed, the label and documentation shall make reference to this regulation.

Regulation 3: Amends Schedule I to the principal regulations by substituting the text "*Prunus amygdalus* Batsch." with "*Prunus dulcis* (Mill.) D. A. Webb".

Regulation 4(a): Amends Schedule IV to the principal regulations by substituting paragraph (5). of item 9. of Part I to Schedule IV of the principal regulations to add information about pre-basic material that has been produced in areas known to, or established to, be free from the relevant pests in accordance with the relevant international standards for phytosanitary measures (Requirements for the establishment of pest free areas. ISPM No 4 (1995), Rome, IPPC, FAO 2017).

Regulation 4(b): Amends Schedule IV to the principal regulations by substituting paragraph (5). of item 15. of Part II of Schedule IV to the principal regulations to add information about basic material that has been produced in areas known to, or established to, be free from the relevant pests in accordance with the relevant international standards for phytosanitary measures (Requirements for the establishment of pest free areas. ISPM No 4 (1995), Rome, IPPC, FAO 2017).

Regulation 4(c): Amends Schedule IV to the principal regulations by substituting paragraph (5). of item 20. of Part III of Schedule IV to the principal regulations to add information about certified material that has been produced in areas known to, or established to, be free from the relevant pests in accordance with the relevant international standards for phytosanitary measures (Requirements for the establishment of pest free areas. ISPM No 4 (1995), Rome, IPPC, FAO 2017).

Regulation 4(d): Amends Schedule IV to the principal regulations by substituting paragraph (2). of item 25. of Schedule IV Part IV of the principal regulations to add information about CAC material that has been produced in areas known to, or established to, be free from the relevant pests in accordance with the relevant international standards for phytosanitary measures (Requirements for the establishment of pest free areas. ISPM No 4 (1995), Rome, IPPC, FAO 2017).

Regulation 5: Amends Schedule A to the principal regulations by deleting *Candidatus Phytoplasma australiense* Davis et al. [PHYPAU] from the list of diseases for *Fragaria* L.

Regulation 6(a): Amends Schedule B to the principal regulations by adding *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld [PHYTRA] to the list of diseases for *Castanea sativa* Mill.

Regulation 6(b): Amends Schedule B to the principal regulations by adding Phytophthora ramorum (EU isolates) Werres, De Cock & Man in 't Veld [PHYTRA] to the list of diseases for *Vaccinium* L.

Regulation 7(a): Amends Schedule D to the principal regulations by replacing the information about the Pre-basic, Basic and Certified and CAC categories for *Castanea sativa* Mill. as follows:

(a) with respect to the Pre-basic category, the requirements with regards 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, new requirements which take into consideration *Cryphonectria parasitica* (Murrill) Barr and *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld have been added.

(b) with respect to the Basic category, the requirements with regards to the production site, place of production or area, new requirements which take into consideration *Cryphonectria parasitica* (Murrill) Barr and *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld have been added.

(c) with respect to the Certified and CAC categories, the requirements with regards to the production site, place of production or area, new requirements which take into consideration *Cryphonectria parasitica* (Murrill) Barr and *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld have been added.

Regulation 7(b): Amends Schedule D to the principal regulations by deleting the requirements with regard to the production site, place of production or area for the Pre-basic category for *Cydonia oblonga* Mill.

Regulation 7(c): Amends Schedule D to the principal regulations by deleting *Candidatus Phytoplasma australiense* Davis et al. in the indent "1 % in the case of:" for the Certified category for *Fragaria* L.

Regulation 7(d)(i): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Candidatus Phytoplasma mali* Seemüller & Schneider and *Erwinia amylovora* (Burrill) Winslow et al. for the Basic category for *Malus* Mill.

Regulation 7(d)(ii): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Candidatus Phytoplasma mali* Seemüller & Schneider and *Erwinia amylovora* (Burrill) Winslow et al. for the Certified category for *Malus* Mill.

Regulation 7(d)(iii): Amends Schedule D to the principal regulations by deleting the Basic and certified categories for *Malus* Mill.

Regulation 7(e)(i): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Candidatus Phytoplasma mali* Seemüller & Schneider for the Pre-basic category for *Pyrus* L.

Regulation 7(e)(ii): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Candidatus Phytoplasma pyri* Seemüller & Schneider for the Basic and certified categories for *Pyrus* L.

Regulation 7(e)(iii): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Candidatus Phytoplasma pyri* Seemüller & Schneider for the CAC category for *Pyrus* L.

Regulation 7(f)(i): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld for the Basic category for *Vaccinium* L.

Regulation 7(f)(ii): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld for the Certified category for *Vaccinium* L.

Regulation 7(f)(iii): Amends Schedule D to the principal regulations by adding new requirements with regards to the production site, place of production or area for *Phytophthora ramorum* (EU isolates) Werres, De Cock & Man in 't Veld for the CAC category for *Vaccinium* L.

Regulation 8.: Amends Schedule E of the principal regulations by by substituting the item "*Prunus amygdalus* Batsch." with "*Prunus dulcis* (Mill.) D. A. Webb".

5. Concluding Section

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

For further information kindly contact the Plant Protection Directorate via email at (plantprotection@gov.mt) or via telephone 2292 6535.

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.

11th August, 2023

No. 1119

MINISTERU GĦALL-AGRIKOLTURA, IS-SAJD U D-DRITTIJIET TAL-ANNIMALI

Noti ta' Spjegazzjoni fir-rigward tar-Regolamenti tal-Avviż Legali 153 of 2023 li jemendaw ir-Regolamenti dwar Materjal għat-Tkattir ta' Pjanti Ornamentali[1]

1. Introduzzjoni

Titolu tal-Avviż Legali	Regolamenti dwar Materjal għat-Tkattir ta' Pjanti Ornamentali (Emenda), 2023 - Avviż Legali 153 tal-2023
Attività li għandha tiġi regolata	Li tittrasponi d-Direttiva ta' Implimentazzjoni tal-Kummissjoni (UE) 2022/2438 tat-12 ta' Diċembru 2022 li temenda d-Direttiva 93/49/KEE u d-Direttiva ta' Implimentazzjoni 2014/98/UE fir-rigward tal-pesti regolati mhux ta' kwarantina fl-Unjoni fuq il-materjal tal-propagazzjoni tal-pjanti ornamentali, il-materjal tal-propagazzjoni tal-pjanti tal-frott u l-pjanti tal-frott maħsuba għall-produzzjoni tal-frott.
Entità responsabbli	Id-Direttorat għall-Ħarsien tal-Pjanti

2. Sommarju u Sfond

Dan l-Avviż Legali se jkun qed jemenda r-Regolamenti dwar Materjal għat-Tkattir ta' Pjanti Ornamentali (L.S. 433.31) (hawn iżjed 'il quddiem imsejħa "ir-regolamenti prinċipali") ippromulgat taħt l-Att dwar il-Kwarantina tal-Pjanti (Kap. 433). Dawn ir-regolamenti emendatorji għandhom l-għan li jipprevjenu l-introduzzjoni f'Malta ta' pesti u mard tal-pjanti filwaqt li jikkontrolla u jiċċekkja wkoll it-tixrid tagħhom. Il-kamp ta' applikazzjoni ta' dawn ir-regolamenti emendatorji huwa li tiġi emendata l-Iskeda I tar-regolamenti prinċipali biex tinkludi żewġ (2) mard tal-pjanti, jiġifieri, *Pseudomonas syringae pv* u *Phytophthora ramorum* li qed jikkawżaw telf ta' għelejjel u qed jikkawżaw ukoll il-mewt ta' firxa wiesgħa ta' siġar u arbuxelli fl-Unjoni Ewropea.

3. Ħarsa ġenerali lejn l-istruttura tal-istrument

L-Avviż Legali huwa magħmul minn emenda waħda (1) għar-regolamenti prinċipali u jikkonsisti f'dan li ġej:

1. Titolu u għan

2. Jemenda l-Iskeda I tar-regolamenti prinċipali

4. Kummentarju dwar ir-regolamenti

Ir-regolament 2: Jemenda l-Iskeda I tar-regolamenti prinċipali billi jinkludi fil-lista marda waħda (1) ġdida u pest wieħed (1).

5. Sezzjoni ta' Konklużjoni

Dawn ir-regolamenti għandhom jidħlu fis-seħħ mid-data tal-pubblikazzjoni tagħhom fil-Gazzetta tal-Gvern.

Għal aktar informazzjoni jekk jogħġbok ikkuntattja lid-Direttorat għall-Ħarsien tal-Pjanti fuq l-imejl (plantprotection@gov.mt) jew telefown 2292 6535.

N.B. Dawn in-Noti ta' Spjegazzjoni mhumiex maħsuba biex ikunu deskrizzjoni eżawrjenti tal-istrument legali u lanqas sostitut tiegħu jew suppliment leġiżlattiv għall-istess. Dawn in-Noti ta' Spjegazzjoni mhumiex intiżi bħala deċiżjoni awtorevoli fuq l-interpretazzjoni tal-leġiżlazzjoni.

Il-11 ta' Awwissu, 2023

[1]Dawn in-Noti ta' Spjegazzjoni huma għall-fini ta' u skont l-Artikolu 3(2)(ċ) u Skeda III tal-Kapitolu 512 tal-Liġijiet ta' Malta.

No. 1119

MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Explanatory Notes with regards to the Propagation Material of Ornamental Plants (Amendment) Regulations, 2023[1] - Legal Notice 153 of 2023

1. Introduction

Title of the Legal Notice	Propagation Material of Ornamental Plants (Amendment) Regulations, 2023 – Legal Notice 153 of 2023
Activity to be regulated	To transpose Commission Implementing Directive (EU) 2022/2438 of 12 December 2022 amending Directive 93/49/EEC and Implementing Directive 2014/98/EU as regards Union regulated non-quarantine pests on propagating material of ornamental plants, fruit plant propagating material and fruit plants intended for fruit production.
Responsible entity	Plant Protection Directorate

2. Summary and Background

This Legal Notice will be amending the Propagation Material of Ornamental Plants Regulations (S.L. 433.31) (hereinafter referred to as the "principal regulations") enacted under the Plant Quarantine Act (Cap. 433). These amending regulations are aimed at preventing the introduction into Malta of plant pests and diseases whilst also controlling and checking the spread thereof. The scope of these amending regulations is to amend Schedule I of the principal regulations to include two (2) plant diseases namely, *Pseudomonas syringae pv* and *Phytophthora ramorum* which are causing crop losses and also causing the death of a wide range of trees and shrubs in the European Union.

3. Overview of the structure of the instrument

The Legal Notice is made up of one (1) amendment to the principal regulation and consists of the following:

1. Citation and scope

2. Amends Schedule I to the principal regulations

4. Commentary on regulations

Regulation 2: Amends schedule I to the principal regulations by including in the list one (1) new disease and one (1) pest.

5. Concluding Section

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

For further information kindly contact the Plant Protection Directorate via email at (plantprotection@gov.mt) or via telephone 2292 6535.

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.

11th August, 2023

[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.