

Guidance notes on plant acquisitions



Introduction

Plant acquisitions are vital for the development of the collections at the Garden and supports core mission, commercial and corporate activities. Considered management of new plants¹ which enter the collections is important to ensure that they are as follows:

- Healthy and pathogen free
- Obtained legally
- Compliant with intellectual property designations

Guidelines

In accordance with goal one of the *Strategic plan 2011 – 2020*, the following guidelines have been produced to ensure high curatorial standards are maintained.

1. All living plants entering the Garden must be approved by the Curator or the Plant Records Officer.
2. A complete list of all specimens and the supplier must be submitted to the Curator or Plant Records Officer prior to the ordering of plants.
3. The Curator reserves the right to refuse the acquisition of plants but is obliged to provide a valid explanation.
4. Specimens obtained from sources listed on the Approved Suppliers List are exempt from the previous conditions.

Within the context of the *Living plant collections policy (2012)*, the following advice is provided for the scenarios listed below.

Donations

Donated plants are a high risk to the collections and often lack the appropriate documentation, taxonomic verification, provenance and could harbour unidentified pests and diseases. Donations can however be of value on occasion and will be accepted in exceptional circumstances. All donations of plants must be reviewed by the Curator or the Plant Records Officer prior to specimens arriving at the Garden.

Commercial

Commercial sources of plants are used extensively by the Horticulture Department and in the Garden's retail operations. The Curator or Plant Records Officer can review a source prior to use on your behalf. Requesting that a frequently used source is added to the Approved Suppliers List will help to bypass the need for repeated approval from the Curator or Plant Records Officer.

The Garden is committed to a series of environmental standards which are consistent with its mission and ethos. Some products and practices used in commercial horticulture would compromise the Garden's environmental standards and such plants or horticultural products should be avoided.

Wild origin

Wild origin plants are of high value to the Garden. Due regard must be given to local landowners/stakeholders and national laws (country of origin and domestic) when acquiring such specimens. All wild origin plants collected outside the United Kingdom after 12 October 2014 must be accompanied by documented evidence of prior informed consent and mutually agreed terms, as defined in the *Convention on biological diversity (1992)*.

Data standards

The following information must accompany plants introduced to the Garden and recorded:

- Plant name (scientific nomenclature)
- Source
- Location of source
- Collection data
- Associated permits (if required)
- Conservation designations (if applicable)

Documentation

The documentation required for plants acquired will vary depending on a number of factors such as origin, conservation status and use. Listed below are some of the minimum requirements based on the plants origin:

European Union

- EU plant passport

Outside the European Union

- Notification of import (PEACH)
- Phytosanitary certification
- Defra inspection certificate

The list below features some of the guidelines and legislation which should be considered prior to the acquisition of plants. If you have any questions regarding compliance or plants which you wish to acquire please contact the Curator.

International

Declaration of the United Nations conference on the human environment, 1972

Convention on international trade in endangered species, 1973

Convention on biological diversity, 1992

International treaty on plant genetic resources for food and agriculture, 2009

Nagoya protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation to the convention on biological diversity, 2010

European code of conduct for botanic gardens on invasive alien species, 2013

European Union & domestic

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (OJ L 227 of 01.09.94 p.1).

Council regulation (EC) 338/97 on the protection of species of wild fauna and flora by regulating trade therein

Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

Commission regulation (EC) No 874/2009 of 17 September 2009 establishing implementing rules for the application of Council regulation (EC) No 2100/94 as regards proceedings before the Community Plant Variety Office (OJ L 251 of 24.09.09 p.3).

Regulation (EU) 511/2014 on compliance measures for users from the Nagoya protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation in the Union

Implementing regulation (EU) 2015/1866 laying down detailed rules for the implementation of regulation (EU) 511/2015 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices

Regulation (EU) 2016/2031 on protective measures against pests of plants, amending regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing council directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC

Plant health act, 1967

Wildlife and countryside act, 1981

The plant breeders' rights regulations, 1998

The seed (national list of varieties) regulations, 2001

The Nagoya protocol (compliance) regulation, 2015

The control of trade in endangered species (enforcement) regulations, 1997

The conservation of habitats and species regulations, 2017

Plant health (Wales) order, 2006

Appendix one. Workflow for plant acquisitions (conservation and research collections)

Wild origin, United Kingdom

1. Ensure that the landowners permission is granted and documented prior to collecting, harvesting or propagating from a specimen situated in another property
2. For taxa featured on schedule eight of the *Wildlife and Countryside Act 1981 (as amended)* or schedule five of the *Conservation of Habitats and Species Regulations 2017*, further permissions are required from regional licensing bodies
3. Review the collection area for the presence of notifiable pest and diseases and consult with the Curator if present
4. Create comprehensive field notes and submit to the Plant Records Officer in csv format

Wild origin, outside of the United Kingdom

1. Ensure that the landowners permission is granted and documented prior to collecting, harvesting or propagating from a specimen
2. Ensure that mutually agreed terms and prior informed consent are established with the National Focal Point for Access and Benefit Sharing (signatories to the Convention on Biological Diversity 1992 only)
3. For taxa featured in the *Convention on International Trade in Endangered Species of Wild Fauna and Flora 1975*, further permissions are required from regional licensing bodies.
4. Review the collection area for the presence of notifiable pests and diseases and consult with the Curator if present
5. Create comprehensive field notes and submit to the Plant Records Officer in csv format
6. Provide the Plant Records Officer with export permits (country of origin), import permits (United Kingdom) and inspection certificates

Appendix two. Workflow for plant acquisitions (garden and landscape)

Commercial horticulture, EU-based

1. Ensure the nursery or producer is listed on the Approved Suppliers List
2. Provide a list (see data standards) of plant materials to the Curator or Plant Records Officer to be approved
3. Order plant materials on the condition that a EU plant passport is generated prior to shipment
4. All woody plant materials received must be held in the holding area for a minimum of eight weeks post leaf break
5. A copy of the EU plant passport must be submitted to the Curator or Plant Records Officer upon receiving the plant materials
6. Specimens must be approved for planting by the Curator or a Senior Horticulturist prior to movement from the holding area

Commercial horticulture, Non-EU

1. Ensure the nursery or producer is listed on the Approved Suppliers List
2. Provide a list (see data standards) of plant materials to the Curator or Plant Records Officer to be approved
3. Order plant materials on the condition that a notification of import (PEACH) and phytosanitary certificate (country of origin) is generated prior to shipment
4. All woody plant materials received must be held in the holding area for a minimum of eight weeks post leaf break
5. Copies of the notification of import (PEACH), phytosanitary certificate (country of origin) and Defra inspection certificate must be submitted to the Curator or Plant Records Officer upon receiving the plant materials
6. Specimens must be approved for planting by the Curator or a Senior Horticulturist prior to movement from the holding area

Appendix three. Workflow for plant acquisitions (retail)

Commercial horticulture, EU-based

1. Ensure the nursery or producer is listed on the Approved Suppliers List
2. Order plant materials on the condition that a EU plant passport is generated prior to shipment
3. A copy of the EU plant passport must be retain for a minimum of four years
4. If visible signs of pests and disease are observed upon receipt of plant material, notify the Curator

Commercial horticulture, Non EU

1. Ensure the nursery or producer is listed on the Approved Suppliers List
2. Order plant materials on the condition that a notification of import (PEACH) and phytosanitary certificate (country of origin) is generated prior to shipment
3. All woody plant materials received must be held in the holding area for a minimum of eight weeks post leaf break
4. Copies of the notification of import (PEACH), phytosanitary certificate (country of origin) and Defra inspection certificate must be retained for a minimum of four years
5. If visible signs of pests and disease are observed upon receipt of plant material, notify the Curator