
GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

No. R. 42

28 January 2011

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

DECIDUOUS FRUIT PLANT CERTIFICATION SCHEME: AMENDMENT

The Minister of Agriculture, Forestry and Fisheries, acting under Section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), hereby amend the Deciduous Fruit Plant Certification Scheme published under Government Notice No. R. 1971 of 15 October 1993, to the extent set out in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Scheme" means the Deciduous Fruit Plant Certification Scheme published by Government Notice No. R. 1971 of 15 October 1993, as corrected by Government Notice No. R. 453 of 22 March 1996 and amended by Government Notice Nos. R. 564 of 18 April 1997, R. 1305 of 10 October 1997 and R. 262 of 5 March 1999.

Amendment of Section 4 of the Scheme

2. Section 4 of the Scheme is hereby amended by the substitution of subsection 4.5 with the following:

- 4.5 Notwithstanding anything to the contrary contained in this section, the authority may determine that all the provisions of this Scheme shall apply to such other varieties and clones of deciduous fruit as the Authority may determine.

Amendment of Section 6 of the Scheme

3. Section 6 of the Scheme is hereby amended by the deletion of subsection 6.7.

Amendment of Section 9 of the Scheme

4. Section 9 of the Scheme is hereby amended by the substitution of the expression "19" with the expression "20" in subsection 9.7

Amendment of Section 11 of the Scheme

5. Section 11 of the Scheme is hereby amended by the deletion of subsection 11.4

Amendment of Section 13 of the Scheme

6. Section 13 of the Scheme is hereby substituted with the following:

13. **Inspection of units** [23; 24(1)(h)]

- 13.1 The plants established on a unit with a view to the cultivation of nucleus plants or foundation plants shall be inspected annually by the authority during –

- 13.1.1 the early active growth stage thereof;
- 13.1.2 the early leaf fall stage thereof; and
- 13.1.3 the dormant stage thereof.
- 13.2 The plants established on a unit with a view to the cultivation of mother plants –
 - 13.2.1 shall be inspected by the authority at least once per year; and
 - 13.2.2 such inspections shall be made annually on an alternate basis at the stages referred to in subsection (1).
- 13.3 The plants established on a unit with a view to the cultivation of nursery plants or foundation nursery plants shall be inspected annually by the authority during –
 - 13.3.1 the early active growth stage thereof;
 - 13.3.2 the early leaf fall stage thereof; and
 - 13.3.3 the dormant stage thereof.
- 13.4 The authority may carry out as many additional inspections of a unit as it may deem necessary.
- 13.5 If the authority fails to carry out any inspection referred to in section 13.1, 13.2 and 13.3, the certification of the plant material cultivated on the unit concerned shall not be refused solely on account thereof.

Amendment of Section 17 of the Scheme

- 7. Section 17 of the Scheme is hereby amended by the substitution of subsection 17.1 with the following:
 - 17.1 Foundation nursery plants and nursery plants of pome and stone fruit shall be marked in accordance with the marking requirements specified in Part 6 of Schedule 1 before it is lifted from the soil of the unit on which it is grown.

Amendment of Section 19 of the Scheme

- 8. Section 19 of the Scheme is hereby amended by the substitution of subsection 19.4 with the following:
 - 19.4 Each participant shall submit to the authority annually, on the dates determined by the authority, a return on a form and in a manner determined by the authority, of the particulars recorded in terms of this section.

Amendment of Section 20 of the Scheme

- 9. Section 20 of the Scheme is hereby amended by the substitution of the expression “destroy” with the expression “retain” in paragraph 20.2.1 of subsection 20.2.
- 10. Paragraph 20.2.2 is hereby amended by deleting the words “and destroy” in order to align it with the Afrikaans text of the Scheme.

Amendment of Part 4 of Schedule 2 of the Scheme

- 11. Part 4 of Schedule 2 of the Scheme is hereby amended by the substitution of paragraphs 4.9.2, 4.9.6, 4.9.7, 4.10.2. and 4.10.3 with the following:

- 4.9.2 The diameter of the two year old part of the scion of such plant shall be at least 6,0 mm.
- 4.9.6 Each such plant shall have at least one mature shoot that shall –
 - 4.9.6.1 in the case of plants of the varieties Barlinka, Dauphine, Muscat 'd Alexandrie and Sugrasixteen, be at least 100 mm in length and with an internodium diameter of 3,0 mm at a 50 mm length; and
 - 4.9.6.2 otherwise be at least 150 mm in length with an internodium diameter of 3,0 mm at a 50 mm length.
- 4.9.7 The rootstock of each such plant shall be at least 200 mm in length and with a diameter of at least 6,5 mm.
- 4.10.2. Each such plant shall have at least one mature shoot that shall –
 - 4.10.2.1 in the case of plants of the varieties Barlinka, Dauphine, Muscat 'd Alexandrie and Sugrasixteen, be at least 100 mm in length and with an internodium diameter of 3,0 mm at a 50 mm length; and
 - 4.10.2.2 otherwise be at least 150 mm in length with an internodium diameter of 3,0 mm at a 50 mm length.
- 4.10.3 The two-year-old stem of each plant shall be at least 200 mm in length and with a diameter of at least 6,5 mm.