

1981 No. 37

## PLANT HEALTH

Import and Export (Wood and Bark) (Plant Health)  
Order (Northern Ireland) 1981*Made* . . . . . 10th February 1981*Coming into operation* . . . . . 1st April 1981

## ARRANGEMENT OF ARTICLES

*Article*

1. Citation and commencement
2. Interpretation
3. Application of Order
4. Prohibition on landing of pests and genetically manipulated material
5. Prohibition on landing of wood, and isolated bark, carrying, or infected with, pests.
6. Prohibition on landing of isolated bark
7. Conditions for landing of wood, and isolated bark, listed in Schedule 4
8. Certificates to accompany wood, or isolated bark, imported from Member States
9. Certificates to accompany wood, or isolated bark, imported from third countries
10. Wood or isolated bark the origin of which is to be declared
11. Requirements for export of wood, or isolated bark, to Member States
12. General provisions concerning certificates
13. Examination, sampling and marking
14. Wood, or isolated bark, landed in contravention of Order
15. Pests or genetically manipulated material landed in contravention of Order
16. Persons accompanying, or authorised by, an inspector
17. Officers of Customs and Excise
18. Licences
19. Information which may be required
20. Offences
21. Revocation

## ARRANGEMENT OF SCHEDULES

*Schedule*

1. Pests which may not be landed
2. Pests which may not be landed if they are carried on or infect wood
3. Isolated bark which may not be landed
4. Conditions subject to which wood and isolated bark may be landed
5. Wood, or isolated bark, the import of which requires to be accompanied by a phytosanitary certificate

6. Wood, and isolated bark, the country of whose growth is to be declared
7. Wood and isolated bark to be accompanied by a phytosanitary certificate before being exported from Northern Ireland to a Member State
8. Form of phytosanitary certificate and re-forwarding phytosanitary certificate

The Department(a) of Agriculture, in exercise of the powers conferred on it by sections 2(1)(b), (2) and (3)(c), 3(1)(b), (2)(b), (3) and (4)(d) and 3A(e) of the Plant Health Act (Northern Ireland) 1967(f) and of every other power enabling it in that behalf, hereby makes the following Order:

#### *Citation and commencement*

1. This Order may be cited as the Import and Export (Wood and Bark) (Plant Health) Order (Northern Ireland) 1981 and shall come into operation on 1st April 1981.

#### *Interpretation*

2.—(1) In this Order—

“authorised officer” in relation to—

- (a) the completion and signing of phytosanitary certificates and re-forwarding phytosanitary certificates;
- (b) the completion and signing of translations of phytosanitary certificates and re-forwarding phytosanitary certificates;
- (c) the certifying of copies;

means a representative of the plant protection service of the country in which the certificates, translations or copies are issued;

“consignment” includes soil, packaging materials, packages and containers;

“Customs Act” means the Customs and Excise Management Act 1979(g);

“Europe” includes the Canary Islands but does not include the Azores, Cyprus or Malta or the following regions of the Union of Soviet Socialist Republics namely the Kazakh, Kirghiz, Tadzhik, Turkmen and Uzbek Soviet Socialist Republics and the following regions of the Russian Soviet Federal Socialist Republic, namely the Buryat, Yakut and Tuva Autonomous Soviet Socialist Republics, the Altai, Khabarovsk, Krasnoyarsk and Maritime Krai and the Amur, Chita, Irkutsk, Kamchatka, Kemerovo, Kurgan, Magadan, Novosibirsk, Omsk, Sakhalin, Tomsk and Tyumen Oblasts;

“genetic manipulation” means the formation of new combinations of heritable material by the insertion of nucleic acid molecules, produced by whatever means outside the cell, into any virus, bacterial plasmid or other vector system so as to allow their incorporation into a host organism in which they do not naturally occur but in which they are capable of continued propagation;

“genetically manipulated material” means material which has been derived from an activity which has involved genetic manipulation and which, in the opinion of the Department, is likely to result in the production of a pest;

(a) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(b) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2

(c) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(1)

(d) As amended by 1967 c. 29 (N.I.) s. 1(2) and Sch. Part II

(e) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(2)

(f) 1967 c. 28 (N.I.)

(g) 1979 c. 2

- “importer” in relation to any wood, isolated bark, pest or genetically manipulated material includes any person who, as owner, consignor, consignee, agent, broker or otherwise, is in possession of or in any way entitled to the custody or control of the wood, isolated bark, pest or genetically manipulated material;
- “inspector” means an officer of the Department authorised in writing by the Department for the purposes of this Order;
- “isolated bark” means bark which has been removed or become detached from a living, felled or fallen tree or from any part of such tree and includes any packaging material or package or container connected therewith;
- “landed” means brought into Northern Ireland by any means whatsoever;
- “Member State” means a Member State of the European Community and includes Great Britain, the Isle of Man and the Channel Islands;
- “North America” means the countries of Canada, Mexico and the United States of America (other than the State of Hawaii);
- “non-indigenous” means not known, in the opinion of the Department, to be established in Northern Ireland;
- “official statement”, in relation to any wood or isolated bark, means a statement by an authorised officer made on a phytosanitary certificate or a re-forwarding phytosanitary certificate;
- “pest” means a living organism other than a vertebrate animal, or a pathogen, which is injurious to any tree or the wood thereof and includes a culture of such organism or pathogen;
- “phytosanitary certificate” means a certificate either in the form set out in Part I of Schedule 8 or an equivalent text in a language other than English;
- “premises” includes any building (other than a private dwelling house), land, vehicle, vessel, aircraft, hovercraft or freight container;
- “re-forwarding phytosanitary certificate” means a certificate either in the form set out in Part II of Schedule 8 or an equivalent text in a language other than English;
- “third country” means a country other than a Member State;
- “wood” means a log, sawn wood and any dunnage, pallet, container or other packing material consisting of wood, which retains all or some of its bark and any part of the rounded surface of the tissues immediately below the bark, but does not include chips.

(2) A reference in this Order to a Member State or third country includes reference to a state, province or region therein.

#### *Application of Order*

3.—(1) Only Articles 11, 12, 18, 19 and 20 shall apply in relation to wood, or isolated bark, which has been grown in Northern Ireland unless such wood or isolated bark has been exported from and is subsequently re-imported into Northern Ireland in which case all the provisions of this Order shall apply.

(2) Only paragraphs (1) and (6) of Schedule 4 shall apply to wood, or isolated bark, which is either grown in Northern Ireland or is consigned direct to Northern Ireland from Great Britain, the Isle of Man or any of the Channel Islands.

#### *Prohibition on landing of pests and genetically manipulated material*

4. A person shall not land—

- (a) a pest which is listed in Schedule 1 or in column (1) of Schedule 2;

- (b) a non-indigenous pest whether or not it is listed in Schedule 1 or in column (1) of Schedule 2;
- (c) a pest which has been subjected to genetic manipulation; or
- (d) any genetically manipulated material.

*Prohibition on landing of wood, and isolated bark, carrying or infected with pests*

5. A person shall not land—

- (a) wood, or isolated bark, which is carrying or is infected with a pest listed in Schedule 1;
- (b) wood of a kind which is listed in column (2) of Schedule 2 and which is carrying or is infected with a pest listed in column (1) of Schedule 2 opposite wood so listed.

*Prohibition on landing of isolated bark*

6. A person shall not land isolated bark which is of a kind listed in column (1) of Schedule 3 and which originates in a country listed in column (2) of that Schedule.

*Conditions for landing of wood, and isolated bark, listed in Schedule 4*

7. A person shall not land wood, or isolated bark, the import of which is not prohibited under the provisions of Article 6 and which is of a kind listed in column (1) of Schedule 4 unless the conditions listed in column (2) of that Schedule opposite such wood or isolated bark are fulfilled.

*Certificates to accompany wood, or isolated bark, imported from Member States*

8.—(1) A person shall not land wood, or isolated bark, the import of which is not prohibited under the provisions of Article 6 and which is consigned direct to Northern Ireland from within a Member State and which is of a kind listed in Part I of Schedule 5 unless it is accompanied by:

- (a) a phytosanitary certificate issued in the country in which such wood, or isolated bark, was grown; and
- (b) a re-forwarding phytosanitary certificate issued in each other country from within which such wood, or isolated bark, has been consigned prior to its landing.

(2) Subject to paragraph (3), a person shall not land wood, or isolated bark, the import of which is not prohibited under the provisions of Article 6 and which is consigned direct to Northern Ireland from within a Member State and which is of a kind listed in Part II of Schedule 5 unless it is accompanied by a phytosanitary certificate issued in that Member State.

(3) Where wood, or isolated bark, as described in paragraph (2) has previously been consigned from within any other country to a Member State before it has been consigned from within that Member State to Northern Ireland, instead of a phytosanitary certificate issued in that Member State it may be accompanied by:

- (a) the latest phytosanitary certificate relating to it which has been issued in one of the countries from within which it was previously consigned, together with
- (b) a re-forwarding phytosanitary certificate relating to it which has been issued in each other country from within which it has been consigned subsequent to its consignment from within the country in which the latest phytosanitary certificate relating to it was issued.

(4) The requirements relating to re-forwarding phytosanitary certificates contained in paragraphs (1), (2) and (3) shall only apply to the re-export of a consignment of either wood, or isolated bark, to Northern Ireland from another country if such consignment, before being consigned to Northern Ireland, has been stored, re-packed or split up in the country from which it has been re-exported.

*Certificates to accompany wood, or isolated bark, imported from third countries*

9.—(1) A person shall not land wood, or isolated bark, the import of which is not prohibited under the provisions of Article 6 and which is consigned direct to Northern Ireland from within a third country and which is of a kind listed in Part III of Schedule 5 unless it is accompanied by:

- (a) a phytosanitary certificate which has been issued in the country in which such wood, or isolated bark, was grown; and
- (b) a re-forwarding phytosanitary certificate which has been issued in each other country from within which such wood, or isolated bark, has been consigned prior to its landing.

(2) Paragraph (1) in relation to re-forwarding phytosanitary certificates shall only apply to the re-export of a consignment of wood, or isolated bark, from a particular country if—

- (a) such consignment, before being consigned to Northern Ireland, has been stored, re-packed or split up in the country from which it has been re-exported; or
- (b) the address of the consignee which is set out in the phytosanitary certificate accompanying the consignment is not in Northern Ireland.

*Wood, or isolated bark, the origin of which is to be declared*

10. A person shall not land wood, or isolated bark, which is of a kind listed in Schedule 6 unless it is accompanied by an official statement (either in the form of a separate document or in those cases in which the provisions of Article 8 or 9 require a phytosanitary certificate as part of that certificate) declaring the name of the country in which it was grown.

*Requirements for export of wood, or isolated bark, to Member States*

11.—(1) A person shall not export to a place within a Member State wood, or isolated bark, which is of a kind listed in Schedule 7 unless such wood, or isolated bark, when exported, is accompanied by a phytosanitary certificate, or a re-forwarding phytosanitary certificate, issued by the Department or an inspector immediately before the exportation of such wood, or isolated bark.

(2) An application for a phytosanitary certificate or a re-forwarding phytosanitary certificate shall be made to the Department or an inspector with such information, in such form and in such manner as the Department may require.

*General provisions concerning certificates*

12.—(1) An inspection (other than an inspection for the purpose of making an official statement in respect of the requirements in column (2) of Schedule 4) referred to in a phytosanitary certificate or a re-forwarding phytosanitary certificate shall be carried out not more than 14 days before the date of export of the consignment of wood, or isolated bark, which such certificate is to accompany.

(2) A phytosanitary certificate or a re-forwarding phytosanitary certificate shall be completed not more than 14 days before the date of export of the consignment of wood, or isolated bark, which such certificate is to accompany and after the carrying out of any inspection referred to in paragraph (1) which relates to that wood or isolated bark.

(3) An official statement in respect of the requirements of column (2) of Schedule 4 shall be deemed to have been given by the issue in accordance with this Order of a phytosanitary certificate to accompany the wood, or isolated bark, to which it relates.

(4) Where a phytosanitary certificate or a re-forwarding phytosanitary certificate is issued in a third country, the language of which is other than English, such

certificate shall incorporate or be accompanied by a translation in English of the text thereof which translation, if it is a document separate from such certificate, shall be completed and signed by an authorised officer.

(5) Subject to paragraph (6), where a consignment of wood, or isolated bark, has been consigned between two countries or more than two countries before it is consigned to Northern Ireland in place of a certificate required by this Order such consignment may be accompanied by a copy of a certificate required by this Order which has been issued in the country from within which the consignment has been consigned to Northern Ireland if such copy certificate is certified by an authorised officer as a true copy of the original or as a true copy of a certified copy of the original as the case may be.

(6) In the case of a re-forwarding phytosanitary certificate issued in the country from within which the consignment was consigned direct to Northern Ireland paragraph (5) shall not apply and the original re-forwarding phytosanitary certificate must be produced.

(7) A phytosanitary certificate and any re-forwarding phytosanitary certificate shall be submitted by the importer to the proper officer at the same time as and together with the entry relating to the consignment in respect of which such certificate has been issued. In this paragraph the expression "proper officer" has the meaning attached thereto in the Customs Act and the reference to the entry shall be construed as a reference to the entry delivery of which is to be made in accordance with the provisions of that Act.

(8) A phytosanitary certificate or a re-forwarding phytosanitary certificate shall not be valid unless the authority (whether central, regional, municipal or local) of a country, or a department, service or other organ of such authority, which issues such certificate is the only one in relation to that country which is empowered to issue such certificate.

#### *Examination, sampling and marking*

13. An inspector, upon production if so required of his authority, may for the purposes of this Order—

- (a) (i) enter and examine any premises and mark any part thereof;
- (ii) examine, take samples and mark any wood or isolated bark landed or reasonably believed by him to have been landed, whether or not such consignment was, or ought to have been, accompanied by a certificate required by this Order; and
- (iii) examine and take samples of a pest or any genetically manipulated material either of which has been landed or is reasonably believed by him to have been landed;
- (b) for the purposes of the examination referred to in paragraph (a), open, or authorise any person to open on his behalf or require the importer or any person in charge of the consignment of wood, or isolated bark, to open, in such manner as the inspector may require, any container, bundle or package containing the whole or any part of the consignment;
- (c) if and so far as is necessary for the purposes of such examination, prohibit, either entirely or to the extent indicated by him by notice in writing, the movement of a consignment of wood, or isolated bark, or of any material or object by means of which in his opinion a pest is likely to be spread;
- (d) enter premises and examine, take samples of and mark the whole or any part of a consignment of wood, or isolated bark, which has been landed, or is reasonably believed by him to have been landed, during the previous twelve months or which has been derived from or is reasonably believed by him to have been derived from a consignment of wood, or isolated bark, so landed.

*Wood, or isolated bark, landed in contravention of Order*

14.—(1) If it appears to an inspector that any wood, or isolated bark, in a consignment is in course of being or is about to be or is likely to be landed and that—

- (a) if so landed, it would be landed in contravention of the provisions of this Order; or
- (b) such wood or isolated bark is to a substantial extent carrying or infected with a pest other than a pest listed in Schedule 1 or in column (1) of Schedule 2; or
- (c) such wood or isolated bark is carrying or infected with a non-indigenous pest,

he may serve upon the importer or any person in control of the landing or unloading of that consignment from a vessel, aircraft, vehicle, hovercraft or freight container, a notice—

- (i) prohibiting the landing or unloading of that consignment; or
- (ii) setting out the manner in which the landing or unloading of that consignment is to be carried out and the precautions which are to be taken in the course thereof and the further precautions which are to be taken following upon such landing or unloading; or
- (iii) requiring (in addition to any requirement referred to in sub-paragraph (ii)) that, if landed or unloaded, the consignment or such part thereof as may be set out in such notice be destroyed, or treated in some other way, within such time and in such manner as may be set out in such notice.

(2) If it appears to an inspector at any time that any wood, or isolated bark, in a consignment has been landed and that—

- (a) such landing is in contravention of the provisions of this Order; or
- (b) such wood or isolated bark is to a substantial extent carrying or infected with a pest other than a pest listed in Schedule 1 or in column (1) of Schedule 2; or
- (c) such wood or isolated bark is carrying or infected with a non-indigenous pest,

he may serve upon the importer a notice requiring him within such time and in such manner as may be set out in such notice to destroy, or treat in some other way, any wood, or isolated bark, set out in the notice and to take such other steps as may be set out in the notice to prevent the spread of any pest which appears to the inspector to have been landed with that consignment of wood or isolated bark.

(3) Where treatment other than destruction is required by a notice served under paragraph (1) or (2) the importer may within the period set out in that notice destroy any wood or isolated bark to which the notice relates and if he shall do so he shall be deemed to have complied with the notice.

(4) Where destruction is required by a notice served under paragraph (2) the importer may within the period set out in that notice treat any wood or isolated bark to which the notice relates so as to kill any pest carried by or infecting such wood or isolated bark and if he shall do so he shall be deemed to have complied with the notice.

(5) Any destruction or other treatment required by a notice served under paragraph (1) or (2) shall be carried out to the satisfaction of an inspector by the importer upon whom the notice is served at a place designated by the inspector and none of the wood or isolated bark shall be moved otherwise than direct to such place without the written authority of the Department or an inspector.

(6) A notice served under paragraph (1) or (2) may at any time be amended or withdrawn by a further notice in writing served upon the person upon whom the first notice was served.

(7) If an importer shall fail to comply with the requirements of a notice served under paragraph (1), (2) or (6) then, without prejudice to any proceedings under this Order consequent upon such failure, an inspector or a person authorised by him for the purpose may, on production if so required of his authority, enter for the purposes

of this Order any premises in which the consignment of wood or isolated bark to which the notice relates may be and take such steps as appear to the inspector to be necessary either to ensure that the requirements or conditions of the notice have been complied with or to remedy the consequences of the failure so to comply and the cost of the taking of such steps shall be recoverable as a civil debt by the Department from the person upon whom the notice was served.

(8) The provisions of this Article are without prejudice to the provisions of the Customs Act.

*Pests or genetically manipulated material landed in contravention of Order*

15.—(1) If it appears to an inspector that a pest or genetically manipulated material is in course of being or is about to be or is likely to be or has been landed in contravention of the provisions of this Order, he may serve upon the importer a notice in writing requiring him to destroy that pest or genetically manipulated material within such time and in such manner as may be set out in such notice and to take such steps to prevent the spread of such pest as may be set out in such notice.

(2) A notice served under paragraph (1) may at any time be amended or withdrawn by the Department or an inspector by a further notice in writing served upon the person upon whom the first notice was served.

(3) If an importer shall fail to comply with the requirements of a notice served under paragraph (1) or (2) then, without prejudice to any proceedings under this Order consequent upon such failure, an inspector or a person authorised by him for the purpose may, on production if so required of his authority, for the purposes of this Order enter any premises in which the pest or genetically manipulated material to which the notice relates may be and take such steps as appear to the inspector to be necessary either to ensure that the requirements or conditions of the notice have been complied with or to remedy the consequences of the failure so to comply and the cost of the taking of such steps shall be recoverable as a civil debt by the Department from the person upon whom the notice was served.

(4) The provisions of this Article are without prejudice to the provisions of the Customs Act.

*Persons accompanying, or authorised by, an inspector*

16.—(1) For the purposes of this Order an inspector who enters any premises may be accompanied by such other persons acting under his instructions as appear to him to be necessary and by such equipment as appears to him to be necessary, and such other person, whether or not accompanied by the inspector, upon production if so required of his authority in that behalf given by the Department or by the inspector on the Department's behalf, may remain on the premises and from time to time may re-enter the premises with such equipment as aforesaid.

(2) An inspector who authorises a person to take action as set out in Article 14(7) or 15(3) shall give instructions in writing to that person in sufficient detail as to the steps which appear to the inspector to be necessary for that person to take.

*Officers of Customs and Excise*

17.—(1) An inspector may, either orally or in writing, request an officer of Customs and Excise to prohibit the removal from the place of landing of wood, or isolated bark, which has not been cleared from Customs charge until it has been examined by an inspector. A request under this paragraph, which has been made orally, shall be confirmed in writing.

(2) Where a request has been made under paragraph (1) the officer of Customs and Excise shall by notice in writing served upon the importer require that until the wood or isolated bark has been examined by an inspector it shall not be removed from the

place set out in the notice and he shall at the same time send a copy of such notice to the inspector making the request referred to in paragraph (1).

(3) As soon as practicable after receipt of the copy of such notice an inspector shall examine such wood or isolated bark and shall in writing inform the officer of Customs and Excise of the terms of any notice served under this Order and of any action taken by the inspector in accordance with the provisions of this Order.

(4) Where a notice under paragraph (2) has been served a person shall not, except with the written consent of either such officer of Customs and Excise or an inspector, move contrary to the terms of the notice such wood or isolated bark prior to its inspection by an inspector.

#### *Licences*

18. Notwithstanding any provision in this Order any wood or isolated bark or pest or genetically manipulated material may be landed in accordance with the conditions of a licence granted by the Department.

#### *Information which may be required*

19.—(1) A person who has, or has had, in his possession or control or under his charge a consignment of wood or isolated bark, pest or genetically manipulated material which the Department or an inspector knows to have been, or has reasonable cause to believe has been, landed or exported from Northern Ireland and a person who, as auctioneer, salesman or otherwise, has sold or offered for sale any such wood, isolated bark, pest or genetically manipulated material, shall if so required by notice in writing from the Department or an inspector furnish to the Department or inspector within the time set out in that notice such information as he may possess as to any person who has or has had, or is likely to have or to have had, any such wood or isolated bark, pest or genetically manipulated material in his possession, custody or control or under his charge.

(2) Information furnished under paragraph (1) shall not be available as evidence against the person furnishing the same in any prosecution under this Order except in respect of an alleged failure to comply with paragraph (1).

#### *Offences*

20.—(1) A person shall be guilty of an offence if he:

- (a) contravenes or fails to comply with a provision of this Order or a term or condition of a notice served or licence granted in accordance with the provisions of this Order;
- (b) (i) knowingly or recklessly makes a false statement for the purpose of obtaining a phytosanitary certificate or a re-forwarding phytosanitary certificate; or
- (ii) wilfully obstructs or impedes in the exercise of his powers under this Order an inspector or a person authorised by an inspector.

(2) An offence against this Order shall be punishable on summary conviction by a fine of not more than £100 for a first offence or £200 for a second or subsequent offence.

(3) Paragraphs (1) and (2) shall not apply to the landing of an article of any description the landing of which is prohibited by this Order and in respect of which a penalty may be imposed under the Customs Act.

#### *Revocation*

21.—(1) The Importation of Wood (Prohibition) Order (Northern Ireland) 1976(a) is hereby revoked.

(2) In so far as it has not been revoked by the Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981(a) the Importation of Plants, Plant Produce and Trees Order (Northern Ireland) 1972(b) is hereby revoked.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 10th February 1981.

(L.S.)

*C. S. Kilpatrick*

Assistant Secretary

---

(a) S.R. 1981 No. 38

(b) S.R. & O. (N.I.) 1972 No. 67

## SCHEDULE 1

Articles 4 and 5

## Pests which may not be landed

## PART I

*Live organisms of the animal kingdom at all stages of their development*

1. *Arrhenodes minutus* Drury, the Oak Timberworm.
2. *Hylurgopinus rufipes* Eichh., the American Dark Elm Bark Beetle.
3. *Hyphantria cunea* (Drury), the Fall Webworm.
4. *Pseudopityophthorus minutissimus* Zimmerman } Oak Bark Beetles
5. *Pseudopityophthorus pruinosus* Eichh. }
6. *Scaphoideus luteolus* Van Duz., the White-banded Elm Leaf Hopper.
7. *Scolytus multistriatus* (Marsham), the Small Elm Bark Beetle.
8. *Scolytus scolytus* (Fabricius), the Large Elm Bark Beetle.

## PART II

*Bacteria**Aplanobacter populi* Ridé, the cause of Bacterial Canker of Poplar.

## PART III

*Cryptogamia*

1. *Ceratocystis fagacearum* (Bretz) Hunt, the cause of Oak Wilt.
2. *Ceratocystis ulmi* (Buisson) C. Moreau, the cause of Dutch Elm Disease.
3. *Chrysomyxa arctostaphyli* Diet., the cause of Spruce Broom Rust.
4. *Cronartium comptoniae* Arthur, the cause of Sweet-fern Blister Rust.
5. *Cronartium fusiforme* Hedgc. & Hunt ex Cumm., the cause of Fusiform Rust.
6. *Cronartium quercuum* (Berk.) Miyabe ex Shirai, the cause of Pine-Oak Gall Rust.
7. *Endocronartium harknessii* (J. P. Moore) Y. Hiratsuka (syn. *Peridermium harknessii* J. P. Moore), the cause of Western Gall Rust.
8. *Endothia parasitica* (Murrill) P. J. & H. W. Anderson, the cause of Sweet Chestnut Blight.
9. *Guignardia laricina* (Saw.) Yamamoto & Ito, the cause of Shoot Blight of Larch.
10. *Hypoxylon pruinautum* (Klotzsch) Cke., the cause of Hypoxyylon Canker of Poplar.
11. *Melampsora farlowii* (Arthur) Davis, the cause of Tsuga Needle Rust.
12. *Melampsora medusae* Thüm, (syn. *M. albertensis* Arthur), a cause of Conifer-Aspen Rust.
13. *Mycosphaerella populorum* Thomp. (*Septoria musiva* Peck), the cause of Septoria Canker of Poplar.
14. *Ophiostoma (Ceratocystis) roboris* C. Georgescu and I. Teodoru, associated with Vascular Mycosis of Oak.
15. *Phytophthora cinnamomi* Rands, a cause of Root Rot and Wilts.
16. *Poria weirii* Murr., the cause of Poria Root Rot.
17. *Scleroderris lagerbergii* Gremmen, the cause of Pine Top Canker.

## PART IV

*Viruses and mycoplasmas*

Elm Phloem Necrosis Disease mycoplasma.

## PART V

*Phanerogams*Non-European *Arceuthobium* spp., the dwarf mistletoes.

## SCHEDULE 2

Articles 4 and 5

## Pests which may not be landed if they are carried on or infect wood

<i>Species of pest</i> (1)	<i>Wood</i> (2)
Live organisms of the animal kingdom at all stages of their development:	
1. <i>Scolytidae</i> (Bark Beetles) of Conifers ( <i>Coniferae</i> ).	Wood of conifers ( <i>Coniferae</i> ) with bark grown in any country or part of a country not in Europe.
2. <i>Dendroctonus micans</i> (Kugelmann), the Great Spruce Bark Beetle.	Wood of conifers ( <i>Coniferae</i> ) with bark.
3. <i>Ips amitinus</i> Eichh., the Smaller Eight-Toothed Spruce Bark Beetle.	Wood of conifers ( <i>Coniferae</i> ) with bark.
4. <i>Ips cembrae</i> Heer, the Larch Bark Beetle.	Wood of conifers ( <i>Coniferae</i> ) with bark.
5. <i>Ips duplicatus</i> Sahlb., the Northern Spruce Bark Beetle.	Wood of conifers ( <i>Coniferae</i> ) with bark.
6. <i>Ips sexdentatus</i> (Boerner), the Six-Toothed Pine Beetle.	Wood of conifers ( <i>Coniferae</i> ) with bark.
7. <i>Ips typographus</i> (L.), the Larger Eight-Toothed Bark Beetle.	Wood of conifers ( <i>Coniferae</i> ) with bark.

## SCHEDULE 3

**Isolated bark which may not be landed**

<i>Genera of isolated bark</i> (1)	<i>Country of Origin</i> (2)
1. Isolated bark of conifers ( <i>Coniferae</i> ).	All countries.
2. Isolated bark of <i>Castanea</i> .	All countries.
3. Isolated bark of <i>Populus</i> .	Any country of the American continent.
4. Isolated bark of <i>Quercus</i> (other than <i>Quercus suber</i> ).	North America, Romania or the Union of Soviet Socialist Republics.
5. Isolated bark of <i>Ulmus</i> .	All countries.

## Conditions subject to which wood and isolated bark may be landed

Description of Article and Origin (1)	Conditions subject to which landing is permitted (2)
<p>1. Wood of conifers (<i>Coniferae</i>) grown in any country.</p> <p>2. Wood of <i>Castanea</i> and <i>Quercus</i> grown in North America.</p>	<p>1. The wood shall be stripped of its bark.</p> <p>2. Each consignment of wood shall be accompanied by an official statement certifying that the wood has been stripped of its bark and that in addition one of the following conditions has been fulfilled—</p> <ul style="list-style-type: none"> <li>(i) the moisture content of the wood expressed as a percentage of the dry matter does not exceed 20%;</li> <li>(ii) the wood has been disinfected by hot air or hot water treatment; or</li> <li>(iii) the wood has been squared so as to remove all of the natural rounded surface.</li> </ul>
<p>3. Wood of <i>Castanea</i> and <i>Quercus</i> grown in Romania or the Union of Soviet Socialist Republics.</p>	<p>3. (a) Each consignment of wood shall be accompanied by an official statement certifying that the wood was grown in regions known to be free from <i>Ophiostoma roboris</i> and <i>Endothia parasitica</i>; or</p> <p>(b) each consignment of wood shall be accompanied by an official statement certifying that the wood has been stripped of its bark and that in addition one of the following conditions has been fulfilled—</p> <ul style="list-style-type: none"> <li>(i) the moisture content of the wood expressed as a percentage of the dry matter does not exceed 20%;</li> <li>(ii) the wood has been disinfected by hot air or hot water treatment; or</li> <li>(iii) the wood has been squared so as to remove all of the natural rounded surface.</li> </ul>
<p>4. Wood of <i>Castanea</i> and <i>Quercus</i> grown in any country other than a country in North America, Romania or the Union of Soviet Socialist Republics.</p>	<p>4. (a) Each consignment of wood shall be accompanied by an official statement certifying that the wood was grown in regions known to be free from <i>Endothia parasitica</i>; or</p> <p>(b) each consignment of wood shall be accompanied by an official statement certifying that the wood has been stripped of its bark.</p>
<p>5. Wood of <i>Populus</i> grown in any country of the American continent.</p>	<p>5. The wood has been stripped of its bark.</p>
<p>6. Wood of <i>Ulmus</i>.</p>	<p>6. The wood has been stripped of its bark.</p>

<i>Description of Article</i> (1)	<i>Conditions subject to which landing is permitted</i> (2)
7. Isolated bark of <i>Quercus</i> (other than <i>Quercus suber</i> ) grown in any country other than a country in North America, Romania or the Union of Soviet Socialist Republics.	7. Each consignment of isolated bark shall be accompanied by an official statement certifying that the bark was grown in regions known to be free from <i>Endothia parasitica</i> .

**Wood, or isolated bark, the import of which requires to be accompanied by a phytosanitary certificate.**

PART I

*Wood and isolated bark which, subject to the provisions of Article 8(1), must be accompanied by a phytosanitary certificate from the country of origin when imported into Northern Ireland from a Member State.*

1. Wood of *Castanea* and *Quercus* grown in North America.
2. Wood of *Castanea* and *Quercus* (which has not been stripped of its bark) grown in a country other than a country in North America.
3. Isolated bark of *Quercus* (other than *Quercus suber*) grown in a country other than a country in North America, Romania or the Union of Soviet Socialist Republics.

PART II

*Wood and isolated bark which, subject to the provisions of Article 8(2), must be accompanied by a phytosanitary certificate either from the country of origin or from another consignee country when imported into Northern Ireland from a Member State.*

1. Wood of conifers (*Coniferae*) grown in a country, or part of a country, outside Europe.
2. Wood of *Castanea* and *Quercus* (which has been stripped of its bark) grown in a country other than a country in North America.
3. Wood of *Populus* grown in any country of the American continent.
4. Wood of *Ulmus*.

PART III

*Wood and isolated bark which, subject to the provisions of Article 9, must be accompanied by a phytosanitary certificate from the country of origin when imported into Northern Ireland from a third country.*

1. Wood of *Castanea*, *Quercus* and *Ulmus*.
2. Wood of conifers (*Coniferae*) grown in any country, or part of a country, outside Europe.
3. Wood of *Populus* grown in any country of the American continent.
4. Isolated bark of conifers (*Coniferae*) grown in any country, or part of a country, within Europe.
5. Isolated bark of *Populus* grown in a country outside the American continent.
6. Isolated bark of *Quercus* (other than *Quercus suber*) grown in a country other than a country in North America, Romania or the Union of Soviet Socialist Republics.

**Wood and isolated bark the country of whose growth is to be declared**

1. Wood of conifers (*Coniferae*).
2. Wood of *Populus*.
3. Isolated bark of conifers (*Coniferae*).
4. Isolated bark of *Populus*.

**Wood, and isolated bark, to be accompanied by a phytosanitary certificate before export from Northern Ireland to a Member State**

1. Wood of conifers (*Coniferae*) grown in any country, or part of a country, outside Europe.
2. Wood of *Castanea*, *Quercus* and *Ulmus*.
3. Wood of *Populus* grown in any country of the American continent.
4. Isolated bark of *Quercus* (other than *Quercus suber*).

PART I

Form of Phytosanitary Certificate

Phytosanitary Certificate

PLANT PROTECTION SERVICE

of ..... No. ....

This is to certify that the plants, parts of plants or plant products described below or representative samples of them were thoroughly examined on (date) ..... by (name) ..... an authorised officer of the (service) ..... and were found to the best of his knowledge to be substantially free from injurious diseases and pests: and that the consignment is believed to conform with the current phytosanitary regulations of the importing country both as stated in the additional declaration hereon and otherwise.

Fumigation or disinfection treatment (if any) .....  
Date ..... Treatment .....  
Duration of Exposure ..... Chemical and Concentration .....

Additional Declaration

..... 19.....  
.....  
(Signature)  
.....  
(Rank)

(Stamp of the Service)

Description of the Consignment

Name and address of exporter: .....  
Name and address of consignee: .....  
Number and description of packages: .....  
Distinguishing marks: .....  
Origin (Grown at)\*: .....  
Means of conveyance: .....  
Point of entry: .....  
Quantity and name of produce: .....  
Botanical name: .....

\*State precise location.

Note:

The certificate shall be completed in typescript or in block capitals.

PART II

Form of Re-forwarding Phytosanitary Certificate

No. ....

Re-forwarding Phytosanitary Certificate

PLANT PROTECTION SERVICE

of: ..... (country of re-export)

To: Plant Protection Service(s)

of: ..... (country (countries) of destination)

Description of Consignment

- Name and address of exporter: .....
- Name and address of consignee: .....
- Number and description of packages: .....
- Distinguishing marks: .....
- Declared means of conveyance: .....
- Place of origin: .....
- Declared point of entry: .....
- Name of produce and quantity declared: .....
- Botanical name of plants: .....

This is to certify that the plants or plant products described above were imported into ..... (country of re-export) from ..... (country 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 containers  new containers  ;
- (\*that based on the original phytosanitary certificate  and additional
- (\*inspection  they are considered to conform with the current plant health regulations of the importing country, and that during storage in ..... (country of re-export) this consignment has not been subjected to the risk of infestation or infection.
- (\*Tick appropriate box

Disinfestation and/or Disinfection Treatment

- Date: ..... Treatment: .....
- Chemical (active ingredient): .....
- Duration and temperature: .....
- Concentration: .....
- Additional information: .....

Additional declaration:

Place of issue: ..... Name of Authorised Officer: .....

Date: .....

(Signature)

(Stamp of the Service)

Note: ..... (Rank)

The certificate shall be completed in typescript or in block capitals.

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order revokes and replaces the Importation of Wood (Prohibition) Order (Northern Ireland) 1976.

The Order implements those provisions of Council Directive 77/93/EEC (O.J. No. L26, 31.1.77 p. 20) (as amended by Council Directives 80/392/EEC and 80/393/EEC (O.J. No. L100, 17.4.80 (p. 32)) which—

- (a) prohibit the import into Member States of the European Community of certain pests which are harmful to trees;
- (b) prescribe controls on the movement of wood and isolated bark across the frontiers of the European Community.

In addition the Order sets out controls:

- (a) in respect of the import of genetically manipulated material, and
- (b) in respect of direct trade in wood and isolated barks with countries other than Member States.

The principal provisions of the Order—

- (a) exempt from certain of its provisions wood and isolated bark grown or originating in Northern Ireland (Article 3);
- (b) prohibit the landing of certain pests and genetically manipulated material and wood and isolated bark infected by specified pests (Articles 4 and 5 and Schedules 1 and 2);
- (c) prohibit the landing of isolated bark from certain countries (Article 6 and Schedule 3);
- (d) set out the conditions under which other specified isolated bark and certain wood is permitted to be landed (Article 7 and Schedule 4);
- (e) set out the circumstances in which certain wood and isolated bark are to be accompanied by phytosanitary certificates, re-forwarding phytosanitary certificates or certificates of origin when landed and also the form of such certificates and the manner in which such certificates are to be completed (Articles 8, 9, 10 and 12 and Schedules 5, 6 and 8);
- (f) require that when exported from Northern Ireland to another Member State certain wood and isolated bark is to be accompanied by a phytosanitary certificate or a re-forwarding phytosanitary certificate (Article 11 and Schedule 7);
- (g) provide powers of entry, examination, sampling and marking (Article 13) and powers to enable remedial action to be taken when wood or isolated bark, pests or genetically manipulated material are landed, or are about to be landed, in contravention of the Order (Articles 14, 15 and 16);
- (h) provide that officers of Customs and Excise may detain imported wood or isolated bark for examination by an inspector (Article 17);
- (i) provide that the landing of any wood or isolated bark, pest or genetically manipulated material the landing of which is otherwise prohibited by the Order, may be authorised by licence (Article 18);
- (j) require that persons having in their possession information regarding any wood or isolated bark, pest or genetically manipulated material landed or exported from Northern Ireland may be required to disclose that information (Article 19);
- (k) provide for offences in connection with the Order and set out penalties for contravention of or failure to comply with the Order (Article 20).