

No. R. 814

7 September 2007

PLANT IMPROVEMENT ACT, 1976
(ACT No. 53 OF 1976)

**SOUTH AFRICAN PLANT CERTIFICATION SCHEME FOR WINE GRAPES:
AMENDMENT**

I, Lulama Xingwana, Minister of Agriculture, acting under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), hereby amend the South African Plant Certification Scheme for Wine Grapes published under Government Notice No. R. 2437 of 28 August 1992, to the extent set out in the Schedule.

L. XINGWANA,

Minister of Agriculture

SCHEDULE

Definition

1. In this Schedule "the Scheme" means the South African Plant Certification Scheme for Wine Grapes published under Government Notice No. R. 2437 of 28 August 1992, as amended by Government Notice Nos. R. 3460 of 31 December 1992, R. 1084 of 25 June 1993, R. 494 of 29 March 1996, R. 322 of 19 March 1999 and R. 233 of 17 March 2000.

Amendment of section 3 of the Scheme

2. Section 3 of the Scheme is hereby amended –

(a) by the substitution for paragraph (a) of subsection (4) of the following paragraph:

"(a) all relevant particulars with regard to the clone concerned have been submitted to the authority by a Plant improvement Organisation that is registered with the Vine Improvement Association referred to in section 4(1) of this Scheme; and"; and

(b) by the deletion of the following expression "except those relating to the certification of nursery plants," in subsection (5).

Amendment of section 6 of the Scheme

3. Section 6 of the Scheme is hereby amended -

(a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) except in the case of the intended cultivation of nursery plants, be made by a Plant Improvement Organisation referred to in the statute of the Vine Improvement Association referred to in section 4(1) of this Scheme.”;

- (b) by the substitution for subparagraph (ii) of paragraph (b) of subsection (5) of the following subparagraph:

“(ii) was previously a grower in terms of this Scheme or Act, and then failed to comply with the provisions of this Scheme or Act or a condition determined thereunder;” and

- (c) by the deletion of subsection (6).

Amendment of section 11 of the Scheme

4. Section 11 of the Scheme is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c)(i) The authority may on application grant written approval that plant material from other varieties and clones determined by the authority in accordance with section 3(5), be utilised in accordance with the provisions of this Scheme with a view to the cultivation of foundation-, mother-, foundation nursery- and nursery plants.

(ii) An application for such an approval shall be submitted to the authority in writing, and shall specify the grounds for such application and such other particulars as the authority may require.

(iii) A person to whom an approval referred to in subparagraph (i) has been granted shall for a period of five years following the date of such approval record full particulars in connection therewith on a form and in a manner determined by the authority.”.

Amendment of section 18 of the Scheme

5. Section 18 of the Scheme is hereby amended by the insertion of the expression “and foundation nursery plants” in paragraphs (a) and (b) of subsection (1).

Amendment of section 24 of the Scheme

6. Section 24 of the Scheme is hereby amended –

- (a) by the insertion of the expression “18(1)” in paragraph (a) of subsection (1); and
(b) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) be thus paid by means of a cheque, postal order or money order that shall be made out in favour of the Vine Improvement Association.”.

Amendment of section 25 of the Scheme

7. Section 25 of the Scheme is hereby amended –

(a) by the substitution for subsection (1) of the following subsection:

“25.(1) Any application, notice or other document, as well as anything else pertaining thereto, that is in terms of this Scheme required to be submitted to the authority shall be addressed to the Secretary, Vine Improvement Association, and be forwarded to him by post at P.O. Box 166, Paarl, 7622, or be delivered to him by hand at the Agri Western Cape Building, 11 Market Street, Paarl.”; and

(b) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) when submitted by hand, be delivered at the office of the Director-General, Department of Agriculture, Agriculture Place, Beatrix Street, Pretoria.”.

Substitution of Schedule 2 of the Scheme

8. Schedule 2 of the Scheme is hereby substituted by the following Schedule:

“SCHEDULE 2**PHYTOSANITARY REQUIREMENTS FOR PLANTS AND SHOOTS**

[Section 11(1)(b)(i), (3)(a); 12(b)]

1. Establishment requirements

The plant material established in a unit and the plants obtained therefrom shall at all times during the term of registration of such unit comply with the following requirements:

1.1 Rootstock

Plant material and plants of rootstock varieties shall -

1.1.1 be free from the following viral disease:

Grapevine fanleaf;

1.1.2 comply with the requirements as determined by the authority, in so far as it relates to the occurrence of the following viral diseases:

Grapevine fleck
Grapevine leafroll
Grapevine corky bark
Grapevine stem pitting/grooving
Shiraz disease;

1.1.3 be visually free from the following bacterial diseases:

Agrobacterium vitis (Crown gall)

Xylophilus ampelinus (Bacterial blight); and

1.1.4 be visually free from the following fungi and fungal diseases:

Pythium spp
Phytophthora spp

1.2 Scions

Plant material and plants of scion varieties shall -

1.2.1 be free from the following viral disease:

Grapevine fanleaf;

1.2.2 comply with the requirements as determined by the authority, in so far as it relates to the occurrence of the following viral diseases:

Grapevine fleck
Grapevine leafroll
Grapevine corky bark
Grapevine stem pitting/grooving
Shiraz disease;

1.2.3 be visually free from the following bacterial diseases:

Agrobacterium vitis (Crown gall)
Xylophilus ampelinus (Bacterial blight); and

1.2.4 be visually free from the following fungi and fungal diseases:

Pythium spp
Phytophthora spp.

2. Certification requirements

The plant material obtained from the plants cultivated in a unit shall at the time of the presentation thereof for certification comply with the following requirements:

2.1 Rootstock

Plant material of rootstock varieties shall -

2.1.1 be free from the following viral disease:

Grapevine fanleaf;

2.1.2 comply with the requirements as determined by the authority, in so far as it relates to the occurrence of the following viral diseases:

Grapevine fleck
Grapevine leafroll

Grapevine corky bark
Grapevine stem pitting/grooving
Shiraz disease;

2.1.3 be visually free from the following insects and mites:

Aonidiella aurantii (Red scale)
Daktulosphaura vitifoliae; (Phylloxera)
Margarodes spp
Meloidogyne spp
Pseudococcus longispinus (Vine longtailed mealybug)
Planococcus ficus (Vine mealybug)
Quadraspidotus perniciosus (Pernicious scale)
Tetranychus urticae (Two-spotted spider mite);

2.1.4 be visually free from the following bacterial diseases:

Agrobacterium vitis (Crown gall)
Xylophilus ampelinus (Bacterial blight); and

2.1.5 be visually free from the following fungi and fungal diseases:

Pythium spp
Phytophthora spp.

2.2 Scions

Plant material of scion varieties shall -

2.2.1 be free from the following viral diseases:

Grapevine fanleaf;

2.2.2 comply with the requirements as determined by the authority in so far as it relates to the concurrence of the following viral diseases:

Grapevine fleck
Grapevine leafroll
Grapevine corky bark
Grapevine stem pitting/grooving
Shiraz disease;

2.2.3 be visually free from the following insects and mites:

Aonidiella aurantii (Red scale)
Daktulosphaura vitifoliae; (Phylloxera)
Margarodes spp
Meloidogyne spp
Pseudococcus longispinus (Vine longtailed mealybug)
Planococcus ficus (Vine mealybug)

Quadraspidiotus perniciosus (Pernicious scale)
Tetranychus urticae (Two-spotted spider mite);

2.2.4 be free from the following bacterial diseases:

Agrobacterium vitis (Crown gall)
Xylophilus ampelinus (Bacterial blight); and

2.2.5 be visually free from the following fungi and fungal diseases:

Pythium spp
Phytophthora spp.”.

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PLANTVERBETERINGSWET, 1976
(WET No. 53 VAN 1976)

SUID-AFRIKAANSE PLANTSERTIFISEERINGSKEMA VIR WYNDRUIWE: WYSIGING

Ek, Lulama Xingwana, Minister van Landbou, handelende kragtens artikel 23 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), wysig hiermee die Suid-Afrikaanse Plantsertifiseringskema vir Wyndruiwe gepubliseer by Goewermentskennisgewing No. R. 2437 van 28 Augustus 1992, in die mate in die Bylae uiteengesit.

L. XINGWANA,

Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Skema" die Suid-Afrikaanse Plantsertifiseringskema gepubliseer by Goewermentskennisgewing No. R. 2437 van 28 August 1992 en gewysig deur R. 3460 van 31 Desember 1992, R. 1084 van 25 Junie 1993, R. 494 van 29 Maart 1996, R. 322 van 19 Maart 1999 en R. 233 van 17 Maart 2000.

Wysiging van artikel 3 van die Skema

2. Artikel 3 van die Skema word hierby gewysig –

(a) deur paragraaf (a) van subartikel (4) deur die volgende paragraaf te vervang: