

Number: WG20500



Llywodraeth Cymru
Welsh Government

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Consultation Document

Implementation of Directive 2013/45/EU with regard to the botanical name of tomato

Date of issue: 5 December 2013

Action required: Responses by 10 January 2014

Overview

In light of new genetic evidence, the International Code of Botanical Nomenclature has been revised in respect of the botanical name for the species tomato. This will now be known as '*Solanum lycopersicum L.*'.

In order to reflect this change, the European Commission has published Directive 2013/45/EU, which came into force on 28 August 2013. This Directive amends a number of other Directives within the field of seed marketing. The 2013/45/EU Directive requires Member States to update domestic legislation with regard to the amendments made by it.

How to respond

You may respond in a number of ways – by sending your written response to the address below or by email to the address provided.

Further information and related documents

Large print, Braille and alternate language versions of this document are available on request.

You may wish to refer to a copy of the Commission Directive 2013/45/EU at the following address:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:213:0020:01:EN:HTML>

Contact details

For further information:

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Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Background

European Directives require that seed of the main agricultural, horticultural and vegetable species must be officially certified before marketing. The Directives define specific standards under which seed must be marketed. Seed may not be marketed unless it is a species / variety on a National List or the EC Common Catalogue.

In light of new genetic evidence, the International Code of Botanical Nomenclature has been revised in respect of the botanical name for the species tomato. This will now be known as '*Solanum lycopersicum L.*'.

In order to reflect this change, the European Commission published Directive 2013/45/EU, which came into force on 28 August 2013. Directive 2013/45/EU has amended three key Directives:

- Directive 2002/55/EC on the marketing of vegetable seed;
- Directive 2008/72/EC on the marketing of vegetable propagating and planting material, other than seed; and
- Directive 2009/145/EC providing for certain derogations for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed growing under particular conditions and for marketing of seed of those landraces and varieties.

Directive 2013/45/EU requires Member States to transpose these amendments into domestic legislation by 31 March 2014.

Consultation

Given the limited size of the target audience and that this name change will have no financial impact or burden on industry, the Welsh Government has decided that it is reasonable to have a reduced consultation period (four weeks).

Proposal

In order to transpose Directive 2013/45/EU, the Welsh Government intends to amend two pieces of domestic legislation;

- a) The Seed Marketing (Wales) Regulations 2012; and
- b) The Marketing of Vegetable Plant Material Regulations 1995 in relation to Wales.

**Consultation
Response Form**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Question: Do you have an opinion on the Welsh Government's intended approach to transpose Directive 2013/45/EU?

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: