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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3860****8 September 2023****PLANT IMPROVEMENT ACT, 1976
(ACT No. 53 OF 1976)****SOUTH AFRICAN CITRUS IMPROVEMENT SCHEME**

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), read with section 24, after consultation with the Minister of Finance, hereby publish the South African Citrus Improvement Scheme for public comments.

Interested parties are invited to submit written comments within 30 days from the date of publication of this Notice to the following address:

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MRS ANGELA THOKOZILE DIDIZA

MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

DATE: 31/07/2023

SCHEDULE

Definition

1. In this scheme any word or expression to which a meaning has been assigned in the Act or the Appendices shall have that meaning and, unless the context indicates otherwise –

“approved” means approved by the authority;

“ARC-TSC” means the institute for Tropical and Subtropical Crops of the Agricultural Research Council in Nelspruit, Mpumalanga;

“authority” means the authority designated in terms of Section 24(1) of the Plant Improvement Act and section 4 of this scheme;

“certify” means to either certify as disease-free or to certify as both disease-free and true to variety in terms of the requirements of this scheme, and “certified” and “certification” shall have corresponding meanings;

“CGA” means the Citrus Growers Association of Southern Africa, a company incorporated in terms of section 21 of the Companies Act, 1973 (Act No. 61 of 1973), with registration number 2000/010147/08;

“CIS” means South African Citrus Improvement Scheme;

“Citrus” means any plant of *Citrus* spp., *Fortunella* spp. and *Poncirus* spp., and all varieties and hybrids thereof;

“Citrus Greening disease area” means an area where citrus greening disease occurs as determined by the Department from time to time;

“Citrus Black Spot free area” means an area that is free from the presence of *Phyllosticta citricarpa* as determined by the Department from time to time;

“commercial citrus nursery” means any nursery that propagates citrus nursery trees for commercial purposes;

“CIS Advisory Committee” is the committee responsible for the final formulation of proposals and recommendations to the Authority for implementation in terms of the CIS.

“CRI” means Citrus Research International, a not-for-profit company incorporated in terms of the Companies Act, 1973 (Act No. 61 of 1973), with registration number 2001/007745/07, with headquarters and diagnostic facilities in Nelspruit, Mpumalanga;

“Department” means the national Department responsible for Agriculture;

“disease-free” means any citrus material that has been found free, or otherwise approved, from the presence, signs or symptoms of pests and pathogens as specified in this Scheme (Table 1) either by laboratory testing or visual inspection;

“effective control programmes” are physical, cultural and chemical control measures of insect pests and pathogens listed in the scheme; these measures are stipulated in the standard operating procedures and compliance in certified nurseries is verified by routine inspection and/or tests;

"farm nursery" means a nursery registered with the authority that propagates citrus nursery trees strictly for own farm use and not for commercial purposes;

"foundation block" means a facility that holds mother block trees, multiplication block trees, and/or seed source trees;

"increase block trees" means trees established at a multiplication block, and made from budwood cut in mother block or pre-immunised block;

"media" means any soil or substrate in which citrus trees are grown;

"Minister" means the Minister responsible for Agriculture;

"mother block" means a facility housing citrus trees that have passed through shoot tip grafting to eliminate pathogens, passed through biological indexing and molecular diagnosis as pathogen-free and, when applicable, have been pre-immunised with approved mild strains of *Citrus tristeza virus*;

"multiplication block" means a unit registered with the authority for the purpose of multiplying citrus budwood, and includes a foundation block;

"nursery" means a commercial citrus nursery, a farm nursery or area of land on which seed source trees are kept;

"nursery tree" means any citrus tree grown for own farm use, or commercial use by commercial citrus nurseries;

"nucleus block" means a facility registered with the authority housing virus free citrus trees;

"ornamental nursery" means any nursery that normally sells plants directly to the public, and an ornamental nursery that itself propagates and sells citrus nursery trees shall for purposes of this scheme be deemed to be a commercial citrus nursery;

"owner" for purposes of a unit, includes the person in charge of that unit;

"pest and pathogen free" means the nursery trees were produced under effective control programmes and were visually free from the insect pests, graft transmissible, soil borne and foliar pathogens as listed in the scheme (Table 1);

"Procedural Guide" means the procedural guide as compiled and revised by CRI and endorsed by the CIS Advisory Committee from time to time, describing the standard operating procedures for the introduction, propagation, processing and supply of Plant Material, thereby providing means for traceability, for establishing true-to-type status, for managing risks to the phytosanitary status of the material and for managing risks of the inadvertent mix-up of lines of propagation material.

"propagate" means to grow seedlings from seed or cuttings or to graft scion buds onto rootstock seedlings for the purpose of making citrus nursery trees.

"propagation material" means any part of a citrus tree that can be used for propagation, including but not limited to budwood, cuttings and seed;

"Propagation Material Certificate" is the certificate issued by the scheme upon delivery of budwood or seed as proof of compulsory certification of citrus propagation material, specifying and certifying that the budwood and seed meet the requirements in section 5;

"registrar" means the Registrar of Plant Improvement in terms of section 3 of the Act;

"scheme varietal list" means the citrus varietal list kept by the authority;

"seed source trees" means trees established on an area of land registered in terms of the scheme from which approved seed is harvested;

"small scale experimental purposes" means nursery trees produced for own use or for a specific client for the purpose of research, breeding or evaluation trials, and should be limited to a maximum of 100 trees per cultivar for use in one location only, unless otherwise approved by the authority;

"SOP" means a standard operating procedure prescribed in the procedural guide of the Scheme and approved by the authority;

"STG" means shoot tip grafting for the elimination of graft transmissible diseases of citrus and, when applicable, pre-immunisation with a mild *Citrus tristeza* virus isolate for cross-protection;

"the Act" means the Plant Improvement Act, 1976 (Act No. 53 of 1976);

"Tree Certificate" is the certificate issued in terms of this scheme for a batch or batches of trees specifying and certifying that the trees meet the requirements in section 6 and were made in a certified commercial citrus nursery from certified budwood and seed sources as approved under the scheme and meets all certification requirements;

"true to variety", in relation to citrus trees, means that such tree corresponds with the recognised description, complies with the requirements referred to in section 17 of the Act, and consistently reflect the horticultural characteristics associated with the variety;

"unit" means a nucleus block, pre-immunised block, multiplication block, commercial citrus nursery, farm nursery and an area of land where seed source trees are kept; and

"virus free" means the propagation material tested free from the virus and virus-like pathogens as listed in the scheme (Table 1) and that is known to be harmful to citrus, other than the pathogen with which such citrus material is pre-immunised.

Name of scheme

2. This scheme shall be known as the South African Citrus Improvement Scheme.

Application of scheme

- 3.(1) This scheme shall apply to all varieties of citrus listed in the scheme varietal list and consist of
 - (a) **compulsory disease-free certification of all citrus propagation material** used for production of nucleus block trees, mother block trees, increase block trees, seed source trees and nursery trees;
 - (b) **voluntary certification of citrus trees as disease-free and of the prescribed quality standard** for trees referred to in paragraph (a) produced by nurseries certified in terms of this scheme; and
 - (c) **voluntary certification of citrus propagation material as true to variety**, and citrus trees as **true to variety** for trees referred to in paragraph (a) produced by nurseries certified in terms of this scheme.
- (2) The provisions of subsection (1)(a) means that any citrus propagation material used for the propagation of citrus trees must originate from certified material obtained from a nucleus block registered in terms of this scheme, irrespective whether the final trees will be certified.

- (3) The production and distribution of any citrus tree by any nursery will be subject to the Control Measures of the Agricultural Pests Act, 1983 (Act No. 36 of 1983) or national Plant Health legislation and regulations.

Designation of authority

- 4.(1) The CGA is hereby designated as the authority for the purpose of exercising the powers, performing the functions and carrying out the duties that are conferred upon, assigned to or imposed upon the authority under this scheme.
- (2) The powers, duties and functions referred to in subsection (1) must be exercised, performed and carried out by the authority at its own cost and subject to the directions of the Registrar, and the authority shall not have any recourse against the state for any costs so incurred.
- (3) The authority shall appoint a Citrus Improvement Scheme Advisory Committee (CISAC) as set out in the standard operating procedures through which role-players may make inputs into the operation of the scheme.
- (4) Any reference to Authority will include, where appropriate, reference to CRI who has been authorised by the CGA in terms of Section 24(2)(a) of the Act to exercise, perform or carry out the functions and duties as stipulated in the Procedural Guide of the Scheme.

Conditions for certification of budwood and seed with a Propagation Material Certificate

5. Citrus propagation material (budwood and seed) may be certified and issued with a Propagation Material Certificate upon delivery if –
- (a) they are of a variety that is listed on the scheme varietal list;
 - (b) they are cultivated or produced in or on a unit;
 - (c) the unit concerned is certified with the authority in terms of this scheme;
 - (d) the unit complies with the specific requirements of this scheme and is certified as meeting these requirements; and
 - (e) all the requirements of the scheme with regard to propagation material cultivated or produced on such a unit have been complied with, including the provisions of the scheme with regard to the certification status of such material.

Conditions for certification of trees with a Tree Certificate

6. Citrus nursery trees may be certified and issued with a Tree Certificate if –
- (a) they are propagated from certified propagation material;
 - (b) they are of a variety that is listed on the scheme varietal list;
 - (c) they are cultivated or produced in a registered and certified commercial citrus nursery;
 - (d) the unit complies with the specific requirements of this scheme and is certified as meeting these requirements;
 - (e) the effective management programmes for pests and pathogens are complied with and verified by inspection and/or tests conducted by the authority; and
 - (f) all the requirements of the scheme with regard to trees or propagation material cultivated or produced on such a unit have been complied with.

Conditions for certification as true to variety

7. Subject to sections 5 and 6 respectively, propagation material or citrus nursery trees as applicable, may be certified as true to variety if -
- (a) in the case of propagation material, budwood was cut from a mother block, pre-immunised block or multiplication block, of which either the mother tree, evaluation block tree or field trees have been declared as true to variety after being evaluated and found to consistently reflect the horticultural characteristics associated with the variety; and
 - (b) in the case of citrus nursery trees, the trees were made from propagation material certified as true to variety in accordance with paragraph (a).

Registration of units

- 8.(1) Any unit used for propagation of any citrus material must be registered with the authority, and no person may propagate citrus material unless the registration of the unit concerned is valid and in force.
- (2) The authority may upon application register a unit as a nucleus block, pre-immunised block, multiplication block, a commercial Citrus nursery, a farm nursery, or as an area of land on which seed source trees are kept, provided the requirements for registration of the unit type is met.
- (3) An application for the registration of a unit for purposes of this scheme must be made on the form obtainable from the authority.
- (4) The form referred to in subsection (3) must -
- (a) be lodged with the authority before a unit is used for citrus tree or propagation material production; and
 - (b) be accompanied by a locality map indicating where the area of land or nursery concerned is situated and directions to it from the nearest major centre, city or town;
 - (c) in the case of a nucleus block, be accompanied by a map of the property indicating the greenhouses and their names or numbers;
 - (d) in the case of a multiplication block, be accompanied by a map of the property indicating the greenhouses, other structures and orchards, their names or numbers and what type of trees are in each;
 - (e) in the case of a commercial citrus nursery, be accompanied by a map of the property indicating the structures, their names and the row numbers;
 - (f) in the case of a farm nursery, be accompanied by a map of the property indicating where the nursery is situated;
 - (g) be accompanied by the registration fee determined by the authority for this purpose; and
 - (h) contain all other particulars that the authority may reasonably require to consider such application.
- (5) A unit may be registered if the authority is satisfied that all the requirements of this scheme have been met, and such registration shall be subject to -
- (a) the period of validity of registration;
 - (b) a prohibition on the removal or sale of any citrus propagation material from a nucleus block, mother block, pre-immunised block or a multiplication block unless the provisions of the scheme with regard to the certification status of such material have been complied with, or removal or sale is specifically authorised by permit issued by the Department;
 - (c) a prohibition on the removal or sale of citrus trees or other citrus propagating material from a commercial citrus nursery, unless the citrus trees or propagation material have been propagated with approved material as certified by the authority, or removal or sale is specifically authorised by permit issued by the Department;

- (d) a prohibition on the sale of citrus trees or other citrus propagation material to an ornamental nursery unless the materials have been certified by the authority or the trees have been propagated with approved material as certified by the authority;
 - (e) a prohibition on the own use of citrus trees or other citrus material propagated on a farm nursery unless the nursery trees have been propagated with approved material as certified by the authority, or the trees are intended purely for small scale experimental purposes and prior approval from the authority has been obtained;
 - (f) a prohibition on the sale of citrus trees or other citrus material propagated from a farm nursery unless such nursery is also registered with the authority as a commercial nursery and the citrus trees have been propagated with approved material as certified by the authority;
 - (g) such other conditions related to the above as the authority may determine to meet the objectives of the scheme.
- (6) The authority may refuse to register a unit if: –
- (a) the amount of the type of material and variety required is available from registered units to meet the demand, excluding requests to register commercial citrus nurseries;
 - (b) the applicant has a history of disregarding the scheme requirements;
 - (c) the unit concerned is situated in an area that has been identified in terms of the Agricultural Pests Act, 1983 as infected with the relevant pests as described in Regulation 110; and
 - (d) the application contains a material misrepresentation.
- (7) Upon registration the authority must forthwith issue a registration certificate to the applicant, setting out the purpose for which the certificate is issued, and setting out the conditions to which it is subject.
- (8) The authority must publish a list of all units registered and certified as commercial citrus nurseries in appropriate communication media at least twice per year.
- (9) The holder of a registration certificate must apply to the authority for its renewal prior to the period of its validity expiring, and the provisions of subsections (4) to (8) shall *mutatis mutandis* apply to such application.
- (10) In the event that the authority decides not to register a unit in terms of this section, it must within 14 days inform the applicant thereof in writing and substantiate its decision.

Withdrawal and lapsing of registration

- 9.(1) The authority may withdraw the registration of a unit if it has been established that –
- (a) the owner does not comply with or contravenes the provisions of the scheme;
 - (b) the owner does not comply with or contravenes the conditions on which the certificate of registration has been issued;
 - (c) information comes to light which, had it come to light earlier, would have resulted in a refusal to register the unit concerned;
 - (d) any natural or unnatural occurrence or condition makes it impossible to observe the varietal properties of the plants on the unit or the plant health status thereof;
 - (e) the owner refuses the authority access and reasonable assistance to perform inspections of the unit or the citrus plant material cultivated on the unit, in accordance with section 19;
 - (f) certification of plant material cultivated on the unit has been withdrawn; or
 - (g) the owner informs the authority that he or she ceases all activities to which the scheme relates.
- (2) The registration of a unit shall automatically lapse if –
- (a) any fees due and payable to the authority are outstanding for a period longer than 90 days; or
 - (b) the period of registration has expired without any application for continuation having been made.

- (3) A registration certificate is issued to the person set out therein and is not transferable to any other person without the prior approval of the authority, which approval shall not unreasonably be withheld.

Objections and Appeals against decisions of authority and dispute resolution

- 10.(1) Any person directly affected by a decision of the authority in terms of this scheme may within 30 days of becoming aware of its contents request the authority to supply written reasons for its decision, and the authority must respond to such a request within 14 days from the date of receipt thereof.
- (2) Within 14 days of receipt of the response of the authority the person concerned may –
- (a) request the authority to re-consider its decision, if, in the opinion of the person concerned the decision is wrongly based in fact, or information has come to light or has not been considered that warrants re-consideration of the matter; or
 - (b) objection against the decision of the authority to the CIS Advisory Committee
- (3) In the event that the matter cannot be resolved through the objection procedures in subsection (2), the aggrieved party concerned may:
- (a) agree to engage in an arbitration procedure; or
 - (b) if the dispute is not resolved through arbitration in (a), appeal against the decision to the Minister in accordance with the provisions of section 32 of the Act which shall *mutatis mutandis* apply with reference to any person who feels aggrieved by any decision or action taken by the authority in connection with this scheme.

Unit requirements

- 11.(1) In the case of a nucleus block –
- (a) the unit must be an insect-proof greenhouse as approved by the authority;
 - (b) the floor of the greenhouse must be concrete or so shaped as to allow free water to readily drain away;
 - (c) the plants must be grown in suitable containers in a well-drained pathogen-free media as approved by the authority;
 - (d) the containers must be raised off the floor to allow free drainage and to stop the roots from growing into or onto the greenhouse floor;
 - (e) the water used in the greenhouse must test pathogen-free;
 - (f) access to the greenhouse must be limited to authorised personnel only and human traffic protocols as prescribed in the Procedural Guide must be followed to maintain the biosecurity status of the unit;
 - (g) a quality management system approved by the authority must be in place to control and monitor pests, pests and pathogens, tree growth, the virus status of the plants, and the identification of each plant;
 - (h) a register containing details determined by the authority must be kept up to date of any budwood sent out of the nucleus block;
 - (i) each plant must be labelled according to the variety's accession number clearly printed on the pot/container and on a tag tied to the tree;
 - (j) proper records must be kept of each variety, which should include treatment and testing history and supply records;
 - (k) such other requirements as may be required by the authority must be complied with.
- (2) In the case of a mother block or multiplication block –
- (a) the unit shall be adequately fenced to control access as approved by the authority;
 - (b) the unit must be in a Citrus Greening disease-free area;
 - (c) the unit must be in an area that is traditionally not a citrus growing area and ideally no commercial citrus orchards may occur within a 15-km radius;
 - (d) no citrus trees or citrus orchards may occur within a 5-km radius from the unit;

- (e) the mother block trees and increase trees must be housed in an insect-proof structure as approved by the authority;
 - (f) the site for any multiplication block structure must be so levelled and prepared to stop water from adjacent ground entering the structure and to allow water used in the structure to readily drain away;
 - (g) containers must be raised off the floor to allow free drainage and to stop the roots from growing into the soil below the greenhouse;
 - (h) plants grown in containers must show vigorous growth;
 - (i) the water used in the structure must test pathogen-free as determined by the authority;
 - (j) access to the greenhouse and other structures must be limited to authorized personnel and human traffic protocols as prescribed in the Procedural Guide must be followed to maintain the biosecurity status of the unit;
 - (k) each plant or group of plants of the same variety must be marked with all the relevant details by means of a tag tied to the tree and a sign board in the container as determined by the authority;
 - (l) proper records must be kept of each variety, which should include treatment and testing history;
 - (m) an up to date register of data, as determined by the authority, of all budwood sent out of the facility must be kept;
 - (n) such other requirements as may be required by the authority must be complied with.
- (3) In the case of a certified commercial citrus nursery –
- (a) the nursery must meet the certification requirements as set out in the standard operating procedures as tested and inspected by the authority and the certification status of the nursery must be valid and in force;
 - (b) the unit must be adequately fenced to control access as approved by the authority and human traffic protocols as prescribed in the Procedural Guide must be followed to maintain the biosecurity status of the unit;
 - (c) if in a citrus greening disease area, all trees must be grown in insect proof structures or otherwise under a strict chemical control program as approved by the authority;
 - (d) if in a Citrus Black Spot area, all trees must be subjected to a Citrus Black Spot control programme as approved by the authority;
 - (e) the nursery must be so levelled and prepared to stop water from adjacent ground entering the nursery and to allow water used in the nursery to readily drain away;
 - (f) in the case of plants grown in containers, the growth medium must be pathogen-free and the containers have sufficient drainage;
 - (g) containers must be raised off the floor to allow free drainage and to stop the roots from growing into the soil below;
 - (h) the water used in the nursery must test pathogen-free;
 - (i) proper water sanitation control as determined by the Authority must be used at all times;
 - (j) an adequate quality management system must be in place for –
 - (i) water treatment and testing;
 - (ii) media treatment and testing;
 - (iii) media and root pathogen testing; and
 - (iv) pest control and monitoring;
 - (k) an adequate administration system must be in place to ensure the budwood code is traceable from multiplication block to the purchaser of the nursery trees and that the necessary certification information can be supplied to the authority;
 - (l) nurseries must obtain propagation material from a source approved and certified by the authority;
 - (m) no citrus nursery trees other than citrus nursery trees propagated from material that is certifiable by means of a Propagation Material Certificate may be propagated on or sold from a unit, except in the case where nursery trees are being propagated for small scale experimental purposes, in which case these trees must be kept in an area isolated from the

- rest of the nursery in accordance with the relevant requirements stipulated in the Procedural Guide;
- (n) an up to date register of data, as determined by the authority, of all nursery tree sales must be kept;
 - (o) nurseries must apply for Tree Certification from the CIS for all trees that were propagated from certified propagation material;
 - (p) such other requirements as may be required in terms of Procedural Guide must be complied with; and
 - (q) special approval must be obtained from the authority prior to the use of unusual practices such as rooted cuttings and interstock.
- (4) In the case of a non-certified commercial nursery propagating citrus trees –
- (a) the nursery must meet the requirements as stipulated in the Act;
 - (b) no citrus nursery trees other than citrus nursery trees propagated from material that is certifiable by means of a Propagation Material Certificate may be propagated on or sold from a unit, except in the case where nursery trees are being propagated for small scale experimental purposes, in which case these trees must be kept in an area isolated from the rest of the nursery in accordance with the relevant requirements stipulated in the Procedural Guide;
 - (c) an adequate management system must be in place for: –
 - (i) water treatment;
 - (ii) media treatment; and
 - (iii) pest control and monitoring;
 - (d) an up to date record of data, as stipulated in the Act, for trees propagated and of all nursery tree sales must be kept; and
- (5) In the case of a farm nursery –
- (a) no citrus nursery trees other than citrus nursery trees propagated from material that is certifiable by means of a Propagation Material Certificate may be propagated, except in the case where nursery trees are being propagated for small scale experimental purposes; these trees are for own use purposes and not for resale;
 - (b) an adequate management system must be in place for: –
 - (i) water treatment;
 - (ii) media treatment; and
 - (iii) pest control and monitoring;
 - (c) an up to date record of data, as determined by the authority, for trees propagated and planted for own use must be kept; and
 - (d) such other requirements as may be required in terms of the Procedural Guide must be complied with.
- (6) In the case of an area of land on which seed source trees are situated –
- (a) the area of land must be mapped giving details of the location thereof, the position of each tree and its variety name and rootstock combination, and the full details of the source of the budwood used to make the seed source trees;
 - (b) the source of the budwood used for the seed tree must be approved and certified by the authority;
 - (c) each tree or row of identical varieties must be marked with an easily accessible legible board or tag;
 - (d) an up to date register of data, as determined by the authority, of all seed supplied from the block must be kept;
 - (e) such other requirements as may be required by the authority must be complied with.

Establishment requirements

- 12.(1) Citrus trees in a nucleus block –
- (a) must, in accordance with the approved standard operating procedure, be made virus free by means of shoot tip grafting and test free of the pathogens as specified by means of the tests as required by the authority to test for such pathogens, and such tests and procedures to be conducted by a laboratory that is approved for these tests and procedures by the CIS;
 - (b) must regularly, in compliance with the approved standard operating procedure, be tested for *Citrus tristeza* virus, be inspected for Citrus Greening disease, be re-indexed for virus or virus-like organisms and if found to be positive, the plant must be destroyed and a new plant will be established from disease-free propagation material and seed from a registered seed source;
 - (c) must consist of the minimum number of plants per variety as determined by the authority;
 - (d) must be marked with all the relevant details as determined by the authority in the manner determined by it;
 - (e) must be separately recorded in a register kept for this purposes, with all the details as determined by the authority, and a copy of the register must be forwarded to the authority within the period determined by it.
- (2) Citrus trees established in a mother block—
- (a) must, in accordance with the approved standard operating procedure, be made from virus free nucleus block trees that were pre-immunised with mild strains of *Citrus tristeza* virus, or as otherwise approved by the authority, and such tests and procedures to be conducted by a laboratory that is approved for these tests and procedures by the CIS;
 - (b) must regularly be re-indexed for virus and virus-like organisms and the presence of the cross-protecting strain of *Citrus tristeza* virus in compliance with the approved standard operating procedure, and if any of the viruses or virus-like organisms are found, the infected tree must be destroyed in terms of the Procedural Guide and re-established from a virus-free and pre-immunised nucleus block source;
 - (b) must, where applicable, in accordance with the standard operating procedure as approved by the authority, test positive for the selected *Citrus tristeza* virus cross-protection strain;
 - (c) must consist of the minimum number of plants per variety as determined by the authority;
 - (d) must be marked with all the relevant details as determined by the authority in the manner determined by it;
 - (e) must be separately recorded in a register kept for this purpose, with all the details in terms of the Procedural Guide, and a copy of the register must be forwarded to the authority within the period determined by it.
- (3) Citrus trees in a multiplication block –
- (a) must be made from virus-free pre-immunised propagation material obtained directly from a registered nucleus block, a registered mother block, a registered multiplication block and a registered seed source;
 - (b) must regularly be re-indexed for virus and virus-like organisms and, where applicable, the presence of the cross-protecting strain of *Citrus tristeza* virus in compliance with the approved standard operating procedure, and if any of the viruses or virus-like organisms are found, the infected block must be managed according to the approved standard operating procedure, destroyed as soon as possible and re-established from a virus-free mother tree or pre-immunised nucleus block source.
- (4) Citrus trees established as seed source trees must be made from propagation material that has been obtained directly from an approved source that has been certified as true to type and disease-free.
- (5) Citrus trees in a commercial citrus nursery –
- (a) must be made from propagation material that has been obtained directly from a registered multiplication block and a registered seed source block and must comply with the requirements in the standard operating procedures; or

- (b) in exceptional circumstances, where there is a shortage of budwood for a particular variety, budwood may be cut in a certified commercial citrus nursery from nursery trees that have been made with propagation material supplied from a registered multiplication block and a registered seed source block, provided that prior approval for cutting budwood in the nursery for re-budding purposes must be obtained from the authority, which approval may only be granted if –
 - (i) propagation material is not available at a registered multiplication block;
 - (ii) a suitable observer, approved by the authority, will be present to monitor the cutting process;
 - (iii) the information required in standard operating procedures is submitted to the authority in the prescribed format; and
 - (iv) the prescribed fees set out in the standard operating procedures are paid to the authority.
- (6) Citrus trees in a farm nursery must –
 - (a) either be obtained directly from a certified commercial citrus nursery complying with the requirements set out in the standard operating procedures, or be made from propagation material that has been obtained from a registered multiplication block and a registered seed source block, or budwood supplied under circumstances set out in subsection (5)(b); and
 - (b) must comply with the prescribed requirements set out in the standard operating procedures for a farm nursery.

Inspection and audit of units

- 13.(1) The authority must carry out inspections and audits, in the case of –
 - (a) a nucleus- and mother block, a minimum of once every 12 months;
 - (b) a multiplication block, a minimum of once every 12 months;
 - (c) a certified commercial citrus nursery, as set out in the standard operating procedures;
 - (d) an area of land on which seed source trees are planted, a minimum of every 3 years unless trees have been removed or planted on a new area of land; then as soon after the change as possible.
- (2) The authority may carry out as many inspections and audits of a unit, including units not listed in subsection (1), as it may deem necessary.
- (3) If the authority fails to carry out the required inspection or audit referred to in subsection (1), the certification of the plant material cultivated on the unit concerned must not be refused solely on account thereof.
- (4) If during an inspection or audit the authority finds that the provisions of this scheme are not being adhered to, it may in its sole discretion allow a reasonable grace period to rectify non-compliance.

Storage of citrus propagation material

- 14. Citrus propagation material must at all times be stored in such a manner that –
 - (a) it is protected against physiological and physical damage; and
 - (b) it can be identified clearly.

Identification of citrus propagation material

- 15.(1) All citrus propagation material must be labelled, marked or otherwise identified in the manner as may be prescribed by the authority.

- (2) The authority may determine that the labels, marking material or other means of identification referred to in subsection (1), must be procured from the authority or other approved source, in which event no other identification material may be used.
- (3) In the event of a determination in terms of subsection (2) the amounts determined by the authority in terms of section 19 must be payable in respect of such means of identification.

Approval of budwood, seed and certification

- 16.(1) Budwood supplied from a nucleus block must be approved for utilisation in terms of this scheme if –
 - (a) in accordance with the approved standard operating procedures, it has passed through STG and tested virus free;
 - (b) documented proof of the procedures and tests are available on request;
 - (c) if the budwood is clearly marked with the variety name and budwood code;
 - (d) application and approval of budwood supply be administered by the authority as stipulated in the Procedural Guide; and
 - (e) it otherwise complies with the requirements determined by the authority.
- (2) Budwood supplied from a multiplication block must be approved in terms of this scheme if –
 - (a) it is cut from a mother block tree or multiplication block tree;
 - (b) the mother block tree was made from citrus propagation material obtained directly from a registered nucleus block or pre-immunised block, which was pre-immunised with an approved mild strain of *Citrus tristeza virus*, and a registered seed source block;
 - (c) the multiplication block tree was made from mother block budwood or budwood obtained from multiplication block trees made from the mother block trees;
 - (d) documented proof showing the source and testing history of the mother or multiplication block tree is available on request;
 - (e) the words "approved budwood" occurs on any label and documentation dispatched with the budwood;
 - (f) the budwood and any documentation accompanying the budwood is clearly marked with the variety name and budwood code; and
 - (g) it otherwise complies with the requirements determined by the authority.
- (3) Seed supplied must be approved in terms of this scheme if —
 - (a) it is supplied from a registered seed source block;
 - (b) it has been harvested, treated and packaged in the manner determined by the authority;
 - (c) documented proof of the treatments can be supplied on request;
 - (d) the words "approved seed" must appear on any label and documentation accompanying the seed;
 - (e) the treatments applied must appear on either the documentation sent with the seed or bag in which the seed is packaged;
 - (f) the seed and any documentation accompanying the seed, is clearly marked with the variety name and its rootstock code; and
 - (g) it otherwise complies with the requirements determined by the authority.
- (4) Commercial citrus nursery trees must be certified if –
 - (a) they comply with the citrus tree certification requirements set out in the standard operating procedures; and
 - (b) they otherwise comply with the requirements determined by the authority.
- (5) The certification of citrus trees must be confirmed by means of a certificate, label or other means approved and issued by the authority.
- (6) The certification procedures must be audited on a regular basis by the authority.

- (7) The authority must keep records of audit results in terms of subsection (6) and must supply the owner of a unit with a copy thereof.

Withdrawal of approval or certification

- 17.(1) The authority may at any time withdraw the approval of citrus propagation material or certification of citrus trees if it has been established that –
- (a) the propagation material or citrus trees do not comply with the requirements of the scheme; or any other requirement of the Act or the scheme has been contravened or not been complied with;
 - (b) in the case of certification as virus-free, it becomes apparent that the citrus trees themselves or their source material is not virus-free; or
 - (c) in the case of certification as true to variety, it becomes apparent that either the citrus trees themselves, or their source material, do not display the horticultural characteristics associated with the variety.
- (2) The authority may at any time withdraw –
- (a) the approval of a unit if it has been established that the unit do not comply with the requirements of the scheme; or any other requirement of the Act or the scheme has been contravened or not been complied with; and
 - (b) the certification of a unit if it has been established that the unit do not comply with the certification requirements set out in the standard operating procedures.
- (3) Prior to issuing a notice contemplated in subsections (1) and (2) respectively, the authority must notify the person in writing of the Authority's intention to withdraw the certification and the reasons for such intended withdrawal.
- (4) The person may furnish reasons as to why the certification should not be withdrawn, provided that such reasons must be furnished in writing and within 14 days after receipt by the person of the authority's notification of intention to withdraw the certification.
- (5) The Authority shall, after considering reasons furnished by the person in terms of subsection (3) and still being convinced that certification must be withdrawn, notify the person in writing of the decision to withdraw the approval or certification, as applicable.
- (6) A person who has been notified of the withdrawal of the approval or certification of citrus propagation material or the certification of citrus trees must forthwith remove any identification attached thereto or accompanying such material relating to the approval or certification thereof.
- (7) The authority may make known the withdrawal of the approval or certification in appropriate communication media.

Records and returns on sales

- 18.(1) Each owner of a unit, except a farm nursery, must record the following particulars relating to citrus propagation material issued or sold to another person –
- (a) the name and address of the person to whom the material has been issued or sold;
 - (b) the quantity of material from each variety issued or sold to each person;
 - (c) such other particulars relating to the material and the identification thereof as the authority may determine.

- (2) Each owner of a unit must before or on the date determined by the authority, submit an annual return containing the particulars determined by the authority.

Powers to inspect

- 19.(1) The powers of inspection referred to in sections 24A and 25 (1) of the Act are hereby granted to the authority for the purpose of the application of this scheme and to any person authorised in writing by the authority to enforce any provision of this scheme.
- (2) A person acting under subsection (1) may demand from the owner or custodian of the place concerned all reasonable assistance that such person may deem necessary to enable him or her to carry out the inspection or audit concerned or to perform any other act in connection with the application of this scheme.
- (3) No compensation must be payable by the authority in respect of –
- (a) assistance rendered in terms of subsection (2);
 - (b) any sample taken during an inspection or audit.
- (4) An inspection, audit or analysis in terms of this scheme must be carried out in accordance with the methods determined by the authority.
- (5) The quantity of plants inspected or audited on a unit and any media samples drawn must be determined by the authority and deemed to be representative of all plants on the unit concerned.
- (6) The quantity of propagation material inspected or audited for certification must be determined by the authority and deemed to be representative of the quantity supplied by the unit concerned.

Payment of fees

- 20.(1) The amounts determined by the authority must be payable in respect of –
- (a) an application for registration of a unit;
 - (b) continuation of registration of a unit;
 - (c) inspection and auditing of citrus nursery and citrus trees;
 - (d) analysis and sampling;
 - (e) certification as disease-free;
 - (f) certification as true to variety;
 - (g) materials prescribed for use in identifying citrus propagation material or citrus trees; and
 - (h) any other service rendered by the authority in terms of the scheme.
- (2) Amounts payable in terms of the scheme –
- (a) must be payable to the authority;
 - (b) may include interest on arrears accounts; and
 - (c) must be remitted by means of cheque, bank transfer or electronic payment.
- (3) The authority may, if an amount is due and owed to it in terms of this scheme, notwithstanding any other remedies, suspend the provision of any services in terms of subsection (1)(a) to (e) until such time as the debt plus any interest thereon is settled.
- (4) Any amount owing to the authority on the withdrawal or lapsing of a certificate or registration shall be a debt and remain owing to the authority together with any interest thereon until such time as it is settled or the authority determines otherwise.

Limited liability

21. The authority or any person lawfully acting under the authority shall not be liable for any act or omission performed by or omitted by it in terms of this scheme, unless gross negligence or *mala fides* on the side of the authority or such person is proven.

Acting in good faith

22. It shall be deemed that the authority or any person lawfully acting on its behalf acts in good faith with regard to any power exercised or duty or function performed in terms of this scheme, unless the contrary is proven.

Addresses for submission of documents

- 23.(1) The contact particulars of the authority are as follows:

Physical address: South African Citrus Improvement Scheme
Citrus Foundation Block
Kruisrivier – G44
Kariega
6230

Postal address: South African Citrus Improvement Scheme
P.O. Box 2945
Kariega
6230

Telephone number: (041) 992 5366
E-mail: cis@cri.co.za

- (2) Written documents must be addressed to the postal and e-mail address of the authority, unless the authority requests otherwise.

Commencement of scheme

24. This scheme shall commence on the date of publication.

Table 1. Pests and pathogens controlled in the South African Citrus Improvement Scheme**(a) Propagation material (seed and budwood) tested free from the following pathogens**

Scientific name	Common name
<i>Citrus Tatter Leaf virus</i> (syn. <i>Apple stem groove virus</i>)	ASGV or Citrus Tatter Leaf
<i>Citrus Psorosis virus</i>	Psorosis
<i>Citrus exocortis viroid</i>	Exocortis
<i>Citrus bent leaf viroid</i> (syn. CVd-I)	
<i>Hop stunt viroid</i> (syn. CVd-II)	Cachexia, Xyloporosis / Gumming
<i>Citrus dwarfing viroid</i> (syn. CVd-III)	Stunting, Gum pocket disease
<i>Citrus bark cracking viroid</i> (syn. CVd-IV)	
<i>Citrus viroid V</i> (CVd-V)	
<i>Impetratura</i>	Impetratura
<i>Citrus virus A</i> (CiVa)	
<i>Citrus Tristeza virus</i> (severe strains)	Tristeza-virus
<i>Candidatus 'Liberibacter africanus' *</i>	Citrus greening (African strain)

(b) Nursery trees produced under effective control programmes and visually free from the following pests and pathogens

Scientific name	Common name
<i>Alternaria alternata</i> pv. <i>citri</i>	Alternaria Brown Spot of mandarins and lemons
<i>Diaporthe citri</i>	Melanose
<i>Candidatus 'Liberibacter africanus' *</i>	Citrus greening (African strain)
<i>Citrus Tristeza virus</i> (severe strains)	Tristeza-virus
<i>Elsinoë fawcettii</i>	Citrus scab
<i>Phyllosticta citricarpa</i> *	Citrus Black Spot
<i>Phytophthora nicotianae</i> and <i>citrophthora</i>	Citrus root rot, collar rot and branch canker
<i>Toxoptera citricida</i>	Brown citrus aphid
<i>Trioza erytreae</i>	African citrus psyllid
<i>Tylenchulus semipenetrans</i>	Citrus nematode

*Regulated non-quarantine pests; Regulation 110, Control Measures in Agricultural Pest Act, 1983 (Act No. 36 of 1983)