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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 184**

**PLANT HEALTH**

**The Plant Health Order (Northern Ireland) 2018**

*Made* - - - - - *24th October 2018*

*Coming into operation* *1st December 2018*

The Department of Agriculture, Environment and Rural Affairs <sup>M1</sup> makes the following Order in exercise of the powers conferred by sections 2, 3 and 4(1) of the Plant Health Act (Northern Ireland) 1967 <sup>M2</sup>, and section 2(2) of and paragraph 1A of Schedule 2 <sup>M3</sup> to the European Communities Act 1972.

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972, and it appears to the Department of Agriculture, Environment and Rural Affairs that it is expedient for references to the European Union instruments mentioned in Article 2(4) to be construed as references to those instruments as amended from time to time.

**Marginal Citations**

- M1** The Ministry of Agriculture became known as the Department of Agriculture by virtue of section 7(5) of the Northern Ireland Constitution Act (c.36), was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I.1)) and was renamed the Department of Agriculture, Environment and Rural Affairs by section 1 of the Departments Act (Northern Ireland) 2016 (c.5(N.I.)).
- M2** 1967 c.28 (N.I.); sections 2(1) and 3(1) were amended by S.R. & O (N.I.) 1972 No. 351, **article 3** and Schedule 2. Section 2(2) was amended by 1979 c.2 section 177(1) and Schedule 4, Part 11. Sections 2 and 3 were also amended by S.I. 1984/702 (N.I.2), **Articles 15(2), 24** and Schedule.
- M3** 1972 c.68; section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c.51) (the 2006 Act), section 27(1)(a) and the European Union (Amendment) Act 2008 (c.7) (the 2008 Act), the Schedule Part 1. Paragraph 1A of Schedule 2 was inserted by the 2006 Act, section 28, and was amended by the 2008 Act, the Schedule Part 1. Schedule 2(2) and paragraph 1A of Schedule 2 are prospectively repealed by the European Union (Withdrawal) Act 2018 (c.16), **section 1** from exit day (see [section 20](#) of that Act).

## PART 1

### General

#### Citation and commencement

1. This Order may be cited as the Plant Health Order (Northern Ireland) 2018 and comes into operation on 1st December 2018.

#### General interpretation

2.—(1) In this Order—

“Annex II Part B” means Part B of Annex II to Directive [2000/29/EC](#);

“Annex IV Part A” means Part A of Annex IV to Directive [2000/29/EC](#);

“Annex IV Part B” means Part B of Annex IV to Directive [2000/29/EC](#);

“authorised officer” means, as the context requires—

- (a) an authorised representative of the responsible official body of the country in which a plant passport is issued, a public servant acting under the authority of such a representative or a qualified agent employed by the responsible official body, in any case who must be appropriately qualified; or
- (b) an authorised representative of the responsible official body or the national plant protection organisation of the country in which a phytosanitary certificate or phytosanitary certificate for re-export or a translation of a phytosanitary certificate or phytosanitary certificate for re-export is issued, or a public officer acting under the authority of such a representative;

“citrus fruits for processing” means fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., *Microcitrus* Swingle, *Naringi* Adans., or *Swinglea* Merr., which originate in a third country and are destined for industrial processing into juice in the European Union;

“consignment” has the same meaning as in Article 2(1)(p) of Directive [2000/29/EC](#) where that term is used in Part 2 or in relation to any relevant material referred to in that Part;

“Customs Act” means the Customs and Excise Management Act 1979<sup>M4</sup>;

“Decision [2002/757/EC](#)” means Commission Decision [2002/757/EC](#) on provisional emergency phytosanitary measures to prevent the introduction into and the spread within the Community of *Phytophthora ramorum* Werres, De Cock & Mann in't Veld sp. nov<sup>M5</sup>;

“Decision [2006/473/EC](#)” means Commission Decision [2006/473/EC](#) recognising certain third countries and certain areas of third countries as being free from *Xanthomonas campestris* (all strains pathogenic to Citrus), *Cercospora angolensis* Carv. et Mendes and *Guignardia citricarpa* Kiely (all strains pathogenic to Citrus)<sup>M6</sup>;

“Decision [2007/433/EC](#)” means Commission Decision [2007/433/EC](#) on provisional emergency measures to prevent the introduction into and the spread within the Community of *Gibberella circinata* Nirenberg & O'Donnell<sup>M7</sup>;

“Decision 2012/138/EU” means Commission Implementing Decision 2012/138/EU as regards emergency measures to prevent the introduction into and the spread within the Union of *Anoplophora chinensis* (Forster)<sup>M8</sup>;

“Decision 2012/270/EU” means Commission Implementing Decision 2012/270/EU as regards emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner), as amended by Commission Implementing Decision 2014/679/EU amending

Implementing Decision 2012/270/EU as regards its period of application and as regards the movement to packing facilities of potato tubers originating in areas demarcated in order to prevent the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner)<sup>M9</sup>;

“Decision 2012/697/EU” means Commission Implementing Decision 2012/697/EU as regards measures to prevent the introduction into and the spread within the Union of the genus *Pomacea* (Perry)<sup>M10</sup>;

[<sup>F1</sup>“Decision (EU) 2015/789” means Commission Implementing Decision (EU) 2015/789 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells et al.);]

“Decision (EU) 2015/893” means Commission Implementing Decision (EU) 2015/893 as regards measures to prevent the introduction into and the spread within the Union of *Anoplophora glabripennis* (Motschulsky)<sup>M11</sup>;

“Decision (EU) 2016/715” means Commission Implementing Decision (EU) 2016/715 setting out measures in respect of certain fruits originating in certain third countries to prevent the introduction into and the spread within the Union of the harmful organism *Phyllosticta citricarpa* (McAlpine) Van der Aa, as amended by Commission Implementing Decision (EU) 2017/801 and as last amended by Commission Implementing Decision (EU) 2018/85<sup>M12</sup>;

“Decision (EU) 2017/198” means Commission Implementing Decision (EU) 2017/198 as regards measures to prevent the introduction into and the spread within the Union of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto<sup>M13</sup>;

“Decision (EU) 2018/638” means Commission Implementing Decision (EU) 2018/638 establishing emergency measures to prevent the introduction into and the spread within the Union of the harmful organism *Spodoptera frugiperda* (Smith)<sup>M14</sup>;

[<sup>F2</sup>“Decision (EU) 2018/1503” means Commission Implementing Decision (EU) 2018/1503 establishing measures to prevent the introduction into and the spread within the Union of *Aromia bungii* (Faldermann);]

“Department” means the Department of Agriculture, Environment and Rural Affairs;

“Directive 93/85/EEC” means Council Directive 93/85/EEC on the control of potato ring rot<sup>M15</sup>;

“Directive 98/57/EC” means Council Directive 98/57/EC on the control of *Ralstonia solanacearum* (Smith) Yabuuchi *et al*<sup>M16</sup>;

“Directive 2000/29/EC” means Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>M17</sup>;

“Directive 2007/33/EC” means Council Directive 2007/33/EC on the control of potato cyst nematodes and repealing Directive 69/465/EEC<sup>M18</sup>;

“Directive 2008/61/EC” means Commission Directive 2008/61/EC establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 2000/29/EC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections<sup>M19</sup>;

“Directive 2008/90/EC” means Council Directive 2008/90/EC on the marketing of fruit plant propagating material and fruit plants intended for fruit production, as amended by Commission Decision 2010/777/EU and as last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council laying down provisions for the management of expenditure

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*Changes to legislation: There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)*

relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material <sup>M20</sup>;

“Directive 2014/98/EU” means Commission Implementing Directive 2014/98/EU implementing Council Directive 2008/90/EC as regards specific requirements for the genus and species of fruit plants referred to in Annex I thereto, specific requirements to be met by suppliers and detailed rules concerning official inspections <sup>M21</sup>;

“early potatoes” means potatoes which are harvested before they are completely mature, marketed immediately after they have been harvested and whose skins can be easily removed without peeling;

“EU transit agreement” means an agreement within the meaning of article 12(4) or (5);

“EU transit goods” means any relevant material introduced into Northern Ireland from a third country via another part of the European Union;

“Euro-Mediterranean area” means the geographical area comprising Europe, Algeria Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia and the area of Turkey east of the Bosphorus Strait known as Anatolia;

“Europe” includes Belarus, the Canary Islands, Georgia, Kazakhstan (except the area east of the Ural river), Russia (except the regions of Tyumen, Chelyabinsk, Irkutsk, Kemerovo, Kurgan, Novosibirsk, Omsk, Sverdlovsk, Tomsk, Chita, Kamchatka, Magadan, Amur and Skhalin, the territories of Krasnoyarsk, Altay, Khabarovsk and Primarie, and the republics of Sakha, Tuva and Buryatia), Ukraine and Turkey (except the area east of the Bosphorus Strait known as Anatolia);

“European Union” means the territories of the member States including the Isle of Man and the Channel Islands, but excluding the Canary Islands, Ceuta, Melilla and the French Overseas Departments;

“fruit” means fruit in the botanical sense but does not include dried, dehydrated, lacquered or deep frozen fruit;

“importer”, in relation to any plant pest or relevant material at any time between their landing from a third country and the time when they are discharged by an inspector under this Order, includes any owner or other person for the time being in possession of or beneficially interested in the plant pest or relevant material;

“inspector” means any person authorised by the Department to be an inspector for the purposes of this Order;

“IPPC” means the International Plant Protection Convention 1951 <sup>M22</sup>;

“ISPM No. 4” means International Standard for Phytosanitary Measures No. 4 of November 1995 on the requirements for the establishment of pest free areas, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations <sup>M23</sup>;

“ISPM No. 10” means International Standard for Phytosanitary Measures No. 10 of October 1999 on requirements for the establishment of pest free places of production and pest free production sites, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations <sup>M24</sup>;

“ISPM No 31” means International Standard for Phytosanitary Measures No. 31 of April 2008 on methodologies for sampling consignments, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations, as last published on 14 January 2016 <sup>M25</sup>;

“landed” means introduced into Northern Ireland by any means, including by post, and “land” and “landing” is to be construed accordingly;

“national plant protection organisation” means the service established by the government of a third country to discharge the functions specified in Article IV(1)(a) of the IPPC, details of which have been notified—

- (a) in the case of contracting parties to the IPPC, to the Director of the Food and Agriculture Organisation of the United Nations; and
- (b) in all other cases, to the European Commission;

“North America” means the geographical area comprising Canada, Mexico and the USA;

“nursery” means premises wholly or partly used for the cultivation or keeping of plants for the purpose of transplantation or removal to other premises;

“official”, in relation to any testing or other procedure required by this Order to be carried out in respect of any relevant material, means carried out by or under the supervision of the responsible official body or the national plant protection organisation of the country in which the testing or other procedure is carried out and “officially” is to be construed accordingly;

“official documentation” means documentation issued by or with the authority of the responsible official body of the member State in which the documentation is issued;

“official label” means a label that meets the relevant requirement sets out in Part A or B of Schedule 9, issued by or with the authority of the responsible official body for the member State in which the official label is issued;

“official statement” means a statement issued by an authorised officer or a statement included in a plant passport;

“phytosanitary certificate” means a certificate in the form set out in Part A of Schedule 10, which complies with the requirements in article 15(1) and (2);

“phytosanitary certificate for re-export” means a certificate in the form set out in Part B of Schedule 10, which complies with the requirements in article 15(1) and (2);

“place of production” means any premises, normally worked as a unit, together with any contiguous land in the same ownership or occupation as such premises;

“plant” means a living plant (including a fungus, tree or shrub) or a living part of a plant (including a living part of a fungus, tree or shrub), at any stage of growth; and living parts of a plant include—

- (a) fruit;
- (b) seed;
- (c) vegetables, other than those preserved by deep freezing;
- (d) tubers, corms, bulbs or rhizomes;
- (e) cut flowers;
- (f) branches with or without foliage;
- (g) a plant, tree or shrub that has been cut and which retains any foliage;
- (h) leaves or foliage;
- (i) a plant, tree or shrub in tissue culture;
- (j) live pollen;
- (k) bud wood;
- (l) cuttings; and
- (m) scions;

“planting” has the same meaning as in Article 2(1)(c) of Directive 2000/29;

“plant health check” means an examination carried out under article 12(2);

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“plant health movement document” means a document which meets the requirements in Schedule 12;

“plant or shrub in tissue culture” means a plant or shrub growing in a clear liquid or clear solid aseptic culture medium in a closed transparent container;

“plant passport” means a label and, where appropriate, an accompanying document that meets the relevant requirements set out in Part A or B of Schedule 9, issued by or with the authority of the responsible official body for the member State in which the plant passport is issued, and includes a replacement plant passport;

“plant pest” means any living organism, other than a vertebrate animal, in any stage of its existence which is injurious or likely to be injurious to any plant or plant product;

“plant product” has the same meaning as in Article 2(1)(b) of Directive [2000/29/EC](#);

“plant trader” means—

- (a) an importer of relevant material;
- (b) a producer of relevant material;
- (c) a person in charge of premises used for the storage, aggregation or dispatch of consignments of relevant material; or
- (d) a person who in the course of a trade or business divides up or combines consignments of relevant material;

“potato” means any tuber or true seed or any other plant of *Solanum tuberosum* L. or other tuber-forming species of the genus *Solanum* L.;

“Potato brown rot” means either the disease of potatoes caused by *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* or that bacterium, as the context requires;

“Potato cyst nematode” means any cyst-forming nematode of the species *Globodera pallida* (Stone) Behrens or *Globodera rostochiensis* (Wollenweber) Behrens that infests and multiplies on potatoes and any strains or pathotypes of such nematode;

“Potato ring rot” means either the disease of potatoes which is caused by the bacterium *Clavibacter michiganensis* (Smith) Davis *et al.* spp. *Sependonicus* (Spiekermann and Kotthoff) Davis *et al.* or that bacterium, as the context requires;

“Potato wart disease” means either the disease of potatoes which is caused by the fungus *Synchytrium endobioticum* (Schilbersky) Percival or that fungus, as the context requires;

“premises” includes any land, building, vehicle, vessel, aircraft, hovercraft, freight container or railway wagon;

“producer”, in relation to relevant material, means a person who grows or makes the material in the course of a trade or business;

“protected zone” means a member State or an area in a member State which is recognised as a protected zone exposed to particular plant health risks for the purposes of Directive [2000/29/EC](#), as listed in Annex I to Regulation (EC) No. [690/2008](#);

“register” means the register of plant traders maintained under article 26(1);

“registered”, in relation to a plant trader, means a trader whose particulars are listed in the register, and “registration” is to be construed accordingly;

“Regulation (EC) No. [690/2008](#)” means Commission Regulation (EC) No. [690/2008](#) recognising protected zones exposed to particular plant health risks in the Community, as amended by Commission Regulation (EU) 2018/791 <sup>M26</sup>;

“relevant material” means any plant, plant product, soil or growing medium;

“responsible official body” means either the body described in paragraph (i) or a body described in paragraph (ii) of Article 2(1)(g) of Directive [2000/29/EC](#);

“seed” means seed in the botanical sense other than seed not intended for planting;

“Seed Potatoes Regulations” means the Seed Potatoes Regulations (Northern Ireland) 2016<sup>M27</sup>;

“South America” means the geographical area comprising Argentina, Bolivia, Brazil, Chile, Columbia, Ecuador, French Guyana, Guyana, Paraguay, Peru, Suriname, Uruguay and Venezuela;

“Swiss plant passport” means a label and, where appropriate, an accompanying document, issued in Switzerland in accordance with Swiss legislation, which—

- (a) contains information which gives evidence that the legislation in Switzerland relating to plant health standards and special requirements for relevant material moving into and within Switzerland have been complied with; and
- (b) relates to relevant material listed in Part A of Schedule 8;

“third country” means a country or territory other than one within the European Union; and

“the USA” means the United States of America except the state of Hawaii.

(2) Unless expressly provided otherwise, any reference in this Order to a genus or species is to be construed as a reference to that genus or species or to any of its hybrids.

(3) Any reference in this Order to the European Union, to a member State or a third country includes a reference to a state, country, principality, province or region within the European Union, member State, or third country, as the case may be.

(4) References to the following European Union instruments are to be construed as references to those instruments as amended from time to time—

- (a) Decision [2002/757/EC](#);
- (b) Decision [2004/416/EC](#);
- (c) Decision [2006/473/EC](#);
- (d) Decision [2007/433/EC](#);
- (e) Directive [2008/61/EC](#);
- (f) Directive [2008/90/EC](#);
- (g) Regulation (EC) No. [690/2008](#);
- (h) Decision [2012/138/EU](#);
- (i) Decision [2012/270/EU](#);
- (j) Decision [2012/697/EU](#);
- (k) Directive [2014/98/EU](#);
- (l) Decision [2014/422/EU](#);
- (m) Decision (EU) [2015/789](#);
- (n) Decision (EU) [2015/893](#);
- (o) Decision (EU) [2016/715](#);
- (p) Decision (EU) [2017/198](#);
- (q) Decision (EU) [2018/638](#)<sup>F3</sup>;
- (r) Decision (EU) [2018/1503](#).]

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### Textual Amendments

- F1** Words in [art. 2\(1\)](#) substituted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\), arts. 1, 3\(1\)\(a\)](#)
- F2** Words in [art. 2\(1\)](#) inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\), arts. 1, 3\(1\)\(b\)](#)
- F3** [Art. 2\(4\)\(r\)](#) and preceding word inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\), arts. 1, 3\(2\)](#)

### Marginal Citations

- M4** [1979 c.2](#), as amended by the Finance Act 1984, Schedule 4, Parts 1 and 11; there are other amendments but none is relevant.
- M5** OJ No L 252, 20.9.2002, p37, as last amended by Commission Implementing Decision (EU) 2016/1967 (OJ No L 303, 10.11.2016).
- M6** OJ No L 187, 8.7.2006, p35, as last amended by Commission Implementing Decision (EU) 2016/696 (OJ No L 120, 5.5.2016, p33).
- M7** OJ No L 161, 22.6.2007, p66.
- M8** OJ No L 64, 3.3.2012, p38, as last amended by Commission Implementing Decision 2014/356/EU (OJ No L 175, 14.6.2014, p38).
- M9** OJ No L 132, 23.5.2012, p18, as last amended by Commission Implementing Decision 2018/5 (OJ No L 2, 5.1.2018, p. 11).
- M10** OJ No L 311, 10.11.2012, p. 14.
- M11** OJ No L 146, 11.6.2015, p. 16.
- M12** OJ No L 125, 13.5.2016, p. 16.
- M13** OJ No L 31, 4.2.2017, p. 29.
- M14** OJ No L 105, 25.4.2018, p. 31.
- M15** OJ No L 259, 18.10.1993, p. 1, as amended by Commission Directive 2006/56/EC (OJ No L 182, 4.7.2006, p. 1).
- M16** OJ No L 235, 21.8.1998, p. 1, as amended by Commission Directive 2006/63/EC (OJ L 206, 27.7.2006, p. 36).
- M17** OJ No L 169, 10.7.2000, p. 1, as last amended by Commission Implementing Directive (EU) 2017/1920 (OJ No L 271, 20.10.2017, p.34).
- M18** OJ No L 156, 16.6.2007, p. 12.
- M19** OJ No L 158, 18.6.2008, p. 41.
- M20** OJ No L 267, 8.10.2008, p. 8, as amended by Commission Decision 2010/777/EU (OJ No L 332, 16.12.2010, p. 40) and Regulation (EU) No 652/2014 (OJ No L 189, 27.6.2014, p. 1).
- M21** OJ No L 298, 16.10.2014, p. 22.
- M22** Adopted in 1951 (Treaty Series No. 16 (1954), Cmd 9077 and last revised in 1997 (Miscellaneous Series No. 15 (2003), Cmd 5945).
- M23** Available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153, Rome, Italy and at <https://www.ippc.int/int>.
- M24** Available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153 Rome, Italy and [hhttps://www.ippc.int/int](https://www.ippc.int/int).
- M25** Available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153, Rome, Italy and at <https://www.ippc.int/en>.
- M26** OJ No L 193, 22.7.2008, p. 1, as last amended by Commission Implementing Regulation (EU) 2018/791 (OJ No L 136, 1.6.2018, p. 1).
- M27** S.R. [2016 No. 190](#).



## PART 2

### Imports from third countries

#### Interpretation of Part 2

3. In this Part—

“approved place of inspection” means a place which has been approved by the Department under article 17;

“area of plant health control”, in relation to notifiable relevant material which has been landed, means—

- (a) its point of entry; or
- (b) where the material has been moved under appropriate customs procedures to a designated area of plant health control or an approved place of inspection, the designated area of plant health control or the approved place of inspection;

“Customs Code” means Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code <sup>M28</sup>;

“designated area of plant health control” means a place close to a point of entry which has been designated as an area of plant health control by the Department and the Commissioners for Her Majesty's Revenue and Customs;

“notifiable relevant material” means any relevant material—

- (a) of a description specified in Part A of Schedule 5; or
- (b) of a description specified in Part B of Schedule 5 and which is—
  - (i) specified in column 2 of Part C of Schedule 4;
  - (ii) listed in the second column of Annex II Part B and in the course of its consignment to a protected zone that is recognised as a protected zone for the plant pests specified in respect of that relevant material in the first column of Annex II Part B; or
  - (iii) listed in the first column of Annex IV Part B and in the course of its consignment to a protected zone that is recognised as a protected zone for the plant pests specified in respect of that relevant material in Annex IV Part B;

“official body of destination” has the same meaning as in Article 2(1)(1) of Directive [2000/29/EC](#);

“point of entry” means—

- (a) in the case of relevant material which arrives by air, the airport at which the material first arrives;
- (b) in the case of relevant material which arrives by maritime or fluvial transport, the port at which the material first arrives; or
- (c) in the case of relevant material which arrives by rail, the rail freight terminal at which the material first arrives;

“working day” in relation to the notice requirements in articles 6(2)(c)(ii) and 16(3) and the period for which material may be detained under article 14(1), means a period of twenty-four hours which is not a Saturday, Sunday, Christmas Day, Good Friday or a bank holiday in Northern Ireland under the Banking and Financial Dealings Act 1971 <sup>M29</sup>.

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*Changes to legislation: There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)*

#### **Marginal Citations**

- M28** OJ No L 269, 10.10.2013, p. 1, as amended by Regulation (EU) 2016/2339 of the European Parliament and of the Council (OJ No L 354, 23.12.2016, p. 32).
- M29** To which there are amendments not relevant to this Order.

### **Application of Part 2**

#### **4. This Part—**

- (a) applies to plant pests and relevant material which are introduced into Northern Ireland from a third country, either directly or via another part of the European Union; and
- (b) only applies to EU transit goods in respect of which the Department is responsible for certain matters by virtue of an EU transit agreement.

### **Prohibitions and restrictions on landing plant pests and relevant material**

#### **5.—(1) No person may land—**

- (a) any plant pest of a description specified in Part A or B of Schedule 1;
- (b) any relevant material of a description specified in column 2 of Schedule 2 which is carrying or infected with a plant pest of a description specified in any entry in respect of that description of relevant material in column 3 of Schedule 2;
- (c) any plant pest which, although not specified in Schedule 1 or in column 3 of Schedule 2, is not normally present in Northern Ireland and which is likely to be injurious to plants in Northern Ireland;
- (d) any relevant material of a description specified in column 2 of Schedule 3 which originates in a third country specified in the entry in respect of that description of relevant material in column 3 of Schedule 3;
- (e) any relevant material of a description specified in column 2 of Part A of Schedule 4, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part A of Schedule 4 are complied with; or
- (f) any relevant material of a description specified in column 2 of Part C of Schedule 4, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part C of Schedule 4 are complied with.

#### **(2) The prohibition in paragraph (1)(d) does not apply to any relevant material which is—**

- (a) in the course of its consignment between two third countries under appropriate customs procedures and without any change in customs status; and
- (b) transported in such a way as to prevent the accidental escape of plant pests.

(3) Paragraph (1)(e) does not apply to any relevant material which is prohibited from being landed under paragraph (1)(d).

(4) Paragraph (1)(e) and (f) is subject to article 8(1).

### **Advance notification of landing**

**6.—(1) No person may land any notifiable relevant material, where Northern Ireland is its point of entry into the European Union, unless notice is given in accordance with this article.**

#### **(2) A notice must—**

- (a) be in accordance with the requirements of Schedule 11;

- (b) be given to the Department at the specified address; and
- (c) be given in time to arrive at the specified address—
  - (i) in the case of any relevant material brought in by air, at least four working hours before the relevant material is landed; and
  - (ii) in any other case, at least three working days before the relevant material is landed.
- (3) In the case of citrus fruits for processing, the names, addresses and locations of the premises at which the fruits are to be processed must be included under, or in the information referred to in, item 13 of the notice set out in Schedule 11.
- (4) If a person can reasonably show that it was not possible to give notice in accordance with paragraph (2)(c) because the person was not aware that the material had been consigned, the person may give notice as soon as is reasonably practicable.
- (5) Paragraph (1) is subject to articles 8(1), 16 and 31(3).
- (6) In this article—
  - (a) “specified address” means the address given by the Department from time to time for the purposes of this article;
  - (b) “working hour” means a period of one hour during a working day.

#### **Requirements for certificates**

- 7.—(1) No person may land any [<sup>F4</sup>notifiable relevant material] unless the material is accompanied by a phytosanitary certificate or a phytosanitary certificate for re-export, as specified in paragraphs (2) to (5).
- (2) In the case of transit material which has been split up, combined with other consignments or repackaged, the relevant material must be accompanied by a phytosanitary certificate for re-export which was issued in the country of transit.
- (3) In the case of transit material which has or may have been exposed to infection or contamination by any plant pest, is not the same material as in the original consignment or which has been processed so as to change its nature, the relevant material must be accompanied by a phytosanitary certificate which was issued in the country of transit.
- (4) In the case of relevant material of a description listed in the first column of Annex IV Part B where the requirement or requirements specified in an entry in respect of that description of relevant material in the second column of Annex IV Part B can only be fulfilled in the country in which the relevant material originates, the relevant material must be accompanied by a phytosanitary certificate which was issued in the country of origin.
- (5) In any other case, the relevant material must be accompanied by a phytosanitary certificate which was issued in the country in which that material originates or from which it was consigned.
- (6) The phytosanitary certificate must be the original certificate and the phytosanitary certificate for re-export must be the original certificate or a copy of the original certificate certified by an authorised officer.
- (7) Paragraph (1) does not apply to any relevant material which—
  - (a) is in the course of its consignment between two third countries under appropriate customs procedures or has been consigned to Northern Ireland from another part of the European Union via a third country;
  - (b) does not undergo any change in customs status; and
  - (c) is transported in such a way as to prevent the accidental escape of plant pests.
- (8) Paragraph (1) is subject to articles 8(1) and 31(1) and (2).

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

(9) In paragraphs (2) and (3), “transit material” means relevant material consigned to Northern Ireland via a third country by way of transit.

#### Textual Amendments

**F4** Words in [art. 7\(1\)](#) substituted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), [arts. 1, 4](#)

#### Exceptions from certain prohibitions and requirements

**8.—(1)** The following provisions do not apply to any exempt items which are introduced into Northern Ireland in the baggage of a passenger or other traveller if the items meet the conditions in paragraph (2)—

- (a) article 5(1)(e) and (f);
- (b) article 6(1);
- (c) article 7(1);
- (d) article 10(1).

(2) The conditions are that the exempt items—

- (a) do not show any signs of the presence of a plant pest;
- (b) are not intended for use in the course of a trade or business; and
- (c) are intended for household use.

(3) In this article—

- (a) “exempt items” means—
  - (i) fruit and raw vegetables (other than potatoes), weighing no more than two kg in total;
  - (ii) a single bouquet of cut flowers (which may include parts of plants);
  - (iii) packets of seeds, other than seeds of potatoes or *Fraxinus* L., not exceeding five packets in total;
  - (iv) bulbs, corms, tubers, other than potatoes, and rhizomes, grown in and consigned from the Euro-Mediterranean area and weighing no more than two kg in total;
  - (v) plants for planting, other than bulbs, corms, tubers or rhizomes or plants of *Fraxinus* L. intended for planting, grown in and consigned from the Euro-Mediterranean area and not exceeding five in total;
  - (vi) parts of trees, including dried cones, leaves and branches, for decoration or which together form a single wreath;
  - (vii) one cut coniferous tree less than 3 metres in height;
  - (viii) seeds of *Castanea* (chestnuts), intended for human consumption, not exceeding 2 kilogrammes in weight; or
  - (ix) tree seedlings, other than seedlings of *Fraxinus* L. or seedlings in bonsai form, not exceeding 5 in number.
- (b) “packet of seeds” means a packet of seeds of a type normally sold to the consumer other than for use in the course of a trade or business or a packet of seeds of a similar size.

## **Presentation and display of documents**

**9.—(1)** Any phytosanitary certificate or phytosanitary certificate for re-export which is required under article 7 to accompany a consignment of notifiable relevant material must be delivered by the importer to an inspector within three days of its landing.

(2) An importer of a consignment of notifiable relevant material must include in a customs document relating to the consignment—

- (a) a statement that “this consignment contains produce of phytosanitary relevance”;
- (b) the reference number of the phytosanitary certificate or phytosanitary certificate for re-export which is required under article 7 to accompany the consignment; and
- (c) the registration number of the importer.

(3) In the case of a consignment which includes notifiable relevant material and which is imported into Northern Ireland by post, the importer must ensure that any phytosanitary certificate or phytosanitary certificate for re-export which is required under article 7 to accompany the consignment is affixed to the outside of the package of the relevant material.

(4) But if the consignment consists of more than one package of notifiable relevant material, the importer must ensure that the certificate is affixed to the outside of one of the packages of notifiable relevant material and that copies of the certificate are affixed to the outside of each of the remaining packages of notifiable relevant material in the consignment.

(5) In paragraph (2), “customs document” means a document required by the Commissioners for Her Majesty's Revenue and Customs for placing relevant material under one of the procedures specified in Article 4(16)(a) and (d) to (g) of the Customs Code.

## **Prohibition on the removal of relevant material from its area of plant health control**

**10.—(1)** No person may remove any notifiable relevant material or cause any notifiable relevant material to be removed from its area of plant health control unless an inspector has discharged the material under article 12 or the removal of the material is permitted under Part 6.

(2) Any notifiable relevant material which is being held at a point of entry or a designated area of plant health control under paragraph (1) must be stored by the importer under the supervision and in accordance with the instructions of an inspector.

(3) The importer is liable for the costs of storing the notifiable relevant material pending its release.

## **Exceptions from the prohibition on the removal of relevant material from its area of plant health control**

**11.** Article 10(1) does not apply to—

- (a) any relevant material which is in the course of its consignment between two third countries under appropriate customs procedures without any change in customs status and which is transported in such a way as to prevent the accidental escape of plant pests;
- (b) any relevant material which is consigned to Northern Ireland from another part of the European Union via a third country without any change in customs status and which is transported in such a way as to prevent the accidental escape of plant pests;
- (c) any relevant material which is subject to article 8(1);
- (d) any relevant material which is subject to article 31(3).

## Plant health discharge

12.—(1) An inspector may discharge notifiable relevant material from its area of plant health control if the inspector is satisfied—

- (a) that the relevant material is free from any plant pest of a description specified in Part A or B of Schedule 1;
- (b) in the case of relevant material in the course of its consignment to a protected zone, that the relevant material is free from any plant pest listed in respect of that protected zone in the first column of Annex I to Regulation (EC) No. 690/2008;
- (c) in the case of relevant material of a description specified in column 2 of Schedule 2, that the relevant material is not carrying or infected with a plant pest of a description specified in any entry in respect of that description of relevant material in column 3 of Schedule 2;
- (d) in the case of relevant material which is listed in the second column of Annex II Part B and in the course of its consignment to a protected zone that is recognised as a protected zone for the plant pests listed in respect of that relevant material in the first column of Annex II Part B, that the relevant material is not carrying or infected with the plant pests;
- (e) in the case of relevant material listed in Annex III Part B to Directive 2000/29/EC, that the relevant material is not in the course of being consigned to a protected zone for *Erwinia amylovora* (Burr) Winsl et al.;
- (f) in the case of relevant material of a description specified in column 2 of Part A or C of Schedule 4, that the relevant material complies with the requirements specified in the entries in respect of that description of relevant material in column 3 of Part A or C of Schedule 4 and, where there is one or more alternative requirement in any such entry, the requirement declared in the phytosanitary certificate or phytosanitary certificate for re-export;
- (g) in the case of relevant material which is listed in the first column of Annex IV Part B and in the course of its consignment to a protected zone that is recognised as a protected zone for the plant pests specified in the entries in respect of that relevant material in the second column of Annex IV Part B, that the relevant material complies with the requirements listed in respect of those entries and, where there is one or more alternative requirement in any such entry, the requirement declared in the phytosanitary certificate or phytosanitary certificate for re-export;
- (h) that the relevant material corresponds with the description given to it in the phytosanitary certificate or phytosanitary certificate for re-export; and
- (i) that the relevant material is accompanied by the phytosanitary certificate or phytosanitary certificate for re-export required under article 7 and, where appropriate, by a plant health movement document.

(2) An inspector may, for the purpose of being satisfied as to the matters referred to in paragraph (1)(a) to (g), carry out an examination of a consignment of relevant material and its packaging and, where necessary, the vehicle transporting the consignment.

(3) An inspector may, for the purpose of being satisfied as to the matters referred to in paragraph (1)(h), carry out an examination of a consignment of relevant material to determine whether it corresponds to its description in the documents that accompany it.

(4) In the case of notifiable relevant material which is in the course of its consignment to another part of the European Union and is subject to an agreement between the Department and the official body of destination in relation to its consignment to its final place of destination, the inspector need only be satisfied as to the matters referred to in paragraph (1)(i) and any other matters referred to in paragraph (1)(a) to (h) which are the Department's responsibility under the agreement.

(5) In the case of EU transit goods which are subject to an agreement between the Department and the official body of entry for those goods, the inspector need only be satisfied as to those matters referred to in paragraph (1)(a) to (h) which are the Department's responsibility under the agreement.

(6) Where the inspector is satisfied that the relevant material may be discharged from its area of plant health control, the inspector must—

- (a) stamp the phytosanitary certificate or phytosanitary certificate for re-export relating to the relevant material with the official stamp of the Department and the date on which the certificate was delivered in accordance with article 9(1); and
- (b) where applicable, complete the relevant headings of the plant health movement document.

(7) An inspector may, for the purpose of performing a plant health check, require the occupier or other person in charge of the premises in which the check is to take place to provide—

- (a) where appropriate, suitable areas of inspection;
- (b) adequate lighting; and
- (c) inspection tables.

(8) In this article—

- (a) “examination”, in relation to a consignment of relevant material, means an examination of the consignment in its entirety or on the basis of one or more representative samples from the consignment or from each lot forming part of the consignment;
- (b) “lot” has the same meaning as in Article 2(1)(o) of Directive [2000/29/EC](#).

#### **Request to an officer for Revenue and Customs for material to be detained**

**13.**—(1) Where an inspector has reasonable grounds for suspecting that there is a risk that a plant pest may spread from any relevant material, the inspector may request an officer for Revenue and Customs to exercise the power in article 14(1) for the purpose of enabling the inspector to enforce any provision of this Order.

(2) A request under article 13(1)—

- (a) may identify the relevant material in any way; and
- (b) must be made in writing or be made orally and confirmed in writing.

(3) Where an inspector issues a notice or takes any other action under this Order in respect of relevant material detained by an officer for Revenue and Customs under article 14(1), the inspector must advise the officer of the notice or action.

#### **Power of an officer for Revenue and Customs**

**14.**—(1) An officer for Revenue and Customs may, where requested by an inspector in accordance with article 13(1), detain for not more than two working days any relevant material or any container, package or cargo of any kind which has been or may have been in contact with that material and which is referred to in that request, if the material, container, package or cargo is under customs supervision pursuant to Article 134 of the Customs Code.

(2) The Commissioners for Her Majesty's Revenue and Customs may give directions as to how any relevant material detained under paragraph (1) is to be dealt with during the period of its detention.

(3) The importer of any relevant material detained under paragraph (1) is responsible for the costs of storing the material during the period of its detention.

## General provisions relating to certificates

15.—(1) A phytosanitary certificate or phytosanitary certificate for re-export which accompanies notifiable material under article 7 must—

- (a) have been completed not more than 14 days before the date of the dispatch of the consignment of relevant material which it accompanies;
- (b) have been issued by the responsible official body or the national plant protection organisation of the country of export or re-export in accordance with the provisions of article V(1) of the IPPC;
- (c) have been completed by an authorised officer;
- (d) have been issued in one of the official languages of the European Union;
- (e) where it has been issued in a language other than English, incorporate or be accompanied by a translation into the English language, which, if the translation is a document separate from the certificate, has been completed and signed by an authorised officer;
- (f) be addressed to the “Plant Protection Organisations of the Member States of the European Union”; and
- (g) have been completed in typescript or block capitals.

(2) Where in relation to any relevant material of a description specified in column 2 of Part A or C of Schedule 4, one or more alternative requirement is specified in an entry in respect of that description of relevant material in column 3 of Part A or C of that Schedule, the phytosanitary certificate or phytosanitary certificate for re-export issued in respect of any relevant material of that description must specify under the heading “Additional declaration” which particular requirement has been complied with by reference to the relevant position in Section I of Annex IV Part A or Annex IV Part B.

## Requirements to be met by EU transit goods or relevant material destined for an approved place of inspection

16.—(1) This article applies to notifiable relevant material which—

- (a) is subject to an agreement referred to in article 12(4);
- (b) is subject to an agreement referred to in article 12(5) and which has not been discharged or released from its area of plant health control under article 10(1); or
- (c) is destined for an approved place of inspection.

(2) Any relevant material to which this article applies may not be moved within Northern Ireland, or where applicable, from Northern Ireland to any other place within the European Union, unless—

- (a) its packaging and the vehicle in which it is transported is sealed in such a way that there is no risk of the relevant material causing infestation, infection or contamination or a change occurring in the identity of the material; or
- (b) its movement has been authorised by the Department.

(3) The importer of any relevant material to which this article applies, other than relevant material whose destination is elsewhere in the European Union, must give to the Department notice of the following particulars no later than five working days before the material is landed—

- (a) the name, address and location of the approved place of inspection or designated area of plant health control to which the relevant material is destined or, if not destined for an approved place of inspection or a designated area of plant health control, its intended point of entry into Northern Ireland;
- (b) the scheduled date and time of landing of the relevant material at the place referred to in sub-paragraph (a);



- (c) if available, the individual serial number of any plant health movement document required by article 18;
  - (d) if available, the date and place at which that plant health movement document was drawn up;
  - (e) the name, address and registration number of the importer; and
  - (f) the reference number of the phytosanitary certificate or phytosanitary certificate for re-export required under article 7 to accompany the relevant material.
- (4) The importer must notify the Department immediately of any changes to the particulars which the importer has given under paragraph (3).
- (5) The notice must be given to the Department at the address given by the Department from time to time for the purposes of this article.

### **Approved places of inspection**

17.—(1) The Department may approve a place to which notifiable relevant material may be destined as a place at which plant health checks and identity checks may be carried out by an inspector in respect of that material.

(2) An application for approval under paragraph (1) may be made to the Department by an importer or other person responsible for that place in such form and containing such information as the Department may specify.

(3) An approval may be granted subject to conditions, including conditions relating to the storage of the relevant material or to EU transit goods, and may be withdrawn at any time if the Department no longer considers that the place to which the approval relates is suitable for the purpose for which the approval was given

(4) The Department may only approve a place as an approved place of inspection if the place has been approved by the Commissioners for Her Majesty's Revenue and Customs for use as a temporary storage facility.

(5) In this article—

- (a) “temporary storage facility” means a temporary storage facility within the meaning of Article 148 of the Customs Code;
- (b) “identity check” means an examination carried out under article 12(3).

### **Requirements for plant health movement documents**

18. No person may move any of the following notifiable relevant material unless it is accompanied by a plant health movement document—

- (a) notifiable relevant material which is subject to an EU transit agreement and is being moved to its area of plant health control in Northern Ireland;
- (b) notifiable relevant material which is subject to an agreement referred to in article 12(4) and is being moved within Northern Ireland, or from Northern Ireland to any other place within the European Union.

## PART 3

### Internal EU controls on movement

#### **Prohibitions on the introduction of plant pests and relevant material from the European Union**

**19.**—(1) No person may introduce any of the following plant pests and relevant material into Northern Ireland from another part of the European Union—

- (a) any plant pest of a description specified in Part A or B of Schedule 1;
- (b) any relevant material of a description specified in column 2 of Schedule 2 which is carrying or infected with a plant pest of a description specified in any entry in respect of that description of relevant material in column 3 of Schedule 2;
- (c) any plant pest which, although not specified in Schedule 1 or in column 3 of Schedule 2, is not normally present in Northern Ireland and which is likely to be injurious to plants in Northern Ireland;
- (d) any relevant material of a description specified in column 2 of Schedule 3 which originates in a third country specified in the entry in respect of that description of relevant material in column 3 of Schedule 3;
- (e) any relevant material of a description specified in column 2 of Part A of Schedule 4, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part A of Schedule 4 are complied with;
- (f) any relevant material of a description specified in column 2 of Part B of Schedule 4, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part B of Schedule 4 are complied with;
- (g) any relevant material of a description specified in column 2 of Part C of Schedule 4, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part C of Schedule 4 are complied with.

(2) Paragraph (1) applies to the specified plant pests and relevant material whether they originate in another part of the European Union or a third country.

(3) But paragraph (1) does not apply to any relevant material of a description specified in column 2 of Part A or C of Schedule 4 to which Part 2 applies.

(4) Paragraph 1(e) and (f) does not apply to any relevant material which is prohibited from being introduced into Northern Ireland under paragraph (1)(d).

(5) No person may land any of the following potatoes into Northern Ireland unless written notification of the matters referred to in paragraph (6) is provided to an inspector at least two days prior to the intended date of their landing—

- (a) seed potatoes grown or suspected to have been grown in another member State or in Switzerland; or
  - (b) potatoes, other than seed potatoes, grown or suspected to have been grown in Poland, Portugal, Romania or any part of Spain (other than the Canary Islands, Ceuta and Melilla).
- (6) The matters are—
- (a) the intended time and date of their landing;
  - (b) their intended use;
  - (c) their intended destination;
  - (d) their variety and quantity; and
  - (e) the identification number of the producer of the potatoes.

(7) In the case of notifiable citrus fruits, the person who is introducing the fruits into the European Union via a point of entry in another part of the European Union shall provide written notification to the Department at the specified address, prior to their arrival at that point of entry, of—

- (a) the expected date of their introduction into the European Union;
- (b) their point of entry into the European Union;
- (c) their volume;
- (d) the identification numbers of their containers;
- (e) the names, addresses and the locations of the premises in Northern Ireland at which they are to be processed.

(8) Paragraphs (1)(e), (f) and (g) and (5) are subject to article 23.

(9) In this article—

“notifiable citrus fruits” means citrus fruits for processing which are to be introduced into the European Union via a point of entry in another member State and processed into juice in Northern Ireland;

“specified address” means the address given by the Department from time to time for the purposes of paragraph (7).

### Notification of the landing of certain plants for planting

**20.**—(1) A person who lands the following plants must notify an inspector in writing of the matters referred to in paragraph (2) prior to or no later than four days after the date of their landing in Northern Ireland—

- (a) plants of *Castanea* Mill., *Fraxinus* L., <sup>F5</sup>*Olea europaea* L., *Pinus* L., *Platanus* L., *Prunus* L., *Quercus* L. or *Ulmus* L., intended for planting, which have been grown or are suspected to have been grown in another member State; or
- (b) plants of *Castanea* Mill., *Fraxinus* L., <sup>F6</sup>*Olea europaea* L., *Pinus* L., *Platanus* L., *Prunus* L., *Quercus* L. or *Ulmus* L., intended for planting, which have been grown or are suspected to have been grown in Switzerland and to which the requirements of article 6 do not apply.

(2) The matters are—

- (a) the intended date of their landing or, if they have landed in Northern Ireland, the date on which they first landed in Northern Ireland;
- (b) their intended destination, or if they have landed in Northern Ireland, their current location;
- (c) their genus, species and quantity;
- (d) the identification number of the supplier of the plants; and
- (e) the country from which they have been consigned.

(3) Paragraph (1) is subject to article 23.

#### Textual Amendments

- F5** Words in art. 20(1)(a) inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, 5
- F6** Words in art. 20(1)(b) inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, 5

## **Prevention of the spread of plant pests**

**21.**—(1) No person may knowingly keep, store, plant, sell or move or knowingly cause or permit to be kept, stored, planted, sold or moved—

- (a) any plant pest of a description specified in Part A or B of Schedule 1;
- (b) any relevant material of a description specified in column 2 of Schedule 2 which is carrying or infected with a plant pest of a description specified in any entry in respect of that description of relevant material in column 3 of Schedule 2;
- (c) any plant pest which, although not specified in Schedule 1 or in column 3 of Schedule 2, is not normally present in Northern Ireland and which is likely to be injurious to plants in Northern Ireland;
- (d) any relevant material introduced into Northern Ireland in contravention of article 5(1)(d), (e) or (f) or article 19(1)(d), (e), (f) or (g);
- (e) any relevant material of a description specified in column 2 of Part B of Schedule 4 which originates in Northern Ireland, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part B of Schedule 4 are complied with;
- (f) any relevant material of a description specified in column 2 of Part C of Schedule 4 which originates in Northern Ireland, unless the requirements specified in the entries in respect of that description of relevant material in column 3 of Part C of Schedule 4 are complied with;
- (g) any relevant material introduced into Northern Ireland from England, Scotland or Wales which, if it had been introduced from a third country or another part of the European Union, would have contravened article 5(1)(d), (e) or (f) or article 19(1)(d), (e), (f) or (g).

(2) The prohibitions in paragraph (1) does not apply to any plant pest or relevant material which is required to be kept, stored or moved in compliance with a requirement imposed by an inspector under Part 6 or 7.

(3) Paragraph (1)(e) and (f) is subject to article 23.

(4) In this article, “move” means move or otherwise dispose of, and “moved” is to be construed accordingly.

## **Requirements for plant passports**

**22.**—(1) No person may introduce into, or move within, Northern Ireland, any relevant material of a description specified in Part A of Schedule 6 where it comprises EU transit goods or originates in Northern Ireland or elsewhere in the European Union, unless the relevant material is accompanied by a plant passport and, if originating in Northern Ireland, has been the subject of a satisfactory inspection at the place of production.

(2) No person may introduce into, or move within, Northern Ireland, any relevant material of a description specified in Part B of Schedule 6 where it comprises EU transit goods or originates in Northern Ireland or elsewhere in the European Union, unless the relevant material is accompanied by a plant passport which is valid for Northern Ireland as a protected zone and, if originating in Northern Ireland, has been the subject of a satisfactory inspection at the place of production.

(3) No person may move within Northern Ireland any relevant material which has been discharged under article 12 and which is of a description specified in Part A of Schedule 6, unless it is accompanied by a plant passport.

(4) No person may move within Northern Ireland any relevant material which has been discharged under article 12 and which is of a description specified in Part B of Schedule 6, unless it is accompanied by a plant passport which is valid for Northern Ireland as a protected zone.

(5) No person may consign from Northern Ireland to another part of the European Union any relevant material of a description specified in Part A of Schedule 7, unless the relevant material is accompanied by a plant passport.

(6) No person may consign from Northern Ireland to a protected zone in another part of the European Union any relevant material of a description specified in Part B of Schedule 7, unless the relevant material is accompanied by a plant passport which is valid for that protected zone.

(7) The requirements in paragraphs (1) and (2) do not apply in relation to the introduction into Northern Ireland of relevant material in respect of which the Department has agreed, under an EU transit agreement, to carry out a plant health check.

(8) Paragraphs (1), (2), (5) and (6) are subject to article 23.

(9) Paragraphs (2) and (4) are subject to article 24.

### Exceptions from certain prohibitions and requirements

**23.**—(1) The following provisions do not apply to small quantities of relevant material, other than excluded material, if the relevant material meets the conditions in paragraph (2)—

- (a) article 19(1)(e), (f) and (g) and (5);
- (b) article 20(1);
- (c) article 21(1)(e) and (f); and
- (d) article 22(1), (2), (5) and (6).

(2) The conditions are that the relevant material—

- (a) does not show any signs of the presence of a plant pest;
- (b) is not intended for use in the course of a trade or business; and
- (c) is intended for household use.

(3) The requirements in article 22(1) do not apply to plants intended for planting, other than seeds, which can only grow in water or soil that is permanently saturated with water, which originate in an area established in accordance with Article 5 of Decision 2012/697/EU and which are only being moved within that area.

(4) The requirements in article 22(1) and (5) which would apply by virtue of paragraph 16 of Part A of Schedules 6 and 7 to *Xylella* host plants within the meaning of Article 1(b) of Decision (EU) 2015/789 and to pre-basic mother plants and pre-basic material referred to in Article 9(9) of that Decision do not apply where the plants are being moved by a person acting for purposes outside the person's trade, business or profession and the person is acquiring them for personal use.

(5) The Department may exempt from the prohibition on movement in article 22(1) or (2) the movement of relevant material which originates in Northern Ireland if the Department is satisfied that—

- (a) the movement is made locally by small producers or processors whose entire production and sale of such material is intended for final usage by persons on the local market who are not professionally involved in plant production; and
- (b) there is no risk of plant pests spreading or being spread as a result of that movement.

(6) In paragraph (1), “excluded material” means any of the following material—

- (a) plants of *Castanea* Mill. intended for planting;
- (b) plants of *Fraxinus* L. intended for planting;
- (c) plants, other than seeds, of *Platanus* L. intended for planting.

### **Validity of plant passports for Northern Ireland**

**24.**—(1) This article applies to relevant material of a description specified in Part B of Schedule 6 which is moved from a place in Northern Ireland, or through Northern Ireland, to a destination outside Northern Ireland.

- (2) The requirements in article 22(2) and (4) do not apply if the relevant material—
- (a) originates in Great Britain; or
  - (b) is accompanied during its transit through Northern Ireland by a document of a type normally used for trade purposes which certifies that the material originates outside Northern Ireland and is in transit to a final destination outside Northern Ireland and the conditions in paragraph (3) are met.
- (3) The conditions are that—
- (a) the packaging in which the relevant material is transported and any vehicle which is used to transport the material is free from soil and plant debris and any relevant plant pest in relation to which Northern Ireland is a protected zone;
  - (b) the material was sealed immediately after packaging or, where appropriate, after loading, and remains sealed during the transit of the material through Northern Ireland; and
  - (c) the nature or construction of the packaging in which the material is transported and any vehicle which is used to transport the material are sufficient to ensure that there is no risk of any relevant plant pest which may be present in or on the relevant material escaping.

### **General provisions relating to plant passports**

**25.**—(1) Any alteration or erasure in a plant passport automatically invalidates the plant passport unless the alteration or erasure is certified by an authorised officer or the plant trader authorised under article 30 to issue the plant passport, in either case by initialling the alteration or erasure by hand.

(2) A plant passport relating to any relevant material is to be treated as accompanying that relevant material only if the plant passport is affixed to the relevant material, its packaging or the vehicle transporting it by an authorised officer, by the plant trader authorised to issue it or by an inspector.

(3) Where a plant passport comprises an official label and is to be affixed by the plant trader who is authorised to issue the plant passport, the plant trader must affix it in such a way that it cannot be re-used.

(4) A person may only issue a replacement plant passport to replace a plant passport issued in respect of a consignment if—

- (a) the consignment has been divided up, the consignment or part of the consignment has been combined with another consignment or the plant health status of the consignment has been changed; and
- (b) the person is satisfied that the relevant material to which the replacement plant passport will relate can be identified and is free from any risk of infestation by a plant pest of a description specified in Part A or B of Schedule 1 or in column 3 of Schedule 2.

(5) A plant passport or official documentation which accompanies any relevant material in accordance with article 22 must be retained by the person who is the final user of the relevant material or who uses the relevant material in the course of a trade or business.

## PART 4

### Registration of plant traders and authority to issue plant passports

#### Register of plant traders

**26.**—(1) The Department must maintain a register listing the following particulars in relation to each plant trader who meets the requirements of this Part—

- (a) the name of the plant trader;
  - (b) the name of any other person responsible for making the application for the plant trader under article 28;
  - (c) the trading name of the plant trader, if different from the name of the plant trader;
  - (d) details of the activities to which this Order applies and which the plant trader engages in or intends to engage in;
  - (e) the address of each premises at which the plant trader engages in or intends to engage in those activities; and
  - (f) a registration number unique to the plant trader.
- (2) The register must be open to inspection by the European Commission.

#### Obligation to register

**27.**—(1) No plant trader may engage in any activity to which this Order applies at any premises unless the plant trader is registered in respect of the activity at those premises.

(2) But a plant trader need not be registered in respect of any activity to which this Order applies if —

- (a) the plant trader is a producer; and
- (b) all of the relevant material which the plant trader produces and sells is intended for final use by persons on the local market who are not involved in plant production in the course of a trade or business.

#### Registration requirements

**28.**—(1) An application for registration must—

- (a) be made in writing to the Department; and
  - (b) be in such form and contain such information as the Department may reasonably require for the purpose of considering the application.
- (2) A plant trader must immediately notify the Department in writing if—
- (a) before the plant trader has been registered, there is any change in the circumstances of the plant trader recorded in the plant trader's application for registration; or
  - (b) there is any change in the particulars listed in the register in relation to the plant trader.

(3) The Department may only register a plant trader in respect of an activity or premises if the Department is satisfied that the plant trader is able and willing to comply with the conditions in article 29(1).

(4) The Department must notify a plant trader when the plant trader has been registered.

#### Conditions for maintaining registration as a plant trader and other trade-related conditions

**29.**—(1) A registered plant trader must—

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- (a) keep an accurate plan of each of the plant trader's registered premises;
  - (b) keep a record of all relevant material which is—
    - (i) purchased by the plant trader;
    - (ii) brought onto any of the plant trader's registered premises for the purpose of storing, planting or producing the material on those premises; or
    - (iii) produced on, or dispatched from, any of the plant trader's registered premises;
  - (c) keep each document which the plant trader has created or received and which relates to the records referred to in sub-paragraph (b) for at least one year from the date on which the plant trader created or received it;
  - (d) designate an individual (whether the plant trader or another person) who is technically experienced in relation to the registered activities and the related plant health matters affecting the registered premises and who is available to liaise with the Department in relation to matters arising under this Order;
  - (e) examine each of the registered premises and the relevant material at those premises at such times and in the manner specified in any guidelines issued from time to time by the Department;
  - (f) make a declaration that the plant trader is able and willing to comply with the conditions specified in sub-paragraphs (a) to (e) at any time and in any form that the Department requires; and
  - (g) comply with any other conditions specified by the Department which the Department considers necessary for the purpose of assessing the presence of or the spread of any plant pest on any of the plant trader's registered premises by reason of the condition of those premises.
- (2) The requirements of paragraph (1) shall not apply to any registered plant trader who is engaged solely in the production or importation of tubers of *Solanum tuberosum* L. (excluding seed potatoes).
- (3) If the Department is satisfied that a registered plant trader has failed to comply with any of the conditions specified in paragraph (1), the Department may suspend the plant trader's registration until the Department is satisfied that the plant trader is able and willing to comply with those conditions.
- (4) A professional operator who supplies or is supplied with *Xylella* specified plants, must—
- (a) keep a record of each lot of the plants supplied by the professional operator and the name of the professional operator to whom the lot was supplied for three years from the date on which it was supplied;
  - (b) keep a record of each lot of the plants received by the professional operator and the name of the professional operator who supplied the lot for three years from the date on which it was received; and
  - (c) immediately following the dispatch or receipt of any such lot, notify the Department in writing of the details specified in Article 10(4) of Decision (EU) 2015/789 in respect of that lot.
- (5) In paragraph (4)—
- (a) “professional operator” has the meaning given in Article 1(d) of Decision (EU) 2015/789;
  - (b) “*Xylella* specified plants” means—
    - (i) specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 which have been grown for at least part of their life in, or have been moved through, a demarcated area established in accordance with Article 4 of that Decision;
    - (ii) plants intended for planting, of *Coffea*, *Lavandula dentata* L., *Nerium oleander* L., *Olea europaea* L., *Polygala myrtifolia* L. or *Prunus dulcis* (Mill.) D.A. Webb which



have never been grown in a demarcated area established in accordance with Article 4 of Decision (EU) 2015/789.

### **Authority to issue plant passports**

**30.**—(1) A registered plant trader who wishes to issue plant passports in relation to relevant material which is to be moved from any premises in Northern Ireland must apply in writing to the Department for the authority to do so.

(2) The applicant must provide the Department with any details which the Department reasonably requires about the relevant material.

(3) The Department may carry out any examination of the relevant material and the premises from which the material is to be moved which the Department considers necessary in relation to the application.

(4) The Department may only grant an authorisation to issue plant passports if, having regard to any examination of the relevant material and premises which are the subject of the application, the Department is satisfied—

- (a) that the premises and the relevant material are free from any relevant plant pests; and
- (b) where any requirements are specified under this Order in relation to the relevant material, those requirements have been complied with.

(5) An authorisation to issue plant passports granted by the Department must be given in writing and may be granted subject to such conditions as the Department considers appropriate to ensure that any relevant requirements under this Order are complied with in relation to the relevant material, including the territories for which the plant passports to be issued will be valid.

(6) The Department may suspend the operation of an authorisation to issue plant passports entirely or in relation to specified premises or specified relevant material if, having regard to any examination of the premises of the registered plant trader and any relevant material there, the Department is not satisfied—

- (a) that the premises or the relevant material are free from any relevant plant pests; and
- (b) where any requirements are specified under this Order in relation to the relevant material, that those requirements have been complied with.

(7) The Department may suspend the operation of, or vary an authorisation to issue plant passports, to the extent that the Department considers necessary if satisfied that the registered plant trader has failed to—

- (a) notify the Department in accordance with article 28(2) of any change in the particulars registered in relation to the plant trader;
- (b) comply with any of the conditions specified in article 29(1);
- (c) comply with any conditions in the authorisation granted under paragraph (5); or
- (d) comply with a requirement in a notice served on the plant trader under article 33.

(8) In this article “relevant plant pest” means—

- (a) a plant pest of a description specified in Part A or B of Schedule 1; or
- (b) in relation to any relevant material of a description specified in column 2 of Schedule 2, a plant pest of a description specified in any entry in respect of that description of relevant material in column 3 of that Schedule which is present on the relevant material.

## PART 5

### Swiss trade and Swiss plant passports

#### Exceptions to the requirements in articles 6, 7 and 10

31.—(1) The requirements in article 7 for certain relevant material to be accompanied by a phytosanitary certificate do not apply to any relevant material which is of a description specified in Part B, but not Part A, of Schedule 8 and which is introduced into Northern Ireland from Switzerland.

(2) In the case of any relevant material which is of a description specified in Part A of Schedule 8 and which is consigned directly from Switzerland to Northern Ireland, any requirements in article 7 for the relevant material to be accompanied by a phytosanitary certificate are satisfied if the material is accompanied by a Swiss plant passport.

(3) The requirements in articles 6 and 10 do not apply to any relevant material which is—

- (a) of a description specified in Part B, but not in Part A, of Schedule 8 and which is introduced into Northern Ireland from Switzerland; or
- (b) accompanied by a Swiss plant passport pursuant to paragraph (2).

(4) In the case of any relevant material which is of a description specified in Part A of Schedule 8 and which is introduced into Northern Ireland from Switzerland via another part of the European Union, any requirement in Part 3 for the relevant material to be accompanied by a plant passport is satisfied if the material is accompanied by a Swiss plant passport.

## PART 6

### Measures to control the landing of relevant material and prevent the spread of plant pests

#### Examination, sampling and marking

32.—(1) An inspector may enter any premises at all reasonable times for the purpose of—

- (a) determining the presence or the distribution of a plant pest on the premises;
- (b) checking compliance with any provision of this Order;
- (c) carrying out an examination of a plant trader's premises (including relevant material, documents or records on the premises) in connection with the plant trader's authorisation or application to issue plant passports under article 30;
- (d) otherwise enforcing the provisions of this Order.

(2) An inspector acting under paragraph (1) must, if requested to do so, show evidence of their authority to act.

(3) Paragraph (1) does not apply in relation to any premises which are used wholly or mainly as a private dwelling, unless 24 hours' notice has been given to the occupier.

(4) Paragraph (1) does not affect any right of entry conferred by a warrant issued by a lay magistrate.

(5) An inspector who enters premises for a purpose specified in paragraph (1) or under a warrant issued by a lay magistrate may—

- (a) examine, photograph or mark any part of the premises or any object on the premises;

- (b) take samples of or from any plant pest or relevant material, or from any container or package, or from any material which has been or may have been in contact with a plant pest or relevant material;
  - (c) inspect or make copies of any documents or records (in whatever form they may be held) relating to the production of or trade in any relevant material.
- (6) An inspector may, for the purpose of exercising a power conferred under paragraph (5), open or authorise any person to open on behalf of the inspector any container or package, or require the owner or any person in charge of any container or package to open it in the manner specified by the inspector.
- (7) An inspector may prohibit the movement, treatment or destruction of any plant pest, relevant material, container or package, or any material which may have been in contact with a plant pest or relevant material, where this is necessary to enable the inspector to exercise the powers conferred by paragraph (5).
- (8) Where any document or record referred to in paragraph (5)(c) is kept by means of a computer, an inspector may—
- (a) have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the record or document;
  - (b) require any person who is in charge of or is otherwise concerned with the operation of the computer, apparatus or material to give the inspector any assistance which the inspector reasonably requires.
- (9) An inspector may destroy or otherwise dispose of any sample taken under paragraph (5)(b) where the sample is no longer required by the inspector under this Order.
- (10) An inspector may be accompanied by such other persons and may bring onto the premises such equipment and vehicles, as the inspector considers necessary.
- (11) A person accompanying an inspector under paragraph (10)—
- (a) may remain on the premises and from time to time re-enter the premises without the inspector;
  - (b) bring onto the premises any equipment or vehicle that the person considers necessary;
  - (c) carry out work on the premises in the manner directed by an inspector.
- (12) A person accompanying an inspector under paragraph (10) must, if so requested, show evidence of their authority given in that behalf by the Department.

### **Actions which may be required by an inspector**

**33.—**(1) If an inspector has reasonable grounds for suspecting that any plant pest or relevant material is likely to be or has been introduced into Northern Ireland in contravention of this Order, the inspector may serve a notice on an appropriate person.

- (2) An appropriate person is—
- (a) a plant trader or other person who is in possession of or who is in any way entitled to the custody or control of the plant pest or relevant material; or
  - (b) any person who is in charge of the premises at which the plant pest or relevant material is held or is likely to be held on its landing.
- (3) A notice under paragraph (1) may—
- (a) prohibit the landing of any plant pest or relevant material;
  - (b) specify the manner in which the landing of any plant pest or relevant material is to be carried out and the precautions which are to be taken during and subsequent to landing;

*Status: Point in time view as at 22/07/2019.*

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- (c) require any plant pest or relevant material to be treated, re-exported, destroyed or otherwise disposed of;
  - (d) prohibit the removal of any plant pest or relevant material from the premises for the period specified in the notice and, where appropriate, impose any other prohibitions which the inspector considers necessary to prevent the introduction or spread of any plant pest;
  - (e) require the removal of any plant pest or relevant material from the premises specified in the notice;
  - (f) require the taking of any other steps, as may be specified in the notice, which the inspector considers necessary to prevent the introduction or spread of any plant pest.
- (4) If an inspector has reasonable grounds for suspecting that there is present or likely to be present on any premises any controlled plant pest or prohibited material, the inspector may serve a notice on the occupier or any other person in charge of the premises or the plant pest or relevant material.
- (5) A notice under paragraph (4) may—
- (a) require any controlled plant pest or prohibited material to be treated, re-exported, destroyed or otherwise disposed of;
  - (b) prohibit the removal of any controlled plant pest or prohibited material from the premises for the period specified in the notice and, where appropriate, impose any other prohibitions which the inspector considers necessary to prevent the introduction or spread of any controlled plant pest;
  - (c) require the removal of any controlled plant pest or prohibited material from the premises specified in the notice;
  - (d) require the taking of any other steps, as specified in the notice, which the inspector considers necessary to prevent the introduction or spread of any controlled plant pest.
- (6) If an inspector has reasonable grounds for believing that it is necessary for the purpose of preventing the spread of or ensuring the eradication of any controlled plant pest from the premises mentioned in paragraph (4), the inspector may serve a notice on the occupier or a person in charge of any other premises, imposing any prohibition or requiring any reasonable step to be taken for that purpose.
- (7) In this article—
- (a) “controlled plant pest” means—
    - (i) a plant pest of a description specified in Schedule 1 or in column 3 of Schedule 2;
    - (ii) a plant pest which is not normally present in Northern Ireland, but in respect of which the inspector considers that there is an imminent danger of the plant pest spreading or being spread in Northern Ireland; or
    - (iii) a plant pest which is not normally present in another part of the European Union, but in respect of which the inspector considers that there is an imminent danger of the plant pest spreading or being spread to another part of the European Union;
  - (b) “prohibited material” means—
    - (i) relevant material which is carrying or is infected with, or which may be carrying or infected with, a controlled plant pest; or
    - (ii) relevant material the landing of which is prohibited under article 5, 19 or 20 the movement of which in Northern Ireland is prohibited under article 21.

### **Actions which may be taken by an inspector**

**34.**—(1) If an inspector has reasonable grounds for suspecting that there is present or likely to be present on any premises any controlled plant pest or infected material, the inspector may, on serving reasonable notice, enter the premises and on the premises or elsewhere take steps to—

- (a) destroy any controlled plant pest;
- (b) prevent the spread of any controlled plant pest;
- (c) destroy any infected material; or
- (d) treat any infected material.

(2) An inspector acting under paragraph (1) must, if requested to do so, show evidence of their authority to act.

(3) Paragraph (1) does not apply in relation to any premises which are used wholly or mainly as a private dwelling, unless 24 hours' notice has been given to the occupier.

(4) Paragraph (1) does not affect any right of entry conferred by a warrant issued by a lay magistrate.

(5) An inspector may be accompanied by such other persons and may bring onto the premises such equipment and vehicles, as the inspector considers necessary.

(6) A person accompanying an inspector under paragraph (5)—

- (a) may remain on the premises and from time to time re-enter the premises without the inspector;
- (b) bring onto the premises any equipment or vehicle which the person considers necessary;
- (c) carry out work on the premises in the manner directed by an inspector.

(7) A person accompanying an inspector under paragraph (5) must, if so requested, show evidence of their authority given in that behalf by the Department.

(8) In this article—

(a) “controlled plant pest” means—

- (i) a plant pest of a description specified in Schedule 1 or in column 3 of Schedule 2; or
- (ii) a plant pest which is not normally present in Northern Ireland, but in respect of which the inspector considers that there is an imminent danger of the plant pest spreading or being spread in Northern Ireland;

(b) “infected material” means—

- (i) relevant material which is carrying or is infected with, or which may be carrying or infected with, a controlled plant pest; or
- (ii) relevant material which is not carrying or infected with a plant pest, but in respect of which the inspector considers that there is an imminent danger of the plant pest spreading or being spread.

### **Miscellaneous provisions as to notices**

**35.**—(1) A notice served under paragraph (1) or (4) of article 33 may specify one or more requirements or alternative requirements.

(2) Any requirement specified in a notice under paragraph (1), (4) or (6) of article 33 must be carried out in the manner and within such reasonable time as the inspector may specify in the notice.

(3) Any treatment, re-export, destruction or disposal which is required by a notice served under article 33 must be carried out, or arranged to be carried out, to the satisfaction of an inspector, by the person on whom the notice was served from or at the place specified in the notice.

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*Status: Point in time view as at 22/07/2019.*

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(4) Any plant pest or relevant material which is required by a notice served under article 33 to be moved to a place specified in the notice may not be moved to the designated place except in the manner specified in the notice.

(5) An inspector may amend or withdraw a notice served by an inspector under this Order by a further notice.

(6) A notice under paragraph (5) may be subject to any conditions which the inspector considers necessary to prevent the introduction or spread of any plant pest or re-infection or re-infestation by the plant pest to which the original notice relates.

(7) Any notice served under this Part may define by reference to a map or plan or otherwise the extent of the premises referred to in the notice.

(8) An inspector may, by notice, require the owner or any other person who appears to be in charge of the premises to which a notice served under article 33 relates—

- (a) to notify the Department of any change in the occupation of the premises, and the date of the change and the name of the new occupier; and
- (b) to inform the new occupier of the premises of the contents of the notice.

### **Service of notices**

**36.**—(1) A notice under this Order which is to be served on a registered plant trader must be served by—

- (a) delivering it personally; or
- (b) leaving it for, or sending it by post to, the trader at the address of the trader's registered premises or, if the trader has more than one address in the register, at the trader's principal address in the register.

(2) A notice under this Order which is to be served on any other person may be served by—

- (a) delivering it personally; or
- (b) leaving it for, or sending it by post to, them at their last known place of abode or business.

(3) If a notice under this Order is to be served on the occupier or other person in charge of premises, and the last known place of abode or address of that person cannot be ascertained after reasonable enquiry, the notice may be served on that person by addressing it to “the occupier” and leaving it conspicuously affixed to an object on the premises for a period of seven days.

(4) A notice under this Order may—

- (a) in the case of a body corporate (other than a limited liability partnership), be served on the secretary or clerk of that body at the address of the registered or principal office of that body;
- (b) in the case of a partnership (other than a limited liability partnership, but including a Scottish partnership), be served on a partner or a person having the control or management of the partnership business at the address of the principal office of the partnership; or
- (c) in the case of a limited liability partnership, be served on a member of the partnership at the address of the registered or principal office of the partnership.

(5) For the purposes of paragraph (4), the principal office of a company registered outside the United Kingdom or a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.

### **Information as to compliance with notices**

**37.** A notice served under this Order may require the person on whom the notice is served to inform the inspector immediately whether the requirements of the notice have been complied with and, if they have, to provide the inspector with details of the steps taken to comply with those requirements.

### **Failure to comply with a notice**

**38.—**(1) If a person fails to comply with a notice served on that person under this Order, an inspector may enter any affected premises at all reasonable times to take or cause any steps to be taken which the inspector considers necessary to ensure compliance with the notice or to remedy the consequences of the failure to carry them out.

(2) An inspector acting under paragraph (1) must, if requested to do so, show evidence of their authority to act.

(3) Paragraph (1) does not apply in relation to any premises which are used wholly or mainly as a private dwelling, unless 24 hours' notice of the intended entry has been given to the occupier.

(4) Paragraph (1) does not affect any right of entry conferred by a warrant issued by a lay magistrate.

(5) An inspector acting under paragraph (1) may be accompanied by such other persons and may bring onto the premises such equipment and vehicles, as the inspector considers necessary.

(6) A person accompanying an inspector under paragraph (5)—

- (a) may remain on the premises and from time to time re-enter the premises without the inspector;
- (b) bring onto the premises any equipment or vehicle which the person considers necessary;
- (c) carry out work on the premises in the manner directed by the inspector.

(7) A person accompanying an inspector under paragraph (5) must, if so requested, show evidence of their authority given in that behalf by the Department.

(8) Where an inspector takes any steps under paragraph (1), the Department may recover, as a debt from the person on whom the notice was served, all reasonable costs incurred in taking those steps.

(9) In this article, “affected premises” means any premises in or on which any plant pest or relevant material to which the notice relates may be present.

### **Right of entry conferred by a warrant issued by a lay magistrate**

**39.—**(1) A lay magistrate may by signed warrant permit an inspector to enter premises under article 32, 34 or 38, if necessary by reasonable force, if the lay magistrate, on sworn information in writing, is satisfied that—

- (a) there are reasonable grounds to enter those premises; and
- (b) any of the conditions in paragraph (2) are met.

(2) The conditions are that—

- (a) entry to the premises has been, or is likely to be, refused and notice of the intention to apply for a warrant has been given to the occupier;
- (b) asking for admission to the premises, or giving notice of the intention to apply for a warrant, would defeat the object of the entry;
- (c) entry is required urgently;
- (d) the premises are unoccupied or the occupier is temporarily absent.

- (3) A warrant is valid for one month.
- (4) An inspector who enters any unoccupied premises must leave them as effectively secured against unauthorised entry as they were before entry.

## PART 7

### Certain solanaceous species: planting and control of relevant plant pests

#### Miscellaneous provisions for certain solanaceous species

**40.**—(1) No person may knowingly plant, or knowingly cause or permit to be planted, any potatoes or any potatoes produced from those potatoes, which have been grown in a third country, other than Switzerland.

(2) No person may knowingly plant or knowingly cause or permit to be planted any potatoes unless—

- (a) they derive in direct line from potato material which has been obtained under an officially approved programme in the European Union or Switzerland;
- (b) they have been found to be free from Potato brown rot in official tests using the methods set out in Annex II to Directive [98/57/EC](#); and
- (c) they have been found to be free from Potato ring rot in official tests using the methods set out in Annex I to Directive [93/85/EEC](#).

(3) No person may knowingly plant any potatoes, or knowingly cause or permit any potatoes to be planted, in Northern Ireland other than—

- (a) potatoes which may be marketed in Northern Ireland under the Seed Potatoes Regulations; or
- (b) one year's direct progeny of the potatoes referred to in sub-paragraph (a) where that direct progeny has been grown by that person.

(4) Any person who is involved in the planting of potatoes in Northern Ireland must retain and make available to an inspector the following documentation in relation to the potatoes—

- (a) their official labels;
- (b) the invoices and delivery notes for the potatoes;
- (c) in the case of potatoes marketed or marketable under the Seed Potatoes Regulations or potatoes which are their direct progeny and have been produced by the certificate holder, the certificate of classification.

(5) The following have effect in relation to the control of certain plant pests—

- (a) Schedule 13 (special measures for the control of Potato wart disease);
- (b) Schedule 14 (special measures for the control of Potato cyst nematode);
- (c) Schedule 15 (special measures for the control of Potato ring rot); and
- (d) Schedule 16 (special measures for the control of Potato brown rot).

(6) Where the presence of Potato brown rot is confirmed to be present on a sample taken in accordance with Articles 2 and 5 of Directive [98/57/EC](#), an inspector may demarcate a zone in accordance with Article 5(1)(a)(iv) or 5(1)(c)(ii) of that Directive to prevent the spread of that plant pest.



### **Inspection and control of potato plant health *Dickeya* spp.**

41.—(1) An inspector may at any reasonable time enter onto any premises on which the inspector reasonably believes that potatoes have been planted, stored, processed or packed and carry out such investigations as the inspector considers necessary for the purpose of establishing whether any potatoes are infected with *Dickeya* spp..

(2) An inspector may take and remove samples of potato or soil for the purpose of establishing whether any potatoes are infected with *Dickeya* spp..

(3) Where an inspector reasonably suspects that potatoes are infected with *Dickeya* spp. the inspector may serve a notice requiring the potato grower or occupier of the premises to take such steps, in such manner and within such time as may be specified in the notice, as appear to the inspector to be necessary to prevent the spread of *Dickeya* spp. to other potatoes.

## **PART 8**

### **Licences**

#### **Licences to carry out activities prohibited by this Order**

42.—(1) Notwithstanding any other provision of this Order, any plant pest or relevant material may be introduced into, or kept, stored, planted, moved or otherwise disposed of in, Northern Ireland and any other thing prohibited by this Order may be done under the authority of a licence granted by the Department—

- (a) in exercise of any derogation permitted by Directive [2000/29/EC](#); or
- (b) for trial or scientific purposes, or for work on varietal selections, in relation to a domestic quarantine plant pest.

(2) A licence granted under paragraph (1)(b) must be in writing and may be granted—

- (a) subject to conditions;
- (b) for an indefinite period or a specified period.

(3) In this article, “domestic quarantine plant pest” means a plant pest which is not of a description listed in Annex I or II to Directive [2000/29/EC](#) and which is not normally present in, and is likely to be injurious to plants, in Great Britain.

#### **Licences for trial or scientific purposes or for work on varietal selections permitted by Directive [2008/61/EC](#)**

43.—(1) The Department must by licence authorise the introduction, movement or keeping of any plant pest or relevant material for any activity for trial or scientific purposes or for work on varietal selections, where the introduction, movement or keeping of the plant pest or relevant material for any such purpose would otherwise be prohibited by this Order, if the Department—

- (a) has received an application for a licence containing the information set out in Article 1(2) of Directive [2008/61/EC](#); and
- (b) is satisfied that the general conditions set out in Annex I to that Directive are met in relation to the application.

(2) A licence granted under paragraph (1) must be in writing and include—

- (a) any conditions laid down in Article 2(2) of Directive [2008/61/EC](#) which are relevant to any plant pest or relevant material that is the subject of the activities to which the licence relates; and

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- (b) any other conditions specifying quarantine measures under paragraph 2(a) of Annex I to that Directive or further quarantine measures under paragraph 2(b) of Annex I to that Directive as the Department may determine.
- (3) The Department must revoke a licence granted under paragraph (1) where it is established to the satisfaction of the Department that the licensee has not complied with or met any condition of the licence which is imposed under paragraph (2)(b).
- (4) On the conclusion of any activities to which a licence granted under paragraph (1) relates, the licensee must, unless otherwise authorised by the Department under paragraph (5)—
- (a) destroy or sterilise any plant pest or relevant material that was the subject of the activities and any other relevant material which has come into contact with or which may have been contaminated by any such plant pest or relevant material; and
  - (b) sterilise or clean in any manner specified by the Department, the premises and facilities at which the activities were carried out.
- (5) The Department may authorise the licensee to refrain from destroying any relevant material under paragraph (4)(a) if the Department is satisfied that it has been subject to appropriate quarantine measures and has been found, in any manner specified by the Department, to be free from the plant pests specified in Schedule 1 and in column 3 of Schedule 2 and from other plant pests considered by the Department to pose a risk.
- (6) For the purpose of paragraph (2), references to the responsible official body in Article 2(2) of, and Annex I to, Directive 2008/61/EC are to be taken to refer to the Department.
- (7) In this article, “appropriate quarantine measures” means—
- (a) in the case of relevant material for which quarantine measures are specified in Part A of Annex III to Directive 2008/61/EC, those measures; and
  - (b) in the case of any other relevant material, any quarantine measures, including testing, as may be specified by the Department.

## PART 9

### Notifications, provision and exchange of information

#### **Notification of the presence or suspected presence of certain plant pests**

**44.**—(1) The occupier or other person in charge of premises who becomes aware of or suspects that any notifiable plant pest is present on the premises, or any other person who in the course of their duties or business becomes aware of or suspects that a notifiable plant pest is present on any premises, must immediately notify the Department or an inspector of its presence or suspected presence.

(2) A notice under paragraph (1) may first be given orally, but must be confirmed in writing as soon as reasonably practicable.

(3) In this article, “notifiable plant pest” means—

- (a) a plant pest, other than a plant pest of a description specified in Schedule 17, which—
  - (i) is of a description specified in Schedule 1;
  - (ii) is of a description specified in column 3 of Part A of Schedule 2;
  - (iii) is of a description specified in column 3 of Part B of Schedule 2 and which is present on, or appears to an inspector to have been in contact with, relevant material of a description specified in the entry in respect of that plant pest in column 2 of Part B of Schedule 2; or

- (iv) although not of a description specified in Schedule 1 or 2, is not normally present in Northern Ireland and is likely to be injurious to plants in Northern Ireland;
- (b) a plant pest of a description specified in Schedule 17 which—
  - (i) is a sub-species or strain normally present in Northern Ireland and which has been found on the premises of a registered plant trader;
  - (ii) is a sub-species or strain not normally present in Northern Ireland and which has been found on any premises; or
  - (iii) is also specified in column 3 of Part A of Schedule 2 and which is present on, or appears to an inspector to have been in contact with, relevant material of a description specified in the entry in respect of that plant pest in column 2 of Part A of Schedule 2.
- (4) If the Department becomes aware of the presence or suspected presence of *Xylella fastidiosa* (Wells et al.) in any place or area in Northern Ireland, the Department must ensure that any person having under their control plants which may be infected by *Xylella fastidiosa* (Wells et al.) is immediately informed of—
  - (a) its presence or suspected presence;
  - (b) the possible consequences arising from its presence or suspected presence; and
  - (c) the measures to be taken as a result.

#### **Notification of the likely entry into, or presence in, a free zone of plant pests or relevant material**

- 45.**—(1) The responsible authority for a free zone in Northern Ireland must immediately notify the Department of any notifiable item which it knows or suspects—
- (a) is likely to enter the free zone; or
  - (b) is present in the free zone and has not been cleared out of charge under the Customs Act.
- (2) A notice under paragraph (1) may first be given orally, but must be confirmed in writing as soon as reasonably practicable.
- (3) In this article—
- (a) “free zone” has the same meaning as in the Customs Act;
  - (b) “notifiable item” means—
    - (i) a plant pest which is of a description specified in Schedule 1 or in column 3 of Schedule 2;
    - (ii) a plant pest which, although not specified in Schedule 1 or 2 is not normally present in Northern Ireland and which is likely to be injurious to plants in Northern Ireland; or
    - (iii) relevant material of a description specified in column 2 of Schedule 3 which originates in a country specified in the entry in respect of that description of relevant material in column 3 of that Schedule;
  - (c) “the responsible authority” has the same meaning as in the Customs Act.

#### **Information to be given**

- 46.**—(1) An inspector or any other officer of the Department may by notice in writing require an appropriate person to give to the inspector or officer, within the time specified in the notice, any information which the person may possess as to—

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- (a) the plants grown or products stored at any time on the premises in respect of which a notice has been served under this Order;
  - (b) any plant pest or relevant material referred to in paragraph (4)(b); and
  - (c) the persons who have had or are likely to have had any plant pest or relevant material referred to in paragraph (4)(b) in their possession or under their charge.
- (2) The time within which the information to be given to the inspector or other officer must be reasonable.
- (3) An appropriate person must produce for examination by the inspector or other officer any licence, official statement, certificate, plant passport, record, invoice or other document relating to a plant pest or any relevant material specified in the notice.
- (4) In this article, “appropriate person” means—
- (a) a person who is the owner, occupier or other person in charge of premises in respect of which a notice has been served under this Order;
  - (b) a person who has, has had, or is reasonably suspected by the inspector or officer to have or have had, possession or charge of—
    - (i) a plant pest of a description specified in Schedule 1 or in column 3 of Schedule 2;
    - (ii) a plant pest which, although not specified in Schedule 1 or 2, is not normally present in Northern Ireland and which is likely to be injurious to plants in Northern Ireland;
    - (iii) any relevant material carrying or infected with a plant pest referred to in paragraph (i) or (ii); or
    - (iv) any relevant material which the inspector or officer knows or suspects to have been landed in or exported from Northern Ireland; or
  - (c) a person who, as auctioneer, salesman or otherwise, has sold, offered or exposed for sale or otherwise disposed of a plant pest referred to in sub-paragraph (b)(i) or (ii).

### **Power to share information for the purposes of the Order**

**47.—**(1) The Commissioners for Her Majesty's Revenue and Customs may disclose any information in their possession to the Department for the purpose of this Order.

(2) Paragraph (1) is without prejudice to any other power of the Commissioners to disclose information.

(3) No person, including a servant of the Crown, may disclose any information received from the Commissioners under paragraph (1) if—

- (a) the information relates to a person whose identity is specified in the disclosure or can be deduced from the disclosure;
- (b) the disclosure is for a purpose other than specified in paragraph (1); and
- (c) the Commissioners have not given their prior consent to the disclosure.

## **PART 10**

### **Offences**

#### **Offences**

**48.—**(1) A person commits an offence if, without reasonable excuse, proof of which lies with the person—

- (a) the person contravenes or fails to comply with—
    - (i) article 6(1);
    - (ii) article 9;
    - (iii) article 10(1) or (2);
    - (iv) article 16(2) or (3);
    - (v) article 18;
    - (vi) article 19(5);
    - (vii) article 20(1);
    - (viii) article 21(1);
    - (ix) article 22;
    - (x) article 25(3) or (4);
    - (xi) article 27;
    - (xii) article 28(2);
    - (xiii) article 29(1) or (4);
    - (xiv) article 40(1) to (4);
    - (xv) article 43(4);
    - (xvi) article 44(1);
    - (xvii) article 45(1);
    - (xviii) article 47(3);
    - (xix) paragraphs 5, 8 or 10 of Schedule 14;
  - (b) the person contravenes or fails to comply with a provision or condition of a notice served on the person or of a licence granted or of any direction given, under this Order; or
  - (c) the person intentionally obstructs an inspector or any person authorised by an inspector in exercise of the powers given to the inspector by or under this Order.
- (2) A person commits an offence if, for the purpose of procuring the issue of a plant passport, a replacement plant passport, a phytosanitary certificate, a phytosanitary certificate for re-export or a licence under this Order, the person—
- (a) knowingly or recklessly makes a statement which is false in a material particular; or
  - (b) intentionally fails to disclose any material information.
- (3) A person commits an offence if the person—
- (a) dishonestly issues a plant passport;
  - (b) dishonestly alters a plant passport; or
  - (c) dishonestly re-uses a plant passport.
- (4) It is a defence for a person charged with an offence under paragraph (1)(a)(xviii) to prove that the person reasonably believed—
- (a) that the disclosure was lawful; or
  - (b) that the information had already and lawfully been made available to the public.
- (5) If an offence under this Order is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—
- (a) any Director, manager or secretary or other similar officer of the body corporate; or
  - (b) any person who was purporting to act in any such capacity,

the person, as well as the body corporate, is guilty of the offence and is liable to be proceeded against and punished accordingly.

(6) For the purposes of paragraph (5), “director” in relation to a body corporate whose affairs are managed by its members, includes a member of the body corporate.

(7) Where an offence under this Order is committed by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, a partner, as well as the partnership, is guilty of the offence and is liable to be proceeded against and punished accordingly.

(8) Where the commission by any person of an offence under this Order is due to the act of the default of some other person, that other person may be charged with and convicted of the offence by virtue of this paragraph whether or not proceedings for the offence are taken against the first-mentioned person.

### **Penalties**

**49.**—(1) A person guilty of an offence under this Order (other than an offence under article 48(1)(a)(xviii)) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) A person guilty of an offence under article 48(1)(a)(xviii) is liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both;
- (b) on summary conviction, to imprisonment for a term not exceeding three months, to a fine not exceeding the statutory maximum or to both.

## **PART 11**

### **Miscellaneous**

#### **The Customs Act**

**50.** The provisions of this Order apply without prejudice to the Customs Act.

#### **Revocation and transitional provisions**

**51.**—(1) The Orders and Regulations specified in Schedule 18 are revoked.

(2) Any notice issued or licence, authorisation or other approval granted under the Plant Health Order (Northern Ireland) Order 2006 and which has effect at the coming into operation of this Order remains in operation as if it were issued or granted under this Order.

(3) Entries which are on the register kept under article 25(1) of the Plant Health Order (Northern Ireland) Order 2006 immediately before this Order comes into operation are to be treated as if entered on the register under article 26(1) of this Order.

#### **Review**

**52.**—(1) Before the end of each review period, the Department must—

- (a) carry out a review of this Order;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review, the Department must, so far as is reasonable, have regard to how Directive 2000/29/EC, Council Directive 69/464/EEC on control of Potato Wart Disease, Directive 93/85/EEC, Directive 98/57/EC and Directive 2007/33/EC are implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by this Order;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in a less burdensome way.

(4) The first review period is the period of five years beginning with the date on which this Order comes into operation.

(5) Each subsequent review period is a period of five years beginning with the date on which the preceding review was published.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 24th October 2018.

L.S.  
Department of Agriculture, Environment and  
Rural Affairs

*John Joe O'Boyle*  
A senior officer of the

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## SCHEDULE 1

Articles 5(1) and (2), 12(1), 19(1), 21(1),  
25(4), 30(8), 33(7),34(8), 44(3), 45(3),  
46(4)

Plant pests which may not be introduced into or spread within Northern Ireland

### PART A

Plant pests not known to occur in any part of the European Union

#### Insects, mites and nematodes

<i>Item</i>	<i>Description of plant pest</i>
1.	<i>Acleris</i> spp. (non-European)
2.	<i>Agrilus anxius</i> Gory
3.	<i>Agrilus planipennis</i> Fairmaire
4.	<i>Amauromyza maculosa</i> (Malloch)
5.	<i>Anomala orientalis</i> Waterhouse
6.	<i>Anoplophora chinensis</i> (Forster)
7.	<i>Anoplophora glabripennis</i> (Motschulsky)
8.	<i>Anthonomus eugeni</i> Cano
9.	<i>Arrhenodes minutus</i> Drury
10.	<i>Bactericera cockerelli</i> (Sulc.)
11.	<i>Bemisia tabaci</i> Genn. (non-European populations), vector of viruses such as: Bean golden mosaic virus, Cowpea mild mottle virus, Lettuce infectious yellow virus, Pepper mild tigre virus, Squash leaf curl virus, Euphorbia mosaic virus or Florida tomato virus
12.	Cicadellidae (non-European) known to be vectors of Pierce's disease (caused by <i>Xylella fastidiosa</i> ), such as: <i>Carneiocephala fulgida</i> Nottingham, <i>Draeculacephalaminerva</i> Ball or <i>Graphocephala atropunctata</i> (Signoret)
13.	<i>Choristoneura</i> spp. (non-European)
14.	<i>Conotrachelus nenuphar</i> (Herbst)
15.	<i>Dendrolimus sibiricus</i> Tschetverikov
16.	<i>Diabrotica barberi</i> Smith and Lawrence
17.	<i>Diabrotica undecimpunctata howardi</i> Barber
18.	<i>Diabrotica undecimpunctata undecimpunctata</i> Mannerheim
19.	<i>Diabrotica virgiferaeae</i> Krysan & Smith
20.	<i>Diaphorina citri</i> Kuway
21.	<i>Epitrix cucumeris</i> (Harris), <i>Epitrix papa</i> . sp. n, <i>Epitrix subcrinita</i> (Lec.) or <i>Epitrix tuberis</i> (Gentner)
22.	<i>Heliothis zea</i> (Boddie)



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23. *Hirschmanniella* spp., other than *Hirschmanniella gracilis* (de Man) Luc and Goodey
24. *Keiferia lycopersicella* (Walsingham)
25. *Liriomyza sativae* Blanchard
26. *Longidorus diadecturus* Eveleigh and Allen
27. *Monochamus* spp. (non-European)
28. *Myndus crudus* Van Duzee
29. *Nacobbus aberrans* (Thorne) Thorne and Allen
30. *Naupactus leucoloma* Boheman
31. *Premnotrypes* spp. (non-European)
32. *Pseudopityophthorus minutissimus* (Zimmermann)
33. *Pseudopityophthorus pruinosus* (Eichhoff)
34. *Rhynchophorus palmarum* (L.)
35. *Saperda candida* Fabricius
36. *Seaphoideus luteolus* Van Duzee
37. *Spodoptera eridania* (Cramer)
38. *Spodoptera frugiperda* (J.E. Smith)
39. *Spodoptera litura* (Fabricius)
40. *Thaumatotibia leucotreta* (Meyrick)
41. *Thrips palmi* Karny
42. Tephritidae (non-European) such as: *Anastrepha fraterculus* (Wiedemann), *Anastrepha ludens* (Loew), *Anastrepha oblique* Macquart, *Anastrepha suspense* (Loew), *Dacus ciliates* Loew, *Dacas curcurbitae* Coquillet, *Dacus dorsalis* Hendel, *Dacus tryoni* (Froggatt), *Dacus tsuneonis* Miyake, *Dacus zonatus* Saund., *Epochracanadensis* (Loew), *Pardalaspis cyanescens* Bezzi, *Pardalaspis quinaria* Bezzi, *Pterandrus rosa* (Karsch), *Rhacochlaena japonica* Ito, *Rhagoletis cingulate* (Loew), *Rhagoletis completa* Cresson, *Rhagoletis fausta* (Osten-Sacken), *Rhagoletis indifferens* Curran, *Rhagoletis mendax* Curran, *Rhagoletis pomonella* Walsh, *Rhagoletis ribicola* Doane or *Rhagoletis suavis* (Loew)
43. *Xiphinema americanum* Cobb *sensu lato* (non-European populations)
44. *Xiphinema californicum* Lamberti and Bleve-Zacheo

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### Bacteria

<b>Item</b>	<b>Description of plant pest</b>
1.	<i>Candidatus Liberibacter</i> spp., a causal agent of Huanglongbing disease of citrus/citrus greening
2.	<i>Pseudomonas syringae</i> pv. <i>actinidiae</i> Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto
3.	<i>Xanthomonas citri</i> pv. <i>aurantifolii</i>
4.	<i>Xanthomonas citri</i> pv. <i>citri</i>

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## Fungi

<b>Item</b>	<b>Description</b>
1.	<i>Ceratocystis fagacearum</i> (Bretz) Hunt
2.	<i>Chrysomyxa arctostaphyli</i> Dietel
3.	<i>Cronartium</i> spp. (non-European)
4.	<i>Endocronartium</i> spp. (non-European)
5.	<i>Gibberella circinata</i> Nirenberg & O'Donnell
6.	<i>Guignardia laricina</i> (Saw.) Yamamoto et Ito
7.	<i>Gymnosporangium</i> spp. (non-European)
8.	<i>Inonotus weirii</i> (Murril) Kotlaba and Pouzar
9.	<i>Melampsora farlowii</i> (Arthur) Davis
10.	<i>Mycosphaerella larici-leptolepsis</i> Ito <i>et al.</i>
11.	<i>Mycosphaerella populorum</i> G.E. Thompson
12.	<i>Phoma andina</i> Turkensteen
13.	<i>Phyllosticta citricarpa</i> (McAlpine) Van der Aa
14.	<i>Phyllosticta solitaria</i> Ellis & Everhart
15.	<i>Phytophthora ramorum</i> Werres, De Cock & Man in't Veld sp. nov.
16.	<i>Septoria lycopersici</i> Speg. Var <i>malagutii</i> Ciccarone and Boerema
17.	<i>Thecaphora solani</i> Barrus
18.	<i>Tilletia indica</i> Mitra
19.	<i>Trechispora brinkmannii</i> (Bresad.) Rogers

## Viruses and virus-like organisms

<b>Item</b>	<b>Description</b>
1.	Potato viruses and virus-like organisms such as: Andean potato latent virus, Andean potato mottle virus, Arracacha virus B oca strain, Potatoblack ringspot virus, Potato virus T or non-European isolates of potato viruses A, M, S, V, X and Y (including Yo, Yn and Yc) and Potato leafroll virus
2.	Tobacco ringspot virus
3.	Tomato ringspot virus
4.	Viruses or virus-like organisms of <i>Cydonia</i> Mill., <i>Fragaria</i> L., <i>Malus</i> Mill., <i>Prunus</i> L., <i>Pyrus</i> L., <i>Ribes</i> L., <i>Rubus</i> L., or <i>Vitis</i> L., such as: Blueberry leaf mottle virus, Cherry rasp leaf virus (American), Peach mosaic virus (American), Peach phony rickettsia, Peach rosette mosaic virus, Peach rosette mycoplasma, Peach X-disease mycoplasma, Peach yellows mycoplasma, Plum line pattern virus (American), Raspberry leaf curl virus (American), Strawberry latent "C" virus, Strawberry vein banding virus, Strawberry witches' broom mycoplasma or non-European viruses or virus-like organisms of <i>Cydonia</i> Mill., <i>Fragaria</i> L., <i>Malus</i> Mill., <i>Prunus</i> L., <i>Pyrus</i> L., <i>Ribes</i> L., <i>Rubus</i> L. or <i>Vitis</i> L.

5. Viruses transmitted by *Bemisia tabaci* Genn., such as: Bean golden mosaic virus, Cowpea mild mottle virus, Lettuce infectious yellow virus, Pepper mild tigré virus, Squash leaf curl virus, Euphorbia mosaic virus or Florida tomato virus

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#### Parasitic plants

<i>Item</i>	<i>Description</i>
1.	<i>Arceuthobium</i> spp. (non-European)

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#### Molluscs

<i>Item</i>	<i>Description</i>
1.	<i>Pomacea</i> Perry

## PART B

### Plant pests known to occur in the European Union

#### Insects, mites and nematodes

<i>Item</i>	<i>Description</i>
1.	<i>Bemisia tabaci</i> Genn. (European populations)
2.	<i>Bursaphelenchus xylophilus</i> (Steiner & Bühner) Nickle <i>et al.</i>
3.	<i>Dryocosmus kuriphilus</i> Yasumatsu
4.	<i>Epitrix cucumeris</i> (harris) and <i>Epitrix papa</i> sp. n.
5.	<i>Globodera pallida</i> (Stone) Behrens
6.	<i>Globodera rostochiensis</i> (Wollenweber) Behrens
7.	<i>Leptinotarsa decemlineata</i> Say
8.	<i>Liriomyza bryoniae</i> (Kaltenbach)
9.	<i>Liriomyza huidobrensis</i> (Blanchard)
10.	<i>Liriomyza trifolii</i> (Burgess)
9.	<i>Meloidogyne chitwoodi</i> Golden <i>et al.</i> (all populations)
10.	<i>Meloidogyne fallax</i> Karssen
11.	<i>Opogona sacchari</i> (Bojer)
12.	<i>Popillia japonica</i> Newman
13.	<i>Rhizoecus hibisci</i> Kawai and Takagi
14.	<i>Rhychophorus ferrugineus</i> (Olivier)
15.	<i>Spodoptera littoralis</i> (Boisduval)
16.	<i>Thaumtopoea processionea</i> L.

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17. *Trioza erytreae* Del Guercio

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### Bacteria

<i>Item</i>	<i>Description</i>
1.	<i>Clavibacter michiganensis</i> (Smith) Davis <i>et al.</i> ssp. <i>Sepedonicus</i> (Spieckermann and Kotthoff) Davis <i>et al.</i>
2.	<i>Ralstonia solanacearum</i> (Smith) Yabuuchi <i>et al.</i>
3.	<i>Xylella fastidiosa</i> (Wells <i>et al.</i> )

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### Fungi

<i>Item</i>	<i>Description</i>
1.	<i>Chalara fraxinea</i> T Kowalski, including its teleomorph <i>Hymenoscyphus pseudoalbidus</i>
2.	<i>Melampsora medusa</i> Thümen
3.	<i>Synchytrium endobioticum</i> (Schilbersky) Percival

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### Viruses and virus-like organisms

<i>Item</i>	<i>Description</i>
1.	Apple proliferation mycoplasma
2.	Apricot chlorotic leaf roll mycoplasma
3.	Beet necrotic yellow vein virus
4.	<i>Candidatus</i> Phytoplasma ulmi
5.	Pear decline mycoplasma

## SCHEDULE 2

Articles 5(1), 12(1), 19(1), 21(1), 25(4),  
30(8), 33(7), 34(8), 44(3), 45(3), 46(4)

Relevant material which may not be introduced into or moved within Northern Ireland if that material is carrying or infected with plant pests

## PART A

Plant pests not known to occur in the European Union

### Insects, mites and nematodes

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants, other than seeds, of <i>Fuchsia</i> L., intended for planting	<i>Aculops fuchsiae</i> Keifer

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2. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* *Alueroanthus* spp. Swingle or *Poncirus* Raf.
3. Plants, other than seeds, of *Fragaria* L., intended for *Anthonomus bisignifer* planting
4. Plants, other than seeds, of *Fragaria* L., intended for *Anthonomus signatus* (Say) planting
5. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* *Aonidiella citrina* Coquillet swingle or *Poncirus* Raf.
6. Seeds of *Oryza* spp. *Aphelenchoides besseyi* Christie
7. Plants, other than fruit or seeds, of *Juniperis* L., originating in any country outside Europe *Aschistonyx eppoi* Inouye
8. Plants, other than seeds, of *Cydonia* Mill., *Malus* Mill., *Carposina niponensis* *Prunus* L., or *Pyrus* L., originating in any country outside Europe Walsingham
9. Plants, other than seeds, of *Cydonia* Mill., *Malus* Mill., *Enarmonia packardi* *Prunus* L. or *Rosa* L., originating in any country outside Europe (Zeller)
10. Plants, other than seeds, of *Crataegus* L., *Malus* Mill., *Enarmonia prunivora* *Photinia* Ldl., *Prunus* L. or *Rosa* L., intended for planting Walsh or fruit of *Malus* Mill. or *Prunus* L., originating in any country outside Europe
11. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* *Eotetranychus lewisi* Swingle or *Poncirus* Raf. (McGregor)
12. Plants, other than seeds, of *Cydonia* Mill., *Malus* Mill., *Grapholita inopinata* *Prunus* L. or *Pyrus* L., originating in any country outside Europe Heinrich
13. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* *Hishomonus phycitis* swingle or *Poncirus* Raf. (Distant)
14. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* *Leucaspis japonica* Ckll. Swingle or *Poncirus* Raf.
15. Seeds of *Cruciferae*, *Gramineae* or *Trifolium* spp., originating in Argentina, Australia, Bolivia, Chile, New Zealand or Uruguay *Listronotus bonariensis* (Kuschel)
16. Plants, other than fruit or seeds, of *Vitis* L. *Margarodes*, non-European species, such as: *Margarodes vitis* (Philippi) *Margarodes vredendalensis* de Klerk *Margarodes prieskaensis* Jakubski
17. Plants, other than seeds, of *Pyrus* L., originating in any country outside Europe *Numonia pyrivorella* (Matsumura)

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18.	Plants, other than fruit or seeds, of <i>Juniperus</i> L., originating in any country outside Europe	<i>Oligonychus perditus</i> Pritchard and Baker
19.	Plants, other than fruit or seeds, of conifers (Coniferales), originating in any country outside Europe	<i>Pissodes</i> spp. (non-European)
20.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.; or plants of Araceae, Marantaceae, Musaceae, <i>Persea</i> spp. or Strelitziaceae, in any case rooted or with growing medium attached or which appear to have been in contact with growing medium	<i>Radopholus citrophilus</i> Huettel Dickson and Kaplan
21.	Plants, other than seeds of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Scirtothrips aurantii</i> Faure
22.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Scirtothrips dorsalis</i> Hood
23.	Plants, other than seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Scirtothrips citri</i> (Moultx)
24.	Tubers of <i>Solanum tuberosum</i> L.	<i>Scrobipalopsis solanivora</i> Povolny
25.	Plants of conifers (Coniferales), other than fruit and seeds, over 3m in height originating in any country outside Europe	<i>Scolyidae</i> spp. (non-European)
26.	Plants, other than seeds, of <i>Cydonia</i> Mill., <i>Malus</i> Mill., <i>Prunus</i> L. or <i>Pyrus</i> L., originating in any country outside Europe	<i>Tachypterellus quadrigibbus</i> Say
27.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Toxoptera citricida</i> (Kirk)
28.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Unaspis citri</i> Comstock

### Bacteria

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Citrus variegated chlorosis
2.	Seeds of <i>Zea Mays</i> L.	<i>Erwinia stewartii</i> (Smith) Dye
3.	Seeds of <i>Oryza</i> spp.	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye and pv. <i>oryzicola</i> (Fang. et al.) Dye

### Fungi

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
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**Status:** Point in time view as at 22/07/2019.**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

1.	Plants, other than seeds, of <i>Cydonia</i> Mill., <i>Malus</i> Mill. or <i>Pyrus</i> L., intended for planting, originating in any country outside Europe	<i>Alternaria alternata</i> (Fr.) Keissler (non-European pathogenic isolates)
2.	Plants, other than seeds, of <i>Corylus</i> L., intended for planting, originating in Canada or the USA	<i>Anisogramma anomala</i> (Peck) E. Müller
3.	Plants, other than seeds, of <i>Prunus</i> L., intended for planting	<i>Apiosporina morbosa</i> (Schwein.) v. Arx
4.	Plants, other than fruit or seeds, of <i>Pinus</i> L.	<i>Atropellis</i> spp.
5.	Plants, other than fruit or seeds, of <i>Acer saccharum</i> Marsh., originating in Canada or the USA	<i>Ceratocystis virescens</i> (Davidson)
6.	Plants, other than fruit or seeds, of <i>Pinus</i> L.	<i>Cercoseptoria pini-densiflorae</i> (Hori and Nambu) Deighton
7.	Plants, other than seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Cercospora angolensis</i> Carv. and Mendes
8.	Plants, other than seeds, of <i>Vaccinium</i> spp., intended for planting	<i>Diaporthe vaccinii</i> Shaer
9.	Plants, other than fruit or seeds, of <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.; or plants, other than fruit or seeds (except fruit of <i>Citrus reticulata</i> Blanco and <i>Citrus sinensis</i> (L.) Osbeck) of <i>Citrus</i> L., in any case, originating in any country in South America	<i>Elsinoe</i> spp. Bitanc. And Jenk. Mendes
10.	Plants, other than fruit or seeds, of <i>Phoenix</i> spp.	<i>Fusarium oxysporum</i> f. sp. <i>albedinis</i> (Kilian and Maire) Gordon
11.	Plants, other than seeds, of <i>Cydonia</i> Mill., <i>Malus</i> Mill., <i>Prunus</i> L., or <i>Pyrus</i> L., originating in any country outside Europe	<i>Guignardia pircicola</i> (Nosa) Yamamoto
12.	Plants, other than fruit or seeds, of <i>Solanaceae</i>	<i>Puccinia pittieriana</i> Hennings
13.	Plants, other than fruit or seeds, of <i>Pinus</i> L.	<i>Scirrhia acicula</i> (Dearn.) Siggers
14.	Plants, other than seeds, of <i>Ulmus</i> L. or <i>Zelkova</i> L., intended for planting	<i>Stegophora ulmea</i> (Schweintz: Fries) Sydow & Sydow
15.	Plants, other than seeds, of <i>Pyrus</i> L., intended for planting, originating in any country outside Europe	<i>Venturia nashicola</i> Tanaka and Yamamoto

### Viruses and virus-like organisms

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants, other than seeds, of <i>Beta vulgaris</i> L., intended for planting	Beet curly top virus (non-European isolates)
2.	Plants of <i>Rubus</i> L., intended for planting	Black raspberry latent virus

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3.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Blight or blight-like
4.	Plants, other than seeds, of <i>Palmae</i> , intended for planting, originating in any country outside Europe	Cadang-Cadang viroid
5.	Plants of <i>Rubus</i> L., intended for planting	Cherry leaf-roll virus
6.	Plants, other than seeds, of <i>Dendranthema</i> (DC.) Des Moul. or <i>Solanum lycopersicum</i> L., intended for planting	Chrysanthemum stem necrosis virus
7.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Citrus mosaic virus
8.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Citrus tristeza virus (non-European isolates)
9.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Leprosis
10.	Plants, other than seeds, of <i>Prunus cerasus</i> L., <i>Prunus avium</i> L., <i>Prunus incisa</i> Thunb., <i>Prunus sargentii</i> Rehd., <i>Prunus serrula</i> Franch., <i>Prunus serrulata</i> Lindl., <i>Prunus speciosa</i> (Koidz) Ingram, <i>Prunus subhirtella</i> Miq. or <i>Prunus yedoensis</i> Matsum., or their cultivars, intended for planting	Little cherry pathogen (non-European isolates)
11.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Naturally spreading psoriasis
12.	Plants, other than seeds, of <i>Palmae</i> , intended for planting, originating in any country outside Europe	Palm lethal yellowing mycoplasma
13.	Plants of <i>Rubus</i> L., intended for planting	Prunus necrotic ringspot virus
14.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Satsuma dwarf virus
15.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Tatter leaf virus
16.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Witches' broom (MLO)

## PART B

### Plant pests known to occur in the European Union

#### Insects, mites and nematodes

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants, other than seeds, of <i>Fragaria</i> L., intended for planting	<i>Aphelenchoides besseyi</i> Christie
2.	Plants, other than fruit or seeds, of <i>Vitis</i> L.	<i>Daktulosphaera vitifoliae</i> (Fitch)



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- |     |  |   |                     |
|-----|--|---|---------------------|
| 3.  | Flowers, bulbs or corms of <i>Crocus</i> L., miniature cultivars of the genus <i>Gladiolus</i> Tourn. Ex. L. including <i>Gladiolus callianthus</i> Marais, <i>Gladiolus colvillei</i> Sweet, <i>Gladiolus nanus</i> hort., <i>Gladiolus ramosus</i> Hort., <i>Gladiolus tubergenii</i> hort., <i>Hyacinthus</i> L., <i>Iris</i> L., <i>Trigridia</i> Juss. or <i>Tulipa</i> L., intended for planting, or potato tubers ( <i>Solanum tuberosum</i> L.), intended for planting   | <i>Ditylenchus</i><br>Thorne                  | <i>destructor</i>   |
| 4.  | Seeds and bulbs of <i>Allium ascalonicum</i> L., <i>Allium cepa</i> L. or <i>Allium schoenoprasum</i> L., intended for planting; plants of <i>Allium porrum</i> L., intended for planting; bulbs or corms of <i>Camassia</i> Lindl., <i>Chionodoxa</i> Boiss., <i>Crocus flavus</i> Weston “Golden Yellow”, <i>Galanthus</i> L., <i>Galtonia candicans</i> (Baker) Decne, <i>Hyacinthus</i> L., <i>Ismene</i> Herbert, <i>Muscari</i> Miller, <i>Narcissus</i> L., <i>Ornithogalum</i> L., <i>Puschkinia</i> Adams, <i>Scilla</i> L. or <i>Tulipa</i> L., intended for planting; or seeds of <i>Medicago sativa</i> L. | <i>Ditylenchus dipsaci</i> (Kühn)<br>Filipjev |                     |
| 5.  | Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.  | <i>Circulifer</i><br>(Mulsant and Rey)        | <i>haematoceps</i>  |
| 6.  | Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.  | <i>Circulifer tenellus</i> (Baker)            |                     |
| 7.  | Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.  | <i>Eutetranychus</i><br>Klein                 | <i>orientalis</i>   |
| 8.  | Plants, other than seeds, of <i>Dendranthema</i> (DC.) Des Moul., <i>Dianthus</i> L., <i>Pelargonium</i> L'érit ex Ait. or the family <i>Solanaceae</i> , intended for planting  | <i>Helicoverpa</i><br>(Hübner)                | <i>armigera</i>     |
| 9.  | Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf. and their hybrids  | <i>Parasaissetia</i><br>(Nietner)             | <i>nigra</i>        |
| 10. | Plants of <i>Araceae</i> , <i>Marantaceae</i> , <i>Musaceae</i> , <i>Persea</i> spp., or <i>Strelitziaceae</i> , rooted or with growing medium attached or which appear to have been in contact with growing medium  | <i>Radopholus similis</i> (Cobb)<br>Thorne    |                     |
| 11. | Plants of <i>Palmae</i> , intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: <i>Brahea</i> Mart., <i>Butia</i> Becc., <i>Chamaerops</i> L., <i>Jubaea</i> Kunth, <i>Livistona</i> R. Br., <i>Phoenix</i> L., <i>Sabal</i> Adans, <i>Syagrus</i> Mart., <i>Trachycarpus</i> H. Wendl., <i>Trithrinax</i> Mart., <i>Washingtonia</i> Raf.  | <i>Paysandia</i><br>(Burmeister)              | <i>archon</i>       |
| 12. | Cut flowers or leafy vegetables of <i>Apium graveolens</i> L. or plants of herbaceous species, intended for planting, other than:<br>—bulbs,<br>—corms,<br>—plants of the family <i>Gramineae</i> ,<br>—rhizomes, or<br>—seeds   | <i>Liriomyza</i><br>(Blanchard)               | <i>huidobrensis</i> |
| 13. | Cut flowers or leafy vegetables of <i>Apium graveolens</i> L. or plants of herbaceous species, intended for planting, other than:  | <i>Liriomyza</i><br>(Burgess)                 | <i>trifolii</i>     |

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-bulbs,  
-corms,  
-plants of the family *Gramineae*,  
-rhizomes, or  
-seeds

### Bacteria

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Seeds of <i>Medicago sativa</i> L.	<i>Clavibacter michiganensis</i> ssp. <i>insidiosus</i> (McCulloch) Davis <i>et al.</i>
2.	Plants of <i>Solanum lycopersicum</i> L., intended for planting	<i>Clavibacter michiganensis</i> ssp. <i>michiganensis</i> (Smith) Davis <i>et al.</i>
3.	Plants, other than seeds, of <i>Amelanchier</i> Med., <i>Chaenomeles</i> Lindl., <i>Cotoneaster</i> Ehrh., <i>Crataegus</i> L., <i>Cydonia</i> Mill., <i>Eriobotrya</i> Lindl., <i>Malus</i> Mill., <i>Mespilus</i> L., <i>Photinia davidiana</i> (Dcne.) Cardot, <i>Pyracantha</i> Roem., <i>Pyrus</i> L. or <i>Sorbus</i> L., intended for planting	<i>Erwinia amylovora</i> (Burr.) Winsl. <i>et al.</i>
4.	Plants, other than seeds, of <i>Dianthus</i> L., intended for planting	<i>Erwinia Chrysanthemi</i> pv. <i>Dianthicola</i> (Hellmers) Dickey
5.	Plants, other than seeds, of <i>Dianthus</i> L., intended for planting	<i>Pseudomonas caryophylli</i> (Burkholder) Starr and Burkholder
6.	Plants, other than seeds, of <i>Prunus persica</i> (L.) Batsch or <i>Prunus persica</i> var. <i>nectarina</i> (Ait.) Maxim, intended for planting	<i>Pseudomonas syringae</i> pv. <i>Persicae</i> (Prunier <i>et al.</i> ) Young <i>et al.</i>
7.	Seeds of <i>Phaseolus</i> L.	<i>Xanthomas campestris</i> pv. <i>phaseoli</i> (Smith) Dye
8.	Plants, other than seeds, of <i>Prunus</i> L., intended for planting	<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>
9.	Plants of <i>Solanum lycopersicum</i> L., or <i>Capsicum</i> spp., intended for planting	<i>Xanthomonas campestris</i> pv. <i>vesticatoria</i> (Doidge) Dye
10.	Plants, other than seeds, of <i>Fragaria</i> L., intended for planting	<i>Xanthomonas fragariae</i> Kennedy and King
11.	Plants, other than fruit or seeds, of <i>Vitis</i> L.	<i>Xylophilus ampelinus</i> (Panagopoulos) Willems <i>et al.</i>

### Fungi

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
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1.	Plants, other than seeds, of <i>Platanus</i> L., intended for planting	<i>Ceratocystis platani</i> (J.M.Walter) Engelbr. & T.C.Harr.
2.	Plants of <i>Fraxinus</i> L., intended for planting	<i>Chalara fraxinea</i> T. Kowalski, including its teleomorph <i>Hymenoscyphus pseudoalbidus</i>
3.	Plants of <i>Castanea</i> Mill., and <i>Quercus</i> L., intended for planting, other than seeds	<i>Cryphonectria parasitica</i> (Murrill) Barr
4.	Plants, other than seeds, of <i>Dendranthema</i> (DC.) Des Moul., intended for planting	<i>Didymella ligulicola</i> (Baker, Dimock and Davis) v. Arx
5.	Plants, other than seeds, of <i>Dianthus</i> L., intended for planting	<i>Phialophora cinerescens</i> (Wollenweber) van Beyma
6.	Plants, other than seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	<i>Phoma tracheiphila</i> (Petri) Kanchaveli and Gikashvili
7.	Plants, other than seeds, of <i>Fragaria</i> L., intended for planting	<i>Phytophthora fragariae</i> Hickman var. <i>fragariae</i>
8.	Seeds of <i>Heliathus annuus</i> L.	<i>Plasmopara halstedii</i> (Farlow) Berl. and de Toni
9.	Plants, other than seeds, of <i>Dendranthema</i> (DC.) Des Moul., intended for planting	<i>Puccinia horiana</i> Hennings
10.	Plants, other than seeds, of <i>Pinus</i> L., intended for planting	<i>Scirrhia pini</i> Funk and Parker
11.	Plants, other than seeds, of <i>Humulus lupulus</i> L., intended for planting	<i>Verticillium albo-atrum</i> Reinke and Berthold
12.	Plants, other than seeds, of <i>Humulus lupulus</i> L., intended for planting	<i>Verticillium dahlia</i> Klebahn

### Viruses and virus-like organisms

<b>Item</b>	<b>Description of relevant material</b>	<b>Plant pest</b>
1.	Plants, other than seeds, of <i>Fragaria</i> L., or <i>Rubus</i> L., intended for planting	Arabis mosaic virus
2.	Plants, other than seeds, of <i>Beta vulgaris</i> L., intended for planting	Beet leaf curl virus
3.	Plants, other than seeds, of <i>Dendranthema</i> (DC.) Des Moul., intended for planting	Chrysanthemum stunt viroid
4.	Plants, other than fruit or seeds, of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf.	Citrus tristeza virus (European isolates)
5.	Plants, other than fruit or seeds, of <i>Vitis</i> L.	Grapevine flavescence dorée MLO
[ <sup>F7</sup> 5A.	Seeds of <i>Solanum lycopersicum</i> L.	<i>Pepino mosaic virus</i> ]

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6.	Plants, other than seeds, of <i>Prunus</i> L., intended for planting	Plum pox virus
7.	Plants, other than seeds, of <i>Solanaceae</i> , intended for planting	Potato stolbur mycoplasma
8.	Plants of <i>Solanum lycopersicum</i> L., <i>Capsicum annuum</i> L. or <i>Capsicum frutescens</i> L., intended for planting, or plants of <i>Solanum tuberosum</i> L.	Potato spindle tuber viroid
9.	Plants, other than seeds, of <i>Fragaria</i> L., or <i>Rubus</i> L., intended for planting	Raspberry ringspot virus
10.	Plants, other than fruit and seeds, of <i>Citrus</i> L., <i>Fortunella Swingle</i> or <i>Poncirus</i> Raf.	<i>Spiroplasma citri</i> Saglio <i>et al.</i>
11.	Plants, other than seeds, of <i>Fragaria</i> L., intended for planting	Strawberry crinkle virus
12.	Plants, other than seeds, of <i>Fragaria</i> L., or <i>Rubus</i> L., intended for planting	Strawberry latent ringspot virus
13.	Plants, other than seeds, of <i>Fragaria</i> L., intended for planting	Strawberry mild yellow edge virus
14.	Plants, other than seeds, of <i>Fragaria</i> L., intended for planting	Tomato black ring virus
15.	Plants, other than seeds, of <i>Apium graveolens</i> L., <i>Capsicum annuum</i> L., <i>Cucumis melo</i> L., <i>Dendranthema</i> (DC.) Des Moul., any variety of New Guinea hybrids of <i>Impatiens</i> , <i>Lactuca sativa</i> L., <i>Solanum lycopersicum</i> L., or <i>Nicotiana tabacum</i> L., of which there must be evidence that they are intended for sale to professional tobacco producers, <i>Solanum melongena</i> L. or <i>Solanum tuberosum</i> L., intended for planting	Tomato spotted wilt virus
16.	Plants, other than seeds, of <i>Solanum lycopersicum</i> L., intended for planting	Tomato yellow leaf curl virus

#### Textual Amendments

**F7** Sch. 2 Pt. B words inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, 6

## PART C

Plant pests whose introduction into, and spread within, Northern Ireland (as a protected zone) shall be banned if they are present on certain relevant material

### Insects, mites and nematodes

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants, other than seeds, of <i>Larix</i> Mill., intended for planting	<i>Cephalcia lariciphila</i> (Klug)

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

2. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L., and *Pseudotsuga* Carr., over 3m in height *Dendroctonus micans* Kugelán
3. Plants, other than seeds, of *Picea* A. Dietr., intended for planting *Gilpinia hercyniae* (Hartig)
4. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., over 3m in height *Ips amitinus* Eichhof
5. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L., and *Pseudotsuga* Carr., over 3m in height *Ips cembrae* Heer
6. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., over 3m in height *Ips duplicatus* Sahlberg
7. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., over 3m in height *Ips sexdentatus* Börner
8. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L., and *Pseudotsuga* Carr., over 3m in height *Ips typographus* Heer
9. Plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth., *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf. *Paysandia archon* (Burmeister)
10. Plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following taxa: *Areca catechu* L., *Arenga pinnata* (Wurmb) Merr., *Bismarckia* Hildebr. & H. Wendl., *Borassus flabellifer* L., *Brahea armata* S. Watson, *Brahea edulis* H. Wendl., *Butia capitata* (Mart.) Becc., *Calamus merrillii* Becc., *Caryota cumingii* Lodd. Ex Mart., *Chamaerops humilis* L., *Cocos nucifera* L., *Copernicia* Mart., *Corypha utan* Lam., *Elaeis guineensis* Jacq., *Howea forsteriana* Becc., *Jubaea chilensis* (Molina) Baill., *Livistona australis* C. Martius, *Livistona decora* (W. Bull) Dowe, *Livistonia rotundifolia* (Lam.) Mart., *Metroxylon sagu* Rottb., *Phoenix canariensis* Chabaud, *Phoenix dactylifera* L., *Phoenix reclinata* Jacq., *Phoenix roebelenii* O'Brien, *Phoenix sylvestris* (L.) Roxb., *Phoenix theophrasti* Greuter, *Pritchardia* Seem. & H. Wendl., *Ravenea rivularis* Jum. & H. Perrier, *Roystonea regia* (Kunth) O.F. Cook, *Sabul palmetto* (Walter) Lodd. ex Schult. & Schult. F., *Syagrus roman-zoffiana* (Cham.) Glassman, *Trachycarpus fortunei* (Hook.) H. Wendl. or *Washingtonia* raf. *Rhychophorous ferrugineus* (Olivier)
11. Plants, other than fruit or seeds, of *Pinus* L., intended for planting *Thaumetopoea pityocampa* Denis & Schiffermüller

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

12. Cut flowers, leafy vegetables of *Apium graveolens* L., and *Liriomyza huidobrensis* plants of herbaceous species, intended for planting, other than: (Blanchard)
- bulbs,
  - corms,
  - plants of the family *Gramineae*,
  - rhizomes, or
  - seeds
13. Cut flowers, leafy vegetables of *Apium graveolens* L., and *Liriomyza trifolii* (Burgess) plants of herbaceous species, intended for planting, other than:
- bulbs,
  - corms,
  - plants of the family *Gramineae*,
  - rhizomes, or
  - seeds

#### Bacteria

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants of <i>Prunus</i> L., intended for planting, other than seeds	<i>Xanthomonas arboricola</i> pv. <i>pruni</i> (Smith) Vauterin <i>et al.</i>

#### Fungi

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants of <i>Platanus</i> L., intended for planting, other than seeds	<i>Ceratocystis platani</i> (J. M. Walter) Engelbr. & T. C. Harr
2.	Plants intended for planting of <i>Castanea</i> Mill.	<i>Cryphonectria parasitica</i> (Murrill) Barr.
3.	Plants of <i>Populus</i> L., intended for planting, other than seeds	<i>Hypoxyylon mammatum</i> (Wahl.) J. Miller

#### Viruses and virus-like organisms

<i>Item</i>	<i>Description of relevant material</i>	<i>Plant pest</i>
1.	Plants, other than seeds, of <i>Ulmus</i> L., intended for planting	<i>Candidatus Phytoplasma ulmi</i>

### SCHEDULE 3

Articles 5(1), 19(1), 45(3)

Relevant material which may not be landed in Northern Ireland if that material originates in certain third countries

<i>Item</i>	<i>Description of relevant material</i>	<i>Countries of origin</i>
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**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

1. Plants, other than fruit or seeds, of *Abies* Mill., *Cedrus* Trew, *Chamaecyparis* Spach, *Juniperus* L., *Larix* Mill., *Picea* A. Dietr., *Pinus* L., *Pseudotsuga* Carr. or *Tsuga* Carr. Any country outside Europe
2. Plants with leaves, other than fruit or seeds, of *Castanea* Mill. or *Quercus* L., Any country outside Europe
3. Plants with leaves, other than fruit or seeds, of *Populus* L. Any country in North America
4. Plants, other than dormant plants free from leaves, flowers and fruit, of *Chaenomeles* Lindl., *Cydonia* Mill., *Malus* Mill., *Prunus* L., *Pyrus* L., or *Rosa* L., intended for planting Any country outside Europe
5. Plants, other than dormant plants free from leaves, flowers and fruit, of *Photinia* Lindl., intended for planting The USA, China, Japan, Republic of Korea or Democratic People's Republic of Korea
6. Tubers of *Solanum tuberosum* L. for planting Any third country, other than Switzerland
7. Plants of Stolen or tuber- forming species of *Solanum* L., intended for planting, other than tubers of *Solanum tuberosum* L. specified in item 6 Any third country
8. Tubers of species of *Solanum* L., other than those specified in items 6 and 7 Any third country other than Algeria, Bosnia and Herzegovina, Egypt, Israel, Libya, Morocco, Serbia, Switzerland, Syria, Tunisia or Turkey
9. Plants of *Solanaceae*, intended for planting, other than seeds or relevant material specified in items 6 to 8 Any third country other than any country in the Euro-Mediterranean area
10. Soil or growing medium, which consists in whole or in part of soil or solid organic substances such as parts of plants or humus (including peat or bark), other than that composed entirely of peat Belarus, Moldova, Russia, Turkey, Ukraine and any third country not in mainland Europe, other than Egypt, Israel, Libya, Morocco or Tunisia
11. Plants, other than fruits, of *Vitis* L. Any third country, other than Switzerland
12. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf. Any third country
13. Plants, other than fruit or seeds, of *Phoenix* spp. Algeria or Morocco
14. Plants, other than seeds, of *Cydonia* Mill., *Malus* Mill., *Prunus* L., *Pyrus* L. or *Fragaria* L., intended for planting Any third country, other than a country in the Euro-Mediterranean area, Australia, New Zealand, Canada or the continental states of the USA

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- |     |   |                        |
|-----|---|------------------------|
| 15. | Plants, other than seeds, of the family <i>Gramineae</i> , Any third country, other than plants of ornamental perennial grasses of the than a country in the Euro-subfamilies <i>Bambusoideae</i> , <i>Panicoideae</i> or of the genera Mediterranean area<br><i>Buchloe</i> , <i>Bouteloua</i> Lag., <i>Calamagrostis</i> , <i>Cortaderia</i> Stapf., <i>Glyceria</i> R. Br., <i>Hakonechloa</i> Mak. Ex. Honda, <i>Hystrix</i> , <i>Mollinia</i> , <i>Phalaris</i> L., <i>Shibataea</i> , <i>Spartina</i> Schreb., <i>Stipa</i> L. or <i>Uniola</i> L., intended for planting |                        |
| 16. | Plants, other than seeds, of <i>Coffea</i> , intended for planting  | Costa Rica or Honduras |
| 17. | Plants, other than seeds or roots, of <i>Colocasia</i> Schott, India or plants, other than seeds, of <i>Momordica</i> L., <i>Solanum melongena</i> L. or <i>Trichosanthes</i> L.  |                        |
| 18. | F8<br>...   | F8<br>...              |

**Textual Amendments**  
**F8** Sch. 3 item 18 omitted (28.3.2019) by virtue of [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, 7

SCHEDULE 4 Articles 3, 5(1), 12(1), 15(2), 19(1), 19(3), 21(1)

Restrictions on the landing in and movement within Northern Ireland of relevant material

**PART A**

Relevant material, originating in third countries, which may only be landed in Northern Ireland if special requirements are complied with

<i>Item</i>	<i>Description of relevant material</i>	<i>Requirement of landing</i>
1.	Plants, other than fruit or seeds, of conifers (Coniferales), originating in any country outside Europe	The plants must be accompanied by an official statement that they have been produced in a nursery and that the place of production is free from <i>pissodes</i> spp. (non-European)
2.	Plants, other than seeds, of <i>Pinus</i> L., intended for planting, originating in any third country	The plants must be accompanied by an official statement that no symptoms of <i>Scirrhia acicula</i> (Dearn.) Siggers or <i>Scirrhia pini</i> Funk and Parker have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
3.	Plants, other than seeds, of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L., <i>Pseudotsuga</i> Carr. or <i>Tsuga</i> Carr.,	The plants must be accompanied by an official statement that no symptoms of <i>Melampsora medusa</i> Thümen have been



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**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- intended for planting, originating in any third country observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
4. Plants, other than fruit or seeds, of *Quercus* L., originating in the USA The plants must be accompanied by an official statement that they originate in an area known to be free from *Ceratocystis fagacearum* (Bretz) Hunt
  5. Plants, other than fruit or seeds, of *Castanea* Mill. or *Quercus* L., originating in any country outside Europe The plants must be accompanied by an official statement that no signs of *Cronartium* spp. (non-European) have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
  6. Plants, other than seeds, of *Castanea* Mill. or *Quercus* L., intended for planting, originating in any third country The plants must be accompanied by an official statement that:
    - (a) they originate in an area known to be free from *Cryphonectria parasitica* (Murrill) Barr; or
    - (b) no symptoms of *Cryphonectria parasitica* (Murrill) Barr have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
  7. Plants, other than seeds, of *Corylus* L., intended for planting, originating in Canada or the USA The plants must be accompanied by an official statement that they have been grown in a nursery and:
    - (a) originate in an area established in the country of export by the national plant protection organisation in that country as being free from *Anisogramma anomala* (Peck) E. Müller, in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; or
    - (b) originate in a place of production established in the country of export by the national plant protection organisation in that country as being free from *Anisogramma anomala* (Peck) E. Müller on official inspections carried out at the place of production or in its immediate vicinity since the beginning of the last three complete cycles of vegetation, in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration” and declared free from *Anisogramma anomala* (Peck) E. Müller

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

8. Plants, other than fruit or seeds, but including cut branches with or without foliage, of *Fraxinus* L., *Juglans ailantifolia* Carr., *Juglans planipennis* Fairmaire for the purposes of point 11.4 of Section I of Annex IV Part A, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export  
*Juglans mandshurica* Maxim., *Ulmus Davidiana* Planch. or *Pterocarya rhoifolia* Siebold & Zucc., originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan or the USA
9. Plants of *Betula* L., other than fruit or seeds, but including cut branches of *Betula* L., with or without foliage, originating in any third country
10. Plants, other than seeds, of *Platanus* L., intended for planting, originating in Armenia, Switzerland or the USA
11. Plants, other than seeds, of *Populus* L., intended for planting, originating in any third country
12. Plants, other than fruit or seeds, of *Populus* L., originating in any country of the American continent
13. Plants, other than seeds, of *Ulmus* L., intended for planting, originating in any country in North America
14. Plants, other than scions, cuttings, plants in tissue culture, pollen or seeds, of *Amelanchier* Medik., *Aronia* Medik., *Cotoneaster* Medik., *Crataegus* L., *Cydonia* Mill., *Malus* Mill., *Prunus* L., *Pyracantha* M. Roem., *Pyrus* L. or *Sorbus* L., intended for planting, originating in Canada or the USA

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for re-export under the heading “Additional declaration”; or

(b) they have been grown during a period of at least two years prior to export, or in the case of plants which are younger than two years, have been grown throughout their life, in a place of production established as free from *Saperda candida* Fabricius in accordance with ISOM No. 10:

(i) which is registered and supervised by the national plant protection organisation in the country of origin;

(ii) which has been subjected annually to two official inspections for any signs of *Saperda candida* Fabricius carried out at appropriate times;

(iii) where the plants have been grown in a site with complete physical protection against the introduction of *Saperda candida* Fabricius or with the application of appropriate preventive treatments and surrounded by a buffer zone with a width of at least 500 m in which the absence of *Saperda candida* Fabricius has been confirmed by official surveys carried out annually at appropriate times; and

(iv) immediately prior to export, the plants, and in particular their stems, have been subjected to a meticulous inspection for the presence of *Saperda candida* Fabricius, which included destructive sampling, where appropriate

15. Fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., *Microcitrus* Swingle, *Naringi* Adans. or *Swinglea* Merr., originating in any third country
- The fruits shall be accompanied by an official statement that:
- (a) they originate in a country recognised as being free from *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* in accordance with ISPM No. 4, and which has been previously notified in writing to the European Commission by the relevant national plant protection organisation;
- (b) they originate in an area established by the national plant protection organisation in the country of origin as being free as being free from *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or the phytosanitary certificate for re-export under the heading “Additional declaration” and has been previously notified in writing

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**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

to the European Commission by the relevant national plant protection organisation;

(c) they originate in a place of production established by the national plant protection organisation in the country of origin as being free from *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; or

(d) they:

(i) have been subjected to a treatment with sodium orthophenylphenate or any other effective treatment which is mentioned on the phytosanitary certificate or Phytosanitary certificate for re-export and which treatment method has been previously notified in writing to the European Commission by the relevant national plant protection organisation;

(ii) originate in a site of production, which along with the immediate vicinity, are subject to appropriate treatments and cultural practices against *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii*;

(iii) are free from symptoms of *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii*, as shown from official inspections carried out at appropriate times prior to export; and

(iv) are traceable from information included in the phytosanitary certificate or phytosanitary certificate for re-export; or

(e) in the case of fruits destined for industrial processing in the European Union they:

(i) have been found free from symptoms of *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* during official inspections carried out prior to export;

(ii) originate in a site of production which, along with the immediate vicinity, is subject to appropriate treatments and cultural practices against *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii*;

(iii) are subject to a licence granted under article 41(1) of this Order authorising their movement within Northern Ireland and, where applicable, their processing and storage in Northern Ireland;

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**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- (iv) are transported in individual packages bearing a label, which contains a traceability code and indicates that the fruits are destined for industrial processing; and
- (v) are traceable from information on traceability included in the phytosanitary certificate or phytosanitary certificate for re-export
16. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., originating in any third country
- The fruits shall be:
- (a) free from peduncles and leaves and the packaging, any label attached to the packaging or any document normally used for trade purposes which accompanies the consignment must bear an appropriate origin mark (which may be a reference to the name of the country of origin);
- (b) accompanied by an official statement that:
- (i) they originate in a country recognised as being free from *Cercospora angolensis* Carv. et Mendes in accordance with ISPM No. 4, and which has been previously notified in writing to the European Commission by the relevant national plant protection organisation;
- (ii) they originate in an area recognised as being free from *Cercospora angolensis* Carv. Et Mendes in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration” and has been previously notified in writing to the European Commission by the relevant national plant protection organisation; or
- (iii) no symptoms of *Cercospora angolensis* Carv. et Mendes have been observed in the site of production and in its immediate vicinity since the beginning of the last cycle of vegetation, and none of the fruits harvested in the site of production has shown, in appropriate official examination, symptoms of this plant pest
17. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., other than fruits of *Citrus aurantium* L., or *Citrus latifolia* Tanaka, originating in third countries, other than Argentina, Brazil, South Africa or Uruguay
- The fruits must be accompanied by an official statement that:
- (a) they originate in a country recognised as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa in accordance with ISPM No. 4, and which has been previously notified in writing to the European Commission by the relevant national plant protection organisation;

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(b) they originate in an area established by the national plant protection organisation in the country of origin as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration” and has been previously notified in writing to the European Commission by the relevant national plant protection organisation;

(c) they:

(i) originate in a place of production established by the national plant protection organisation in the country of origin as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; and

(ii) have been found free of symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa by official inspection of a representative sample defined in accordance with ISPM No. 31;

(d) they:

(i) originate in a site of production:

(aa) subjected to appropriate treatments and cultural measures against *Phyllosticta citricarpa* (McAlpine) Van der Aa;

(bb) in which official inspections have been carried out during the growing season since the beginning of the last cycle of vegetation, and no symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa have been detected in the fruits; and

(cc) from which the harvested fruits have been found free of symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa during an official inspection, prior to export, of a representative sample, defined in accordance with ISPM No. 31; and

(ii) are traceable from information on traceability included in the phytosanitary certificate or the phytosanitary certificate for re-export;

(e) in the case of fruits destined for industrial processing in the European Union they:

(i) have been found free of symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa prior to export during an official

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inspection of a representative sample defined in accordance with ISPM No. 31;

(ii) originate in a site of production which was subject to appropriate treatments against *Phyllosticta citricarpa* (McAlpine) Van der Aa at appropriate times and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”;

(iii) are subject to a licence granted under article 41(1) of this Order authorising their movement within Northern Ireland and, where applicable, their processing and storage in Northern Ireland;

(iv) are transported in individual packages bearing a label which contains a traceability code and indicates that the fruits are destined for industrial processing; and

(v) are traceable from information on traceability included in the phytosanitary certificate or phytosanitary certificate for re-export

18. Fruits of *Citrus latifolia* Tanaka originating in Brazil, South Africa or Uruguay
- The fruits must be accompanied by an official statement that:
- (a) they originate in an area recognised as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa (all strains pathogenic to Citrus), as referred to in Article 3(2) of Decision 2006/473/EC, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export;
- (b) no symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa (all strains pathogenic to Citrus) have been observed in the field of production or in its immediate vicinity since the beginning of the last cycle of vegetation, and none of the fruits harvested in the field of production has shown, in appropriate official examination, symptoms of this plant pest; or
- (c) the fruits originate in a field of production subjected to appropriate treatments against *Phyllosticta citricarpa* (McAlpine) Van der Aa (all strains pathogenic to Citrus), and none of the fruits harvested in the field of production has shown, in appropriate official examination, symptoms of this plant pest
19. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., other than fruits of *Citrus aurantium* L. or *Citrus latifolia* Tanaka, which originate in Argentina,
- The fruits shall:
- (a) originate in a country recognised as free from *Phyllosticta citricarpa* (McAlpine) Van der Aa, in accordance with ISPM No. 4

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

Brazil, South Africa or Uruguay and are not destined exclusively for industrial processing into juice provided that this freedom status has been communicated in advance in writing by the national plant protection organisation of the third country concerned to the Commission; or

(b) be accompanied by an official statement that they originate in an area established by the national plant protection organisation in the country of origin as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa in accordance with ISPM No. 4 and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration” and has been previously notified in writing to the European Commission by the relevant national plant protection organisation;

(c) in the case of fruits originating in Brazil, be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” that they meet the requirements specified in Articles 4 and 7(a) and (b) of Decision (EU) 2016/715;

(d) in the case of fruits originating in South Africa or Uruguay, be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” that they meet the requirements specified in Articles 5 and 7 of Decision (EU) 2016/715; or

(e) in the case of fruits originating in Argentina, be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” that they meet the requirements specified in Articles 5a and 7 of Decision (EU) 2016/715

20. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., other than fruits of *Citrus aurantium* L. or *Citrus latifolia* Tanaka, which originate in Argentina, Brazil, South Africa or Uruguay and are destined exclusively for industrial processing into juice in the European Union
- The fruits shall:
- (a) be accompanied by an official statement that:
- (i) they originate in a country recognised as free from *Phyllosticta citricarpa* (McAlpine) Van der Aa, in accordance with ISPM No. 4 provided that this freedom status has been communicated in advance in writing by the national plant protection organisation of the third country concerned or to the Commission; or
- (ii) they originate in an area established by the national plant protection organisation



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in the country of origin as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or the phytosanitary certificate for re-export under the heading “Additional declaration” and has been previously notified in writing to the European Commission by the relevant national plant protection organisation; or

(iii) they:

(aa) originate in a place of production established by the national plant protection organisation in the country of origin as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; and

(bb) have been found free of symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa by official inspection of a representative sample defined in accordance with ISPM No. 31; or

(b) they:

(i) originate in a site of production subjected to appropriate treatments and cultural measures against *Phyllosticta citricarpa* (McAlpine) Van der Aa, and

(ii) official inspections have been carried out in the site of production during the growing season since the beginning of the last cycle of vegetation, and no symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa; or

(c) in the case of fruits introduced into the European Union under the derogation specified in Article 8 of Decision (EU) 2016/715, the fruits must be:

(i) accompanied by a phytosanitary certificate which includes an official statement:

(aa) that they originate in a place of production officially registered with the national plant protection organisation in the country of origin and their movement from the place of production to the point of export to the European Union has been officially registered, as required by Article 10 of Decision (EU) 2016/715; and

(bb) which, under the heading “Additional declaration”, includes the statements and

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- the registered production code specified in Articles 9(1) and 10 of Decision (EU) 2016/715 and the information specified in Article 9(2) of that Decision;
- (ii) packaged and labelled in accordance with Article 17 of that Decision; and
- (iii) subject to a licence granted under article 41 of this Order authorising their introduction into, and movement within Northern Ireland and, where applicable, their processing and storage in Northern Ireland
21. Fruits of *Capsicum* (L.), *Citrus* L., other than *Citrus limon* (L.) Osbeck, or *Citrus auranti-foia* (Christm.) Swingle, *Prunus persica* (L.) Batsch or *Punica granatum* L., originating in any country of the African continent, Cape Verde, Saint Helena, Madagascar, La Reunion, Mauritius or Israel
- The fruits shall be accompanied by an official statement that:
- (a) they originate in a country recognised as being free from *Thaumatotibia leucotreta* (Meyrick) in accordance with ISPM No. 4;
- (b) they originate in an area established by the national plant protection organisation in the country of origin as being free from *Thaumatotibia leucotreta* (Meyrick) in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”;
- (c) they:
- (i) originate in a place of production established by the national plant protection organisation in the country of origin as being free from *Thaumatotibia leucotreta* (Meyrick) in accordance with ISPM No. 10 and information on their traceability has been included in the phytosanitary certificate or phytosanitary certificate for re-export; and
- (ii) are free from that plant pest as shown from official inspections carried out in the place of production at appropriate times during the growing season, which included a visual examination on representative samples of fruit; or
- (d) in the case of fruits which have been subjected to an effective cold treatment or any other effective treatment to ensure freedom from *Thaumatotibia leucotreta* (Meyrick) which has previously been notified in writing to the European Commission by the relevant national plant protection organisation, they have been subjected to such a treatment, and the treatment data is indicated in the phytosanitary certificate or phytosanitary certificate for re-export

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22. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., originating in any third country where Tephritidae (non-European) are known to occur on these fruits
- The fruits must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Tephritidae (non-European);
  - (b) no signs of Tephritidae (non-European) have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation, on official inspections carried out at least monthly during the three months prior to harvesting, and none of the fruits harvested at the place of production has shown, in appropriate official examination, signs of Tephritidae (non-European);
  - (c) they have been shown, in appropriate official examination on representative samples, to be free from Tephritidae (non-European) in all stages of their development; or
  - (d) the fruits have been subjected to an appropriate treatment, any acceptable vapour heat treatment, cold treatment, or quick freeze treatment, which has been shown to be efficient against Tephritidae (non-European) without damaging the fruit, or, where not available, chemical treatment as far as it is acceptable under European Union legislation
23. Plants, other than seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne) Cardot, *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L., intended for planting, originating in any third country
- The plants must be accompanied by an official statement that the plants in the field of production or its immediate vicinity which have shown symptoms of *Erwinia amylovora* (Burr.) Winsl. *et al.* have been removed
24. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., or plants of Araceae, Marantaceae, Musaceae, *Persea* spp. or Strelitziaceae, rooted or with growing medium attached or which appear to have been in contact with growing medium, originating in any third country
- The plants must be accompanied by an official statement that:
- (a) they originate in a country known to be free from *Radopholus citrophilus* Huettel *et al.* and *Radopholus similis* (Cobb) Thorne; or
  - (b) representative samples of soil and roots from the place of production have been subjected, since the beginning of the last complete cycle of vegetation, to official nematological testing for at least *Radopholus citrophilus* Huettel *et al.* and *Radopholus similis* (Cobb) Thorne and have been found to be free from those plant pests

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25. Plants, other than fruit but including seeds, of *Aegle* Corrêa, *Aeglopsis* Swingle, *Afraegle* Engl., *Atalantia* Corrêa, *Balsamocitrus* Stapf, *Burkillanthus* Swingle, *Calodendrum* Thunb., *Choisya* Kunth, *Clausena* Burm. F., *Limonia* L., *Microcitrus* Swingle, *Murraya* J. Koenig ex L., *Pamburus* Swingle, *Severinia* Ten., *Swinglea* Merr., *Triphasia* Lour. or *Vepris* Comm., originating in any third country; or seeds of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., originating in any third country
- The plants must be accompanied by an official statement that they originate in a country recognised as being free from *Candidatus Liberibacter* spp., a causal agent of Huanglongbing disease of citrus/citrus greening
26. Plants, other than fruit or seeds, of *Casimiroa* La Llave, *Choisya* Kunth, *Clausena* Burm. F., *Murraya* J. Keonig ex L., *Vepris* Comm. or *Zanthoxylum* L., originating in any third country
- The plants must be accompanied by an official statement that:
- (a) they originate in a country in which *Trioza erytreae* Del Guercio is known not to occur;
  - (b) they originate in an area free from *Trioza erytreae* Del Guercio, established by the national plant protection organisation in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; or
  - (c) they have been grown in a place of production:
    - (i) which is registered and supervised by the national plant protection organisation in the country of origin;
    - (ii) where the plants were placed in a site with complete physical protection against the introduction of *Trioza erytreae* Del Guercio; and
    - (iii) where two official inspections were carried out at appropriate times during the last complete cycle of vegetation prior to their movement from the site, and no signs of that plant pest were observed in that site or in the surrounding area with a width of at least 200 m
27. Plants, other than fruit or seeds, of *Aegle* Corrêa, *Aeglopsis* Swingle, *Afraegle* Engl., *Amyris* P. Browne, *Atlantia* Corrêa, *Balsamocitrus* Stapf, *Choisya* Kunth, *Citropsis* Swingle & Kellermen, *Clausena* Burm. F., *Eremocitrus* Swingle, *Esenbeckia* Kunth., *Glycosmis* Corrêa, *Limonia* L., *Merrilia* Swingle, *Microcitrus* Swingle, *Murraya* J. Koenig ex L., *Naringi* Adans., *Pamburus*
- The plants must be accompanied by an official statement that they originate in:
- (a) a country where *Diaphorina citri* is known not to occur; or
  - (b) an area free from *Diaphorina citri* Kuway, established by the national plant protection organisation in accordance with ISPM No. 4, which is mentioned on the phytosanitary certificate or phytosanitary

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- Swingle, *Severinia* Ten., *Swinglea* Merr., *Tetradium* Lour., *Toddalia* Juss., *Triphasia* Lour, *Vepris* Comm. or *Zanthoxylum* L., originating in any third country certificate for re-export under the heading “Additional declaration”
28. Plants, other than fruits or seeds, of *Microcitrus* Swingle, *Naringi* Adans. or *Swinglea* Merr., originating in any third country The plants shall be accompanied by a n official statement that:  
 (a) they originate in a country recognised as being free from *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* in accordance with ISPM No. 4, and which has been notified in writing to the European Commission by the relevant national plant protection organisation; or  
 (b) they originate in an area established by the national plant protection organisation in the country of origin as being free from *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* on accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration” and has been notified in writing to the European Commission by the national plant protection organisation
29. Plants, other than seeds, of *Crataegus* L., intended for planting, originating in any third country where *Phyllosticta solitaria* Ell. and Ev. Is known to occur The plants must be accompanied by an official statement that no symptoms of *Phyllosticta solitaria* Ell. and Ev. have been observed on plants at the place of production since the beginning of the last complete cycle of vegetation
30. Plants, other than seeds, of *Cydonia* Mill., *Fragaria* L., *Malus* Mill., *Prunus* L., *Pyrus* L., *Ribes* L., or *Rubus* L., intended for planting, originating in any third country where the following plant pests are known to occur on the following genera:  
 -on *Fragaria* L.:  
*Phytophthora fragariae* Hickman, var. *fragariae*.,  
 -Arabis mosaic virus,  
 -Raspberry ringspot virus,  
 -Strawberry crinkle virus,  
 -Strawberry latent ringspot virus,  
 -Strawberry mild yellow edge virus,  
 -Tomato black ring virus, or  
*Xanthomonas fragariae* Kennedy and King;  
 -on *Malus* Mill.:

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*Phyllosticta solitaria* Ell. and Ev.;

-on *Prunus* L.:

-Apricot chlorotic leafroll mycoplasma,  
or  
*Xanthomonas arboricola* pv. *pruni*  
(Smith) Vauterin *et al.*;

-on *Prunus persica* (L.) Batsch:  
*Psuedomonas syringae* pv. *persicae*  
(Prunier *et al.*) Young *et al.*;

-on *Pyrus* L.:

*Phyllosticta solitaria* Ell. And Ev.;

-on *Rubus* L.:

-Arabis mosaic virus,  
-Raspberry ringspot virus,  
-Strawberry latent ringspot virus, or  
-Tomato black ring virus; or

-on all species:  
-non-European viruses or virus-like  
organisms

31. Plants, other than seeds, of *Cydonia* Mill. or *Pyrus* L., intended for planting, originating in any third country where Pear decline mycoplasma is known to occur
- The plants must be accompanied by an official statement that plants at the place of production or in its immediate vicinity which have shown symptoms giving rise to the suspicion of contamination by Pear decline mycoplasma, have been rogued out at that place within the last three complete cycles of vegetation
32. Plants, other than seeds, of *Fragaria* L., intended for planting, originating in any third country where the following plant pests are known to occur:  
-Strawberry latent “C” virus,  
-Strawberry vein banding virus, or  
-Strawberry witches' broom mycoplasma
- The plants must be accompanied by an official statement that:
- (a) the plants, other than those raised from seed, have been:
- (i) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least the plant pests in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; or
- (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last three complete cycles of vegetation, to official testing for at least the plant pests in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; and
- (b) no symptoms of diseases caused by the plant pests listed in column 2 of this item have been observed on plants at the place

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- of production, or on susceptible plants in its immediate vicinity, since the beginning of the last complete cycle of vegetation
33. Plants, other than seeds, of *Fragaria* L., intended for planting, originating in any third country where *Aphelenchoides besseyi* Christie is known to occur The plants must be accompanied by an official statement that:
- (a) no symptoms of *Aphelenchoides besseyi* Christie have been observed on plants at the place of production since the beginning of the last complete cycle of vegetation; or
  - (b) in the case of plants in tissue culture, the plants have been derived from plants which complied with paragraph (a) or have been officially tested by appropriate nematological methods and have been found free from *Aphelenchoides besseyi* Christie
34. Plants, other than seeds, of *Fragaria* L., intended for planting, originating in any third country The plants must be accompanied by an official statement that they originate in an area known to be free from *Anthonomus signatus* Say and *Anthonomus bisignifer* (Schenkling)
35. Plants, other than seeds of *Malus* Mill., intended for planting, originating in any third country where the following plant pests are known to occur on *Malus* Mill.:  
-Cherry rasp leaf virus (American), or  
-Tomato ringspot virus The plants must be accompanied by an official statement that:
- (a) they have been:
    - (i) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least the plant pests in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; or
    - (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last three complete cycles of vegetation, to official testing for at least the plant pests in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; or
  - (b) no symptoms of disease caused by the plant pests listed in column 2 of this item have been observed on plants at the place of production, or on susceptible plants in its immediate vicinity, since the beginning of the last complete cycle of vegetation
36. Plants, other than seeds, of *Malus* Mill., intended for planting, originating in any third country where Apple proliferation mycoplasma is known to occur The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Apple proliferation mycoplasma; or

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- (b) other than plants raised from seeds, they have been:
- (i) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least Apple proliferation mycoplasma using appropriate indicators or equivalent methods and has been found free from that plant pest; or
- (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected at least once within the last six complete cycles of vegetation, to official testing for at least Apple proliferation mycoplasma using appropriate indicators or equivalent methods and has been found free, in these tests, from that plant pest; and
- (iii) no symptoms of diseases caused by Apple proliferation mycoplasma have been observed on plants at the place of production, or on susceptible plants in its immediate vicinity, since the beginning of the last three complete cycles of vegetation
37. Plants, other than seeds, of the following species of *Prunus* L., intended for planting, originating in any third country where Plum pox virus is known to occur:
- Prunus amygdalus* Batsch,  
*Prunus armeniaca* L.,  
*Prunus blireiana* Andre,  
*Prunus brigantine* Vill.,  
*Prunus cerasifera* Ehrh.,  
*Prunus cistena* Hansen,  
*Prunus curdica* Fenzl and Fritsch.,  
*Prunus domestica* spp. domestica L.,  
*Prunus domestica* spp. insititia (L.) C.K. Schneid.,  
*Prunus domestica* spp. italic (Borkh.) Hegi.,  
*Prunus glandulosa* Thunb.,  
*Prunus holosericea* Batal.,  
*Prunus hortulana* Bailey,  
*Prunus japonica* Thunb.,  
*Prunus mandshurica* (Maxim.) Koehne,  
*Prunus maritime* Marsh.,  
*Prunus mume* Sieb and Zucc.,  
*Prunus nigra* Ait.,  
*Prunus persica* (L.) Batsch,  
*Prunus salicina* L.,
- The plants must be accompanied by an official statement that:
- (a) other than plants raised from seed, they have been:
- (i) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least Plum pox virus using appropriate indicators or equivalent methods and has been found free from that plant pest; or
- (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last three complete cycles of vegetation, to official testing for at least Plum pox virus using appropriate indicators or equivalent methods and has been found free from that plant pest; and
- (b) no symptoms of the diseases caused by Plum pox virus have been observed on plants at the place of production, or on susceptible plants in its immediate vicinity, since the beginning of the last three complete cycles of vegetation; or



- Prunus sibirica* L.,  
*Prunus simonii* Carr.,  
*Prunus spinosa* L.,  
*Prunus tomentosa* Thunb.,  
*Prunus triloba* Lindl., or  
-other species of *Prunus* L. susceptible to Plum pox virus
38. Plants of *Prunus* L., intended for planting:  
-originating in any third country where Tomato ringspot virus is known to occur on *Prunus* L.:  
-other than seeds, originating in any third country where the following plant pests are known to occur:  
-Cherry rasp leaf virus (American),  
-Peach mosaic virus (American),  
Peach phony rickettsia,  
-Peach rosette mycoplasma,  
-Peach yellows mycoplasma,  
-Plum line pattern virus (American), or  
-Peach X-disease mycoplasma;  
-other than seeds, originating in any country outside Europe where Little cherry pathogen is known to occur
- (c) plants at the place of production which have shown symptoms of disease caused by other viruses or virus-like pathogens, have been rogued out
- The plants must be accompanied by an official statement that:
- (a) they have been:
- (i) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least the relevant plant pests in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; or
- (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last three complete cycles of vegetation, to official testing for at least the relevant plant pests listed in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; and
- (b) no symptoms of diseases caused by the relevant plant pests listed in column 2 of this item have been observed on the plants at the place of production, or on susceptible plants in its vicinity, since the beginning of the last three complete cycles of vegetation
39. Plants of *Rubus* L., intended for planting:  
-originating in any third country where the following plant pests are known to occur on *Rubus* L.:  
-Tomato ringspot virus,  
-Black raspberry latent virus,  
-Cherry leaf roll virus, or  
-Prunus necrotic ringspot virus:  
-other than seeds, originating in any third country where the following plant pests are known to occur:  
-Raspberry leaf curl virus (American), or  
-Cherry rasp leaf virus (American)
- The plants must be accompanied by an official statement that they have been:
- (a) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least the relevant plant pests in column 2 of this item using appropriate indicators or equivalent methods and has been found free from those plant pests; or
- (b) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last three complete cycles of vegetation, to official testing for at least the relevant plant pests in column 2 of this item using appropriate indicators or equivalent

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- methods and has been found free from those plant pests; and  
(c) no symptoms of diseases caused by the relevant plant pests in column 2 of this item have been observed on plants at the place of production, or on susceptible plants in its immediate vicinity, since the beginning of the last three complete cycles of vegetation
40. Tubers of *Solanum tuberosum* L., originating in any third country where *Synchytrium endobioticum* (Schilbersky) Percival is known to occur The tubers must be accompanied by an official statement that they originate in an area known to be free from *Synchytrium endobioticum* (Schilbersky) Percival (all races other than Race 1, the common European race), and no symptoms *Synchytrium endobioticum* (Schilbersky) Percival have been observed at the place of production or in its immediate vicinity since the beginning of an adequate period
41. Tubers of *Solanum tuberosum* L., other than early potatoes, originating in any third country where Potato Spindle tuber viroid is known to occur The faculty of germination in the tubers must have been suppressed
42. Tubers of *Solanum tuberosum* L., intended for planting, originating in any third country The tubers must be accompanied by an official statement that:  
(a) they originate from a field known to be free from *Globodera rostochiensis* (Wollenweber) Behrens and *Globodera pallida* (Stone) Behrens;  
(b) they originate in an area in which *Ralstonia solanacearum* (Smith) Yabuuchi et al. is known not to occur; and  
(c) they originate in an area where *Meloidogyne chitwoodi* Golden et al. (all populations) and *Meloidogyne fallax* Karssen are known not to occur; or  
(d) in areas where *Meloidogyne chitwoodi* Golden et al. (all populations) and *Meloidogyne fallax* Karssen are known to occur:  
(i) they originate from a place of production which has been found free from *Meloidogyne chitwoodi* Golden et al. (all populations) and *Meloidogyne fallax* Karssen based on an annual survey of host crops by visual inspection of host plants at appropriate times and by visual inspection both externally and by cutting of tubers after harvest from potato crops grown at the place of production; or  
(ii) the tubers after harvest have been randomly sampled and, either checked

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for the presence of symptoms after an appropriate method to induce symptoms, or laboratory tested, as well as inspected visually both externally and by cutting the tubers, at appropriate times and in all cases at the time of sealing of the packages or containers before marketing according to the provisions on sealing in Council Directive [2002/56/EC](#) on the marketing of seed potatoes, and no symptoms of *Meloidogyne chitwoodi* Golden *et al.* (all populations) or *Meloidogyne fallax* Karssen have been found

43. Tubers of *Solanum tuberosum* L., other than those intended for planting, originating in any third country The tubers must be accompanied by an official statement that they originate in an area in which *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* is not known to occur
44. Tubers of *Solanum tuberosum* L., originating in any third country The tubers must be accompanied by an official statement that they originate in:  
(a) a country known to be free from *Clavibacter michiganensis* spp. *sepedonicus* (Speickermann and Kottoff) Davis *et al.*; and either  
(b) a country where *Scrobipalopsis solanivora* Povolny is not known to occur; or  
(c) an area free from *Scrobipalopsis solanivora* Povolny, established by the national plant protection organisation in accordance with ISPM No. 4
45. Plants, other than seeds, of Solanaceae, intended for planting, originating in any third country where Potato stolbur mycoplasma is known to occur The plants must be accompanied by an official statement that no symptoms of Potato stolbur mycoplasma have been observed on the plants at the place of production since the beginning of the last complete cycle of vegetation
46. Plants of Solanaceae, intended for planting, other than tubers of *Solanum tuberosum* L. or seeds of *Solanum lycopersicum* L., originating in any third country where Potato spindle tuber viroid is known to occur The plants must be accompanied by an official statement that no symptoms of Potato spindle tuber viroid have been observed on plants at the place of production since the beginning of the last complete cycle of vegetation
47. Plants, other than seeds, of *Capsicum anuum* L., *Solanum lycopersicum* L., *Musa* L., *Nicotiana* L. or *Solanum melongena* L., intended for planting, originating in any third country where *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* is known to occur The plants must be accompanied by an official statement that:  
(a) they originate in an area which has been found free from *Ralstonia solanacearum* (Smith) Yabuuchi *et al.*; or  
(b) no symptoms of *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* have been observed on the plants at the place of production since

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- the beginning of the last complete cycle of vegetation
48. Plants, other than fruits or seeds of *Solanum lycopersicum* L. or *Solanum melongena* L., originating in any third country
- The plants shall be accompanied by an official statement that:
- (a) they originate in a country recognised as being free from *Keiferia lycopersicella* (Walsingham) in accordance with ISPM No. 4; or
- (b) they originate in an area established by the national plant protection organisation in the country of origin as being free from *Keiferia lycopersicella* (Walsingham) in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”
49. Fruits of *Solanum lycopersicum* L. or *Solanum melongena* L., originating in any third country
- The fruits shall be accompanied by an official statement that:
- (a) they originate in a country recognised as being free from *Keiferia lycopersicella* (Walsingham) in accordance with ISPM No. 4;
- (b) they originate in an area established by the national plant protection organisation in the country of origin as being free from *Keiferia lycopersicella* (Walsingham) in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; or
- (c) they originate in a place of production established by the national plant protection organisation in the country of origin as being free from *Keiferia lycopersicella* (Walsingham) on the basis of official inspections and surveys carried out during the last three months prior to export, and which is mentioned on the phytosanitary certificate or the phytosanitary certificate for re-export under the heading “Additional declaration”
50. Plants, other than seeds, of *Humulus lupulus* L., intended for planting, originating in any third country
- The plants must be accompanied by an official statement that no symptoms of *Verticillium albo-atrum* Reinke and Berthold or *Verticillium dahlia* Klebahn have been observed on hops at the place of production since the beginning of the last complete cycle of vegetation
51. Plants, other than seeds, of *Dendranthema* (DC.) Des Moul., *Dianthus* L. or *Pelargonium* l'Herit. ex
- The plants must be accompanied by an official statement that:

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- Ait., intended for planting, originating in any third country (a) they originate in an area free from *Helicoverpa armigera* (Hübner) and *Spodoptera littoralis* (Boisd.), established by the national plant protection organisation in accordance with ISPM No. 4;  
(b) no signs of *Helicoverpa armigera* (Hübner) or *Spodoptera littoralis* (Boisd.) have been observed at the place of production since the beginning of the last complete cycle of vegetation; or  
(c) the plants have undergone appropriate treatment to protect them from those plant pests
52. Plants, other than seeds, of *Dendranthema* (DC.) Des Moul., *Dianthus* L., or *Pelargonium* l'Herit. ex Ait., originating in any third country The plants must be accompanied by an official statement that:  
(a) they originate in an area free from *Spodoptera eridania* (Cramer), *Spodoptera frugiperda* Smith and *Spodoptera litura* (Fabricius), established by the national plant protection organisation in accordance with ISPM No. 4;  
(b) no signs of *Spodoptera eridania* (Cramer), *Spodoptera frugiperda* Smith or *Spodoptera litura* (Fabricius) have been observed at the place of production since the beginning of the last complete cycle of vegetation; or  
(c) the plants have undergone appropriate treatment to protect them from those plant pests
53. Plants, other than seeds, of *Dendranthema* (DC.) Des Moul., intended for planting, originating in any third country The plants must be accompanied by an official statement that:  
(a) they are no more than third generation stock derived from material which has been found to be free from Chrysanthemum stunt viroid during virological tests, or are directly derived from material of which a representative sample of at least 10% has been found to be free from Chrysanthemum stunt viroid during an official inspection carried out at the time of flowering;  
(b) the plants or cuttings:  
(i) have come from premises which have been officially inspected at least monthly during the three months prior to dispatch and on which no symptoms of *Puccinia horiana* Hennings have been observed during that period, and in the immediate vicinity of which no symptoms of *Puccinia horiana* Hennings have been known to have occurred during the three months prior to export; or

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- (ii) have undergone appropriate treatment against *Puccinia horiana* Hennings; and  
(c) in the case of unrooted cuttings, no symptoms of *Didymella ligulicola* (Baker, Dimock and Davis) v. Arx were observed either on the cuttings or on the plants from which the cuttings were derived, or that, in the case of rooted cuttings, no symptoms of *Didymella ligulicola* (Baker, Dimock and Davis) v. Arx were observed either on the cuttings or on the rooting bed
54. Plants, other than seeds, of *Dendranthema* (DC.) Des Moul, or *Solanum lycopersicum* L., intended for planting, originating in any third country
- The plants must be accompanied by an official statement that they:
- (a) have been grown throughout their life in a country free from Chrysanthemum stem necrosis virus;  
(b) have been grown throughout their life in an area established by the national plant protection organisation in the country of export as being free from Chrysanthemum stem necrosis virus in accordance with ISPM No. 4; or  
(c) the plants have been grown throughout their life in a place of production, established as being free from Chrusanthemum stem necrosis virus and verified through official inspections and, where appropriate, testing
55. Plants, other than seeds, of *Dianthus* L., intended for planting, originating in any third country
- The plants must be accompanied by an official statement that:
- (a) they have been derived in direct line from mother plants which have been found free from *Erwinia chrysanthemi* pv. *Dianthecola* (Hellmers) Dickey, *Pseudomonas caryophylli* (Burkholder) Starr and Burkholder and *Phialophora cinerescens* (Wollenw.) Van Beyma on officially approved tests, carried out at least once within the two previous years; and  
(b) no symptoms of these plant pests have been observed on the plants
56. Bulbs of *Tulipa* L. or *Narcissus* L. other than those for which there is evidence from their packaging, or from other means, that they are intended for sale to final consumers not involved in professional cut flower production, originating in any third country
- The bulbs must be accompanied by an official statement that no symptoms of *Ditylenchus dipsaci* (Kühn) Filipjev have been observed on the plants since the beginning of the last complete cycle of vegetation
57. Plants, other than seeds, of *Pelargonium* l'Hérit. ex Ait., intended for planting, originating in any third country where:
- The plants must be accompanied by an official statement that they:

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- Tomato ringspot virus is known to occur, and  
*Xiphinema americanum* Cobb *sensu lato* (non-European populations) or other vectors of Tomato ringspot virus are not known to occur
- (a) are directly derived from a place of production known to be free from Tomato ringspot virus; or  
(b) are of no more than fourth generation stock, derived from mother plants found to be free from Tomato ringspot virus under an officially approved system of virological testing
58. Plants, other than seeds, of *Pelargonium* l'Hérit. ex Ait., intended for planting, originating in any third country where:  
-Tomato ringspot virus is known to occur, and  
*Xiphinema americanum* Cobb *sensu lato* (non-European populations) or other vectors of Tomato ringspot virus are known to occur
- The plants must be accompanied by an official statement that they:  
(a) are directly derived from a place of production known to be free from Tomato ringspot virus in the soil or plants; or  
(b) are of no more than second generation stock, derived from mother plants found to be free from Tomato ringspot virus under an officially approved system of virological testing
59. Plants of herbaceous species, other than:  
-bulbs  
-corms,  
-plants of the family *Gramineae*,  
-rhizomes,  
-seeds, or  
-tubers, intended for planting, originating in any third country where *Liriomyza sativae* (Blanchard) or *Amauromyza maculosa* (Malloch) are known to occur
- The plants must be accompanied by an official statement that they have been grown in a nursery and:  
(a) originate in an area established in the country of export by the national plant protection organisation in that country as being free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch), in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”;  
(b) originate in a place of production established in the country of export by the national plant protection organisation in that country as being free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch), in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate and the phytosanitary certificate for re-export under the heading “Additional declaration”, and declared free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch) on official inspections carried out at least monthly during the three months prior to export;  
(c) immediately prior to export, have been subjected to an appropriate treatment against *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch) and have been officially inspected and found free from *Liriomyza sativae* (Blanchard) and

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- Amauromyza maculosa* (Malloch). Details of the treatment must be mentioned on the phytosanitary certificate or phytosanitary certificate for re-export; or
- (d) they originate from plant material (explant) which is free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch), are grown *in vitro* in a sterile medium under sterile conditions that preclude the possibility of infestation with *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch) and are shipped in transparent containers under sterile conditions
60. Cut flowers of *Dendranthems* (DC.) Des Moul., *Dianthus* L., *Gypsophila* L., *Solidago* L. or leafy vegetables of *Apium graveolens* L. or *Ocimum* L, originating in any third country
- The cut flowers and leafy vegetables must be accompanied by an official statement that they:
- (a) originate in a country free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch); or
- (b) immediately prior to their export, have been officially inspected and found free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch)
61. Plants of herbaceous species, other than:  
-bulbs,  
-corms,  
-plants of the family *Gramineae*,  
-rhizomes,  
-seeds,  
-tubers, intended for planting, originating in any third country
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess);
- (b) no signs of *Liriomyza huidobrensis* (Blanchard) or *Liriomyza trifolii* (Burgess) have been observed at the place of production, on official inspections carried out at least monthly during the three months prior to harvesting;
- (c) immediately prior to their export, they have been officially inspected and found free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess) and have been subjected to an appropriate treatment against *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess); or
- (d) they originate from plant material (explant) which is free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess), are grown *in vitro* in a sterile medium under sterile conditions that preclude the possibility of infestation with *Liriomyza huidobrensis* (Blanchard) or *Liriomyza trifolii* (Burgess) and are shipped in transparent containers under sterile conditions



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62. Plants with roots, planted or intended for planting, grown in the open air, originating in any third country
- The plants must be accompanied by an official statement that:
- (a) the place of production is known to be free from *Clavibacter michiganensis* ssp. *sepedonicus* (Spieckermann and Kotthoff) Davis *et al.* and *Synchytrium endobioticum* (Schilbersky) Percival; and
  - (b) the plants originate from a field known to be free from *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens
63. Soil or growing medium that:
- is attached to, or accompanies, plants for the purposes of sustaining the vitality of those plants,
  - consists wholly or partly of soil or any solid organic substance such as parts of plants or humus (including peat or bark) or partly of any solid inorganic substance, and
  - originates in Belarus, Georgia, Moldova, Russia, Turkey, Ukraine or any country outside Europe, other than Algeria, Egypt, Israel, Libya, Morocco or Tunisia
- The growing material must be accompanied by an official statement that:
- (a) at the time of planting it was:
    - (i) free from soil and organic matter;
    - (ii) found to be free from insects and harmful nematodes and subjected to appropriate examination or heat treatment or fumigation to ensure that it was free from other plant pests; or
    - (iii) subjected to appropriate heat treatment or fumigation to ensure freedom from plant pests; and
  - (b) since planting:
    - (i) appropriate measures have been taken to ensure that the growing material has been maintained free from plant pests; or
    - (ii) within two weeks prior to dispatch, the plants were shaken free from the material leaving the minimum amount necessary to sustain vitality during transport, and, if replanted, the growing material used for that purpose meets the requirements in paragraph (a)
64. Plants, other than seeds, of *Beta vulgaris* L., intended for planting, originating in any third country
- The plants must be accompanied by an official statement that no symptoms of Beet curly top virus (non-European isolates) have been observed since the beginning of the last complete cycle of vegetation
65. Plants, other than seeds, of *Beta vulgaris* L., intended for planting, originating in any third country in which Beet leaf curl virus is known to occur
- The plants must be accompanied by an official statement that:
- (a) Beet leaf curl virus has not been known to occur in the area of production; and
  - (b) no symptoms of Beet curly top virus have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
66. Plants, other than:
- bulbs,
  - corms,
  - rhizomes,
- The plants must be accompanied by an official statement that they have been grown in a nursery and:

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- seeds, or  
-tubers, intended for planting, originating in any third country
- (a) originate in an area established in the country of export by the national plant protection organisation in that country as being free from *Thrips palmi* Karny, in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”;
- (b) originate in a place of production established in the country of export by the national plant protection organisation in that country as being free from *Thrips palmi* Karny, in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”, and declared free from *Thrips palmi* Karny on official inspections carried out at least monthly during the three months prior to export;
- (c) immediately prior to export, have been subjected to an appropriate treatment against *Thrips palmi* Karny and have been officially inspected and found free from *Thrips palmi* Karny. Details of the treatment must be mentioned on the phytosanitary certificate or phytosanitary certificate for re-export; or
- (d) they originate from plant material (explant) which is free from *Thrips palmi* Karny, are grown in vitro in a sterile medium under sterile conditions that preclude the possibility of infestation with *Thrips palmi* Karny and are shipped in transparent containers under sterile conditions
67. Cut flowers of Orchidaceae [<sup>F9</sup>originating in any third country, other than Thailand;] or fruits of *Momordica* L. or *Solanum melongena* L., originating in any third country
- The cut flowers and fruits must be accompanied by an official statement that:
- (a) they originate in a country free from *Thrips palmi* Karny; or
- (b) immediately prior to their export, they have been officially inspected and found free from *Thrips palmi* Karny
68. Fruits of *Capsicum* L., originating in Belize, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, Panama, Puerto Rico, the USA or French Polynesia where *Anthonomus eugenii* is known to occur
- The fruits must be accompanied by an official statement that they:
- (a) originate in an area free from *Anthonomus eugenii* Cano, established by the national plant protection organisation in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; or

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- (b) originate in a place of production, established in the country of export by the national plant protection organisation in that country, as being free from *Anthonomus eugenii* Cano in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”, and declared free from *Anthonomus eugenii* Cano on official inspections carried out at least monthly during the two months prior to export at the place of production and its immediate vicinity
69. Specified plants within the meaning of Article 1(b) of Decision 2018/638, originating in Africa or in the Americas
- The plants must be accompanied by an official statement that they:
- (a) originate in a third country where the specified organism is not known to be present; or
- (b) originate in an area free from *Spodoptera frugiperda* (Smith) as established by the national plant protection organisation in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”; or
- (c) originate in areas other than those referred to in points (a) and (b), and they comply with the following conditions:
- (i) the plants have been produced in a production site which is registered and supervised by the national plant protection organisation in the country of origin;
- (ii) official inspections have been carried out in the production site during the three months prior to export, and no presence of *Spodoptera frugiperda* (Smith) has been detected on the plants;
- (iii) prior to their export, the plants have been subject to an official inspection and found free from *Spodoptera frugiperda* (Smith);
- (iv) information ensuring the traceability of the plants to their site of production has been ensured during their movement prior to export;
- (v) the plants have been produced in a production site which is provided with complete physical protection against the introduction of *Spodoptera frugiperda* (Smith); or
- (d) originate in areas other than those referred to in points (a) and (b), and they:

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- (i) comply with points (c)(i) to (iv); and  
(ii) have been subjected to an effective treatment to ensure freedom from *Spodoptera frugiperda* (Smith); or  
(e) have been subjected to an effective post-harvest treatment to ensure freedom from *Spodoptera frugiperda* (Smith), and the treatment is indicated on the phytosanitary certificate or phytosanitary certificate for re-export
70. Plants, other than seeds, of Palmae, intended for planting, originating in any country outside Europe
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Palm lethal yellowing mycoplasma and Cadang-Cadang viroid, and no symptoms have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation;  
(b) no symptoms of Palm lethal yellowing mycoplasma or Cadang-Cadang viroid have been observed on the plants since the beginning of the last complete cycle of vegetation, and plants at the place production which have shown symptoms giving rise to the suspicion of contamination by the diseases have been rogued out at that place and the plants have undergone appropriate treatment to rid them of *Mynchus crudus* Van Duzzee; or  
(c) in the case of plants in tissue culture, the plants were derived from plants which have met the requirements in paragraphs (a) or (b)
71. Plants of Palmae, intended for planting, having a diameter of the stem at the base of over 5cm and belonging to the following genera:  
*Brahea* Mart,  
*Butia* Becc.,  
*Chamaerops* L.,  
*Jubaea* Kunth,  
*Livistona* R. Br.,  
*Phoenix* L.,  
*Sabal* Adans.,  
*Syagrus* Mart.,  
*Trachycarpus* H. Wendl.,  
*Trithrinax* Mart.,  
*Washingtonia* Raf.
- The plants must be accompanied by an official statement that they:
- (a) have been grown throughout their life in a country where *Paysandisia archon* (Burmeister) is not known to occur;  
(b) have been grown throughout their life in an area free from *Patsandisia archon* (Burmeister), established by the national plant protection organisation in accordance with ISPM No. 4;  
(c) have, during a period of at least two years prior to export, been grown in a place of production:  
(i) which is registered and supervised by the national plant protection organisation in the country of origin;  
(ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandisia archon*

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- (Burmeister) or with the application of appropriate preventive treatments; and  
(iii) where, during three official inspections per year carried out at appropriate times, including immediately prior to export, no signs of *Paysandisia archon* (Burmeister) have been observed
72. Plants, other than seeds, of *Fuchsia* L., intended for planting, originating in the USA or Brazil The plants must be accompanied by an official statement that no symptoms of *Aculops fuchsiae* Keifer have been observed at the place of production and that immediately prior to export the plants have been inspected and found free from *Aculops fuchsiae* Keifer
73. Trees or shrubs, other than seeds or plants in tissue culture, intended for planting, originating in any third country other than a country in the Euro-Mediterranean area The trees and shrubs must be accompanied by an official statement that they:  
(a) have been grown in a nursery;  
(b) are free from plant debris, flowers and fruits; and  
(c) have been inspected at appropriate times and prior to export and found free from symptoms of harmful bacteria, viruses, and virus-like organisms, and either found free from signs or symptoms of harmful nematodes, insects, mites and fungi, or have been subjected to appropriate treatment to eliminate such organisms
74. Deciduous trees or shrubs, other than seeds or plants in tissue culture, intended for planting, originating in any third country other than a country in the Euro-Mediterranean area The trees and shrubs must be accompanied by an official statement that they are dormant and free from leaves
75. Annual or biennial plants, other than plants of *Gramineae* or seeds, intended for planting, originating in any third country other than a country in the Euro-Mediterranean area The plants must be accompanied by an official statement that they:  
(a) have been grown in a nursery;  
(b) are free from plant debris, flowers and fruits; and  
(c) have been inspected at appropriate times and prior to export; and  
(i) found free from symptoms of harmful bacteria, viruses and virus-like organisms; and  
(ii) found free from signs or symptoms of harmful nematodes, insects, mites and fungi, or have been subjected to appropriate treatment to eliminate such organisms
76. Plants, other than seeds, of the family *Gramineae*, of ornamental perennial grasses of the subfamilies *Bambusoideae*, *Panicoideae* or of the genera The plants must be accompanied by an official statement that they:  
(a) have been grown in a nursery;

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- Buchloe*, *Bouteloua* Lag., *Calamagrostis*, *Cortaderia* Stapf., *Glyceria* R. Br., *Hakonechloa* Mak. ex. Honda, *Hystrix*, *Molinia*, *Phalaris* L. *Shibataea*, *Spartina* Schreb., *Stipa* L. or *Uniola* L., intended for planting, originating in any third country other than a country in the Euro-Mediterranean area
- (b) are free from plant debris, flowers and fruits;
- (c) have been inspected at appropriate times and prior to export; and
- (i) found free from symptoms of harmful bacteria, viruses and virus-like organisms; and
- (ii) found free from signs or symptoms of harmful nematodes, insects, mites and fungi, or have been subjected to appropriate treatment to eliminate such organisms
77. Naturally or artificially dwarfed plants, other than seeds, intended for planting, originating in any third country outside Europe
- The plants must be accompanied by an official statement that:
- (a) the plants, including those collected directly from natural habitats, have been grown, held and trained for at least two consecutive years prior to dispatch in an officially registered nursery which is subject to an officially supervised control regime; and
- (b) the plants have at least during that period:
- (i) been potted in pots which have been placed on shelves at least 50 cm above ground;
- (ii) have been subjected to appropriate treatments to ensure freedom from non-European rusts (and the active ingredient, concentration and date of application of these treatments must be mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “disinfestation and/or disinfection treatment”);
- (iii) have been officially inspected at least six times a year at appropriate intervals for the presence of plant pests mentioned in the Schedules to this Order, along with the plants in the immediate vicinity of the nursery, by visual examination of each row in the field or nursery and all parts of the plant above the growing medium, using a random sample of at least 300 plants from a given genus where the number of plants of that genus is not more than 3,000 plants, or 10% of the plants if there are more than 3,000 plants from that genus;
- (iv) have been found free, in the inspections referred to in paragraph (iii), from the relevant plant pests or where infested, have been removed, and the remaining plants have been effectively treated and held for an

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appropriate period and inspected to ensure freedom from such plant pests;

(v) have been planted in an unused artificial growing medium or in a natural growing medium which has been treated by fumigation or by appropriate heat treatment and examined afterwards and found free of any plant pests; and

(vi) have been kept under conditions which ensure that the growing medium has been maintained free from plant pests and within two weeks prior to dispatch, have been:

(aa) shaken and washed with clean water to remove the original growing medium and kept bare rooted; or

(bb) shaken and washed with clean water to remove the original growing medium and replanted in growing medium which meets the conditions in paragraph (v); or

(cc) subjected to appropriate treatments to ensure that the growing medium is free from plant pests (and the active ingredient, concentration and date of application of these treatments must be mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “disinfestation and/or disinfection treatment”); and

(c) the plants have been packed in closed containers which have been officially sealed and bear the registration number of the registered nursery, and the registration number must be indicated on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration” for identification purposes

78. Herbaceous perennial plants, other than seeds, intended for planting, of the families Caryophyllaceae (except *Dianthus* L.), Compositae (except *Dendranthema* (DC.) Des Moul.), Cruciferae, Leguminosae or Rosaceae (except *Fragaria* L.), originating in any third country other than a country in the Euro-Mediterranean area
- The plants must be accompanied by an official statement that they:
- (a) have been grown in a nursery;
- (b) are free from plant debris, flowers and fruits; and
- (c) have been inspected at appropriate times and prior to export; and found free from:
- (i) symptoms of harmful bacteria, viruses, and virus-like organisms; and
- (ii) signs or symptoms of harmful nematodes, insects, mites and fungi, or have been subjected to appropriate treatment to eliminate such organisms
79. Plants, other than bulbs, corms, rhizomes, seeds or tubers, of herbaceous species or
- The plants must be accompanied by an official statement that:

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plants of *Ficus* L. or *Hibiscus* L., intended for planting, originating in any country outside Europe

(a) they originate in an area established in the country of export by the national plant protection organisation in that country as being free from *Bemisia tabaci* Genn. (non-European populations), in accordance with ISPM No. 4, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”;

(b) they originate in a place of production established in the country of export by the national plant protection organisation in that country as being free from *Bemisia tabaci* Genn. (non-European populations), in accordance with ISPM No. 10, and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “Additional declaration”, and declared free from *Bemisia tabaci* Genn. (non-European populations) on official inspections carried out at least once each three weeks during the nine weeks prior to export;

(c) in cases where *Bemisia tabaci* Genn. (non-European populations) has been found at the place of production, they are held or produced in this place of production and have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (non-European populations) and subsequently this place of production has been found free from *Bemisia tabaci* Genn. (non-European populations) as a consequence of the implementation of appropriate procedures aimed at eradicating *Bemisia tabaci* Genn. (non-European populations) in official inspections carried out weekly during the nine weeks prior to export and in monitoring procedures throughout the period. Details of the treatment must be mentioned on the phytosanitary certificate or phytosanitary certificate for re-export; or

(d) they originate from plant material (explant) which is free from *Bemisia tabaci* Genn. (non-European populations), are grown *in vitro* in a sterile medium under sterile conditions that preclude the possibility of infestation with *Bemisia tabaci* Genn. (non-European populations) and are shipped in transparent containers under sterile conditions



**Status:** Point in time view as at 22/07/2019.

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80. Cut flowers of *Aster* spp., *Eryngium* L., *Gypsophila* L., *Hypericum* L., *Lisianthus* L., *Rosa* L., *Solidago* L. or *Trachelium* L. or leafy vegetables of *Ocimum* L., originating in any country outside Europe The cut flowers and leafy flowers must be accompanied by an official statement that:  
(a) they originate in a country free from *Bemisia tabaci* Genn. (non-European populations); or  
(b) immediately prior to their export, they have been officially inspected and found free from *Bemisia tabaci* Genn. (non-European populations)
81. Plants, other than seeds, of *Solanum lycopersicum* L., intended for planting, originating in any third country where Tomato yellow leaf curl virus is known to occur and *Bemisia tabaci* Genn. is not known to occur The plants must be accompanied by an official statement that no symptoms of Tomato yellow leaf curl virus have been observed on the plants
82. Plants, other than seeds, of *Solanum lycopersicum* L., intended for planting, originating in any third country where Tomato yellow leaf curl virus and *Bemisia tabaci* Genn. are known to occur The plants must be accompanied by an official statement that:  
(a) no symptoms of Tomato yellow leaf curl virus have been observed on the plants; and  
(i) the plants originate in an area known to be free from *Bemisia tabaci* Genn.; or  
(ii) the place of production has been found free from *Bemisia tabaci* Genn. On official inspections carried out at least monthly during the three months prior to export; or  
(b) no symptoms of Tomato yellow leaf curl virus have been observed at the place of production and the place of production has been subjected to an appropriate treatment and monitoring regime to ensure freedom from *Bemisia tabaci* Genn.
83. Plants, other than seeds, bulbs, tubers, corms or rhizomes, intended for planting, originating in any third country where the following plant pests are known to occur:  
-Bean golden mosaic virus,  
-Cowpea mild mottle virus,  
-Lettuce infectious yellow virus,  
-Pepper mild tigré virus,  
-Squash leaf curl virus, or  
-other viruses transmitted by *Bemisia tabaci* Genn., and where *Bemisia tabaci* Genn. (non-European populations) or other vectors of the relevant plant pests are not known to occur The plants must be accompanied by an official statement that no symptoms of the relevant plant pests in column 2 of this item have been observed on the plants during their complete cycle of vegetation
84. Plants, other than seeds, bulbs, tubers, corms or rhizomes, intended for planting, originating in any third country where the following plant pests are known to occur:  
-Bean golden mosaic virus,  
-Cowpea mild mottle virus, The plants must be accompanied by an official statement that no symptoms of the relevant plant pests in column 2 of this item have been observed on the plants during an adequate period, and:

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- Lettuce infectious yellow virus,  
 -Pepper mild tigré virus,  
 -Squash leaf curl virus, or  
 -other viruses transmitted by *Bemisia tabaci* Genn., and where *Bemisia tabaci* Genn. (non-European populations) or other vectors of the relevant plant pests are known to occur
- (a) the plants originate in an area known to be free from *Bemisia tabaci* Genn. and other vectors of the plant pests;  
 (b) the place of production has been found free from *Bemisia tabaci* Genn. and other vectors of the plant pests on official inspections carried out at appropriate times;  
 (c) the plants have been subjected to an appropriate treatment aimed at eradicating *Bemisia tabaci* Genn.; or  
 (d) the plants originate from plant material (explant) which is free from *Bemisia tabaci* Genn. (non-European populations) and which did not show any symptoms of *Bemisia tabaci* Genn. (non-European populations), are grown in vitro in a sterile medium under sterile conditions that preclude the possibility of infestation with *Bemisia tabaci* Genn. (non-European populations) and are shipped in transparent containers under sterile conditions
85. Seeds of *Helianthus annuus* L., originating in any third country
- The seeds must be accompanied by an official statement that:
- (a) they originate in an area known to be free from *Plasmopara halstedii* (Farlow) Berl. and de Toni; or  
 (b) other than those that have been produced on varieties resistant to all races of *Plasmopara halstedii* (Farlow) Berl. and de Toni present in the area of production, they have been subjected to an appropriate treatment against *Plasmopara halstedii* (Farlow) Berl. and de Toni
86. Seeds of *Solanum lycopersicum* L., originating in any third country
- The seeds must be accompanied by an official statement that they have been obtained by means of an appropriate acid extraction method and:
- (a) they originate in an area where *Clavibacter michiganensis* ssp. *michiganensis* (Smith) Davis et al., *Xanthomonas campestris* pv. *vesicatoria* (Doidge) Dye or Potato spindle tuber viroid are not known to occur;  
 (b) no symptoms of the diseases caused by those plant pests have been observed on the plants at the place of production during their complete cycle of vegetation; or  
 (c) the seeds have been subjected to official testing for at least those plant pests on a representative sample and using appropriate methods, and have been found free from those plant pests

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87. Seeds of *Medicago sativa* L., originating in any third country The seeds must be accompanied by an official statement that:
- (a) no symptoms of *Ditylenchus dipsaci* (Kühn) Filipjev have been observed at the place of production since the beginning of the last complete cycle of vegetation and no *Ditylenchus dipsaci* (Kühn) Filipjev has been revealed by laboratory tests on a representative sample;
  - (b) fumigation has taken place prior to export; or
  - (c) the seeds have been subjected to an appropriate physical treatment against *Ditylenchus dipsaci* (Kühn) Filipjev and have been found to be free of *Ditylenchus dipsaci* (Kühn) Filipjev after laboratory tests on a representative sample
88. Seeds of *Medicago sativa* L., originating in any third country where *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.* is known to occur The seeds must be accompanied by an official statement that:
- (a) *Clavibacter michiganensis* ssp. *insidiosus* David *et al.* has not been known to occur on the farm or in its immediate vicinity since the beginning of the last 10 years;
  - (b) either:
    - (i) the crop belongs to a variety recognised as being highly resistant to *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.*;
    - (ii) it has not yet started its fourth complete cycle of vegetation from sowing when the seed was harvested, and there was not more than one preceding seed harvest from the crop; or
    - (iii) the content of inert matter which has been determined in accordance with the rules applicable for the certification of seed marketed in the European Union, does not exceed 0.1% by weight;
  - (c) no symptoms of *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.* have been observed at the place of production, or on any *Medicago sativa* L. crop adjacent to it, during the last complete cycle of vegetation or, where appropriate, the last two cycles of vegetation; and
  - (d) the crop has been grown on land on which no previous *Medicago sativa* L. crop has been present during the last three years prior to sowing
89. Seeds of *Oryza sativa* L., originating in any third country The seeds must be accompanied by an official statement that:
- (a) they have been officially tested by appropriate nematological tests and have

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- been found free from *Aphelenchoides besseyi* Christie; or  
 (b) they have been subjected to an appropriate hot water treatment or other appropriate treatment against *Aphelenchoides besseyi* Christie
90. Seeds of *Phaseolus* L., originating in any third country The seeds must be accompanied by an official statement that:  
 (a) they originate in an area known to be free from *Xanthomonas campestris* pv. *phaseoli* (Smith) Dye; or  
 (b) a representative sample of the seeds has been tested and found free from *Xanthomonas campestris* pv. *phaseoli* (Smith) Dye
91. Seeds of *Zea mays* L., originating in any third country The seeds must be accompanied by an official statement that:  
 (a) they originate in an area known to be free from *Erwinia stewartii* (Smith) Dye; or  
 (b) a representative sample of the seeds has been tested and found free from *Erwinia stewartii* (Smith) Dye
92. Seeds of the genera *Triticum*, *Secale* or *XTriticosecale* from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan, South Africa or the USA where *Tilletia indica* Mitra is known to occur The seeds must be accompanied by an official statement that they originate in an area where *Tilletia indica* Mitra is known not to occur, and the name of the area must be mentioned on the phytosanitary certificate or the phytosanitary certificate for re-export
93. Grain of the genera *Triticum*, *Secale* or *XTriticosecale* from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan, South Africa or the USA where *Tilletia indica* Mitra is known to occur The grain must be accompanied by an official statement that:  
 (a) it originates in an area where *Tilletia indica* Mitra is known not to occur, and the name of the area must vbe mentioned on the phytosanitary certificate or the phytosanitary certificate for re-export under the heading “place or origin”; or  
 (b) no symptoms of *Tilletia indica* Mitra have been observed on the plants at the place of production during their last complete cycle of vegetation and representative samples of the grain have been taken both at the time of harvest and before shipment and have been tested and found free from *Tilletia indica* Mitra, which must be evidenced by a statement “tested and found free from *Tilletia indica* Mitra” on the phytosanitary certificate or phytosanitary certificate for re-export under the heading “name of produce”
- [<sup>F</sup>1093A. Cut flowers of Orchidaceae originating in Thailand The cut flowers must be accompanied by a phytosanitary certificate or phytosanitary

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certificate for re-export which includes an official statement under the heading “Additional declaration” that they have been:

(a) produced at a place of production which has been found to be free from *Thrips palmi* Karny in official inspections carried out at least monthly during the three months prior to export; or

(b) subjected, as a consignment prior to export, to an appropriate fumigation treatment to ensure freedom from thysanoptera.

Where paragraph (b) applies, the specification of the fumigation treatment must also be included under the heading “Disinfestation and/or disinfection treatment” of the certificate]

94. Susceptible plants within the meaning of Article 1(2) of Decision [2002/757/EC](#) originating in the USA
- The plants must be accompanied by a phytosanitary certificate or a phytosanitary certificate for re-export which includes:
- (a) an official statement under the heading “Additional declaration” that they:
- (i) meet the requirements in point 1a(a) or 1a(b) of Annex 1 to Decision [2002/757/EC](#); and
- (ii) have been found free from non-European isolates of *Phytophthora ramorum* Werres, De Cock & Man in't Veld sp. nov.; and
- (b) where point 1a(a) of that Annex applies, the name of the area in which they originate under the heading “place of origin”
- [<sup>F11</sup>94A. Seeds of *Solanum lycopersicum* L. originating in any third country
- L. The seeds must be accompanied by a phytosanitary certificate or phytosanitary certificate for re-export which includes an official statement under the heading “Additional declaration” that they have been obtained by means of an appropriate acid extraction method and that they:
- (a) originate in an area in which Pepino mosaic virus is known not to occur;
- (b) no symptoms of Pepino mosaic virus have been observed on the plants at the place of production during their complete cycle of vegetation; or

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- (c) have undergone official testing for Pepino mosaic virus on a representative sample and using appropriate methods, and have been found in these tests to be free from Pepino mosaic virus]
95. Specified plants within the meaning given in Article 1(2) of Decision [2007/433/EC](#) originating in any third country
- The plants must be accompanied by a phytosanitary certificate or a phytosanitary certificate for re-export which includes an official statement under the heading “Additional declaration” that they:
- (a) originate in a place of production which is registered and supervised by the national plant protection organisation in the country of origin; and
- (b) meet the requirements specified in point 1(a), (b) or (c) of Annex 1 to Decision [2007/433/EC](#)
96. Specified plants within the meaning of Article 1(a) of Decision 2012/138/EU originating in China
- The plants must be accompanied by a phytosanitary certificate or phytosanitary certificate for re-export which includes:
- (a) an official statement under the heading “Additional declaration” in accordance with point 1 of Section 1(B) of Annex 1 to Decision 2012/138/EU; and
- (b) where point 1(b) of that Section applies, the place of production of the plants must meet the requirements specified in Article 3(c) of Decision 2012/138/EU
97. Specified plants within the meaning of Article 1(a) of Decision 2012/138/EU originating in any third country where *Anoplophora chinensis* (Forster) is known to be present, other than China
- The plants must be accompanied by a phytosanitary certificate or phytosanitary certificate for re-export which includes:
- (a) an official statement under the heading “Additional declaration” in accordance with point 1 of Section 1(A) of Annex 1 to Decision 2012/138/EU; and
- (b) where point 1(a) of that Section applies, the name of the relevant pest-free area under the heading “place of origin”
98. Tubers of *Solanum tuberosum* L., intended for planting, originating in any third country where *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner) is known to be present
- The tubers must be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with Section 1 of Annex 1 to Decision 2012/270/EU
99. Plants, other than seeds, intended for planting, which can only grow in water or soil that is permanently saturated with water and which originate in any third country
- The plants must be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with Section 1 of Annex 1 to Decision 2012/697/EU

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100. Live pollen of *Actinidia* Lindl. or plants, other than seeds, of *Actinidia* Lindl. intended for planting, originating in any third country
- The live pollen or plants must be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with Section 1 of Annex 1 to Decision 2012/756/EU
101. Specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 originating in any third country, other than a third country where *Xylella fastidiosa* (Wells et al.) is known to be present
- The plants must:
- (a) originate in a third country which has been notified to the European Commission by the national plant protection organisation of the third country concerned as being a country where the specified organism is not present in accordance with Article 16(a) of Decision (EU) 2015/789; and
  - (b) be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration”:
    - (i) in accordance with Article 16(b) of that Decision; or
    - (ii) in the case of plants, other than seeds, intended for planting, of *Coffea*, *Lavandula dentata* L., *Nerium oleander* L., *Olea europaea* L., *Polygala myrtifolia* L., or *Prunus dulcis* (Mill.) D.A. Webb, in accordance with Article 16(b) and the second subparagraph of Article 16 of that Decision.
102. Specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 originating in any third country where *Xylella fastidiosa* (Wells et al.) is known to be present
- The plants must be accompanied by a phytosanitary certificate which includes:
- (a) in the case of plants originating in an area which has been established as free from *Xylella fastidiosa* (Wells et al.) in accordance with ISPM No. 4 and has been notified to the European Commission by the relevant national plant protection organisation in accordance with Article 17(2)(a) of Decision 2015/789, the name of the area under the heading “place of origin”;
  - (b) in the case of plants which originate in an area where *Xylella fastidiosa* (Wells et al.) is known to be present and have not been grown for their entire production cycle in *vitro*:
    - (i) an official statement under the heading “Additional declaration” in accordance with Article 17(3) of that Decision; and
    - (ii) the name of the site from which they originate under the heading “place of origin”;
  - (c) in the case of plants which originate in an area where *Xylella fastidiosa* (Wells et al.) is

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- known to be present and have been grown for their entire production cycle *in vitro*:  
 (i) an official statement under the heading “Additional declaration” in accordance with Article 17(3a) of that Decision; and  
 (ii) the name of the site from which they originate under the heading “place of origin”
103. F12 F12  
 . . . . .
104. Specified plants within the meaning of Article 1(a) of Decision (EU) 2015/893 originating in any third country where *Anoplophora glabripennis* (Motschulsky) is known to be present The plants must be accompanied by a phytosanitary certificate or a phytosanitary certificate for re-export which includes:  
 (a) an official statement under the heading “Additional declaration” that they meet the requirements specified in point (1)(a), (b) or (c) of Section 1(A) of Annex II to Decision (EU) 2015/893; and  
 (b) where point (1)(a) of that Section applies, the name of the relevant pest-free area under the heading “place of origin”
105. Plants of *Fraxinus* L., intended for planting originating in any third country The plants must be accompanied by a phytosanitary certificate which has been issued by the national plant protection organisation of the country from which the plants originate and which includes under the heading “Additional declaration” an official statement that the plants have been grown throughout their life in an area which has been established and is maintained as an area free from *Chalara fraxinea* T. Kowalski (including its teleomorph *Hymenoscyphus pseudoalbidus*) in accordance with ISPM No. 4
- [<sup>F13</sup>106. Specified plants within the meaning of Article 1(b) of Decision (EU) 2018/1503 originating in any third country where *Aromia bungii* (Faldermann) is known to be present The plants must be accompanied by a phytosanitary certificate or phytosanitary certificate for re-export which includes an official statement under the heading “Additional Declaration”:  
 (a) that the plants have been grown throughout their life in a place of production which is registered and supervised by the national plant protection organisation in the country of origin and situated in an area, established by that organisation, in accordance with ISPM No. 4 and mentioned under the entry “place of origin”; or  
 (b) that the plants have been grown during a period of at least two years prior to



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export, or, in the case of plants which are younger than two years, have been grown throughout their life, in a place of production established as free from *Aromia bungii* (Faldermann), in accordance with ISPMNo. 4 and that the following conditions are fulfilled:

(i) the place of origin is registered and supervised by the national plant protection organisation in the country of origin and mentioned ;

(ii) the place of production has been subjected annually to at least two meticulous official inspections for any sign of *Aromia bungii* (Faldermann) carried out at appropriate times, and no signs of the organisms have been found;

(iii) the place of production is with complete physical protection against the introduction of *Aromia bungii* (Faldermann), or has been subjected to appropriate preventive treatment and surrounded by a buffer zone with a radius of at least 4 km where official surveys for the presence or signs of *Aromia bungii* (Faldermann) are carried out annually at appropriate times;

(iv) where the presence or signs of *Aromia bungii* (Faldermann) have been found, eradication measures under Article 6 of Decision 2018/1503 have been taken to restore the pest freedom of the buffer zone;

(v) immediately prior to export, consignments of the plants have been subjected to a meticulous official inspection for the presence of *Aromia bungii* (Faldermann) , in particular in stems and branches of those plants. That inspection has included targeted destructive sampling under Article 11(b)(v) of Decision 2018/1503; or

(c) that the plants have been grown from rootstocks which fulfil the requirements of point (b), grafted with scions which meet the following requirements:

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(i) at the time of export, the grafted scions are no more than 1 cm in diameter at their thickest point;

(ii) the grafted plants have been inspected in accordance with point (b)(ii)]

#### Textual Amendments

- F9** Words in Sch. 4 Pt. A item 67 inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(1)(a)**
- F10** Sch. 4 Pt. A item 93A inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(1)(b)**
- F11** Sch. 4 Pt. A item 94A inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(1)(c)**
- F12** Sch. 4 Pt. A item 103 omitted (28.3.2019) by virtue of [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(1)(d)**
- F13** Sch. 4 Pt. A item 106 inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(1)(e)**

#### Marginal Citations

- M30** Part A of Annex IV to Council Directive 2000/29/EC (OJ No L 169, 10.7.2000, p. 1), as last amended by Regulation (EU) No 652/2014 (OJ No L 189, 27.6.2014, p. 1).

## PART B

Relevant material, from the European Union, which may only be introduced into or moved within Northern Ireland if special requirements are complied with

<i>Item</i>	<i>Description of relevant material</i>	<i>Requirements of introduction</i>
1.	Plants, other than seeds, of <i>Pinus</i> L., intended for planting	The plants must be accompanied by an official statement that no symptoms of <i>Scirrhia pini</i> Funk and Parker have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
2.	Plants, other than seeds, of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L., <i>Pseudotsuga</i> Carr. or <i>Tsuga</i> Carr., intended for planting	The plants must be accompanied by an official statement that no symptoms of <i>Melampsora medusa</i> Thümen have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
3.	Plants, other than seeds, of <i>Populus</i> L., intended for planting	The plants must be accompanied by an official statement that no symptoms of <i>Melampsora medusa</i> Thümen have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation

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4. Plants, other than seeds, of *Castanea* Mill., or *Quercus* L., intended for planting The plants must be accompanied by an official statement that:
  - (a) they originate in an area known to be free from *Cryphonectria parasitica* (Murrill) Barr; or
  - (b) no symptoms of *Cryphonectria parasitica* (Murrill) Barr have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
5. Plants, other than seeds, of *Platanus* L., intended for planting The plants must be accompanied by an official statement that:
  - (a) they originate in an area known to be free from *Ceratocystis platani* (J.M. Walter) Engelbr. & T.C. Harr.; or
  - (b) no symptoms of *Ceratocystis platani* (J.M. Walter) Engelbr. & T.C. Harr. Have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
6. Plants, other than deeds, of *Ulmus* L., intended for planting The plants shall be accompanied by an official statement that no symptoms of Candidatus Phytoplasma ulmi have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
7. Plants, other than seeds of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L., intended for planting The plants must be accompanied by an official statement that:
  - (a) they originate in a zone recognised as being free from *Erwinia amylovora* (Burr.) Winsl. et al.; or
  - (b) the plants in the field of production or in its immediate vicinity which have shown symptoms of *Erwinia amylovora* (burr.) Winsl. et al. have been rogued out
8. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* swingle or *Poncirus* Raf. The plants must be accompanied by an official statement that:
  - (a) they originate in an area known to be free from *Spiroplasma citri* Saglio et al., *Phoma tracheiphila* (Petri) Kanchaveli and Gikashvili and *Citrus tristeza* virus (European strains);
  - (b) the plants derive from a certification scheme requiring them to be derived from material which has been maintained under appropriate conditions and has been subjected to official individual testing for, at least, *Citrus tristeza* virus (European strains), using appropriate tests or methods in line with international standards, and have been growing permanently in an insect proof

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glasshouse or isolated cage on which no symptoms of *Spiroplasma citri* Saglio *et al.*, *Phoma tracheiphila* (Petri) Kanchaveli and Gikashvili or *Citrus tristeza* virus (European strains) have been observed; or

(c) they:

(i) have been derived from a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official individual testing for at least, *Citrus tristeza* virus (European strains), using appropriate tests or methods in line with international standards and been found free from *Citrus tristeza* virus (European strains) and certified free from at least *Citrus tristeza* virus (European strains) in official individual tests carried out according to the methods mentioned in this paragraph; and

(ii) have been inspected and no symptoms of *Spiroplasma citri* Saglio *et al.*, *Phoma tracheiphila* (Petri) Kancheveli or *Citrus tristeza* virus (European strains) have been observed since the beginning of the last complete cycle of vegetation

9. Plants, other than fruit or seeds, of *Citrus* L., *Choisya* Kunth, *Fortunella* Swingle, *Poncirus* Raf., *Casimiroa* La Llave, *Clausena* Burm f., *Murraya* J. Keonig ex L., *Vepris* Comm. or *Zanthoxylum* L. The plants shall be accompanied by an official statement that:
- (a) they originate in an area free from *Trioza erytrae* Del Guercio, established by the national plant protection organisation in accordance with ISPM No. 4;
- (b) they have been grown in a place of production:
- (i) which is registered and supervised by the relevant competent authority in the member State of origin;
- (ii) where the plants were placed in a site with complete physical protection against the introduction of *Trioza erytrae* Del Guercio; and
- (iii) where two official inspections were carried out at appropriate times during the last complete cycle of vegetation prior to their movement from the site, and no signs of that plant pest were observed in that site or in the surrounding area with a width of at least 200 m
10. Plants of Araceae, Marantaceae, Musaceae, *Persea* spp. or Strelitziaceae, rooted or with growing medium attached The plants must be accompanied by an official statement that:
- (a) no contamination by *Radopholus similis* (Cobb) Thorne has been observed at the

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- or which appear to have been in contact with growing medium
- place of production since the beginning of the last complete cycle of vegetation; or
- (b) soil and roots from suspected plants have been subjected since the beginning of the last complete cycle of vegetation to official nematological testing for at least *Radopholus similis* (Cobb) Thorne and have been found to be free from that plant pest
11. Plants, other than seeds, of *Fragaria* L., *Prunus* L. or *Rubus* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from the following plant pests:
- (i) in the case of *Fragaria* L.:  
*Phytophthora fragariae* Hickman var. *fragariae*,  
-Arabis mosaic virus,  
-Raspberry ringspot virus,  
-Strawberry crinkle virus,  
-Strawberry latent ringspot virus,  
-Strawberry mild yellow edge virus,  
-Tomato black ring virus,  
*Xanthomas fragariae* Kennedy and King;
- (ii) in the case of *Prunus* L.:  
-Apricot chlorotic leafroll mycoplasma,  
*Xanthomonas arboricola* pv. *Pruni* (Smith) Vauterin *et al.*;
- (iii) in the case of *Prunus persica* (L.) Batsch:  
*Pseudomonas syringae* pv. *persicae* (Prunier *et al.*) Young *et al.*; and
- (iv) in the case of *Rubus* L.;  
-Arabis mosaic virus,  
-Raspberry ringspot virus,  
-Strawberry latent ringspot virus,  
-Tomato black ring virus; or
- (b) no symptoms of diseases caused by the plant pests in paragraph (a) have been observed on plants at the place of production since the beginning of the last complete cycle of vegetation
12. Plants, other than seeds, of *Cydonia* Mill. or *Pyrus* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Pear decline mycoplasma; or
- (b) plants at the place of production or in its immediate vicinity which have shown symptoms giving rise to the suspicion of contamination by Pear decline mycoplasma, have been rogued out at that place within the last three complete cycles of vegetation

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13. Plants, other than seeds, of *Fragaria* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from *Aphelenchoides besseyi* Christie;
  - (b) no symptoms of *Aphelenchoides besseyi* Christie have been observed on plants at the place of production since the beginning of the last complete cycle of vegetation; or
  - (c) in the case of plants in tissue culture, the plants have been derived from plants complying with paragraph (b) or have been officially tested by appropriate nematological methods and have been found free from *Aphelenchoides besseyi* Christie
14. Plants, other than seeds, of *Malus* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Apple proliferation mycoplasma; or
  - (b) other than plants raised from seed, they have been:
    - (i) officially certified under a certification scheme requiring them to be derived in direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for at least Apple proliferation mycoplasma using appropriate indicators or equivalent methods and has been found free from that plant pest; or
    - (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last six complete cycles of vegetation, to official testing for at least Apple proliferation mycoplasma using appropriate indicators or equivalent methods and has been found free from that plant pest; and
  - (c) no symptoms of diseases caused by Apple proliferation mycoplasma have been observed on plants at the place of production, or on susceptible plants in its immediate vicinity, since the beginning of the last three complete cycles of vegetation
15. Plants, other than seeds, of the following species of *Prunus* L., intended for planting:  
*Prunus amygdalus* Batsch,  
*Prunus armeniaca* L.,  
*Prunus blireiana* Andre,  
*Prunus brigantina* Vill.,  
*Prunus cerasifera* Ehrh.,
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Plum pox virus;
  - (b) other than plants raised from seed, they have been:
    - (i) officially certified under a certification scheme requiring them to be derived in

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- Prunus cistena* Hansen,  
*Prunus curdica* Fenzl and Fritsch.,  
*Prunus domestica* spp. *domestica* L.,  
*Prunus domestica* spp. *insititia* (L.) C.K. Schneid.,  
*Prunus domestica* spp. *italica* (Borkh.) Hegi.,  
*Prunus glandulosa* Thunb.,  
*Prunus holosericea* Batal.,  
*Prunus hortulana* Bailey,  
*Prunus japonica* Thunb.,  
*Prunus mandshurica* (Maxim.) Koehne,  
*Prunus maritime* Marsh.,  
*Prunus mume* Sieb. And Zucc.,  
*Prunus nigra* Ait.,  
*Prunus persica* (L.) Batsch.,  
*Prunus salicina* L.,  
*Prunus sibirica* L.,  
*Prunus simonii* Carr.,  
*Prunus spinosa* L.,  
*Prunus tomentosa* Thunb.,  
*Prunus triloba* Lindl., or  
 -other species of *Prunus* L. susceptible to Plum pox virus
16. Plants, other than fruit or seeds, of *Vitis* L.
17. Tubers of *Solanum tuberosum* L. intended for planting
- direct line from material which has been maintained under appropriate conditions and has been subjected to official testing for, at least, Plum pox virus using appropriate indicators or equivalent methods and has been found free from that plant pest; or  
 (ii) derived in direct line from material which has been maintained under appropriate conditions and has been subjected, at least once within the last three complete cycles of vegetation, to official testing for at least Plum pox virus using appropriate indicators or equivalent methods and has been found free from that plant pest; and  
 (c) no symptoms of disease caused by Plum pox virus have been observed on plants at the place of production, or on susceptible plants in its immediate vicinity, since the beginning of the last three complete cycles of vegetation; and  
 (d) plants at the place of production which have shown symptoms of disease caused by other viruses or virus-like pathogens, have been rogued out
- The plants must be accompanied by an official statement that no symptoms of Grapevine flavescence dorée MLO or *Xylophilus ampelinus* (Panagopoulos) Willems *et al.* have been observed on the mother stock plants at the place of production since the beginning of the last two complete cycles of vegetation
- The tubers must be accompanied by an official statement that:  
 (a) the European Union provisions to combat *Synchytrium endobioticum* (Schilbersky) Percival have been complied with;  
 (b) they originate in an area known to be free from *Clavibacter michiganensis* spp. *sepedonicus* (Spieckermann and Kottoff) Davis *et al.* or the European Union provisions to combat *Clavibacter michiganensis* spp. *sepedonicus* (Spieckermann and Kottoff) David *et al.* have been complied with;  
 (c) they originate in an area in which *Ralstonia solanacearum* (Smith) Yabuuchi *et al.*:  
 (i) is known not to occur; or  
 (ii) is known to occur, and the tubers originate from a place of production found free from *Ralstonia solanacearum* (Smith)

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Yabuuchi *et al.* or considered to be free from *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* as a consequence of the implementation of an appropriate procedure aimed at eradicating *Ralstonia solanacearum* (Smith) Yabuuchi *et al.*; and

(d) they originate in an area in which *Meloidogyne chitwoodi* Golden *et al.* (all populations) and *Meloidogyne fallax* Karssen are known not to occur or an area in which *Meloidogyne chitwoodi* Golden *et al.* (all populations) or *Meloidogyne fallax* Karssen are known to occur and:

(i) they originate from a place of production which has been found free from *Meloidogyne chitwoodi* Golden *et al.* (all populations) and *Meloidogyne fallax* Karssen based on an annual survey of host crops by visual inspection of host plants at appropriate times and by visual inspection both externally and by cutting of tubers after harvest from potato crops grown at the place of production; or

(ii) the tubers after harvest have been randomly sampled and checked for the presence of symptoms after an appropriate method to induce symptoms or laboratory tested, as well as inspected visually, both externally and by cutting the tubers, at appropriate times and in all cases at the time of sealing of the packages or containers before marketing according to the provisions on sealing in Council Directive [2002/56/EC](#) on the marketing of seed potatoes, and no symptoms of *Meloidogyne chitwoodi* Golden *et al.* (all populations) or *Meloidogyne fallax* Karssen have been found <sup>M31</sup>

18. Tubers of *Solanum tuberosum* L., intended for planting, other than those to be planted in accordance with Article 4(4) (b) of Directive [2007/33/EC](#) The tubers must be accompanied by an official statement that the European Union provisions to combat *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens are complied with
19. Tubers of *Solanum tuberosum* L., intended for planting, other than tubers of those varieties accepted in one or more member States pursuant to Council Directive [2002/53/EC](#) on the common catalogue of varieties of agricultural plant species <sup>M32</sup> The tubers must be accompanied by an official statement that they:
- (a) belong to advanced selections, such a statement being indicated in an appropriate way on the document accompanying the tubers;
  - (b) have been produced within the European Union;



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- (c) have been derived in direct line from material which has been maintained under appropriate conditions and has been subjected within the European Union to official quarantine testing in accordance with appropriate methods and has been found free from plant pests
20. Plants of stolon-or-tuber-forming species of *Solanum tuberosum* L., intended for planting, other than those tubers of *Solanum tuberosum* L. specified in column 2 of items 17, 18 and 19, culture maintainance material being stored in gene banks or genetic stock collections or seeds of *Solanum tuberosum* L. specified in column 2 of item 21
- The plants must have been held under quarantine conditions and:
- (a) must have been found free of any plant pests in quarantine testing which was:
- (i) supervised by the responsible official body of the member State concerned and executed by scientifically trained staff of that organisation or any officially approved body;
- (ii) executed at a site provided with appropriate facilities sufficient to contain plant pests and maintain the material including indicator plants in such a way as to eliminate any risk of plant pests spreading;
- (iii) executed on each unit of the material:
- (aa) by visual examination at regular intervals during the full length of at least one vegetative cycle, having regard to the type of material and its stage of development during the testing programme, for symptoms caused by any plant pests; and
- (bb) by testing:
- in the case of all potato material at least for:
- Andean potato latent virus,
  - Arracacha virus B. oca strain,
  - Potato black ringspot virus,
  - Potato spindle tuber viroid,
  - Potato virus T,
  - Andean potato mottle virus,
  - common potato viruses A, M, S, V, X and Y (including Y<sup>o</sup>, Y<sub>n</sub> and Y<sub>c</sub>) and Potato leaf roll virus,
- Clavibacter michiganensis* spp. *sepedonicus* (Spieckermann and Kottoff) Davis *et al.*,  
*Ralstonia solanacearum* (Smith) Yabuchi *et al.*;
- in the case of seeds of *Solanum tuberosum* L., other than those specified in column 2 of item 21, at least for the viruses and viroid listed above; and
- (iv) included appropriate testing on any other symptom observed in the visual examination in order to identify the plant pests having caused such symptoms;

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- (b) any material which has not been found free, under the testing referred to in paragraph (a) from plant pests specified in that paragraph must have been immediately destroyed or subjected to procedures which eliminate plant pests; and
- (c) each organisation or research body holding this material must inform their official member State Plant Protection Organisation of the material held
21. Seeds of *Solanum tuberosum* L. other than those specified in column 2 of item 22
- The seeds must be accompanied by an official statement:
- (a) that they:
- (i) derive from plants complying with the requirements specified in column 3 of items 17 to 20; and
- (ii) originate in areas known to be free from *Synchytrium endobioticum* (Schilbersky) Percival, *Clavibacter michiganensis* ssp. *sepedonicus* (Spieckermann and Kotthoff) Davis *et al.*, *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* and Potato spindle tuber viroid; or
- (b) that they have been produced in a site in which no symptoms of the disease caused by those plant pests have been observed since the beginning of the last cycle of vegetation and where the following actions have been taken:
- (i) the site has been separated from other solanaceous plants and other host plants of Potato spindle tuber viroid;
- (ii) staff and items, such as tools, machinery, vehicles, vessels and packaging material, from other sites producing solanaceous plants and other host plants of Potato spindle tuber viroid have been prevented from coming into contact with the site or other appropriate hygiene measures have been taken to prevent infection by staff working, or items used, at other sites producing solanaceous plants and other host plants of Potato spindle tuber viroid;
- (iii) only water free from those plant pests has been used
22. Plants of stolon-or-tuber-forming species of *Solanum* L., intended for planting, being stored in gene banks or genetic stock collections
- Each organisation or research body holding such material must inform their official member State Plant Protection Organisation of the material held

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23. Tubers of *Solanum tuberosum* L., other than those mentioned in column 2 of items 17 to 20
- There must be evidence by a registration number put on the packaging, or in the case of loose-loaded potatoes transported in bulk, on the vehicle transporting the potatoes, that the potatoes have been grown by an officially registered producer, or originate from officially registered collective storage or dispatching centres located in the area of production, indicating that the tubers are free from *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* and that the following provisions are complied with:
- (a) the European Union provisions to combat *Synchytrium endobioticum* (Schilbersky) Percival;
  - (b) where appropriate, the European Union provisions to combat *Clavibacter michiganensis* ssp. *sepedonicus* (Spieckermann and Kotthoff) Davis *et al.*; and
  - (c) the European Union provisions to combat *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens
24. Plants, other than seeds, of Solanaceae, intended for planting, other than plants mentioned in column 2 of items 22 and 23
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Potato stolbur mycoplasma; or
  - (b) no symptoms of Potato stolbur mycoplasma have been observed on the plants at the place of production since the beginning of the last complete cycle of vegetation
25. Plants with roots of *Capsicum* spp., *Solanum lycopersicum* L., or *Solanum melongena* L., intended for planting, other than those to be planted in accordance with Article 4(4)(a) of Directive 2007/33/EC
- The plants must be accompanied by an official statement that the European Union provisions to combat *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens are complied with
26. Plants, other than seeds, of *Capsicum annum* L., *Solanum Lycopersicum* L., *Musa* L., *Nicotiana* L. or *Solanum melongena* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in an area or areas which have been found free from *Ralstonia solanacearum* (Smith) Yabuuchi *et al.*; or
  - (b) no symptoms of *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* have been observed on the plants at the place of production since the beginning of the last complete cycle of vegetation
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- ...
28. Plants, other than seeds, of *Humulus lupulus* L., intended for planting
- The plants must be accompanied by an official statement that no symptoms of *Verticillium albo-atrum* Reinke and Berthold or *Verticillium dahlia* Klebahn have been observed on hops at the place of production since the beginning of the last complete cycle of vegetation
29. Plants of Palmae, intended for planting, having a diameter of the stem at the base of over 5cm and belonging to the following genera:  
*Brahea* Mart.,  
*Butia* Becc.,  
*Chamaerops* L.,  
*Jubaea* Kunth,  
*Livistona* R. Br.,  
*Phoenix* L.,  
*Sabal* Adans.,  
*Syagrus* Mart.,  
*Trachycarpus* H. Wendl.,  
*Trithrinax* Mart.,  
*Washingtonia* Raf.
- The plants must be accompanied by an official statement that they:  
(a) have been grown throughout their life in an area free from *Paysandisia archon* (Burmeister), established by the national plant protection organisation in accordance with ISPM No. 4;  
(b) have, during a period of at least two years prior to export, been grown in a place of production:  
(i) which is registered and supervised by the national plant protection organisation in the country of origin;  
(ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandisia archon* (Burmeister) or with the application of appropriate preventive treatments; and  
(iii) where, during three official inspections per year carried out at appropriate times, no signs of *Paysandisia archon* (Burmeister) have been observed
30. Plants, other than seeds, of *Dendranthema* (DC.) Des Moul., *Dianthus* L. or *Pelargonium* l'Herit, ex Ait., intended for planting
- The plants must be accompanied by an official statement that:  
(a) they originate in an area free from *Helicoverpa armigera* (Hübner) and *Spodoptera littoralis* (Boisd.), established by the national plant protection organisation in accordance with ISPM No. 4;  
(b) no signs of *Helicoverpa armigera* (Hübner) or *Spodoptera littoralis* (Boisd.) have been observed at the place of production since the beginning of the last complete cycle of vegetation; or  
(c) the plants have undergone appropriate treatment to protect them from pests
31. Plants, other than seeds, of *Dendranthema* (DC.) Des Moul., intended for planting
- The plants must be accompanied by an official statement that:  
(a) they are of no more than third generation stock derived from material which has been found to be free from Chrysanthemum stunt viroid during virological tests, or are directly derived from material of which a

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- representative sample of at least 10% has been found to be free from *Chrysanthemum stunt viroid* during an official inspection carried out at the time of flowering;
- (b) the plants or cuttings:
- (i) have come from premises which have been officially inspected at least monthly during the three months prior to dispatch and on which no symptoms of *Puccinia horiana* Hennings have been observed during that period, and in the immediate vicinity of which no symptoms of *Puccinia horiana* Hennings have been known to have occurred during the three months prior to marketing;
- or
- (ii) have undergone appropriate treatment against *Puccinia horiana* Hennings; and
- (c) in the case of unrooted cuttings, no symptoms of *Didymella ligulicola* (Baker, Dimock and Davis) v. Arx were observed on the cuttings or the plants from which the cuttings were derived or, in the case of rooted cuttings, no symptoms of *Didymella ligulicola* (Baker, Dimock and Davis) v. Arx were observed either on the cuttings or the rooting bed
32. Plants, other than seeds, of *Dianthus* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they have been derived in direct line from mother plants which have been found free from *Erwinia chrysanthemi* pv. *dianthicola* (Hellmers) Dickey, *Pseudomonas caryophylli* (Burkholder) Starr and Burkholder and *Phialophora cinerescens* (Wollenw.) Van Beyma on officially approved tests, carried out at least once within the two previous years; and
- (b) no symptoms of these plant pests have been observed on the plants
33. Bulbs of *Tulipa* L., or *Narcissus* L., other than those for which there is evidence from their packaging, or from other means, that they are intended for sale to final consumers not involved in professional cut flower production
- The bulbs must be accompanied by an official statement that no symptoms of *Ditylenchus dipsaci* (Kühn) Fililjev have been observed on the bulbs since the beginning of the last complete cycle of vegetation
34. Plants of herbaceous species, other than:  
-bulbs,  
-corms,  
-plants of the family *Gramineae*,  
-rhizomes,  
-seeds, or
- The plants must be accompanied by an official statement that they:
- (a) originate in an area known to be free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess);

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- tubers, intended for planting
- (b) no signs of *Liriomyza huidobrensis* (Blanchard) or *Liriomyza trifolii* (Burgess) have been observed at the place of production on official inspections carried out at least monthly during the three months prior to harvesting;
- (c) immediately prior to marketing, the plants have been officially inspected and found free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess) and have been subjected to an appropriate treatment against *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess); or
- (d) they originate from plant material (explant) which is free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess), are grown *in vitro* in a sterile medium under sterile conditions that preclude the possibility of infestation with *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess) and are shipped in transparent containers under sterile conditions
35. Plants with roots, planted or intended for planting, grown in the open air
- There must be evidence that the place of production is known to be free from *Clavibacter michiganensis* ssp. *sepedonicus* (Spieckermann and Kotthoff) Davis *et al.* and *Synchytrium endobioticum* (Schilbersky) Percival
36. Plants with roots grown in the open air of *Allium porrum* L., *Asparagus officinalis* L., *Beta vulgaris* L., *Brassica* spp. or *Fragaria* L., intended for planting, other than those plants to be planted in accordance with Article 4(4)(a) or (c) of Directive 2007/33/EC
- There must be evidence that the European Union provisions to combat *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens are complied with
37. Bulbs, tubers or rhizomes, grown in the open air, of *Allium ascalonicum* L., *Allium cepa* L., *Dahlia* spp., *Gladiolus* Tourn. Ex L., *Hyacinthus* spp., *Iris* spp., *Lilium* spp., *Narcissus* L., or *Tulipa* L., other than those bulbs, tubers or rhizomes to be planted in accordance with Article 4.4(a) or (c) of Directive 2007/33/EC
- There must be evidence that the European Union provisions to combat *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens are complied with
38. Plants, other than seeds, of *Beta vulgaris* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in area or areas known to be free from Beet leaf curl virus; or
- (b) Beet leaf curl virus has not been known to occur in the area of production and no

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- symptoms of Beet leaf curl virus have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation
39. Seeds of *Helianthus annuus* L. The seeds must be accompanied by an official statement that:
- (a) they originate in an area known to be free from *Plasmopara halstedii* (Farlow) Berl. and de Toni; or
  - (b) other than those that have been produced on varieties resistant to all races of *Plasmopara halstedii* (Farlow) Berl. and de Toni present in the area of production, they have been subjected to an appropriate treatment against *Plasmopara halstedii* (Farlow) Berl. and de Toni
40. Plants, other than seeds, of *Solanum lycopersicum* L., intended for planting The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from Tomato yellow leaf curl virus;
  - (b) no symptoms of Tomato yellow leaf curl virus have been observed on the plants; and
  - (i) the plants originate in an area known to be free from *Bemisia tabaci* Genn.; or
  - (ii) the place of production has been found free from *Bemisia tabaci* Genn. On official inspections carried out at least monthly during the three months prior to export; or
  - (c) no symptoms of Tomato yellow leaf curl virus have been observed at the place of production and the place of production has been subjected to an appropriate treatment and monitoring regime to ensure freedom from *Bemisia tabaci* Genn.
41. Seeds, of *Solanum lycopersicum* L. The seeds must be accompanied by an official statement that they have been obtained by means of an appropriate acid extraction method and:
- (a) they originate in an area where *Clavibacter michiganensis* ssp. *michiganensis* (Smith) Davis *et al.*, or *Xanthomonas campestris* pv. *vesicatoria* (Doidge) Dye is not known to occur;
  - (b) no symptoms of diseases caused by those plant pests have been observed on the plants at the place of production during their complete cycle of vegetation; or
  - (c) the seeds have been subjected to official testing for at least those plant pests, on a representative sample and using appropriate

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- methods, and have been found free from those plant pests
42. Seeds of *Medicago sativa* L. The seeds must be accompanied by an official statement that:
- (a) no symptoms of *Ditylenchus dipsaci* (Kühn) Filipjev have been observed at the place of production since the beginning of the last complete cycle of vegetation and no *Ditylenchus dipsaci* (Kühn) Filipjev has been revealed by laboratory tests on a representative sample;
  - (b) fumigation has taken place prior to marketing; or
  - (c) the seeds have been subjected to an appropriate physical treatment against *Ditylenchus dipsaci* (Kühn) Filipjev and have been found to be free of *Ditylenchus dipsaci* (Kühn) Filipjev after laboratory tests on a representative sample
43. Seeds of *Medicago sativa* L. The seeds must be accompanied by an official statement that:
- (a) they originate in an area known to be free from *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.*; or
  - (b) *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.* has not been known to occur on the farm or in its immediate vicinity since the beginning of the last 10 years; and
    - (i) the crop belongs to a variety recognised as being highly resistant to *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.*;
    - (ii) it had not yet started its fourth complete cycle of vegetation from sowing when the seed was harvested, and there has not been more than one preceding seed harvest from the crop; or
    - (iii) the content of inert matter which has been determined in accordance with the rules applicable for the certification of seed marketed in the European Union, does not exceed 0.1% by weight;
  - (c) no symptoms of *Clavibacter michiganensis* ssp. *insidiosus* Davis *et al.* have been observed at the place of production, or on any *Medicago sativa* L. crop adjacent to it, during the last complete cycle of vegetation or, where appropriate, the last two cycles of vegetation; and
  - (d) the crop has been grown on land on which no previous *Medicago sativa* L. crop has been present during the last three years prior to sowing



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44. Seeds of *Phaseolus* L.,  
The seeds must be accompanied by an official statement that:  
(a) they originate in an area known to be free from *Xanthomonas campestris* pv. *phaseoli* (Smith) Dye; or  
(b) a representative sample of the seeds has been tested and found free from *Xanthomonas campestris* pv. *phaseoli* (Smith) Dye
45. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf.  
The packaging, any label attached to the packaging or any document normally used for trade purposes which accompanies the consignment must bear an appropriate mark (which may be a reference to the name of the country of origin)
46. Plants, other than seeds, of *Viburnum* spp. L., *Camellia* spp. or *Rhododendron* spp. L., other than *Rhododendron simsii* Planch, intended for planting  
The plants must be accompanied by an official statement that they meet the requirements specified in point 3 of the Annex I to Decision [2002/757/EC](#)
- [<sup>F15</sup>46A. Seeds of *Solanum lycopersicum* L.  
The seeds must be accompanied by an official statement that they have been obtained by means of an appropriate acid extraction method and that they:  
(a) originate in an area in which Pepino mosaic virus is known not to occur;  
(b) no symptoms of Pepino mosaic virus have been observed on the plants at the place of production during their complete cycle of vegetation; or  
(c) have undergone official testing for Pepino mosaic virus on a representative sample and using appropriate methods, and have been found in these tests to be free from Pepino mosaic virus]
47. Specified plants within the meaning of Article 1(2) of Decision [2007/433/EC](#)  
The plants must be accompanied by an official statement that they meet the requirements specified in Section II of Annex I to Decision [2007/433/EC](#)
48. Specified plants within the meaning of Article 1(a) of Decision 2012/138/EU which originate in an area established in accordance with Article 6 of that Decision  
The plants must be accompanied by an official statement that they meet the requirements specified in point 1 of Section 2 of Annex I to Decision 2012/138/EU
49. Specified plants within the meaning of Article 1(a) of Decision 2012/138/EU which do not originate in, but have been introduced into, a place of production that  
The plants must be accompanied by an official statement that the place of production into which the plants have been introduced meets the requirements specified

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- is in an area established in accordance with Article 6 of that Decision in point 1(iii) of Section 2 of Annex I to Decision 2012/138/EU
50. Tubers of *Solanum tuberosum* L., including those intended for planting, which originate in an area established in accordance with Article 5 of Decision 2012/270/EU, for the purpose of eradicating, containing and monitoring an infestation of *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner) The tubers must be accompanied by an official statement that the tubers meet the requirements specified in point (1)(a) to (c) of Section 2 of Annex I to Decision 2012/270/EU
51. Tubers of *Solanum tuberosum* L., including those intended for planting, originating in any area of Spain, other than those originating in a demarcated area established in accordance with Article 5 of Decision 2012/270/EU or the Balearic Islands, the Canary Islands, Ceuta or Melilla The tubers shall have been washed so that there is no more than 0.1% of soil remaining
52. Live pollen of *Actinidia* Lindl. or plants, other than seeds, of *Actinidia* Lindl., intended for planting The pollen and plants must be accompanied by an official statement that they meet one of the requirements specified in point (2) and, where appropriate, one of the requirements in point (3) of Annex II to Decision 2012/756/EU
53. Host plants within the meaning of Article 1(b) of Decision (EU) 2015/789 which have never been grown in a demarcated area established in accordance with Article 4 of that Decision The plants shall be accompanied by an official statement that:  
(a) they meet the requirements specified in Article 9(8)(a) of Decision (EU) 2015/789; or  
(b) in the case of plants, other than seeds, intended for planting, of *Coffea*, *Lavandula dentata* L., *Nerium oleander* L., *Olea europaea* L., *Polygala myrtifolia* L. or *Prunus dulcis* (Mill.) D.A. Webb, they meet the requirements specified in the second subparagraph of Article 9(8) of that Decision
54. Pre-basic mother plants as defined in Article 1(3) of Directive 2014/98/EU or pre-basic material as defined in Article 2(5) of Directive 2008/90/EC which:  
—belong to the species *Juglans regia* L., *Olea europaea* L., *Prunus amygdalus* Batsch, *P. amygdalus* x *P. persica*, *P. armeniaca* L., *P. avium* (L.) L., *P. cerasus* L., *P. domestica* L., *P. domestica* x *P. salicina*, *P. dulcis* (Mill.) D.A. Webb, *P. persica* (L.) Batsch, or *P. salicina* Lindley, The plants shall be accompanied by an official statement that they meet the requirements specified in Article 9(9)(a) and (b) of Decision (EU) 2015/789

- have been grown outside a demarcated area established in accordance with Article 4 of Decision (EU) 2015/789, and
- have spent at least part of their life outside insect proof facilities
55. Specified plants (within the meaning of Article 1(c) of Decision (EU) 2015/789), other than specified plants which have been grown for the entire production cycle in vitro, which have been grown for at least part of their life in a demarcated area established in accordance with Article 4 of that Decision
- The plants shall be accompanied by an official statement that:
- (a) they have been grown in a site which meets the requirements specified in Article 9(2) of Decision (EU) 2015/789; and
- (b) they:
- (i) meet the requirements specified in Article 9(3), (4) and (5) of that Decision; or
- (ii) in the case of dormant plants of *Vitis* intended for planting, other than seeds, meet the requirements specified in Article 9(3), (4a), (5) and (6) of that Decision
56. Specified plants, (within the meaning of Article 1(c) of Decision (EU) 2015/789) which have been grown for the entire production cycle in vitro and for at least part of their life in a demarcated area established in accordance with Article 4 of that Decision
- The plants must be accompanied by an official statement that:
- (a) they have been grown in a site which meets the requirements specified in Article 9a(2) of Decision (EU) 2015/789; and
- (b) they meet the requirements specified in Article 9a(3) and (4) of that Decision
57. Specified plants within the meaning of Article 1(a) of Decision (EU) 2015/893 which originate, or have been introduced into a place of production, in an area established in accordance with Article 7 of that Decision
- The plants must be accompanied by an official statement that:
- (a) in the case of plants which originate in an area established in accordance with Article 7 of Decision (EU) 2015/893, they have been grown during a period of at least two years prior to their movement, or in the case of plants which are younger than two years, throughout their life, in a place of production which meets the requirements specified in point (1)(a) and (b) of Section 2(A) of Annex II to that Decision; and
- (b) they meet the requirements specified in point (1)(c) of that Section
58. Fruits of *Citrus* L., *Fortunella* swingle or *Poncirus* Raf., other than fruits of *Citrus aurantium* L. or *Citrus latifolia* Tanaka, which:
- originate in Argentina, Brazil, South Africa or Uruguay;
- are destined exclusively for industrial processing into juice; and
- have been introduced into another part of the European Union in accordance with Articles 9 to 17 of Decision (EU) 2016/715
- The fruits shall be:
- (a) packaged and labelled in accordance with Article 17 of that Decision; and
- (b) subject to a licence granted under Article 41(1) of this Order authorising their introduction into, and their movement within, Northern Ireland and, where applicable, their processing and storage in Northern Ireland

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| 59. | Fruits of <i>Citrus</i> L., <i>Fortunella</i> Swingle, <i>Poncirus</i> Raf., <i>Microcitrus</i> Swingle, <i>Naringi</i> Adans. or <i>Swinglea</i> Merr. which:<br>-originate in any third country;<br>-are destined for industrial processing into juice; and<br>-have been introduced into another part of the European Union in accordance with Article 3 of Decision (EU) 2017/2374 | The fruits shall be subject to a licence granted under article 41(1) of this Order authorising their introduction into, and movement within, Northern Ireland and, where applicable, their processing and storage in Northern Ireland  |
| 60. | Plants of <i>Fraxinus</i> L., intended for planting  | The plants must be accompanied by an official statement that they have been grown throughout their life in an area which has been established and is maintained as an area free from <i>Chalara fraxinea</i> T. Kowalski (including its telemorph <i>Hymenoscyphus pseudoalbidus</i> ) in accordance with ISPM No. 4 |
| 61. | Tubers of <i>Solanum tuberosum</i> L., other than those mentioned in column 2 of items 19 to 21, originating in Poland   | The tubers must be accompanied by a certificate issued by the responsible official body of Poland confirming that they have been found to be free from <i>Clavibacter michiganensis</i> ssp. <i>sepedonicus</i> (Spieckermann and Kotthoff) David et al. in official laboratory tests                                |

#### Textual Amendments

**F14** Sch. 4 Pt. B item 27 omitted (28.3.2019) by virtue of [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(2)(a)**

**F15** Sch. 4 Pt. B item 46A inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **8(2)(b)**

#### Marginal Citations

**M31** OJ No L 193, 20.7.2002, p. 60, to which there are amendments not relevant to this Order.

**M32** OJ No L 193, 13.6.2002, p. 1, as amended by Regulation (EC) No 1829/2003 of the European Parliament and of the Council (OJ No L 268, 18.10.2003, p. 1).

## PART C

Relevant material which may only be landed in or moved within Northern Ireland (as a protected zone) if special requirements are complied with

<i>Item</i>	<i>Description of relevant material</i>	<i>Requirements of landing</i>
1.	Plants, other than fruit and seeds, of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L. and <i>Pseudotsuga</i> Carr., over 3m in height	The plants must be accompanied by an official statement that the place of production is free from <i>Dendroctonus micans</i> Kugelán

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2. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., over 3m in height The plants must be accompanied by an official statement that the place of production is free from *Ips duplicatus* Sahlberg
3. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L. and *Pseudotsuga* Carr., over 3m in height The plants must be accompanied by an official statement that the place of production is free from *Ips typographus* Heer
4. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., and *Pinus* L., over 3m in height The plants must be accompanied by an official statement that the place of production is free from *Ips amitinus* Eichhof
5. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L. and *Pseudotsuga* Carr., over 3m in height The plants must be accompanied by an official statement that the place of production is free from *Ips cembrae* Heer
6. Plants, other than fruit and seeds, of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L. and *Pseudotsuga* Carr., over 3m in height The plants must be accompanied by an official statement that the place of production is free from *Ips sexdentatus* Börner
7. Plants, other than seeds, of *Platanus* L., intended for planting, originating in the European Union or in Armenia, Switzerland or the USA The plants must be accompanied by an official statement that they have been grown throughout their life:
  - (a) in an area free from *Ceratocystis platani* (J.M. Walter) Engelbr. & T.C. Harr., established in accordance with ISPM No. 4; or
  - (b) in a protected zone which is recognised as a protected zone for the plant pest mentioned in paragraph (a)
8. Plants of *Larix* Mill., intended for planting, other than seeds The plants must be accompanied by an official statement that they have been produced in nurseries and that the place of production is free from *Cephalcia lariciphila* (Klug.)
9. Plants, other than fruit or seeds, of *Pinus* L., intended for planting The plants shall be accompanied by an official statement that:
  - (a) they have been grown throughout their life in places of production in countries in which *Thaumetopoea pityocampa* Denis & Schiffermüller is not known to occur; They have been grown throughout their life in an area free from *Thaumetopoea pityocampa* Denis & Schiffermüller, established by the national plant protection organisation in accordance with ISPM No. 4;
  - (c) they have been produced in nurseries which, along with their vicinity, have been found free from *Thaumetopoea pityocampa* Denis & Schiffermüller on the basis of

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- official inspections and official surveys carried out at appropriate times; or  
(d) they have been grown throughout their life in a site with complete physical protection against the introduction of *Thaumetopoea pityocampa* Denis & Schiffmüller and have been inspected at appropriate times and found to be free from *Thaumetopoea pityocampa* Denis & Schiffmüller
10. Plants intended for planting, other than seeds of *Picea* A. Dietr. The plants must be accompanied by an official statement that they have been produced in nurseries and that the place of production is free from *Gilpinia hercyniae* (Hartig)
11. Plants of *Castanea* Mill., intended for planting The plants must be accompanied by an official statement that they have been grown throughout their life:  
(a) in a place of production in a country where *Cryphonectria parasitica* (Murrill) Barr is known not to occur;  
(b) in an area free from *Cryphonectria parasitica* (Murrill) Barr, established by the national plant protection organisation in accordance with ISPM No. 4; or  
(c) in a protected zone which is recognised as a protected zone for the plant pest mentioned in paragraphs (a) and (b)
12. Tubers of *Solanum tuberosum* L., intended for planting The tubers must be accompanied by an official statement that they:  
(a) were grown in an area where Beet necrotic yellow vein virus (BNYVV) is known not to occur;  
(b) were grown on land, or in growing media consisting of soil that is known to be free from BNYVV, or officially tested by appropriate methods and found free from BNYVV; or  
(c) have been washed free from soil
13. Tubers of *Solanum tuberosum* L., other than those mentioned in item 12 The consignment or lot must not contain more than 1% by weight of soil, or the tubers are intended for processing at premises with officially approved waste disposal facilities which ensures that there is no risk of spreading BNYVV
14. Plants, other than seeds, of *Prunus* L., intended for planting The plants shall be accompanied by an official statement that:  
(a) they have been grown throughout their life in places of production in countries in

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which *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* is not known to occur; (b) they have been grown throughout their life in an area free from *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*, established by the national plant protection organisation in accordance with ISPM No. 4; (c) they have been derived in direct line from mother plants which have shown no symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* during the last complete cycle of vegetation and no symptoms of that plant pest have been observed on the plants at the place of production since the beginning of the last complete cycle of vegetation; or (d) in the case of plants of *Prunus laurocerasus* L. or *Prunus lusitanica* L. for which there is evidence from their packing or from other means that they are intended for sale to final consumers not involved in professional plant production, no symptoms of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* have been observed on plants at the place of production since the beginning of the last complete growing season

15. Plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth, *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf.
- The plants shall be accompanied by an official statement that:
- (a) they have been grown throughout their life in places of production in countries where *Paysandia archon* (Burmeister) is known not to occur;
  - (b) they have been grown throughout their life in an area free from *Paysandia archon* (Burmeister) established by the national plant protection organisation in accordance with ISPM No. 4; or
  - (c) they have, during a period of at least two years prior to export or movement, been grown in a place of production:
    - (i) which is registered and supervised by the national plant protection organisation in the country of origin;
    - (ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandia archon* (Burmeister); and
    - (iii) where, during three official inspections per year carried out at appropriate times, including immediately prior to movement from the place of production, no signs of

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*Paysandia archon* (Burmeister) have been observed

16. Plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following taxa: *Areca catechu* L., *Arenga pinnata* (Wurmb) Merr., *Bismarckia* Hildebr. & H. Wendl., *Borassus flabellifer* L., *Brahea armata* S. Watson, *Brahea edulis* H. Wendl., *Butia capitata* (Mart.) Becc., *Calamus merrillii* Becc., *Caryota maxima* Blume, *Caryota cumingii* Lodd. ex Mart., *Chamaerops humilis* L., *Cocos nucifera* L., *Copernicia* Mart., *Corypha utan* Lam., *Elaeis guineensis* Jacq., *Howea forsteriana* Becc., *Jubae chilensis* (Molina) Baill., *Livistona australis* C. Martius, *Livistona decora* (W. Bull) Dowe, *Livistona rotundifolia* (Lam.) Mart., *Metroxylon sagu* Rottb., *Phoenix canariensis* Chabaud, *Phoenix dactylifera* L., *Phoenix reclinata* Jacq., *Phoenix roebelenii* O'Brien, *Phoenix sylvestris* (L.) Roxb., *Phoenix theophrasti* Greuter, *Pritchardia* Seem. & H. Wendl., *Ravenea rivularis* Jum. & H. Perrier, *Roystonea regia* (Kunth) O.F. Cook, *Sabal palmetto* (Walter) Lodd. ex Schult. & Schult. F., *Syagrus roman-zoffiana* (Cham.) Glassman, *Trachycarpus fortunei* (Hook.) H. Wendl. or *Washingtonia* Raf.
- The plants shall be accompanied by an official statement that:
- (a) they have been grown throughout their life in places of production in countries where *Rhynchophorus ferrugineus* (Olivier) is known not to occur;
- (b) they have been grown throughout their life in an area free from *Rhynchophorus ferrugineus* (Olivier), established by the national plant protection organisation in accordance with ISPM No. 4; or
- (c) they have, during a period of at least two years prior to export or movement, been grown in a place of production:
- (i) which is registered and supervised by the national plant protection organisation in the country of origin;
- (ii) where the plants were placed in a site with complete physical protection against the introduction of *Rhynchophorus ferrugineus* (Olivier); and
- (iii) where, during three official inspections per year carried out at appropriate times, including immediately prior to movement from the place of production, no signs of *Rhynchophorus ferrugineus* (Olivier) have been observed
17. Plants of herbaceous species intended for planting, other than:
- bulbs,
  - corms,
  - plants of the family *Gramineae*,
  - rhizomes,
  - seeds, or
  - tubers
- The plants shall be accompanied by an official statement that:
- (a) they originate in an area or areas known to be free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess);
- (b) no signs of *Liriomyza huidobrensis* (Blanchard) or *Liriomyza trifolii* (Burgess) have been observed at the place of production, on official inspections carried out at least monthly during the three months prior to harvesting;
- (c) immediately prior to marketing, the plants have been officially inspected and found free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess) and have been subjected to an appropriate treatment against *Liriomyza*



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- huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess); or  
(d) they originate from plant material (explant) which is free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess), are grown in vitro in a sterile medium under sterile conditions that preclude the possibility of infestation with *Liriomyza huidobrensis* (Blanchard) or *Liriomyza trifolii* (Burgess) and are shipped in transparent containers under sterile conditions
18. Plants of *Allium porum* L., *Apium* L., *Beta* L., other than those mentioned in (item 25 of the Annex) and those intended for animal fodder, *Brassica rapa* L., *Daucus* L., other than plants intended for planting
19. Plants intended for planting, other than seeds, of *Beta vulgaris* L.
20. Uprooted cuttings of *Euphorbia pulcherrima* Willd., intended for planting
- The consignment or lot must not contain more than 1% by weight of soil, or the plants are intended for processing at premises with officially approved waste disposal facilities which ensures that there is no risk of spreading BNYVV
- The plants must be accompanied by a statement that they:  
(a) have been officially individually tested and found free from BNYVV; or  
(b) have been grown from seeds complying with the requirements in items Annex IV Part B, (27.1) and (27.2) and grown on land, or in growing media, officially tested by appropriate methods and found free from BNYVV, and sampled, and the sample tested and found free from BNYVV  
The organisation or research body holding the material shall inform their official member State plant protection service of the material held
- The cuttings must be accompanied by an official statement that:  
(a) they originate in an area or areas known to be free from *Bemisia tabaci* Genn. (European populations);  
(b) no signs of *Bemisia tabaci* Genn. (European populations) have been observed on the cuttings or on the plants from which the cuttings are derived and which are held or produced at the place of production on official inspections carried out at least each three weeks during the whole production period of these plants at the place of production; or  
(c) in cases where *Bemisia tabaci* Genn. (European populations) has been found at the place of production the cuttings and the plants from which the cuttings are

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derived and which are held or produced in this place of production have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently this place of production shall have been found free from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aimed at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and in monitoring procedures throughout this period. The last inspection of the above weekly inspections shall be carried out immediately prior to movement

21. Plants of *Euphorbia pulcherrima* Willd., intended for planting, other than:
- seeds,
  - Those for which there is evidence from their packing or their flower (or bract) development or from other means that they are intended for sale to final customers not involved in professional plant production, or
  - those specified in item 18
- The plants must be accompanied by an official statement that:
- (a) they originate in an area or areas known to be free from *Bemisia tabaci* Genn. (European populations);
  - (b) no signs of *Bemisia tabaci* Genn. (European populations) have been observed on plants at the place of production on official inspections carried out at least once each three weeks during the nine weeks prior to marketing; or
  - (c) in cases where *Bemisia tabaci* Genn. (European populations) has been found at the place of production, the plants, held or produced in this place of production have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently this place of production shall have been found free from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aimed at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and in monitoring procedures throughout this period. The last inspection of the above weekly inspections shall be carried out immediately prior to movement; and
  - (d) evidence is available that they have been produced from cuttings which:

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

(i) originate in an area or areas known to be free from *Bemisia tabaci* Genn. (European populations);

(ii) have been grown at a place of production where no signs of *Bemisia tabaci* Genn. (European populations) have been observed on official inspections carried out at least once each three weeks during the whole production period of these plants; or

(iii) in cases where *Bemisia tabaci* Genn. (European populations) has been found at the place of production, have been grown on plants held or produced in this place of production having undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently this place of production shall have been found free from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aimed at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and on monitoring procedures throughout this period. The last inspection of the above weekly inspections shall be carried out immediately prior to movement

22. Plants, other than seeds, tubers or corms, of *Begonia* L., intended for planting; or plants, other than seeds, of *Dipladenia* A.DC., *Ficus* L., *Hibiscus* L., *Mandevilla* Lindl. or *Nerium oleander* L., intended for planting
- The plants must be accompanied by an official statement that:
- (a) they originate in an area known to be free from *Bemisia tabaci* Genn. (European populations);
- (b) no signs of *Bemisia tabaci* Genn. (European populations) have been observed on plants at the place of production on official inspections carried out at least once each three weeks during the nine weeks prior to marketing; or
- (c) where *Bemisia tabaci* Genn. (European populations) has been found at the place of production, the plants held or produced at the place of production, have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently the place of production has been found free from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- aiming at eradicating *Bemisia tabaci* Genn. (European populations), both in official inspections carried out weekly during the three weeks prior to the movement from the place of production and in monitoring procedures throughout the said period; or
- (d) in the case of plants for which there is evidence from their packing or their flower development or from other means that they are intended for direct sale to final consumers not involved in professional plant production, they have been officially inspected and found free from *Bemisia tabaci* Genn. (European populations) immediately prior to their movement
23. Plants of *Beta vulgaris* L., intended for industrial processing
- The plants must be accompanied by an official statement that:
- (a) they are transported in such a manner as to ensure that there is no risk of spreading BNYVV, and are intended to be delivered to a processing plant with officially approved waste disposal facilities, which ensures that there is no risk of spreading BNYVV; or
- (b) the plants have been grown in an area where BNYVV is known not to occur
24. Soil from beet and unsterilized waste from beet (*Beta vulgaris* L.)
- The soil or waste must be accompanied by an official statement that:
- (a) it has been treated to eliminate contamination with BNYVV; or
- (b) it is intended to be transported for disposal in an officially approved manner; or
- (c) it comes from *Beta vulgaris* plants grown in an area where BNYVV is known not to occur
25. Seeds and fodder beet seed of the species *Beta vulgaris* L.
- The seeds must be accompanied by an official statement that:
- (a) the seed of the categories “basic seed” and “certified seed” satisfies the conditions laid down in Directive [66/400/EEC](#); or
- (b) in the case of “seed not finally certified”, the seed:
- satisfies the conditions laid down in Directive [66/400/EEC](#), and
  - is intended for processing that will satisfy the conditions laid down in Directive [66/400/EEC](#) and delivered to a processing enterprise with officially approved controlled waste disposal, to prevent the spread of BNYVV;

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- (c) the seed has been grown in an area where BNYVV is known not to occur
26. Vegetable seed of the species *Beta vulgaris* L. The seed must be accompanied by an official statement that:
- (a) the processed seed contains no more than 0.5% by weight of inert matter, in the case of pelleted seed this standard shall be met prior to pelleting; or
  - (b) in the case of non-processed seed, the seed shall be officially packed in such a manner as to ensure that there is no risk of spread of BNYVV, and is intended for processing that will satisfy the conditions laid down in (a) and delivered to a processing enterprise with officially approved controlled waste disposal, to prevent the spread of BNYVV; or
  - (c) the seed has been produced from a crop grown in an area where BNYVV is known not to occur
27. Relevant material in or on used agricultural machinery The machinery must be cleaned and free from soil and plant debris when brought in on places of production where beets are grown, or it shall come from an area where BNYVV is known not to occur
28. Plants of *Castanea* Mill., other than plants in tissue culture, fruit or seeds The plants must be accompanied by an official statement that the plants have been grown throughout their life:
- (a) in a place of production in a country where *Dryocosmus kuriphilus* Yasumatsu is known not to occur;
  - (b) in an area free from *Dryocosmus kuriphilus* Yasumatsu, established by the national plant protection organisation in accordance with ISPM No. 4; or
  - (c) in a protected zone which is recognised as a protected zone for the plant pest mentioned in paragraphs (a) and (b)
29. Plants, other than fruit or seeds, of *Quercus* L., other than *Quercus suber*, intended for planting, whose girth at 1.2 m above the root collar is 8 cm or more The plants must be accompanied by an official statement that:
- (a) they have been grown throughout their life in places of production in countries in which *Thaumetopoea processionea* L. is not known to occur;
  - (b) they have been grown throughout their life in a protected zone which is recognised as a protected zone for *Thaumetopoea processionea* L. or in an area free from *Thaumetopoea processionea* L., established by the national plant protection organisation in accordance with ISPM No. 4;

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

<sup>F16</sup>(c) ...; or  
 (d) they have been grown throughout their life in a site with complete physical protection against the introduction of *Thaumetopoea processionea* L. and have been inspected at appropriate times and found to be free from *Thaumetopoea processionea* L.

#### Textual Amendments

**F16** Sch. 4 Pt. C item 29(c) omitted (22.7.2019) by virtue of The Plant Health (Amendment No. 2) Order (Northern Ireland) 2019 (S.R. 2019/151), arts. 1(1), 3

## SCHEDULE 5

Article 3

Relevant material from a third country for which a phytosanitary certificate may be required

### PART A

Relevant material which may only be landed if accompanied by a phytosanitary certificate

1. Plants, other than seeds, intended for planting.
2. Seeds of—
  - (a) *Cruciferae*, *Gramineae* or *Trifolium* spp., originating in Argentina, Australia, Bolivia, Chile, New Zealand or Uruguay;
  - (b) the genera *Triticum*, *Secale* or X *Triticosecale* from Afghanistan, India, Iran, Iraq, Mexico, Nepal, Pakistan, South Africa or the USA; or
  - (c) *Solanaceae*, *Citrus* L., *Fortunella* swingle, *Poncirus* Raf., *Capsicum* spp., *Helianthus annuus* L., *Solanum lycopersicum* L., *Medicago sativa* L., *Prunus* L., *Rubus* L., *Oryza* spp., *Zea mays* L., *Allium ascalonicum* L., *Allium cepa* L., *Allium porrum* L., *Allium schoenoprasum* L. or *Phaseolus* L.
3. Parts of plants, other than fruit or seeds, of—
  - (a) *Castanea* Mill., *Dendranthema* (DC.) Des Moul., *Dianthus* L., *Gypsophilia* L., *Pelargonium* L'Hérit. ex Ait., *Phoenix* spp., *Populus* L., *Quercus* L., *Solidago* L., or cut flowers of *Orchidaceae*;
  - (b) *Conifers* (Coniferales);
  - (c) *Acer saccharum* Marsh, originating in the USA or Canada;
  - (d) *Prunus* L., originating in any country outside Europe;
  - (e) cut flowers of *Aster* spp., *Eryngium* L., *Hypericum* L., *Lisianthus* L., *Rosa* L., or *Trachelium* L., originating in any country outside Europe;
  - (f) leafy vegetables of *Apium graveolens* L., *Ocimum* L., *Limnophila* L., or *Eryngium* L.;
  - (g) leaves of *Manihot esculenta* Crantz;

- (h) cut branches of *Betula* L. with or without foliage;
  - (i) cut branches of *Fraxinus* L., *Juglans ailantifolia* Carr., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch. or *Pterocarya rhoifolia* Siebold & Zucc., with or without foliage, originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan or the USA; or
  - (j) *Amyris* P. Browne, *Casimiroa* La Llave, *Citropsis* Swingle & Kellerman, *Eremocitrus* Swingle, *Esenbeckia* Kunth., *Glycosmis* Corrêa, *Merrillia* Swingle, *Naringi* Adans., *Tetradium* Lour., *Toddalia* Juss. or *Zanthoxylum* L.
4. Parts of plants, other than fruit but including seeds, of *Aegle* Corrêa, *Aeglopsis* Swingle, *Afraegle* Engl., *Atalantia* Corrêa, *Balsamocitrus* Stapf, *Burkillanthus* Swingle, *Calodendrum* Thunb., *Choisya* Kunth, *Clausena* Burm. F., *Limonia* L., *Microcitrus* Swingle, *Murraya* J. Koenig ex L., *Pamburus* Swingle, *Severinia* Ten., *Swinglea* Merr., *Triphasia* Lour or *Vepris* Comm.
5. Fruit of—
- (a) *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., *Microcitrus* Swingle, *Naringi* Adans., *Swinglea* Merr., *Momordica* L., *Solanum lycopersicum* L. or *Solanum melongena* L.;
  - (b) *Annona* L., *Cydonia* Mill., *Diospyros* L., *Malus* Mill., *Mangifera* L., *Passiflora* L., *Prunus* L., *Psidium* L., *Pyrus* L., *Ribes* L., *Syzygium* Gaertn. or *Vaccinium* L., originating in any country outside Europe;
  - (c) *Capsicum* L.;
  - (d) *Punica granatum* L., originating in any country of the African continent, Cape Verde, Saint Helena, Madagascar, La Reunion, Mauritius or Israel.
6. Tubers of *Solanum tuberosum* L.
7. Soil or growing medium, which consists in whole or in part of soil or solid organic substances such as parts of plants or humus, including peat or bark, other than those composed entirely of peat.
8. Soil or growing medium which is attached to or appears to have been in contact with plants, consisting in whole or in part of material specified in paragraph 7 or consisting in part of any solid inorganic substances, intended to sustain the vitality of plants, originating in—
- (a) Belarus, Georgia, Moldova, Russia, Turkey or Ukraine; or
  - (b) any country outside Europe, other than Algeria, Egypt, Israel, Libya, Morocco or Tunisia.
9. Grain of the genera *Triticum*, *Secale* or *X Triticosecale* originating in Afghanistan, India, Iran, Iraq, Mexico, Nepal, Pakistan, South Africa or the USA.
10. Susceptible plants within the meaning of Article 1(2) of Decision [2002/757/EC](#) originating in the USA.
11. Seeds or cones, intended for propagating, of the genera or species referred to in Article 1(2) of Decision [2007/433/EC](#).
12. Live pollen of *Actinidia* Lindl.

<sup>F17</sup>13. ....

**Textual Amendments**

**F17** Sch. 5 Pt. A para. 13 omitted (28.3.2019) by virtue of [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **9(a)**

[<sup>F18</sup>13A. Specified plants within the meaning of Article 1(b) of Decision (EU) 2018/638]

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

#### Textual Amendments

**F18** Sch. 5 Pt. A para. 13A inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **9(a)**

14. Parts of plants, including seeds, of *Fraxinus* L.

[<sup>F19</sup>15. Specified plants within the meaning of Article 1(b) of Decision (EU) 2018/1503.]

#### Textual Amendments

**F19** Sch. 5 Pt. A para. 15 inserted (28.3.2019) by [The Plant Health \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/49\)](#), arts. 1, **9(b)**

## PART B

Relevant material which, if destined for certain protected zones, may only be landed if accompanied by a phytosanitary certificate

1. Plants of *Beta vulgaris* L. intended for industrial processing.
2. Soil from Beet or unsterilized waste from beet (*Beta vulgaris* L.).
3. Live pollen for pollination of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L., or *Sorbus* L.
4. Parts of plants, other than fruit or seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L.
5. Seeds of *Castanea* Mill., *Dolichos* Jacq., *Magnifera* spp., *Beta vulgaris* L. or *Phaseolus vulgaris* L.
6. Seeds or fruits (bolls) of *Gossypium* spp. or unginned cotton.
7. Fruits of *Vitis* L.
8. Parts of plants of *Eucalyptus* L'Hérit.

### SCHEDULE 6

Articles 22(1) to (4), 23(4) and 24(1)

Prohibitions on the introduction into or movement within Northern Ireland of relevant material without a plant passport

## PART A

Relevant material which may only be landed or moved within Northern Ireland if accompanied by a plant passport

1. Plants, other than seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana*



(Dcne.) Cardot, *Prunus* L., other than *Prunus laurocerasus* L. or *Prunus lusitanica* L., *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L., intended for planting.

2. Plants, other than seeds, of *Beta vulgaris* L. or *Humulus lupulus* L., intended for planting.

3. Plants of stolon- or tuber-forming species of *Solanum* L., intended for planting.

4. Plants, other than fruit or seeds, of *Choisya* Kunth, *Fortunella* Swingle, *Poncirus* Raf., *Casimiroa* La Llave, *Clausena* Burm. F., *Murraya* J. Koenig ex L., *Vepris* Comm., *Zanthoxylum* L. or *Vitis* L.

5. Plants, other than fruits or seeds, of *Citrus* L.

6. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., with leaves and peduncles.

7. The following plants which have been produced by producers whose production and sale is authorised to persons engaged in plant production in the course of a trade or business, other than plants which have been prepared and are ready for sale to the final consumer, and which were produced separately from other products under the supervision of the responsible official body of the consignor country—

(a) plants, other than seeds, intended for planting, of the genera *Abies* Mill., *Apium graveolens* L., *Argyranthemum* spp., *Asparagus officinalis* L., *Aster* spp., *Brassica* spp., *Castanea* Mill., *Cucumis* spp., *Dendranthema* (DC.) Des Moul., *Dianthus* L., *Exacum* spp., *Fragaria* L., *Gerbera* Cass., *Gypsophila* L., all varieties of New Guinea hybrids of *Impatiens* L., *Lactuca* spp., *Larix* Mill., *Leucanthemum* L., *Pelargonium* L'Hérit. ex Ait., *Picea* A. Dietr., *Pinus* L., *Platanus* L., *Populus* L., *Prunus laurocerasus* L., *Prunus lusitanica* L., *Pseudotsuga* Carr., *Quercus* L., *Rubus* L., *Spinacia* L., *Tanacetum* L., *Tsuga* Carr., *Ulmus* L., *Verbena* L. or other plants of herbaceous species, other than plants of the family *Gramineae*, intended for planting, or bulbs, corms, rhizomes, seeds or tubers;

(b) plants of *Solanaceae*, other than seeds or those specified in paragraphs 3 and 11, intended for planting;

(c) plants of *Araceae*, *Marantaceae*, *Musaceae*, *Persea* spp. or *Strelitziaceae*, rooted or with growing medium attached or which appear to have been in contact with growing medium;

(d) plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over five cm and belonging to the following genera; *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth, *Livistona* R Br., *Phoenix* L., *Sabal* Adans., *Syragrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf.;

(e) seeds or bulbs of *Allium ascalonicum* L., *Allium cepa* L. or *Allium schoenoprasum* L., intended for planting; plants of *Allium porrum* L., intended for planting; or seeds of *Medicago sativa* L., *Helianthus annuus* L., *Solanum lycopersicum* L. or *Phaseolus* L.;

(f) bulbs, corms, tubers or rhizomes, intended for planting, of *Camassia* Lindl., *Chionodoxa* Boiss., *Crocus flavus* Weston “Golden Yellow”, *Dahlia* spp., *Galanthus* L., *Galtonia candicans* (Baker) Decne., miniature cultivars of the genus *Gladiolus* Tourn. ex L. (such as *Gladiolus callianthus* Marais, *Gladiolus colvillei* Sweet, *Gladiolus nanus* hort., *Gladiolus ramosus* hort. or *Gladiolus tubergenii* hort.), *Hyacinthus* L., *Iris* L., *Ismene* Herbert, *Lilium* spp., *Muscari* Miller, *Narcissus* L., *Ornithogalum* L., *Puschkinia* Adams, *Scilla* L., *Tigridia* Juss. or *Tulipa* L.

8. Susceptible plants within the meaning of Article 1(2) of Decision [2002/757/EC](#) originating in the USA.

9. Plants, other than seeds, intended for planting, of *Viburnum* spp., *Camellia* spp., *Rhododendron* spp., other than *Rhododendron simsii* Planch, originating in any third country other than the USA, or in the European Union.

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

10. Specified plants within the meaning of Article 1(2) of Decision [2007/433/EC](#).
11. Specified plants within the meaning of Article 1(a) of Decision 2012/138/EU which originate in a third country in which *Anoplophora chinensis* (Forster) is known to be present or which originate in or have been introduced into an area established in accordance with Article 6 of that Decision.
12. Tubers of *Solanum tuberosum* L., including those intended for planting, which originate in a third country where *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitris subcrinita* (Lec.) or *Epitrix tuberis* (Gentner) is known to be present or in an area which has been established in accordance with Article 5 of Decision 2012/270/EU.
13. Plants, other than seeds, intended for planting, which can only grow in water or soil that is permanently saturated with water and which originate in an area established in accordance with Article 5 of decision 2012/697/EU.
14. Live pollen or plants intended for planting, other than seeds, of *Actinidia* Lindl.
15. Pre-basic mother plants as defined in Article 1(3) of Directive 2014/98/EU or pre-basic material as defined in Article 2(5) of Council Directive [2008/90/EC](#) which—
  - (a) belong to the species *Juglans regia* L., *Olea europaea* L., *prunus amygdalus* Batsch, *P. amygdalus* x *P. persica*, *P. armeniaca* L., *P. avium* (L.) L., *P. cerasus* L., *P. domestica* L., *P. domestica* x *P. salicina*, *P. dulcis* (Mill.) D.A. Webb, *P. persica* (L.) Batsch, or *P. salicina* Lindley;
  - (b) have been grown outside a demarcated area established in accordance with Article 4 of Decision (EU) 2015/789; and
  - (c) have spent at least part of their life outside insect proof facilities.
16. Specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 which have been grown for at least part of their life in an area established in accordance with Article 4 of that Decision or *Xylella* host plants within the meaning of Article 1(b) of that Decision which have never been grown in such an area.
17. Specified plants within the meaning of Article 1(a) of Decision 2015/893 which originate in a third country in which *Anoplophora glabripennis* (Motschulsky) is known to be present or which originate, or have been introduced into a place of production, in an area established in accordance with Article 7 of that Decision.
18. Plants of *Fraxinus* L., intended for planting.
- [<sup>F20</sup>19. Specified plants within the meaning of Article 1(b) of Decision (EU) 2018/1503—
  - (i) originating in an area demarcated under Article 5 of that Decision which have been grown during a period of at least two years prior to movement or, in the case of plants which are younger than two years, have been grown throughout their life, in a place of production which fulfils the requirements set out in paragraphs 2 to 5 of Article 7 of Decision (EU) 2018/1503;
  - (ii) not originating in demarcated areas, but introduced into a place of production in such areas, which may be moved within the Union on condition that this place of production complies with the requirements set out in paragraphs 2 to 4 of Article 7 of Decision (EU) 2018/1503;
  - (iii) imported from third countries where the specified organism is known to be present, under a certificate in accordance with Article 11 of Decision (EU) 2018/1503.]

### Textual Amendments

**F20** Sch. 6 Pt. A para. 19 inserted (28.3.2019) by The Plant Health (Amendment) Order (Northern Ireland) 2019 (S.R. 2019/49), arts. 1, 10

## PART B

Relevant material which may only be landed or moved within Northern Ireland if accompanied by a plant passport which is valid for Northern Ireland as a protected zone

1. Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L. and *Pseudotsuga* Carr.
2. Plants intended for planting, other than seeds, of *Beta vulgaris* L., *Platanus* L., *Prunus* L., *Quercus* spp., other than *Quercus suber*, or *Ulmus* L.
3. Plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following taxa: *Areca catechu* L., *Arenga pinnata* (Wurmb) Merr., *Bismarckia* Hildebr. & H. Wendl., *Borassus flabellifer* L., *Brahea* Mart., *Butia* Becc., *Calamus merrillii* Becc., *Caryota maxima* Blume, *Caryota cumingii* Lodd. Ex Mart., *Chamaerops* L., *Cocos nucifera* L., *Copernicia* Mart., *Corypha utan* Lam., *Elaeis guineensis* Jacq., *Howea forsteriana* Becc., *Jubae* Kunth, *Livistona* R. Br., *Metroxylon sagu* Rottb., *Phoenix* L., *Pritchardia* Seem. & H. Wendl., *Ravenea rivularis* Jum. & H. Perrier, *Roystonea regia* (Kunth) O.F. Cook, *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf.
4. Tubers of *Solanum tuberosum* L., intended for planting.
5. Plants of *Beta vulgaris* L., intended for industrial processing.
6. Soil from beet and unsterilized waste from beet (*Beta vulgaris* L.).
7. Seeds of *Beta vulgaris* L. and *Castanea* Mill.
8. Fruits (bolls) of *Gossypium* spp. or unginning cotton or fruits of *Vitis* L.
9. The following plants which have been produced by producers whose production and sale is authorised to persons engaged in plant production in the course of a trade or business, other than plants which have been prepared and are ready for sale to the final consumer, and which were produced separately from other products under the supervision of the responsible official body of the consignor country—
  - (a) plants, other than corms, seeds or tubers, of *Begonia* L., intended for planting; or
  - (b) plants, other than seeds, of *Dipladenia* A. DC., *Euphorbia pulcherrima* Willd., *Ficus* L., *Hibiscus* L., *Mandevilla* Lindl. or *Nerium oleander* L., intended for planting.

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

## SCHEDULE 7

Articles 22(5) and (6) and 23(4)

Prohibitions on the consignment of relevant material to another part of the European Union without a plant passport

### PART A

Relevant material which may only be consigned to another part of the European Union if accompanied by a plant passport

1. Plants, other than seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Prunus* L., other than *Prunus laurocerasus* L. or *Prunus lusitanica* L., *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L., intended for planting.
2. Plants, other than seeds, of *Beta vulgaris* L. or *Humulus lupulus* L., intended for planting.
3. Plants of stolon- or tuber-forming species of *Solanum* L., intended for planting.
4. Plants, other than fruit or seeds, of *Choisya* Kunth, *Fortunella* swingle, *Poncirus* Raf., *Casimiroa* La Llave, *Clausena* Burm. F., *Murraya* J. Koenig ex L., *Vepris* Comm., *Zanthoxylum* L. or *Vitis* L.
5. Plants, other than fruit or seeds, of *Citrus* L.
6. Fruits of *Citrus* L., *Fortunella* swingle, *Poncirus* Raf., with leaves and peduncles.
7. The following plants which have been produced by producers whose production and sale is authorised to persons engaged in plant production in the course of a trade or business, other than plants which have been prepared and are ready for sale to the final consumer, and which were produced separately from other products under the supervision of the responsible official body of the consignor country—
  - (a) plants, other than seeds, intended for planting, of the genera *Abies* Mill., *Apium graveolens* L., *Argyranthemum* spp., *Asparagus officinalis* L., *Aster* spp., *Brassica* spp., *Castanea* Mill., *Cucumis* spp., *Dendranthema* (DC.) Des Moul., *Dianthus* L., *Exacum* spp., *Fragaria* L., *Gerbera* Cass., *Gypsophila* L., all varieties of New Guinea hybrids of *Impatiens* L., *Lactuca* spp., *Larix* Mill., *Leucanthemum* L., *Lupinus* L., *Pelagonium* L'Hérit. ex Ait., *Picea* A. Dietr., *Pinus* L., *Platanus* L., *Populus* L., *Prunus laurocerasus* L., *Prunus lusitanica* L., *Pseudotsuga* Carr., *Quercus* L., *Rubus* L., *Spinacia* L., *Tanacetum* L., *Tsuga* Carr., *Ulmus* L., *Verbena* L. or other plants of herbaceous species, other than plants of the family *Gramineae*, intended for planting, or bulbs, corms, rhizomes, seeds or tubers;
  - (b) plants of *Solanaceae*, other than seeds or those specified in paragraphs 3 and 11, intended for planting;
  - (c) plants of *Araceae*, *Marantaceae*, *Musaceae*, *Persea* spp. or *Strelitziaceae*, rooted or with growing medium attached or which appear to have been in contact with growing medium;
  - (d) plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over five cm and belonging to the following genera: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth, *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syragrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf.;
  - (e) seeds or bulbs of *Allium ascalonicum* L., *Allium cepa* L. or *Allium schoenoprasum* L., intended for planting; plants of *Allium porrum* L., intended for planting; or seeds of *Medicago sativa* L., *Helianthus annuus* L., *Solanum lycopersicum* L. or *Phaseolus* L.; or

- (f) bulbs, corms, tubers or rhizomes, intended for planting, of *Camassia* Lindl., *Chionodoxa* Boiss., *Crocus flavus* Weston “Golden Yellow”, *Dahlia* spp., *Galanthus* L., *Galtonia candicans* (Baker) Decne., miniature cultivars of the genus *Gladiolus* Tourn. ex L. (such as *Gladiolus callianthus* Marais, *Gladiolus colvillei* Sweet, *Gladiolus nanus* hort., *Gladiolus ramosus* hort. or *Gladiolus tubergenii* hort.), *Hyacinthus* L., *Iris* L., *Ismene* Herbert, *Lilium* spp., *Muscari* Miller, *Narcissus* L., *Ornithogalum* L., *Puschkinia* Adams, *Scilla* L., *Tigridia* Juss. or *Tulipa* L.
8. Susceptible plants within the meaning of Article 1(2) of Decision [2002/757/EC](#) originating in the USA.
9. Plants, other than seeds, intended for planting, of *Viburnum* spp., *Camellia* spp., *Rhododendron* spp., other than *Rhododendron simsii* Planch, originating in any third country other than the USA, or in the European Union.
10. Specified plants within the meaning of Article 1(2) of Decision [2007/433/EC](#).
11. Specified plants within the meaning of Article 1(a) of Decision 2012/138/EU which originate in a third country in which *Anoplophora chinensis* (Forster) is known to be present or which originate in or have been introduced into an area established in accordance with Article 6 of that Decision.
12. Tubers of *Solanum tuberosum* L., including those intended for planting, which originate in a third country where *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner) is known to be present or in an area which has been established in accordance with Article 5 of Decision 2012/270/EU.
13. Plants, other than seeds, intended for planting which can only grow in water or soil that is permanently saturated with water and which originate in an area established in accordance with Article 5 of Decision 2012/697/EU.
14. Live pollen or plants intended for planting, other than seeds, of *Actinidia* Lindl.
15. Pre-basic mother plants as defined in Article 1(3) of Directive 2014/98/EU or pre-basic material as defined in Article 2(5) of Council Directive [2008/90/EC](#) which—
- (a) belong to the species *Juglans regia* L., *Olea europaea* L., *Prunus amygdalus* Batsch, *P. amygdalus* x *P. persica*, *P. armeniaca* L., *P. avium* (L.) L., *P. cerasus* L., *P. domestica* L., *P. domestica* x *P. salicina*, *P. dulcis* (Mill.) D.A. Webb, *P. persica* (L.) Batsch, or *P. salicina* Lindley;
  - (b) have been grown outside an area established in accordance with Article 4 of Decision (EU) 2015/789; and
  - (c) have spent at least part of their life outside insect proof facilities.
16. Specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 which have been grown for at least part of their life in an area established in accordance with Article 4 of that Decision or *Xylella* host plants within the meaning of Article 1(b) of that Decision which have never been grown in such an area.
17. Specified plants within the meaning of Article 1(a) of Decision (EU) 2015/893 which originate in a third country in which *Anoplophora glabripennis* (Motschulsky) is known to be present or which originate, or have been introduced into a place of production, in an area established in accordance with Article 7 of that Decision.
18. Plants of *Fraxinus* L., intended for planting.

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

## PART B

Relevant material which may only be consigned to a protected zone in another part of the European Union by a plant passport which is valid for that protected zone

1. Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L. or *Pseudotsuga* Carr.
2. Plants, other than seeds, of *Beta vulgaris* L., *Platanus* L., *Populus* L., *Prunus* L., *Quercus* spp., other than *Quercus suber*, or *Ulmus* L. intended for planting.
3. Plants, other than fruit or seeds, of *Amelanchier* Med., *Castanea* Mill., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Eucalyptus* L'Hérit, *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L., *Sorbus* L. or *Vitis* L.
4. Plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following taxa: *Areca catechu* L., *Arenga pinnata* (Wurmb) Merr., *Bismarckia* Hildebr. & H. Wendl., *Borassus flabellifer* L., *Brahea* Mart., *Butia* Becc., *Calamus merrillii* Becc., *Caryota maxima* Blume, *Caryota cumingii* Lodd. ex Mart., *Chamaerops* L., *Cocos nucifera* L., *Copernicia* Mart., *Corypha utan* Lam., *Elaeis guineensis* Jacq., *Howea forsteriana* Becc., *Jubae* Kunth, *Livistona* R. Br., *Metroxylon sagu* Rottb., *Phoenix* L., *Pritchardia* Seem. & H. Wendl., *Ravenea rivularis* Jum. & H. Perrier, *Roystonea regia* (Kunth) O.F. Cook, *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf.
5. Live pollen for pollination of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L.
6. Tubers of *Solanum tuberosum* L., intended for planting.
7. Plants of *Beta vulgaris* L., intended for industrial processing.
8. Soil from beet or unsterilized waste from beet (*Beta vulgaris* L.).
9. Seeds of *Beta vulgaris* L., *Castanea* Mill., *Dolichos* Jacq., *Gossypium* spp. or *Phaseolus vulgaris* L.
10. Fruits (bolls) of *Gossypium* spp. or ginned cotton or fruits of *Vitis* L.
11. The following plants which have been produced by producers whose production and sale is authorised to persons engaged in plant production in the course of a trade or business, other than plants which have been prepared and are ready for sale to the final consumer, and which were produced separately from other products under the supervision of the responsible official body of the consignor country—
  - (a) plants, other than corms, seeds or tubers, of *Begonia* L., intended for planting; or
  - (b) plants, other than seeds, of *Dipladenia* A.DC., *Euphorbia pulcherrima* Willd., *Ficus* L., *Hibiscus* L., *Mandevilla* Lindl. or *Nerium oleander*, intended for planting.

## SCHEDULE 8

Articles 3(1) and 31

### Swiss plant passports

## PART A

Relevant material originating in Switzerland which may be landed or moved within Northern Ireland if accompanied by a Swiss plant passport

1. Plants, other than seeds, of *Amelanchier* Med., *Beta vulgaris* L., *Chaenomeles* Lindl., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Humulus lupulus* L., *Malus* Mill., *Mespilus* L., *Prunus* L., other than *Prunus laurocerasus* L. or *Prunus lusitanica* L., *Pyracantha* Roem., *Pyrus* L. or *Sorbus* L., intended for planting.
2. Plants of stoloniferous or tuberous species of *Solanum* L., intended for planting.
3. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., *Casimiroa* La Llave, *Clausena* Burm. f., *Vepris* Comm., *Zanthoxylum* L. or *Vitis* L.
4. Fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., with leaves and peduncles.
5. The following plants, which have been produced by producers whose production and sale is authorised to persons engaged in plant production in the course of a trade or business, other than plants which have been prepared and are ready for sale to the final consumer and which were clearly produced separately from other products, as guaranteed by a person authorised by Swiss legislation to give such a guarantee—
  - (a) plants, other than seeds, intended for planting, of the genera *Abies* Mill., *Apium graveolens* L., *Argyranthemum* spp., *Asparagus officinalis* L., *Aster* spp., *Brassica* spp., *Castanea* Mill., *Cucumis* spp., *Dendranthema* (DC.) Des Moul., *Dianthus* L., *Exacum* spp., *Fragaria* L., *Gerbera* Cass., *Gypsophila* L., all varieties of New Guinea hybrids of *Impatiens* L., *Lactuca* spp., *Larix* Mill., *Leucanthemum* L., *Lupinus* L., *Pelargonium* L'Hérit. ex Ait., *Picea* A. Ditr., *Pinus* L., *Platanus* L., *Populus* L., *Prunus laurocerasus* L., *Prunus lusitanica* L., *Pseudotsuga* Carr., *Quercus* L., *Rubus* L., *Spinacia* L., *Tanacetum* L., *Tsuga* Carr., *Verbena* L. or other plants of herbaceous species, other than plants of the family *Gramineae* or bulbs, corms, rhizomes or tubers;
  - (b) plants, other than seeds, of *Solanaceae*, other than those plants referred to in paragraph 2, intended for planting;
  - (c) plants of *Araceae*, *Marantaceae*, *Musaceae*, *Persea* spp. or *Strelitziaceae*, rooted or with growing medium attached or which appear to have been in contact with growing medium;
  - (d) plants of *Palmae*, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera or species: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth., *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syragrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart. or *Washingtonia* Raf.;
  - (e) seeds or bulbs, intended for planting, of *Allium ascalonicum* L., *Allium cepa* L., *Allium Schoenoprasum* L., *Helianthus annuus* L., *Medicago sativa* L., *Solanum lycopersicum* L., or *Phaseolus* L.;
  - (f) plants of *Allium porrum* L., intended for planting; or
  - (g) bulbs, corms, tubers or rhizomes, intended for planting, of *Camassia* Lindl., *Chionodoxa* Boiss., *Crocus flavus* Weston “Golden Yellow”, *Dahlia* spp., *Galanthus* L., *Galtonia candicans* (Baker) Decne., miniature cultivars of the genus *Gladiolus* Tourn. ex L. (such as *Gladiolus callianthus* Marais, *Gladiolus colvillei* Sweet, *Gladiolus nanus* hort., *Gladiolus ramosus* hort. or *Gladiolus tubergenii* hort.), *Hyacinthus* L., *Iris* L., *Ismene* Herbert,

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*Lilium* spp., *Muscari* Miller, *Narcissus* L., *Ornithogalum* L., *Puschkinia* Adams, *Scilla* L., *Tigridia* Juss. or *Tulipa* L.

## PART B

Relevant material imported into Switzerland from another third country which, if it would normally be permitted to be landed in Northern Ireland if accompanied by a phytosanitary certificate, may be accompanied by a Swiss plant passport or may be landed without phytosanitary documentation

1. Plants, other than seeds, intended for planting, of *Clausena* Burm. F or *Murraya* Koenig ex L.
2. Seeds of *Cruciferae*, *Gramineae* or *Trifolium* spp., originating in Argentina, Australia, Bolivia, Chile, New Zealand or Uruguay.
3. Seeds of *Allium ascalonicum* L., *Allium cepa* L., *Allium porrum* L., *Allium schoenoprasum* L., *Capsicum* spp., *Helianthus annuus* L., *Solanum lycopersicum* L., *Medicago sativa* L., *Phaseolus* L., *Prunus* L., *Rubus* L. or *Oryza* spp. or *Zea mays* L.
4. Seeds of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf.
5. Seeds of *Triticum*, *Secale* or *X Triticosecale*, originating in Afghanistan, India, Iran, Iraq, Mexico, Nepal, Pakistan, South Africa or the USA.
6. Parts of plants, other than fruit or seeds, of—
  - (a) leafy vegetables of *Apium graveolens* L., *Eryngium* L., *Limnophila* L. or *Ocimum* L.;
  - (b) cut flowers of *Aster* spp., *Eryngium* L., *Hypericum* L., *Lisianthus* L., *Rosa* L. or *Trachelium* L., originating in any country outside Europe, or cut flowers of *Orchidaceae*;
  - (c) *Acer saccharum* Marsh, originating in Canada or the USA;
  - (d) *Castanea* Mill., conifers (Coniferales), *Dendranthema* (DC.) Des Moul., *Dianthus* L., *Gypsophila* L., *Pelargonium* L'Hérit. ex Ait., *Phoenix* spp., *Populus* L., *Quercus* L., or *Solidago* L.;
  - (e) *Prunus* L., originating in any country outside Europe;
  - (f) leaves of *Manihot esculenta* Crantz;
  - (g) cut branches of *Betula* L., with or without foliage;
  - (h) cut branches of *Fraxinus* L., *Juglans ailantifolia* Carr., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch. or *Pterocarya rhoifolia* Siebold & Zucc., with or without foliage, originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan or the USA;
  - (i) *Amiris* P. Browne, *Casimiroa* La Llave, *Citropsis* Swingle & Kellerman, *Eremocitrus* Swingle, *Esenbeckia* Kunth., *Glycosmis* Corrêa, *Merrillia* Swingle, *Naringi* Adans., *Tetradium* Lour., *Toddalia* Juss. or *Zanthoxylum* L.
7. Parts of plants, other than fruit but including seeds, of *Aegle* Corrêa, *Aeglopsis* Swingle, *Afraegle* Engl., *Atalantia* Corrêa, *Balsamocitrus* Stapf., *Burkillanthus* Swingle, *Calodendrum* Thunb., *Choisya* Kunth, *Clausena* Burm. f., *Limonia* L., *Microcitrus* Swingle, *Murraya* J. Koenig ex L., *Pamburus* Swingle, *Severinia* Ten., *Swinglea* Merr., *Triphasia* Lour. or *Vepris* Comm.
8. Fruit of—
  - (a) *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., *Momordica* L. or *Solanum melongena* L.;



**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- (b) *Annona* L., *Cydonia* Mill., *Diospyros* L., *Malus* Mill., *Mangifera* L., *Passiflora* L., *Prunus* L., *Psidium* L., *Pyrus* L., *Ribes* L., *Syzygium* Gaertn. or *Vaccinium* L., originating in any country outside Europe;
  - (c) *Capsicum* L.
9. Tubers of *Solanum tuberosum* L.
10. Soil or growing medium, which consists in whole or in part of soil or solid organic substances such as parts of plants or humus, including peat or bark, other than that which is composed entirely of peat.
11. Soil or growing medium which is attached to or appears to have been in contact with plants, consisting in whole or in part of material specified in paragraph 8 or consisting in part of any solid inorganic substances, intended to sustain the vitality of plants, originating in—
- (a) Belarus, Georgia, Moldova, Russia, Turkey or Ukraine; or
  - (b) any country outside Europe, other than Algeria, Egypt, Israel, Libya, Morocco or Tunisia.
12. Grain of the genera *Triticum*, *Secale* or *X Triticosecale*, originating in Afghanistan, India, Iran, Iraq, Mexico, Nepal, Pakistan, South Africa or the USA.

## SCHEDULE 9

Article 2(1)

### Requirements for plant passports

## PART A

### Requirements for plant passports for any relevant material in Schedule 6 or 7

1. A plant passport may only be issued in respect of relevant material that has been the subject of a satisfactory inspection at its place of production.
2. A plant passport must comprise—
  - (a) an official label containing at least the plant passport details specified in paragraph 4(a) to (e); and
  - (b) a document of a kind normally used for trade purposes containing all of the plant passport details specified in paragraph 4.
3. But where the plant passport relates to any relevant material referred to in Part B, the plant passport may comprise an official label containing the plant passport details specified in paragraph 4 and any other information required under Part B.
4. The plant passport details are—
  - (a) the title “EU-plant passport”;
  - (b) the code for the member State in which the plant passport was issued;
  - (c) the name or code for the responsible official body of the member State in which the plant passport was issued;
  - (d) the registration number of the producer, importer or other person who is authorised to issue the plant passport or to whom the plant passport was issued;
  - (e) the week number of the date when the plant passport was attached to the relevant material, or a serial or batch number identifying the material;

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- (f) the botanical name in Latin of the relevant material to which the plant passport relates;
  - (g) the quantity of the relevant material to which the plant passport relates (number of plants, plant products, volume or weight);
  - (h) where the relevant material fulfils the requirements for a protected zone, the marking “ZP” and the code for the protected zone;
  - (i) in the case of a replacement plant passport, the marking “RP” and, where appropriate, a code for the producer or importer who was authorised to issue the original plant passport or to whom the original plant passport was issued;
  - (j) in the case of relevant material originating in a third country, the name of the country of origin of the material or (if appropriate) the country from which the material was consigned to Northern Ireland.
5. An official label must—
- (a) not have been previously used;
  - (b) be made of material suitable for its purpose; and
  - (c) in the case of an adhesive label, be in a form approved for use as an official label by—
    - (i) in the case of plant passports issued in Northern Ireland, the Department;
    - (ii) in the case of plant passports issued elsewhere in the European Union, the responsible official body with responsibility in relation to the issue of plant passports in the relevant part of the European Union.
- 6.—(1) The information contained in a plant passport must be—
- (a) given in at least one of the official languages of the European Union;
  - (b) printed, except where it would not be reasonably practicable to do so.
- (2) Where the information is printed, it must be printed in block capitals.
- (3) Where the information is not printed, it must be given in typescript or written in block capitals.
7. An additional document of a kind referred to in paragraph 2(b) may include the additional information specified in paragraph 8 provided that it is clearly separate from the plant passport details included in the document.
8. The additional information is any information relevant for the purpose of labelling the relevant material to which it relates and which is set out in—
- (a) Article 2(1) of Commission Directive [1999/66/EC](#) setting out requirements as to the label or other document made out by the supplier pursuant to Council Directive [98/56/EC](#)<sup>M33</sup>;
  - [<sup>F21</sup>(b) Article 5(2) of Commission Implementing [Directive 2014/96/EU](#) on the requirements for the labelling, sealing and packaging of fruit propagating material and fruit plants intended for fruit production falling within the scope of Council [Directive 2008/90/EC](#)];
  - (c) Article 6(1) of Commission Directive [93/61/EEC](#) setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seed, pursuant to Council Directive [2008/72/EC](#) which repeals Council Directive [92/33/EEC](#)<sup>M34</sup>.

#### Textual Amendments

- F21** [Sch. 9 Pt. A para. 8\(b\)](#) substituted (28.3.2019) by [The Plant Health and Seeds \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/41\)](#), regs. 1(1), **7(2)**

#### Marginal Citations

**M33** OJ No L 164, 30.6.1999, p. 76.

**M34** OJ No L 205, 1.8.2008, p. 28.

## PART B

### Requirements for plant passports permitted for certain relevant material in Schedule 6 or 7

1. An official label which comprises a plant passport or part of a plant passport and which relates to any relevant material specified in this Part must comply with the following requirements in relation to the specified material.
2. An official label in respect of tubers of *Solanum tuberosum* L., intended for planting must—
  - (a) comply with the requirements in Article 13(1)(a) of Council Directive [2002/56/EC](#) on the marketing of seed potatoes;
  - (b) contain the title “EU-plant passport”; and
  - (c) where the tubers are intended to be consigned to another part of the European Union, provide evidence that they have been officially examined to ensure that they comply with the requirements in item 18.1 of Section II of Annex IV Part A.
3. An official label in respect of seeds of *Helianthus annuus* L., must—
  - (a) comply with the requirements in Article 12(1)(a) of Council Directive [2002/57/EC](#) on the marketing of seed of oil and fibre plants;
  - (b) contain the title “EU-plant passport”; and
  - (c) where the seeds are intended to be consigned to another part of the European Union, provide evidence that they have been officially examined to ensure that they comply with the requirements in item 26 of Section II of Annex IV Part A.
4. An official label in respect of *Solanum lycopersicum* L. or *Phaseolus* L., must—
  - (a) comply with the requirements in Article 28(1)(a) of Council Directive [2002/55/EC](#) on the marketing of vegetable seed;
  - (b) contain the title “EU-plant passport”; and
  - (c) where the seeds are intended to be consigned to another part of the European Union, provide evidence that they have been officially examined to ensure that they comply with the requirements in item 27 or 29 of Section II of Annex IV Part A.
5. An official label in respect of seeds of *Medicago sativa* L., must—
  - (a) comply with the requirements in Article 10(1)(a) of Council Directive [66/401/EEC](#) on the marketing of fodder plant seed;
  - (b) contain the title “EU-plant passport”; and
  - (c) where the seeds are intended to be consigned to another part of the European Union, provide evidence that they have been officially examined to ensure that they comply with the requirements in items 28.I and 28.II of Section II of Annex IV Part A.

Status: Point in time view as at 22/07/2019.  
Changes to legislation: There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

SCHEDULE 10

Article 2(1)

Form of phytosanitary certificate and form of phytosanitary certificate for re-export

PART A

Form of phytosanitary certificate

PHYTOSANITARY CERTIFICATE

No. ....  
Plant protection organisation of: .....  
To plant protection organisation(s) of: .....  
I. Description of consignment  
Name and address of exporter: .....  
Declared name and address of consignee: .....  
Number and description of packages: .....  
Distinguishing marks: .....  
Place of origin: .....  
Declared means of conveyance: .....  
Declared point of entry: .....  
Name of produce and quantity declared: .....  
Botanical name of plants: .....  
This is to certify that the plants, plant products or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests.  
They are deemed to be practically free from other pests\*.  
II. Additional declaration  
III. Disinfection and/or disinfection treatment  
Date: ..... Treatment: ..... Chemical (active ingredient): .....  
Duration and temperature: .....  
Concentration: .....  
Additional information: .....  
Place of issue: .....  
Name of authorised officer: .....  
(Stamp of organisation) Date: ..... (signature)  
No financial liability with respect to this certificate shall attach to .....  
(name of plant protection organisation) or to any of its officers or representatives(\*\*).  
(\*Optional clause

PART B

Form of Phytosanitary certificate for re-export

PHYTOSANITARY CERTIFICATE FOR RE-EXPORT

No. ....  
Plant protection organisation of: .....(contracting party of re-export)  
To plant protection organisation(s) of: .....(contracting party(ies) of import)  
I. Description of consignment  
Name and address of exporter: .....  
Declared name and address of consignee: .....  
Number and description of packages: .....  
Distinguishing marks: .....  
Place of origin: .....  
Declared means of conveyance: .....  
Declared point of entry: .....  
Name of produce and quantity declared: .....  
Botanical name of plants: .....  
This is to certify that the plants, plant products or other regulated articles described above were imported into (contracting party of re-export) ..... from ..... (contracting party of origin) covered by phytosanitary certificate No. .... (\*) original  certified true copy  of which is attached to this certificate; that they are packed  repacked  in original  (\*) new  containers, that based on the original phytosanitary certificate  and original inspection  they are considered to conform with the current phytosanitary requirements of the importing contracting party, and that during storage in ..... (contracting party of re-export), the consignment has not been subjected to the risk of infestation or infection.  
II. Additional declaration  
III. Disinfection and/or disinfection treatment  
Date: ..... Treatment: ..... Chemical (active ingredient): .....  
Duration and temperature: .....  
Concentration: .....  
Additional information: .....  
Place of issue: .....  
Name of authorised officer: .....  
(Stamp of organisation) Date: ..... (signature)  
No financial liability with respect to this certificate shall attach to .....  
(name of plant protection organisation) or to any of its officers or representatives(\*\*).  
(\*Optional clause  
(\* Insert tick in appropriate  boxes  
(\*\*) Optional clause

SCHEDULE 11

Article 6(2)

Notice of landing

**Notice of landing of notifiable relevant material required by article 6(1) of the Plant Health Order (Northern Ireland) 2018**

- 1. Details of relevant material.....
- 2. Quantity of relevant material.....
- 3. Consignor country.....
- 4. Country where consigned.....
- 5. Consignor.....
- 6. Importer.....
- 7. Country of destination.....
- 8. Intended point of entry in Northern Ireland.....
- 9. Air: Flight No .....
- 10. Land: Vehicle registration number .....
- 11. Sea: Vessel name and container number or numbers .....
- 12. Expected date and time of arrival .....
- 13. Additional information (where required).....

.....  
.....

Signature of importer or airport or harbour authority: .....

Date: ..... (The information contained in the notice must be completed in English and in typescript or block capitals)

SCHEDULE 12

Article 2(1)

Plant Health movement document

**PART A**

- 1. The plant health movement document required under article 18 must be in the form set out in Part B.
- 2. The information contained in a plant health movement document must be given in at least one of the official languages of the European Union and must be completed—
  - (a) in typescript or written in block capitals; or
  - (b) with the agreement of the Department and the official body of destination or entry, by electronic means.

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

3. In Part B, “approved place of inspection” has the same meaning as in Commission Directive 2004/103/EC on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by and specifying the conditions related to these checks<sup>M35</sup>.

**Marginal Citations**  
**M35** OJ No L 313, 12.10.2004, p16.

## PART B

1. Plant health movement document as referred to in Article 1(3)(c) of Commission Directive 2004/103/EC	2. <b>PLANT HEALTH MOVEMENT DOCUMENT</b> No EU/.../...
3. Identification of consignment <sup>10</sup> – This consignment contains produce of phytosanitary relevance – Plant, plant product or other object (Taric code): ..... Reference number(s) of required phytosanitary documentation ..... Country of issue: ..... Date of issue: ..... Distinguishing mark(s), numbers, number of packages, amount (weight/units): ..... Reference number(s) of required customs documentation: .....	
4. Official registration number of importer: ..... I, the undersigned importer, hereby request the responsible official body to carry out the official identity checks and plant health checks of the above mentioned plants, plant products or other objects at the approved place of inspection listed below and I undertake to respect the rules and procedures set out by the responsible official body. Date, name and signature of importer: .....	
5.1 Point of entry	5.2 Countersigning by official body of point of entry (date, name, service stamp and signature):
6. Place(s) of inspection <sup>11</sup> A= ..... B=(replaces A) .....	

The plants, plant products or other objects are moved to the aforementioned place(s) of inspection in accordance with the agreement concluded between<sup>12</sup>

**The consignment may not be moved to places other than those listed above unless this has been officially approved.**

7. Documentary check <input type="checkbox"/>	8. Identity check <input type="checkbox"/>	9. Plant health check <input type="checkbox"/>
---	--	--

Place/date: .....	Place/date: .....	Place/date: .....
Name: .....	Name: .....	Name: .....

10. Decision  
 Release Place/date: .....  
 Name: .....

Service stamp/signature: .....

Indicate EU Plant Passport (serial or week or batch) number where appropriate: .....

<input type="checkbox"/> Official measure prior to submission	<input type="checkbox"/> Destruction
<input type="checkbox"/> Refusal of entry	<input type="checkbox"/> Quarantine period
<input type="checkbox"/> Movement outside the Union	<input type="checkbox"/> Appropriate treatment
<input type="checkbox"/> Removal of infested/unfested produce	

Remark: .....

<sup>10</sup>Make reference to country code/number.  
<sup>11</sup>Fill in box or make reference to information of phytosanitary certificate which must be attached.  
<sup>12</sup>Make reference to "C" (Article 13(2)(d) of Directive 2000/29/EC) or "D" (Article 13(2)(d) of Directive 2000/29/EC).  
<sup>13</sup>When appropriate, give details on agreement between the Member States' official services, either on a case-by-case agreement or on the basis of a longer-term agreement.

### SCHEDULE 13

Article 40(5)

#### Special measures for the control of Potato wart disease

1. A plot is to be regarded as contaminated for the purposes of this Schedule if Potato wart disease is confirmed to be present on at least one plant from the plot as a result of an official test.
2. An inspector must demarcate a contaminated plot and a safety zone around that plot which is large enough to ensure the protection of the surrounding areas.
3. A notice under article 33 may require any potato tubers or haulms which are present on a contaminated plot or which come from such a plot to be treated in such a way that the Potato wart disease present on them is destroyed.
4. Where an inspector is satisfied that any potato tubers or haulms are contaminated with Potato wart disease and the inspector cannot determine whether those tubers or haulms have been present on a contaminated plot, the inspector may serve a notice under article 33 which requires the whole

batch containing the affected tubers or haulms to be treated in such a way that there is no risk of Potato wart disease spreading.

5. Where a contaminated plot is demarcated under paragraph 2—
  - (a) no potatoes may be grown on it; and
  - (b) no plants intended for transplanting may be grown, stored or moved on it.

6. No potatoes may be grown in a safety zone demarcated under paragraph 2 unless an inspector is satisfied that they are of a variety which meets the requirements of Article 5 of Directive [69/464/EEC](#).

7. Where an inspector is satisfied that Potato wart disease is no longer present on a plot demarcated under paragraph 2 or on its associated safety zone, the inspector must revoke that demarcation.

## SCHEDULE 14

Article 40(5)

### Special measures for the control of European populations of Potato cyst nematode

#### **Interpretation and application of Schedule 14**

1. This Schedule applies, where following an official investigation for the purposes of Article 4 of Directive [2007/33/EC](#) or an official survey for the purposes of Article 6 of that Directive, the Department confirms that a field is infested with a European population of Potato cyst nematode.

2. In this Schedule, “demarcated field” means a field in respect of which a notice served under paragraph 3 is in force.

#### **Demarcation of the field**

3. An inspector must serve a notice in writing on the occupier or other person in charge of the field which—

- (a) specifies the field to which the notice applies; and
- (b) demarcates the boundaries of that field.

4. The notice may not be withdrawn until it is confirmed, pursuant to the re-sampling and testing measures set out in Section III(c) of Annex III to Directive [2007/33/EC](#), that Potato cyst nematode is no longer present in the field.

#### **Prohibition on planting of potatoes**

5. Unless authorised to do so by an inspector, no person may—
  - (a) plant any potatoes in a demarcated field; or
  - (b) plant or store in a demarcated field any plant listed in Annex I to Directive [2007/33/EC](#) which is intended for planting.

6. An inspector may authorise the planting in a demarcated field of any plant which is listed in point 2 of Annex I to Directive [2007/33/EC](#).

7. An authorisation under paragraph 6 must be by notice and must contain the measures set out in Section III(A) of Annex III to Directive [2007/33/EC](#).

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**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

### **Controls on contaminated seed potatoes etc.**

8. No person may plant any seed potatoes or any plants listed in point 1 of Annex I to Directive [2007/33/EC](#) which come from a demarcated field, or have been in contact with soil from a demarcated field, unless authorised to do so by an inspector.

9. An authorisation under paragraph 8 must be by notice and must contain the measures which the inspector considers necessary to decontaminate those seed potatoes or plants.

### **Controls on contaminated bulbs etc.**

10. No person may plant any plants listed in point 2 of Annex I to Directive [2007/33/EC](#) which come from a demarcated field, or have been in contact with soil from a demarcated field, unless authorised to do so by an inspector.

11. An authorisation under paragraph 11 must be by notice and must contain the measures set out in Section III(A) of Annex III to the Directive.

## SCHEDULE 15

Article 40(5)

### Special measures for the control of Potato ring rot

#### **Interpretation**

1. In this Schedule—

“certified seed potatoes” means pre-basic seed potatoes or basic seed potatoes as defined by regulation 2(1) of the Seed Potatoes Regulations;

“contaminated” means designated by an inspector as contaminated for the purposes of Article 5(1)(a) of Directive [93/85/EEC](#);

“first growing year”, in the case of measures to be taken in relation to a contaminated place of production, means the first growing year following the growing year in which the place of production is designated as contaminated for the purposes of Article 5(1)(a) of Directive [93/85/EEC](#);

“notice” means a notice under article 33;

“object” means any machinery, vehicle, vessel, store or other object, including packaging material;

“possibly contaminated” means determined by an inspector as possibly contaminated for the purposes of Article 5(1)(b) of Directive [93/85/EEC](#);

“susceptible material” means tubers or plants of *Solanum tuberosum* L.

#### **Susceptible material or objects contaminated or possibly contaminated with Potato ring rot**

2. No person may knowingly plant or knowingly cause or permit to be planted—

- (a) any contaminated susceptible material; or
- (b) any possibly contaminated susceptible material.

3. A notice may require that—

- (a) contaminated susceptible material be disposed of by destruction or by any other measure that complies with point 1 of Annex IV to Directive [93/85/EEC](#);



- (b) possibly contaminated susceptible material be used or disposed of in accordance with point 2 of Annex IV to Directive 93/85/EEC;
  - (c) a contaminated object or a possibly contaminated object be—
    - (i) disposed of by destruction; or
    - (ii) cleansed and disinfected so that there is no identifiable risk of Potato ring rot spreading.
4. Anything cleansed and disinfected in accordance with paragraph 3(c)(ii) may no longer be treated as contaminated for the purposes of Directive 93/85/EEC.

### **Measures which may be required in relation to a contaminated place of production**

5. An inspector may serve the following notices in relation to a contaminated place of production—
- (a) in the case of a contaminated field, a notice containing the first set of eradication measures or a notice containing the second set of eradication measures;
  - (b) in the case of a field which is not contaminated, a notice containing the third set of eradication measures.
6. The first set of eradication measures are—
- (a) the measures to be taken in the field from the date of receipt of the notice and for at least three growing years from the start of the first growing year so as to eliminate volunteer potato plants, and other naturally-found host plants, of Potato ring rot;
  - (b) a prohibition on the planting of any of the following in the field during that period—
    - (i) potato tubers, plants or true seeds;
    - (ii) naturally-found host plants of Potato ring rot;
    - (iii) crops for which there is a risk of Potato ring rot surviving or spreading;
  - (c) a requirement that in the first potato cropping season following that period only potatoes for ware production be planted in the field, provided that the field has been found free from volunteer potato plants and other naturally-found host plants of Potato ring rot for at least two consecutive growing years prior to planting; and
  - (d) a requirement that in the next potato cropping season only potatoes for seed or ware production be planted in the field following an appropriate rotation cycle (which must be at least two years where the potatoes are to be planted for seed production).
7. The second set of eradication measures are—
- (a) the measures to be taken in the field from the date of receipt of the notice and for four growing years from the start of the first growing year so as to eliminate volunteer potato plants, and other naturally-found host plants, of Potato ring rot;
  - (b) a requirement that, during that period, the field be maintained in bare fallow or in permanent pasture with frequent close cutting or intensive grazing; and
  - (c) a requirement that in the first potato cropping season following that period only potatoes for ware production be planted, provided that the field has been found free from volunteer potato plants and other naturally-found host plants of Potato ring rot for at least two consecutive growing years prior to planting.
8. The third set of eradication measures are—
- (a) a prohibition on the planting of any of the following in the field from the date of receipt of the notice and for the first growing year—

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**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

- (i) potato tubers, plants or true seeds;
  - (ii) naturally-found host plants of Potato ring rot; and
  - (iii) certified seed potatoes, unless they are for ware production only and an inspector is satisfied that the risk of volunteer potato plants and other naturally-found host plants of Potato ring rot has been eliminated;
- (b) a requirement that in the subsequent growing year only the following potatoes be planted for seed or ware production—
- (i) certified seed potatoes; and
  - (ii) seed potatoes officially tested for the absence of Potato ring rot and grown under official control at a place of production which is not a contaminated place of production;
  - (iii) a requirement that during at least the third growing year only certified seed potatoes or seed potatoes grown under official control from certified seed potatoes be planted for seed or ware production; and
  - (iv) the measures to be taken in the field from the date of receipt of the notice to the end of the third growing year so as to eliminate volunteer potato plants, and naturally-found host plants, of Potato ring rot.

9. A notice may in relation to a contaminated place of production specify that all machinery and storage facilities at the place of production which are used for potato production must be cleansed and disinfected so that there is no identifiable risk of Potato ring rot spreading throughout the period specified in the notice.

10. The measures which may be specified in a notice under paragraph 5 or 9 may be included in a notice with other appropriate measures.

#### **Additional measures applicable in relation to unit of protected crop production**

11. Where it is possible to replace all of the growing medium in a contaminated unit of protected crop production, no person may plant in the unit any potato tubers, plants or true seeds without the written authorisation of an inspector.

12. An inspector may not grant an authorisation under paragraph 11 unless measures are complied with in accordance with point 4.1(d) of Annex IV to Directive [93/85/EEC](#).

13. Where an authorisation is granted under paragraph 11, the authorisation may specify that only certified seed potatoes, mini-tubers or micro-plants derived from officially tested sources may be used in the production.

#### SCHEDULE 16

Article 40(5)

#### Potato brown rot

#### **Interpretation**

1. In this Schedule—

“certified seed potatoes” means pre-basic seed potatoes or basic seed potatoes as defined by regulation 2(1) of the Seed Potatoes Regulations;

“contaminated” means designated by an inspector as contaminated for the purposes of Article 5(1)(a)(ii) of Directive [98/57/EC](#);

“first growing year”, in the case of measures to be taken in relation to a contaminated place of production, means the first growing year following the growing year in which the contaminated place of production is designated as contaminated for the purposes of Article 5(1)(a)(ii) of Directive 98/57/EC;

“notice” means, in Part A, a notice under article 33;

“object” means any machinery, vehicle, vessel, store or other object, including packaging material;

“possibly contaminated” means determined by an inspector as possibly contaminated for the purposes of Article 5(1)(a)(iii) or (c)(iii) of Directive 98/57/EC;

“susceptible material” means plants (including tubers), other than true seed, of *Solanum tuberosum* L. or plants, other than fruit or seeds, of *Solanum lycopersicum* L.

## PART A

### Special measures for the control of Potato brown rot

#### **Susceptible material or objects contaminated or possibly contaminated with Potato brown rot**

2. No person may knowingly plant or knowingly cause or permit to be planted—
  - (a) any contaminated susceptible material; or
  - (b) any possibly contaminated susceptible material.
3. A notice may require that—
  - (a) contaminated susceptible material be subjected to any measure that complies with point 1 of Annex VI to Directive 98/57/EC;
  - (b) possibly contaminated susceptible material be used or disposed of in accordance with point 2 of Annex VI to Directive 98/57/EC;
  - (c) a contaminated object or a possibly contaminated object be—
    - (i) disposed of by destruction; or
    - (ii) cleansed and disinfected so that there is no identifiable risk of Potato brown rot spreading.
4. Anything cleansed and disinfected in accordance with paragraph 3(c)(ii) may no longer be treated as contaminated for the purposes of Directive 98/57/EC.

#### **Measures which may be required in relation to a contaminated place of production**

5. An inspector may serve the following notices in relation to a contaminated place of production which is in a zone demarcated by an inspector under article 40(7)—
  - (a) in the case of a contaminated field or unit of protected crop production, a notice containing the first set of eradication measures or a notice containing the second set of eradication measures;
  - (b) in the case of a field which is not contaminated and, where the inspector is satisfied that the risk of volunteer potato and tomato plants and other naturally-found host plants of Potato brown rot has been eliminated, a notice containing the third set of eradication measures.
6. The first set of eradication measures are—

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- (a) the measures to be taken in the field or the unit from the date of receipt of the notice and for at least four growing years from the start of the first growing year so as to eliminate any volunteer potato and tomato plants and other host plants, including solanaceous weeds, of Potato brown rot;
  - (b) a prohibition on the planting of any of the following in the field or the unit during that period—
    - (i) potato tubers, plants or true seeds;
    - (ii) tomato plants or seeds;
    - (iii) taking into account the biology of Potato brown rot, other host plants or plants of the species Brassica for which there is a risk of Potato brown rot surviving;
    - (iv) crops for which there is a risk of Potato brown rot spreading;
  - (c) a requirement that in the first cropping season following that period only potatoes for ware production be planted in the field or the unit, provided that the field or the unit has been found free from volunteer potato and tomato plants and other host plants, including solanaceous weeds, of Potato brown rot, for at least the two consecutive growing years prior to planting; and
  - (d) a requirement that an appropriate rotation cycle be applied in subsequent potato or tomato cropping seasons, which must be at least two years where potatoes are to be planted for seed production.
7. The second set of eradication measures are—
- (a) the measures to be taken in the field or the unit from the date of receipt of the notice and for five growing years from the start of the first growing year so as to eliminate volunteer potato and tomato plants and other naturally-found host plants, including solanaceous weeds, of Potato brown rot;
  - (b) a requirement that—
    - (i) during the first three of those growing years, the field or the unit be maintained—
      - (aa) in bare fallow;
      - (bb) in cereals, if the inspector is satisfied that there is no risk of Potato brown rot spreading;
      - (cc) in permanent pasture with frequent close cutting or intensive grazing; or
      - (dd) as grass for seed production;
    - (ii) only non-host plants of Potato brown rot for which there is no risk of Potato brown rot surviving or spreading be planted in the field or the unit; and
    - (iii) a requirement that in the first potato or tomato cropping season following that period only potatoes for seed or ware production be planted.
8. The third set of eradication measures are—
- (a) a requirement that from the date of receipt of the notice and for the first growing year only the following potatoes and tomato plants be planted in the field—
    - (i) certified seed potatoes for ware production;
    - (ii) tomato plants grown from seed which meets the requirements of Directive [2000/29/EC](#), for fruit production;
  - (b) a requirement that, if potatoes are to be planted in the first subsequent growing year, only the following potatoes be planted for seed or ware production in that year—
    - (i) certified seed potatoes;

- (ii) seed potatoes officially tested for the absence of Potato brown rot and grown under official control at a place of production which is not contaminated;
  - (c) a requirement that, if tomato plants are to be planted in the first subsequent growing year, only the following tomato plants be planted for plant or fruit production in that year—
    - (i) tomato plants grown from seed which meets the requirements of Directive [2000/29/EC](#);
    - (ii) if vegetatively propagated, tomato plants grown from seed which meets the requirements of Directive [2000/29/EC](#) and grown under official control at a place of production which is not contaminated;
  - (d) a requirement, in the case of potatoes, that in the second subsequent growing year and any other subsequent growing year, only certified seed potatoes or seed potatoes grown under official control from certified seed potatoes be planted for seed or ware production in the field;
  - (e) a requirement, in the case of tomatoes, that during the second subsequent growing year and any other subsequent growing year, only tomato plants grown from seed which meets the requirements of Directive [2000/29/EC](#) or if, vegetatively propagated, tomato plants grown from seed which meets the requirements of Directive [2000/29/EC](#) and grown under official control be planted for plant or fruit production in the field; and
  - (f) the measures to be taken in the field from the date of receipt of the notice to the end of the growing year specified in the notice so as to eliminate volunteer potato plants, and naturally-found host plants, of Potato brown rot.
9. A notice in relation to a contaminated place of production may—
- (a) require for a specified period that all machinery and storage facilities at the place of production which are used for potato or tomato production be cleansed and, where appropriate, disinfected so that there is no identifiable risk of Potato brown rot spreading;
  - (b) prohibit any irrigation or spraying programme at the place of production or specify how any irrigation or spraying programme at the place of production must be carried out for the purpose of preventing the spread of Potato brown rot.
10. The measures which may be specified in a notice under paragraph 5 or 9 may be included in a notice with other appropriate measures.

#### **Additional measures applicable in relation to units of protected crop production**

11. Where it is possible to replace all of the growing medium in a contaminated unit of protected crop production, no person may plant in the unit any potato tubers, plants or true seeds, tomato plants or seeds or other host plants of Potato brown rot without the written authorisation of an inspector.
12. An inspector may not grant an authorisation under paragraph 11 unless measures have been complied with in accordance with point 4.1(d) of Annex VI to Directive [98/57/EC](#).
13. An authorisation under paragraph 11 may—
- (a) in relation to potato production, specify that only certified seed potatoes or mini-tubers or micro-plants derived from officially tested sources may be used in the production;
  - (b) in relation to tomato production, specify that only seed which meets the requirements of Directive [2000/29/EC](#) or, if vegetatively propagated, tomato plants produced from seed which meets the requirements of Directive [2000/29/EC](#) and grown under official control, may be used in the production;
  - (c) prohibit any irrigation or spraying programme at the place of production;

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*Changes to legislation: There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)*

- (d) specify how any irrigation or spraying programme at the place of production must be carried out for the purpose of preventing the spread of Potato brown rot.

## **PART B**

### Demarcation of zones for the control of Potato brown rot

14. This Part applies where an inspector has demarcated a zone in relation to a confirmed finding of Potato brown rot under article 40(7).

15. The Department may, by notice, specify—

- (a) how long the zone is to remain demarcated;
- (b) the measures which apply in the demarcated zone.

16. A notice under paragraph 15—

- (a) must be in writing;
- (b) must describe the extent of the demarcated zone;
- (c) must specify in relation to each measure whether it applies generally or to an area of surface water in the demarcated zone;
- (d) must specify the date on which each measure takes effect;
- (e) must be published in a manner appropriate to bring it to the attention of the public; and
- (f) may be amended, suspended or revoked, in whole or in part, by further notice.

17. Any premises which are partly inside and partly outside a demarcated zone shall be deemed to be wholly inside that zone for the purposes of this Schedule.

18. A notice published in accordance with paragraph 16 is to be treated as having been served on—

- (a) any occupier or other person in charge of any premises within the demarcated zone;
- (b) any person who—
  - (i) has a right to use any contaminated surface water;
  - (ii) has any contaminated surface water on premises within the demarcated zone which the person occupies or is in charge of; and
- (c) any person who operates machinery or carries out any other activity in relation to the production of potatoes or tomatoes within the demarcated zone.

19. The Department may specify in a notice under paragraph 15 that—

- (a) any machinery or stores at premises within the demarcated zone which are used for growing, storing or handling potato tubers or tomatoes within the zone, or any premises within the zone from which machinery for potato or tomato production is operated under contract, must be cleansed and, where appropriate, disinfected so that there is no identifiable risk of Potato brown rot surviving or spreading;
- (b) in the case of potato crops, only certified seed potatoes or seed potatoes grown under official control may be planted;
- (c) potatoes intended for planting must be handled separately from all other potatoes at premises within the zone or that a system of cleansing and, where appropriate, disinfection must be carried out between the handling of seed and ware potatoes;

- (d) in the case of tomato crops, only tomato plants grown from seed which meets the requirements of Directive [2000/29/EC](#) or, if vegetatively propagated, tomato plants produced from such seed and grown under official control may be planted;
  - (e) contaminated surface water must not be used for the irrigation or the spraying of specified plant material and, where appropriate, other host plants of Potato brown rot, without the prior written authorisation of an inspector;
  - (f) if liquid waste discharges have been contaminated, any waste from industrial processing or packaging premises in the zone which handle specified plant material must be disposed of under the supervision of an inspector.
20. The Department may only specify—
- (a) the measures referred to in paragraph 19(a) to (d) where the zone has been demarcated for the purposes of Article 5(1)(a)(iv) of Directive [98/57/EC](#);
  - (b) the measures referred to in paragraph 19(e) and (f) where the zone has been demarcated for the purposes of Article 5(1)(c)(iii) of Directive [98/57/EC](#).

## SCHEDULE 17

Article 44(3)

### Notification requirements

#### **Live organisms of the animal kingdom**

1. *Ditylenchus destructor* Thorne – Potato tuber nematode.
2. *Ditylenchus dipsaci* (Kühn) Filipjev – Stem nematode.
3. *Globodera rostochiensis* (Wollenweber) Behrens and *Globodera pallida* (Stone) Behrens – Potato cyst nematodes.

#### **Bacteria**

4. *Clavibacter michiganensis* subspecies *insidiosum* (McCulloch) Davis *et al.* (syn. *Corynebacterium insidiosum* (McCulloch) Jensen) – Bacterial wilt of Lucerne.
5. *Clavibacter michiganensis* subspecies *michiganensis* (Smith) Davis *et al.* (syn. *Corynebacterium michiganse* (Smith) Jensen pv. *michiganse* Dye and Kemp) – Bacterial canker of tomato.
6. *Erwinia amylovora* (Burr.) Winslow *et al.*, the cause of Fire blight of Roseaceae, in areas designated as fire blight free buffer zones.
7. *Erwinia chrysanthemi* pv. *dianthicola* (Hellmers) Dickey – Slow wilt of carnation.
8. *Xanthomonas campestris* pv. *vesicatoria* (Diodge) Dye – Tomato bacterial spot.

#### **Cyptograms**

9. *Didymella ligulicola* (Baker, Dimock and Davis) V. Arx. (syn. *Mycosphaerella ligulicola* Baker *et al.*) – Chrysanthemum ray blight.
10. *Phialophora cinerescens* (Wollenweber) Van Beyma – a carnation wilt.
11. *Puccinia horiana* P. Henn. – Chrysanthemum white rust.
12. *Verticillium albo-atrum* Reinke and Berth – Verticillium wilt disease.

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

13. *Verticillium dahlia* Klebahn – Verticillium wilt of hops.

#### Viruses and virus-like pathogens

14. Arabis mosaic virus.  
 15. Chrysanthemum stunt viroid.  
 16. Plum pox virus.  
 17. Raspberry ringspot virus.  
 18. Strawberry crinkle virus.  
 19. Strawberry latent ringspot virus.  
 20. Strawberry mild yellow edge virus.  
 21. Tomato black ring virus.  
 22. Tomato spotted wilt virus.

### SCHEDULE 18

Article 51(1)

#### Revocation of Orders

<b>Order</b>	<b>Reference</b>
The Plant Health ( <i>Phytophthora ramorum</i> ) Order (Northern Ireland) 2005	S.R. 2005 No. 23
The Plant Health Order (Northern Ireland) 2006	S.R. 2006 No. 82
The Plant Health (Amendment) Order (Northern Ireland) 2006	S.R. 2006 No. 165
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2006	S.R. 2006 No. 435
The Plant Health Amendment) Order (Northern Ireland) 2007	S.R. 2007 No. 333
The Plant Health ( <i>Phytophthora ramorum</i> ) (Amendment) Order (Northern Ireland) 2007	S.R. 2007 No. 447
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2007	S.R. 2007 No. 483
The Plant Health (Amendment) Order (Northern Ireland) 2008	S.R. 2008 No. 205
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2008	S.R. 2008 No. 442
The Plant Health (Amendment No. 3) Order (Northern Ireland) 2008	S.R. 2008 No. 493
The Plant Health (Amendment) Order (Northern Ireland) 2009	S.R. 2009 No. 179
The Plant Health (Amendment) Order (Northern Ireland) 2010	S.R. 2010 No. 197
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2010	S.R. 2010 No. 232
The Plant Health (Amendment No. 3) Order (Northern Ireland) 2010	S.R. 2010 No. 307
The Plant Health (Amendment) Order (Northern Ireland) 2011	S.R. 2011 No. 22
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2011	S.R. 2011 No. 233
The Plant Health (Amendment No. 3) Order (Northern Ireland) 2011	S.R. 2011 No. 352



The Plant Health (Amendment) Order (Northern Ireland) 2012	S.R. 2012 No. 133
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2012	S.R. 2012 No. 241
The Plant Health (Amendment No. 3) Order (Northern Ireland) 2012	S.R. 2012 No. 392
The Plant Health (Amendment) Order (Northern Ireland) 2013	S.R. 2013 No. 7
The Plant Health (Amendment No. 2) Order (Northern Ireland) 2013	S.R. 2013 No. 103
The Plant Health (Amendment) Order (Northern Ireland) 2014	S.R. 2014 No. 172
The Plant Health (Amendment) Order (Northern Ireland) 2015	S.R. 2015 No. 128
The Plant Health (Amendment) Order (Northern Ireland) 2016	S.R. 2016 No. 259
<i>Regulation</i>	<i>Reference</i>
Regulation 25(3) of the Seed Potatoes Regulations (Northern Ireland) 2016	S.R. 2016 No. 190

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes and consolidates with amendments the Plant Health Order (Northern Ireland) 2006 (S.R. 2006 No. 82) and replaces the Plant Health (*Phytophthora ramorum*) Order (Northern Ireland) 2005 (S.R. 2005 No. 23).

It implements Council Directive [2000/29/EC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ No L 169, 10.7.2000, p1) and related European Union plant health legislation, including the following Commission Implementing Decisions—

- (a) Commission Implementing Decision (EU) 2018/927 amending Implementing Decision (EU) 2015/789 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells et al.) (OJ No L 164, 29.6.2018, p. 49);
- (b) Commission Implementing Decision (EU) 2018/5 amending Implementing Decision 2012/270/EU as regards emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similaris* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (OJ No L 2, 5.1.2018, p. 11).

This Order also introduces national measures to strengthen import requirements for oak trees to protect against Oak Processionary Moth.

Part 1 is introductory and includes definitions. Article 2(4) provides for references to the European Union instruments listed in that provision to be read as references to those instruments as amended from time to time.

Part 2 applies to plant pests and relevant material coming from countries outside the European Union, including relevant material from third countries coming via another part of the European Union where the Department has agreed to carry out certain checks on that material. “Relevant material” is defined in article 2(1).

Article 5 prohibits the landing in Northern Ireland of certain plant pests and relevant material and imposes restrictions on other relevant material which may be imported into Northern Ireland from third countries.

**Status:** Point in time view as at 22/07/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked). (See end of Document for details)

Article 6 requires importers of controlled imports of relevant material to provide the Department with advance notice of their landing and article 7 requires those imports to be accompanied by the appropriate phytosanitary certificate. Articles 10 to 12 prohibit the removal of this relevant material from an area of plant health control until an inspector has inspected the material and is satisfied that the material can be discharged.

Article 8 exempts certain relevant material which is brought into Northern Ireland in a person's baggage from the requirements in article 5 and other related requirements.

Part 3 applies to plant pests and relevant material from the European Union (whether originating in the European Union or in third countries). Articles 19, 20 and 21 prohibit the introduction into Northern Ireland of certain plant pests and relevant material from another part of the European Union and contain prohibitions and restrictions on the movement of plant pests and relevant material and other activities in Northern Ireland. Article 22 requires certain relevant material to be accompanied by a plant passport when it is moved within Northern Ireland or consigned to another part of the European Union.

Part 4 imposes a requirement on plant traders to be registered in respect of any activity which they carry out and which is regulated by the Order (articles 26 to 29) and makes provision for the Department to authorise plant traders to issue plant passports (article 30).

Part 5 contains special arrangements governing relevant material from Switzerland.

Part 6 contains general enforcement powers given to plant health inspectors.

Part 7 imposes additional requirements in relation to certain solanaceous species (potatoes and tomatoes).

Part 8 makes provision for the Department to grant licences authorising activities which would otherwise be prohibited by the Order.

Part 9 requires certain plant pests which are present or suspected to be present in Northern Ireland to be notified to the Department or an inspector and makes provision for inspectors to request information about certain plant health matters.

Part 10 contains offences for non-compliance with the Order and with requirements imposed under article 48. Article 49 sets out the penalties for the offences. (Contravention of any prohibition on landing imposed by this Order is an offence under the Customs and Excise Management Act 1979 (c.2)).

Part 11 deals with revocations and transitional provisions. Article 52 requires the Department to review the operation and effect of this Order and publish a report at five-yearly intervals.

An impact assessment has not been produced for this instrument as no impact on business or the private or voluntary sector is foreseen.

The Explanatory Memorandum for this instrument is available alongside the instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).

**Status:**

Point in time view as at 22/07/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked).