
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 187

PLANT HEALTH

The Plant Health (Scotland) Amendment (No. 2) Order 2013

<i>Made</i>	- - - -	<i>29th May 2013</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>31st May 2013</i>
<i>Coming into force</i>	- -	<i>29th June 2013</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2, 3 and 4(1) of the Plant Health Act 1967(1), section 20 of the Agriculture (Miscellaneous Provisions) Act 1972(2) and all other powers enabling them to do so.

This Order makes provision for preventing the introduction and spread of pests within Scotland and is called for by EU obligations contained in 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 similaris* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner)(3); 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)(4); Commission Implementing Decision 2012/756/EU as regards measures to prevent the introduction into and the spread within the Union of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto(5); and Commission Implementing Decision 2013/67/EU amending Decision 2004/416/EC on temporary emergency measures in respect of certain citrus fruits originating in Brazil(6).

Citation and commencement

1. This Order may be cited as the Plant Health (Scotland) Amendment (No. 2) Order 2013 and comes into force on 29th June 2013.

(1) 1967 c.8. Sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 8 and further amended by S.I. 2011/1043. Section 3(4) was substituted by the Criminal Justice Act 1982 (c.48), section 42 and the Statute Law (Repeals) Act 1993 (c.50), section 1(1) and Schedule 1, Part XIV. There are other amendments which are not relevant to this Order. The functions of the Secretary of State, so far as they are exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(2) 1972 c.62.

(3) OJ L 132, 23.5.2012, p.18.

(4) OJ L 311, 10.11.2012, p.14.

(5) OJ L 335, 7.12.2012, p. 49.

(6) OJ L 31, 31.1.2013, p.75.

Amendment of the Plant Health (Scotland) Order 2005

2. The Plant Health (Scotland) Order 2005(7) is amended in accordance with articles 3 to 12.

Amendment of Part 1

3. In article 2 (general interpretation)—

- (a) in paragraph (1)—

- (i) after the definition of “ISPM No. 4” insert—

““ISPM No. 5” means International Standard for Phytosanitary Measures No. 5 of March 2012 comprising a glossary of phytosanitary terms, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations(8), as last modified in May 2012;”;

- (ii) for the definition of “ISPM No. 10” substitute—

““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(9), as last modified in August 2011;”;

- (b) for paragraph (3) substitute—

“(3) Unless expressly provided otherwise, any reference in this Order to a genus or species shall be construed as a reference to that genus or species or to any of their hybrids.”.

Amendment of Part 3

- 4.—(1) In article 19(1) (prohibitions on landing plant pests and relevant material)(10), for “and article 19A” substitute “, article 19A and article 19B”.

- (2) In article 19A(4) (landing of potatoes in Scotland)(11), after “Where an inspector is satisfied” insert “, or has reasonable grounds for suspecting,”.

- (3) After article 19A, insert—

“Landing of trees in Scotland

19B.—(1) Subject to article 22, no person shall land plants to which this article applies unless that person has given written notification to an inspector at least twenty four hours prior to their intended landing.

- (2) This article applies to—

- (a) plants of *Castanea* Mill., *Fraxinus* L., *Pinus* L., *Platanus* L. or *Quercus* L. intended for planting, which have been grown in another member State; or
- (b) plants of *Castanea* Mill., *Fraxinus* L., *Pinus* L., *Platanus* L. or *Quercus* L. intended for planting, which have been grown in Switzerland and to which the requirements of article 6 do not apply.

(7) S.S.I. 2005/613, amended by S.S.I. 2006/474, 2007/415 and 498, 2008/300 and 350, 2009/153, 2010/206 and 342, S.I. 2011/1043, S.S.I. 2012/266 and 326 and S.S.I. 2013/5.

(8) The standard is available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153, Rome, Italy and at <https://www.ippc.int/int>.

(9) The standard is available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153, Rome, Italy and at <https://www.ippc.int/int>.

(10) Article 19(1) was amended by S.S.I. 2008/300 and 2010/342.

(11) Article 19A was substituted by S.S.I. 2013/5.

- (3) The notification shall contain—
- (a) the proposed date of landing of the plants;
 - (b) the proposed destination;
 - (c) the quantity;
 - (d) the genus and species; and
 - (e) the producer’s identification number.

(4) Where an inspector is satisfied, or has reasonable grounds for suspecting, that no notification has been given under paragraph (1) in relation to plants to which this article applies, the inspector may serve a notice requiring the person landing the plants to provide information about any of the matters specified in paragraph (3) within such period as is specified in the notice.”.

(4) In article 22(1) (exceptions from certain prohibitions and requirements)(12), after “article 19(1)(e), (f) and (g)” insert “and article 19B(1)”.

Amendment of Part 6

5. In article 31(1) (examination, sampling and marking), after “for the purpose of” insert “determining whether any plant pest is present there (or for determining the distribution of any plant pest) or for the purpose of”.

Amendment of Part 8

6. In article 40(b) (licences to carry out activities prohibited by this Order)(13), for “the purposes of scientific research” substitute “trial or scientific purposes, or for work on varietal selections”.

Amendment of Part 10

7. In article 45 (offences)(14)—
- (a) after paragraph (1)(a)(vA) insert—
“(vB) article 19B;” and
 - (b) in paragraph (2), for “other than the prohibition in article 6(1)” substitute “other than the prohibitions in article 6(1), 19A or 19B”.

Amendment of Schedule 1

8.—(1) In Schedule 1 (plant pests which shall not be landed in or spread within Scotland), in Part A (plant pests not known to occur in any part of the European Union), after item 1 under the heading “**Parasitic plants**”, insert—

“Molluscs

1. *Pomacea* (Perry)”.

(2) In Schedule 1, in Part B (plant pests known to occur in the European Union) after item 2 under the heading “**Bacteria**” insert—

“3. *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto”.

(12) Article 22(1) was amended by [S.S.I. 2012/326](#).

(13) Article 40 was substituted by [S.S.I. 2012/266](#).

(14) Article 45(1) was relevantly amended by [S.S.I. 2008/300](#).

Amendment of Schedule 4

9.—(1) In Schedule 4 (restrictions on the landing in and movement within Scotland of relevant material), in Part A (relevant material, from third countries, which may only be landed in Scotland if special requirements are satisfied)—

- (a) in item 15(15), in column 2 omit “, other than Brazil”;
- (b) omit item 15a(16);
- (c) in item 16(17), in column 3 omit “15a.”;
- (d) in item 17(18), for column 2 substitute “Fruits of *Citrus* L. (other than fruits of *Citrus aurantium* L.) and fruits of *Fortunella* Swingle or *Poncirus* Raf., originating in any third country other than Brazil”;
- (e) in item 17a(19) for column 2 substitute “Fruits of *Citrus* L. (other than fruits of *Citrus aurantium* L.) and fruits of *Fortunella* Swingle or *Poncirus* Raf., originating in Brazil”;
- and
- (f) after item 81(20), insert—

“82.	Plants intended for planting, other than seeds, that can only grow in water or in soil that is permanently saturated with water, originating in any third country.	The plants shall be accompanied by an official statement that they have been found free from <i>Pomacea</i> (Perry) immediately prior to leaving the third country of origin (such information to be contained under the rubric ‘Additional declaration’ on the phytosanitary certificate).
83.	Live pollen and plants intended for planting, other than seeds, of <i>Actinidia</i> Lindl., originating in any third country.	The plants shall be accompanied by an official statement (the information to be contained under the rubric ‘Additional declaration’ on the phytosanitary certificate) that they have— <ul style="list-style-type: none"> (a) been grown throughout their life in a country where the specified organism is known not to occur; (b) been grown throughout their life in an area established as free from the specified organism by the national plant protection organisation in the country of origin in accordance with ISPM No. 4 (the name of the area to be included on the phytosanitary certificate under the rubric ‘Place of Origin’);

(15) Item 15 was relevantly amended by S.S.I. 2007/498.

(16) Item 15a was inserted by S.S.I. 2007/498.

(17) Item 16 was relevantly amended by S.S.I. 2007/498.

(18) Item 17 was relevantly amended by S.S.I. 2007/498.

(19) Item 17a was inserted by S.S.I. 2007/498.

(20) Item 81 was substituted by S.S.I. 2012/266.

- (c) been produced in a place of production, established as free from the specified organism by the national plant protection organisation in the country of origin in accordance with ISPM No. 10 or in a pest free production site established in relation to the specified organism by the national plant protection organisation in the country of origin in accordance with ISPM No. 10 and where—
 - (i) the plants have been grown in a structure with a degree of isolation and protection from the outside environment that effectively excludes the specified organism;
 - (ii) at that place or site the plants have been officially inspected twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the export and found free from the specified organism; and
 - (iii) that place of production is surrounded by a zone with a radius of at least 500 metres, where official inspections were carried out twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the export and any plants showing symptoms of infection which were found during those inspections and all adjacent plants of *Actinidia* Lindl. within a distance of 5 metres were immediately destroyed; or
- (d) been produced in a place of production established as free from the specified organism by the national plant protection organisation in the country of

		<p>origin in accordance with ISPM No. 10 and where—</p> <ul style="list-style-type: none"> (i) that place is surrounded by a zone with a radius of 4 500 metres; and (ii) official inspections, sampling and testing have been carried out at that place and throughout the zone mentioned at (i) twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the export and the specified organism has not been found; and <p>(e) in addition, where the official statement includes the information given at point (c) or (d), that—</p> <ul style="list-style-type: none"> (i) the plants have been directly derived from mother plants grown under conditions compliant with points (a), (b) or (c); (ii) the plants have been directly derived from mother plants, which were subject to prior individual testing confirming their freedom from the specified organism; or (iii) the plants have been tested according to a sampling scheme able to confirm with 99 % reliability that the level of presence of the specified organism in the plants is below 0.1 %. <p>Interpretation</p> <p>In this item entry:</p> <p>“pest free production site” has the same meaning as it does in ISPM No. 10, as read with ISPM. No. 5; and</p> <p>“specified organism” means <i>Pseudomonas syringae</i> pv. <i>actinidiae</i> Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto.”.</p>
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(2) In Schedule 4, in Part B (relevant material, from another part of the European Union, which may only be landed in or moved within Scotland if special requirements are satisfied), after item 38(21) insert—

“39.	Live pollen and plants intended for planting, other than seeds, of <i>Actinidia</i> Lindl.	<p>The plants must be accompanied by an official statement that they have—</p> <ul style="list-style-type: none"> (a) been grown throughout their life in a member State where the specified organism is not known to occur; (b) been grown throughout their life in a protected zone recognised as regards the specified organism in accordance with article 2(1)(h) of Directive 2000/29/EC; (c) been grown throughout their life in an area established as free from the specified organism by the responsible official body of a member State in accordance with ISPM No. 4; (d) been produced in a place of production, established as free from the specified organism by the responsible official body of the member State of origin in accordance with ISPM No. 10 or a pest free production site established in relation to the specified organism by the responsible official body of the member State of origin in accordance with ISPM No. 10 and where— <ul style="list-style-type: none"> (i) the plants have been grown in a structure with a degree of isolation and protection from the outside environment that effectively excludes the specified organism; (ii) at that place or site the specified plants have been officially inspected twice at the most appropriate times for detecting symptoms of
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infection during the last complete cycle of vegetation prior to the movement and found free from the specified organism; and

- (iii) that place is surrounded by a zone with a radius of at least 500 metres, where official inspections were carried out twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement and any plants showing symptoms of infection which were found during those inspections and all adjacent plants of *Actinidia* Lindl. within the distance of 5 metres were immediately destroyed; or
- (e) have been produced in a place of production, established as free from the specified organism by the responsible official body of the member State of origin in accordance with ISPM No. 10 and where—
 - (i) that place is surrounded by a zone with a radius of 500 metres, (referred to in the remainder of this item entry as “the surrounding zone”;
 - (ii) official inspections, sampling and testing have been carried out at that place and throughout the surrounding zone twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement and the specified organism has not been found; and
 - (iii) the surrounding zone is surrounded by a zone with a width of 4 kilometres, where following official

inspections, sampling and testing that have been carried out throughout that zone twice at the most appropriate times for detecting symptoms of infection during the last complete cycle of vegetation prior to the movement; and eradication measures were taken in all cases when the specified organism has been identified on plants of *Actinidia* Lindl. which consisted of the immediate destruction of the infected plants of *Actinidia* Lindl. and of all adjacent plants of *Actinidia* Lindl. within a distance of 5 metres; and

- (f) in addition, where the official statement includes the information given at points (d) or (e), that—
- (i) the plants have been directly derived from mother plants grown under conditions compliant with points (a), (b) (c) or (d);
- (ii) the plants have been directly derived from mother plants, which were subject to prior individual testing confirming their freedom from the specified organism; or
- (iii) the plants have been tested according to a sampling scheme able to confirm with 99 % reliability that the level of presence of the specified organism in the plants is below 0.1 %.

Interpretation

In this item entry:

“pest free production site” has the same meaning as it does in ISPM No. 10, as read with ISPM. No. 5; and

“specified organism” means *Pseudomonas syringae* pv.

		<i>actinidiae</i> Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto.”.
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Amendment of Schedule 5

10. In Schedule 5 (relevant material from a third country for which a phytosanitary certificate may be required), in Part A (relevant material which may only be landed in Scotland if accompanied by a phytosanitary certificate), after paragraph 7 insert—

“**8.** Live pollen of *Actinidia* Lindl.”.

Amendment of Schedule 6

11. In Schedule 6 (prohibitions on the landing in and movement within Scotland of relevant material without a plant passport), in Part A (relevant material, from Scotland or elsewhere in the European Union, which may only be landed in or moved within Scotland if accompanied by a plant passport)—

(a) for paragraph 3b(22) substitute—

“**3b.** Tubers of *Solanum tuberosum* L., other than those intended for planting, originating—

(a) in an area demarcated under a legislative or administrative procedure in a member State for the purpose of eradicating and monitoring an infestation of *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner); or

(b) in any third country in which *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner) is known to occur.”; and

(b) after paragraph 9(23), insert—

“**10.** Plants intended for planting, other than seeds, that can only grow in water or in soil that is permanently saturated with water, originating in an area demarcated under a legislative or administrative procedure in a member State for the purpose of eradicating and monitoring an infestation of *Pomacea* (Perry).

11. Live pollen and plants intended for planting, other than seeds, of *Actinidia* Lindl.”.

Amendment of Schedule 7

12. In Schedule 7 (prohibitions on the consignment of relevant material to another part of the European Union without a plant passport), in Part A (relevant material which may only be consigned to another part of the European Union if accompanied by a plant passport)—

(a) for paragraph 3b(24) substitute—

“**3b.** Tubers of *Solanum tuberosum* L., other than those intended for planting, originating—

(a) in an area demarcated under a legislative or administrative procedure in a member State for the purpose of eradicating and monitoring an infestation of *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner); or

(22) Paragraph 3b was inserted by S.S.I. 2012/266.

(23) Paragraph 9 was inserted by S.S.I. 2012/326.

(24) Paragraph 3b was inserted by S.S.I. 2012/266.

(b) in any third country in which *Epitrix cucumeris* (Harris), *Epitrix similaris* (Gentner), *Epitrix subcrinita* (Lec.) or *Epitrix tuberis* (Gentner) is known to occur.”; and

(b) after paragraph 9(25) insert—

“10. Plants intended for planting, other than seeds, that can only grow in water or in soil that is permanently saturated with water, originating in an area demarcated under a legislative or administrative procedure in a member State for the purpose of eradicating and monitoring an infestation of *Pomacea* (Perry).

11. Live pollen and plants intended for planting, other than seeds, of *Actinidia* Lindl.”.

Revocation

13. The following articles are revoked—

- (a) article 6(2)(a) and (b) of the Plant Health (Scotland) Amendment (No. 2) Order 2007(26);
- (b) article 4(1) of the Plant Health (Scotland) Amendment Order 2008(27); and
- (c) article 10(a) and 11(a) of the Plant Health (Scotland) Amendment Order 2012(28).

St Andrew’s House,
Edinburgh
29th May 2013

PAUL WHEELHOUSE
Authorised to sign by the Scottish Ministers

(25) Paragraph 9 was inserted by [S.S.I. 2012/326](#).
(26) [S.S.I. 2007/498](#).
(27) [S.S.I. 2008/300](#).
(28) [S.S.I. 2012/266](#).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Scotland) Order 2005 ([SSI 2005/613](#)) (“the principal Order”). It implements the following Commission Implementing Decisions:—

- Commission Implementing Decision 2012/270/EU as regards emergency measures to prevent the introduction and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (OJ L 132, 23.5.2012, p.18);
- 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) (OJ L 311, 10.11.2012, p.14);
- Commission Implementing Decision 2012/756/EU as regards measures to prevent the introduction into and the spread within the Union of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto (OJ L 335, 7.12.2012, p.49); and
- Commission Implementing Decision 2013/67/EU amending Decision [2004/416/EC](#) on temporary emergency measures in respect of certain citrus fruits originating in Brazil (OJ L 31, 31.1.2013, p.75)

It also amends article 31 of the principal Order to ensure that inspectors may enter premises for the purposes of determining whether any plant pest is present there (or for determining the distribution of any plant pest) (article 5).

Article 4(3) makes provision for notification requirements for the landing of certain tree plants in Scotland. It introduces a new article 19B into the principal Order. The new article 19B requires twenty four hours’ written notice to be given to plant health inspectors before the landing in Scotland of certain tree plants which are intended for planting. The affected plants are those of *Castanea* Mill., *Fraxinus* L., *Pinus* L., *Platanus* L. and *Quercus* L., that have been grown in another member State or in Switzerland. Breach of the notification requirements is made an offence by article 7 of this Order, which amends article 45 (offences) of the principal Order.

Commission Implementing Decision 2012/270/EU

This Commission Implementing Decision relates to the plant pests *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (known commonly as potato flea beetles). Article 11(a) substitutes paragraph 3b of Part A of Schedule 6 to the principal Order to ensure that potatoes (other than seed potatoes) originating in any third country where the pests are known to occur may only move within Scotland if accompanied by a plant passport. Article 12(a) substitutes paragraph 3b of Part A of Schedule 7 to ensure that any such potatoes may only be consigned to another part of the European Union if accompanied by a plant passport.

Commission Implementing Decision 2012/697/EU

This Commission Implementing Decision relates to plant pests falling within the genus *Pomacea* (Perry) (freshwater snails). It is implemented by:—

- article 8(1), which adds the pest to Schedule 1 (plant pests which shall not be landed in or spread within Scotland), Part A (plant pests not known to occur in any part of the European Union) to the principal Order;

- article 9(1)(f), which amends Schedule 4 (restrictions on the landing in and movement within Scotland of relevant material), Part A (relevant material, from third countries, which may only be landed in Scotland if special requirements are satisfied) of the principal Order to ensure that any relevant host plant may only be landed in Scotland if it is accompanied by an official statement which meets the requirements of section 1 of Annex I to the Decision;
- article 11(b), which amends Schedule 6 (prohibitions on the landing in and movement within Scotland of relevant material without a plant passport), Part A (relevant material, from Scotland or elsewhere in the European Union, which may only be landed in or moved within Scotland if accompanied by a plant passport) of the principal Order to ensure that any relevant host plant originating in an area within a member State which has been demarcated for the purpose of eradicating and monitoring this pest, may only be landed in Scotland if it is accompanied by a plant passport in accordance with section 2 of Annex I to the Decision; and
- article 12(b), which amends Schedule 7 (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) of the principal Order to ensure that any relevant host plant originating in an area within a member State which has been demarcated for the purpose of eradicating and monitoring this pest, may only be consigned to another part of the European Union if it is accompanied by a plant passport in accordance with section 2 of Annex I to the Decision.

Commission Implementing Decision 2012/756/EU

This Commission Implementing Decision relates to the plant pest *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto (the causal bacterium of kiwifruit canker). It is implemented by:—

- article 8(2), which adds the plant pest to Schedule 1, Part B of the principal Order;
- article 9(1)(f), which amends Schedule 4, Part A of the principal Order to ensure that plants intended for planting and live pollen of *Actinidia* Lindl. may only be landed in Scotland if they are accompanied by an official statement which meets the requirements of Annex I to the Decision;
- article 9(2), which amends Schedule 4, Part B of the principal Order (relevant material, from another part of the European Union, which may only be landed in or moved within Scotland if special requirements are satisfied) to ensure that plants intended for planting and live pollen of *Actinidia* Lindl. which originate (or are in transit through) another member State may only be landed in Scotland if they are accompanied by an official statement which meets the requirements of Annex II to the Decision.
- article 10, which amends Schedule 5 (relevant material from a third country for which phytosanitary certificate may be required) to the principal Order to ensure that live pollen of *Actinidia* Lindl. from third countries may only be landed in Scotland if accompanied by a phytosanitary certificate.
- article 11(b), which amends Schedule 6, Part A of the principal Order to ensure that plants intended for planting and live pollen of *Actinidia* Lindl. may only be landed in Scotland if they are accompanied by a plant passport in accordance with Annex II to the Decision; and
- article 12(b), which amends Schedule 7, Part A of the principal Order to ensure that plants intended for planting and live pollen of *Actinidia* Lindl. may only be consigned to another part of the EU if they are accompanied by a plant passport in accordance with Annex II to the Decision.

Status: This is the original version (as it was originally made).

Commission Implementing Decision 2013/67/EU

This Commission Implementing Decision amends Commission Decision [2004/416/EC](#) on temporary measures in respect of citrus fruits originating in Brazil (OJ L 151, 30.4.2004, p.76) by revoking the temporary emergency measures which were put in place in respect of the bacterial species *Xanthomonas campestris*. It is implemented by article 9(1)(a) to (e) which revokes item 15a in Schedule 4, Part A of the principal Order and makes other consequential amendments.

In relation to article 4 of this Order a business and regulatory impact assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies may be obtained from the Agriculture, Food and Rural Communities Directorate of the Scottish Government.