

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 226

19 March 2021

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

DECIDUOUS FRUIT PLANT CERTIFICATION SCHEME: AMENDMENT

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), after consultation with the Minister of Finance, hereby further amend the Deciduous Fruit Plant Certification Scheme published under Government Notice No. R. 1971 of 15 October 1993, as amended, to the extent set out in the Schedule.


MRS ANGELA THOKOZILE DIDIZA
MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT
DATE: 03 - 02 - 2021

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, R. 262 of 5 March 1999 and R. 42 of 28 January 2011.

Amendment of section 1 of the Scheme

2. Section 1 of the Scheme is hereby amended by –

- (a) the substitution for the definition of "deciduous fruit" of the following definition:

"**deciduous fruit**" means pome and stone fruit;

- (b) the deletion of the definition for "other vineyard".

- (c) the insertion of the following definition in the correct alphabetical order:

"**pest**" means any species, strain or biotype of plant or animal or pathogenic agent that could cause injury or damage to plants or plant products;

- (d) the insertion of the following definition in the correct alphabetical order:

"**Plant Improvement Organisation**" (PIO) means a registered member who may import, breed and select new or improved varieties or clones under the auspices of the Deciduous Fruit Plant Improvement Organisation (the designated authority administering

the Scheme). Only PIO's registered in terms of the Scheme are authorised to register clones of varieties, to establish nucleus-, foundation- and mother units and to propagate and supply certified plant material in terms of the scheme.

- (e) the substitution for the definition of "plant material" of the following definition:

"plant material" means pome and stone fruit plant material of the types specified in Schedule 1;

- (f) the deletion of the definition for "table and drying grapes".
(g) the insertion of the word "and" at the end of the definition of "varietal list";
(h) the deletion of the definition for "virgin soil".

Amendment of Section 6 of the Scheme

3. Section 6 of the Scheme is hereby amended by –

- (a) the substitution for the expression "lands" in subsection 6.1 of the expression "land".
(b) the substitution in paragraph 6.6.3.2 for the expression "inspection of" of the expression "inspection in".

Amendment of Section 7 of the Scheme

4. Section 7 of the Scheme is hereby amended by the substitution in subsection 7.1 for the expression "thereof" of the expression "therefrom".

Amendment of Section 8 of the Scheme

5. Section 8 of the Scheme is hereby amended by substitution in subsection 8.2 for the expression "disposal in" of the expression "disposal of".

Amendment of Section 10 of the Scheme

6. The following section is hereby substituted for section 10 of the Scheme:

"10. Requirements for units [23; 24(1)(d)]

A unit shall at the time of its registration and at all times during the term of registration, comply with the applicable unit requirements set out in Schedule 1 for pome and stone fruit."

Amendment of Section 11 of the Scheme

7. Section 11 of the Scheme is hereby amended by –

- (a) the substitution in subsection 11.1 for the expression "with a view to" of the expression "intended for"
(b) the substitution for subsection 11.2 of the following subsection:
"11.2 The authority may, upon receiving written application, grant written approval that plant material obtained from plants that are included in a recognised evaluation programme, be utilised with the intention to establish mother plants."
(c) the substitution in subsection 11.3 for the expression "in the case of pome and stone fruit and in Schedule 2 in the case of table and drying grapes" of the expression "for pome and stone fruit"

- (d) the substitution in paragraph 11.5.7 for the expression “in the case of pome and stone fruit, or in Schedule 2 in the case of table and drying grapes” of the expression “for pome and stone fruit”

Amendment of Section 12 of the Scheme

8. Section 12 of the Scheme is hereby amended by –

- (a) the substitution in paragraphs 12.1.2 and 12.1.3; for the expression “in the case of pome and stone fruit, and in Schedule 2 in the case of table and drying grapes” of the expression “for pome and stone fruit”
- (b) the substitution for paragraph 12.2.2 of the following paragraph:

“12.2.2 upon receipt of a written application from a Plant Improvement Organisation, the authority may grant written approval to utilise plant material obtained from mother plants for the cultivation of additional mother plants.”

Amendment of Section 16 of the Scheme

9. Section 16 of the Scheme is hereby amended by the substitution subsection 16.1. for the expression “in the case of pome and stone fruit, and in Schedule 2 in the case of table and drying grapes” of the expression “for pome and stone fruit”.

Amendment of Section 17 of the Scheme

10. Section 17 of the Scheme is hereby amended by substitution in subsection 17.3 for the expression “issues” of the expression “issued”.

Amendment of Section 19 of the Scheme

11. Section 19 of the Scheme is hereby amended by substitution in subsection 19.1 and paragraphs 19.1.1, 19.1.3 and 19.2.1. for the expression “person” of the expression “entity”

Amendment of Section 22 of the Scheme

12. Section 22 of the Scheme is hereby amended by substitution in paragraph 22.3.2. for the expression “authority” of the expression “authorisation”.

Amendment of Subsection 24.2 of the Scheme

13. Subsection 24.2 of the Scheme is hereby amended by –

- (a) the substitution in paragraph 24.2.1 for the expression “insects, fungi or bacteria” of the expression “a pest”;
- (b) the substitution in paragraph 24.2.2 for the expression “laboratory examination” of the expression “plant material sample”;
- (c) the deletion of the expression “and” in paragraph 24.2.4;
- (d) the substitution in paragraph 24.2.5 for the expression “hardwood indexing” of the expression “woody indexing; and”;
- (e) the insertion of a new paragraph 24.2.6 after paragraph 24.2.5:
“24.2.6 molecular variety identification tests”.

Amendment of Part 2 of Schedule 1 of the Scheme

14. Part 2 of Schedule 1 of the Scheme is hereby amended by substitution in subparagraph 2.2.2.2. for the expression “5 metres” of the expression “3 metres”.

Amendment of Part 3 of Schedule 1 of the Scheme

15. Part 3 of Schedule 1 of the Scheme is hereby amended by –

- (a) the substitution for subparagraph 3.1.1.1 of the following subparagraph:

“3.1.1.1 Plant material and plants shall test free from the following viral diseases:

Prune dwarf virus (PDV)
Prunus necrotic ringspot virus (PNRSV)
Apple stem grooving virus (ASGV)
Apple mosaic virus (ApMV)
Apple stem pitting virus (ASPV)
Apple chlorotic leafspot (ACLSV)
Platycarpa scaly bark (SB)”

- (b) the substitution for subparagraph 3.1.1.2 of the following subparagraph:

“3.1.1.2 Plant material and plants shall be visually free of the following pathogens/diseases:

Pseudomonas syringae pv. *syringae* (Bacterial canker)
Pseudomonas syringae pv. *morsprunorum* (Bacterial canker)
Xanthomonas campestris pv. *pruni* (Bacterial spot)
Agrobacterium tumefaciens (Crown gall)
Agrobacterium rhizogenes (Crown gall)
Chondrostereum purpureum (Silver leaf)
Diaporthe spp., *Diplodia seriata*, *Cytospora* spp., *Eutypa lata*, (Cankers)
Schizophyllum commune, *Trametes versicolor* (Wood decay)
Armillaria, *Cylindrocarpon*, *Dactylonectria* (Root and crown rot organisms)
Phytophthora
Pythium
Rhizoctonia
Rosellinia
Verticillium
Apple flat limb
Apple leaf pucker
Apple rubbery wood
Pear necrotic spot
Pear vein yellows”

- (c) the deletion of the expression “of rootstock varieties” in subparagraph 3.1.1.3.

- (d) the insertion of the following subparagraph after subparagraph 3.1.1.3:

“3.1.1.4 The fruit obtained from plants of scion varieties shall be visually free from the following symptoms:

Apple green crinkle
Apple green dimple
Apple chat fruit
Apple ring spot
Apple russet ring
Pear necrotic spot
Pear stony pit”

- (e) the deletion of the entire subparagraph 3.1.2.
- (f) the substitution for subparagraph 3.2.1 of the following subparagraph:

“3.2.1 Rootstocks and Scions

Plant material shall –

 - 3.2.1.1 test free of the viral diseases specified in paragraph 3.1.1.1 of this Part;
 - 3.2.1.2 be visually free of the pathogens and diseases specified in paragraph 3.1.1.2 of this Part; and
 - 3.2.1.3 be visually free of the insects specified in paragraph 3.1.1.3 of this Part.”
- (g) the deletion of the entire subparagraph 3.2.2.

Amendment of Part 4 of Schedule 1 of the Scheme

16. Part 4 of Schedule 1 of the Scheme is hereby amended by –

- (a) the substitution in subparagraph 4.2.2 for the expression “sideshoots” of the expression “side shoots”;
- (b) the substitution in subparagraphs 4.3.5, 4.4.5 and 4.5.4 for the expression “be so straight that they fit” of the expression “be straight enough to fit”;
- (c) the substitution for subparagraph 4.6.1 of the following subparagraph:

“4.6.1 The graft or bud union shall be completely callused.”;
- (d) the substitution for subparagraph 4.6.2 of the following subparagraph:

“4.6.2 The stems of foundation nursery plants and nursery plants shall be straight enough to fit lengthwise between two parallel straight lines 150 mm apart.”;
- (e) the substitution in subparagraph 4.6.3(a), 4.6.3(b) and 4.6.3(c) for the expression “bole” of the expression “stem”;
- (f) the deletion of the expression “cutback” in subparagraph 4.6.3(c);
- (g) the substitution in subparagraph 4.6.5 for the expression “sealer” of the expression “sealant”;
- (h) the substitution in subparagraph 4.6.9 for the expression “established” of the expression “kept”;
- (i) the substitution in subparagraph 4.7.1 for the expression “rootstock” of the expression “rootstocks”;
- (j) the substitution in subparagraph 4.7.2. for the expression “specified” of the expression “indicated”.

Amendment of Part 5 of Schedule 1 of the Scheme

17. Part 5 of Schedule 1 of the Scheme is hereby amended by substitution in subparagraph 5.3.2 for the expression “25” of the expression “20”.

Deletion of Schedule 2 of the Scheme

18. Schedule 2 of the Scheme is hereby deleted.