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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 440**

**PLANT HEALTH**

**The Plant Health (Great Britain)  
Amendment (Scotland) Order 2004**

*Made* - - - - 7th October 2004  
*Laid before the Scottish  
Parliament* - - - - 8th October 2004  
*Coming into force* - - 11th November 2004

The Scottish Ministers, in exercise of the powers conferred by sections 2 and 3 of the Plant Health Act 1967(1) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as The Plant Health (Great Britain) Amendment (Scotland) Order 2004 and shall come into force on 11th November 2004.

(2) This Order extends to Scotland only.

**Amendment of The Plant Health (Great Britain) Order 1993**

2.—(1) The Plant Health (Great Britain) Order 1993(2) is amended in accordance with the following paragraphs of this article.

(2) In article 2(1) (interpretation)–

(a) for the definition of “Directive 2000/29/EC” substitute–

““Directive 2000/29/EC” means Council Directive 2000/29/EC(3) of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as amended by Commission Directives 2001/33/EC(4) of 8th May 2001, 2002/28/

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- (1) 1967 c. 8; sections 2(1) and 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48) and further amended by section 17(1) of the Criminal Justice Act 1991 (c. 53) and the Statute Law (Repeals) Act 1993 (c. 50), section 1(1) and Schedule 1, Part XIV. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
- (2) S.I.1993/1320; amended by S.I. 1993/3213, 1995/1358 and 2929, 1996/25, 1165 and 3242, 1997/1145 and 2907, 1998/349 and 1121, S.S.I. 1999/22 and 129, 2001/249, 2002/164 and 2003/224.
- (3) O.J. No. L 169, 10.7.00, p.1.
- (4) O.J. No. L 127, 9.5.01, p.42; and see the associated Commission Directive 2001/32/EC, O.J. No. L 127, 9.5.01, p.38.

EC(5) of 19th March 2002, 2002/36/EC(6) of 29th April 2002, 2003/22/EC(7) of 24th March 2003, 2003/47/EC(8) of 4th June 2003, 2003/116/EC(9) of 4th December 2003, 2004/31/EC(10) of 17th March 2004, 2004/70/EC(11) of 28th April 2004 and Article 20 and Annex II of the Act concerning the Conditions of Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded signed on 16th April 2003(12);”;

(b) for the definition of “the Euro Mediterranean area” substitute–

““the Euro Mediterranean area” means the geographical area comprising Europe, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia and Turkey;”;

(c) for the definition of “Europe” substitute–

““Europe” includes the Canary Islands and Belarus, Moldova, the Ukraine and Russia (excluding the Regions of Buryat, Yakut and Tuva, the Altai, Khabarovsk, Drasnoyarsk and Maritime Krai and the Amur, Chita, Irkutsk, Kamchatka, Kemerovo, Kurgan, Magadan, Novosibirsk, Omsk, Sakhalin, Tomsk and Tyumen Oblasts) but does not include Turkey;”;

(d) for the definition of “European Community” substitute–

““European Community” 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;”;

(e) in the definition of “official statement” after “phytosanitary certificate” insert “or, in the case of imports from Switzerland of plants, plants products or other objects which are listed in Part A of Schedule 5A, by the issue of a Swiss plant passport”;

(f) for the definition of “plant passport” substitute–

““plant passport” means either–

(a) a label and, where appropriate, an accompanying document issued in the European Community containing the relevant information in Schedule 9 which gives evidence that the provisions of this Order relating to plant health standards and special requirements for plants and plant products moving within the European Community have been complied with; or

(b) except for the purposes of article 11(3) and article 14, a Swiss plant passport;”;

and

(g) after the definition of “South America” insert–

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

(a) contains information that gives evidence that the legislation in Switzerland relating to plant health standards and special requirements for plants and plant products moving into and within Switzerland have been complied with; and

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(5) O.J. No. L 77, 20.3.02, p.23; and see the associated Commission Directive 2002/29/EC, O.J. No. L 77, 20.3.02, p.26.

(6) O.J. No. L 116, 3.5.02, p.16.

(7) O.J. No. L 78, 25.3.03, p.10.

(8) O.J. No. L 138, 5.6.03, p.47.

(9) O.J. No. L 321, 6.12.03, p.36.

(10) O.J. No. L 85, 23.3.04, p.18; and see the associated Commission Directive 2004/32 EC, O.J. No. L 85, 23.3.04, p.24.

(11) O.J. No. L 127, 29.4.04, p97.

(12) O.J. No L 236, 23.9.03, p33.

(b) relates to a plant, plant product or other object listed in Part A of Schedule 5A;”.

(3) In article 3 (prohibition on importing into Great Britain from a third country plants, plant pests etc.) for paragraph (1)(e) substitute–

“(e) subject to the provisions of paragraph (2) of this article, any plant, plant product or other object which is of a description specified in section I of Part B of Schedule 5 unless–

(i) it has been the subject of a satisfactory plant health inspection by an authorised officer in the country of origin or the consignor country and is accompanied by a valid phytosanitary certificate or, in the case of imports from Switzerland of plants, plant products or other objects which are listed in Part A of Schedule 5A, by a Swiss plant passport; or

(ii) in the case of imports from Switzerland, it is a plant, plant product or other object listed in Part B of Schedule 5A.”.

(4) In article 9 (official statements in respect of imported plants etc. from third countries) after “phytosanitary certificate” in each place where it occurs, insert “or, in the case of imports from Switzerland of plants, plant products or other objects which are listed in Part A of Schedule 5A, a Swiss plant passport”.

(5) In article 11 (provisions relating to the issue of phytosanitary certificates and subsequent plant passports), in paragraph (2), after “directly consigned to Great Britain” insert “or, in the case of consignments from Switzerland of plants, plant products or other objects which are listed in Part A of Schedule 5A, a Swiss plant passport”.

(6) In Schedule 1, Part B(a) (insects, mites and nematodes, at all stages of their development)–

(a) for item 1a(13) substitute–

“1a	<i>Daktulosphaira vitifoliae</i> (Fitch)	CY
1b	<i>Globodera pallida</i> (Stone) Behrens	FI, LV, SI, SK”; and

(b) in item 2 for the words in the second column substitute–

“E (Ibiza and Menorca), IRL, P (Azores and Madeira), FI (districts of Åland, Håme, Kymi, Pirkanmaa, Satakunta, Turku, Uusimaa), S (counties of Blekinge, Gotlands, Halland, Kalmar and Skåne), UK, CY, M”.

(7) In Schedule 1, Part B(d) (virus and virus like organisms) in item 1 for the words in the second column substitute–

“DK, F (Brittany), FI, IRL, LT, P (Azores), UK (Northern Ireland)”.

(8) In Schedule 2, Part A, Section 1(a) (insects, mites and nematodes, at all stages of their development) omit item 14.

(9) In Schedule 2, Part A, Section 2(a) (insects, mites and nematodes, at all stages of their development) after item 6 insert–

“6a	<i>Eutetranychus orientalis</i> Klein	Plants of <i>Citrus</i> L., <i>Fortunella</i> Swingle, <i>Poncirus</i> Raf, and their hybrids, other than fruit and seeds”.
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(10) In Schedule 2, Part A, Section 2(b) (bacteria) in item 3 for the words in the second column substitute—

“Plants 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. and *Sorbus* L., intended for planting, other than seeds”.

(11) In Schedule 2, Part B(a) (insects, mites and nematodes, at all stages of their development) in item 5 for the words in the third column substitute—

“EL, P (Azores)”.

(12) In Schedule 2, Part B(b) (bacteria) for item 2 substitute—

<p>“2. <i>Erwinia amylovora</i> (Burr.) Winsl. et al.</p>	<p><i>Parts of plants, other than fruit, seeds and plants intended for planting, but including live pollen for pollination of</i>  <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. and  <i>Sorbus</i> L.</p>	<p><i>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia Romagna; provinces of Forlì Cesena, Parma, Piacenza and Rimini; Friuli Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Trentino Alto Adige; autonomous province of Trento; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative</i></p>
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*district Lienz), Styria, Vienna), P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands)”.*

(13) In Schedule 2, Part B(d) (viruses and virus-like organisms) for the words in the third column substitute—

“EL, F (Corsica), I, M, P”.

(14) In Schedule 3, Part A (plants, plant products and other objects the introduction of which shall be prohibited in Great Britain)—

(a) in item 12, in the second column omit “Cyprus,” and “Malta”;

(b) in item 14 for the words in the second column substitute—

“Turkey, Belarus, Moldova, Russia, Ukraine, Georgia and third countries not belonging to continental Europe, other than the following: Algeria, Egypt, Israel, Libya, Morocco and Tunisia”; and

(c) in item 15 for the words in the second column substitute—

“Third countries other than Switzerland”.

(15) In Schedule 3, Part B (plants, plant products and other objects the introduction of which shall be prohibited in certain protected zones)—

(a) for item 1 substitute—

“1. Without prejudice to the prohibitions applicable to the plants listed in Schedule 3A(9), (9.1) and (18), where appropriate, plants and live pollen for pollination of: *Amelanchier* Med., *Chaenomeles* Lindl., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Pyracantha* Roem., *Pyrus* L. and *Sorbus* L., other than fruit and seeds, originating in third countries other than Switzerland and other than those recognised as being free from *Erwinia amylovora* (Burr.) Winsl. et al. or in which pest free areas have been established in relation to *Erwinia amylovora* (Burr.) Winsl. et al. in accordance with the relevant International Standards for Phytosanitary Measures

E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Trentino-Alto Adige: autonomous province of Trento; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesse Umbertiano, Castलगuglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna),

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P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands)”; and

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(b) after item 1, insert–

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“2. Without prejudice to the prohibitions applicable to the plants listed in Schedule 3A(9), (9.1) and (18), where appropriate, plants and live pollen for pollination of: *Cotoneaster* Ehrh. and *Photinia davidiana* (Dcne.) Cardot, other than fruit and seeds, originating in third countries other than those recognised as being free from *Erwinia amylovora* (Burr.) Winsl. et al. or in which pest free areas have been established in relation to *Erwinia amylovora* (Burr.) Winsl. et al. in accordance with the relevant International Standards for Phytosanitary Measures.

E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Trentino-Alto Adige: autonomous province of Trento; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands)”.

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(16) In Schedule 4, Part A, Section 1 (plants, plant products and other objects originating outside the Community)–

(a) for item 17 substitute–

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“17. Plants 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. and *Sorbus* L., intended for planting, other than seeds

Without prejudice to the provisions applicable to the plants listed in Schedule 3(A)(9), (9.1) and (18), Schedule 3(B)(1) or Schedule 4(A)(1)(15), where appropriate, official statement:

(a) that the plants originate in countries recognised as being free from *Erwinia amylovora* (Burr.) Winsl. et al.; or

(b) that the plants originate in pest free areas which have been established in relation to *Erwinia amylovora* (Burr.) Winsl. et al. in accordance with the relevant International Standards for Phytosanitary Measures; or

- (c) that the plants in the field of production and in its immediate vicinity, which have shown symptoms of *Erwinia amylovora* (Burr.) Winsl. et al., have been removed.”;

- (b) in item 34 for the words in the first column substitute–

“Soil and growing medium attached to or associated with plants, consisting in whole or in part of soil or solid organic substances such as parts of plants, humus including peat or bark or any solid inorganic substance, intended to sustain the vitality of the plants, originating in:

- Turkey
- Belarus, Georgia, Moldova, Russia, Ukraine
- non European countries other than Algeria, Egypt, Israel, Libya, Morocco, Tunisia”;

- (c) in items 53 and 54 in the first column of each, respectively, after “India” insert “Iran,”.

- (17) In Schedule 4, Part A, Section 2 (plants, plant products, and other objects originating in the Community) in item 9, for the words in the first column substitute–

“Plants 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. and *Sorbus* L., intended for planting, other than seeds”.

- (18) In Schedule 4, Part B (special requirements which shall be laid down for the introduction and movement of plants, plant products and other objects into and within certain protected zones)–

- (a) in item 19 for the words in the third column substitute–

“EL, P (Azores)”;

- (b) in items 20.1, 20.2, 22, 23, 25, 26, 27.1, 27.2 and 30 for the words in the third column of each item substitute–

“DK, F (Brittany), FI, IRL, LT, P (Azores), UK (Northern Ireland)”;

- (c) in item 20.3, for the words in the third column substitute–

“FI, LV, SI, SK”;

- (d) for item 21 substitute–

<p>“21. Plants and live pollen for pollination 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. and <i>Sorbus</i> L.,  other than fruit and seeds</p>	<p>Without prejudice to the prohibitions applicable to the plants listed in Schedule 3A(9), (9.1), (18) and 3B(1), where appropriate, official statement that:</p> <p>(a) the plants originate in third countries recognised as being free from <i>Erwinia amylovora</i> (Burr.) Winsl. et al.; or</p> <p>(b) the plants originate in pest free areas in third countries which have been established in relation to <i>Erwinia</i></p>	<p>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Trentino-Alto Adige: autonomous province of Trento; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia</p>
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- amylovora* (Burr.) Winkl. et al. in accordance with the relevant International Standards for Phytosanitary Measures; or
- (c) the plants originate in one of the following Cantons of Switzerland: Berne (with the exceptions of the districts of Signau and Trachselwald), Fribourg, Grisons, Ticino, Vaud, Valais; or
- (d) the plants originate in the protected zones listed in the third column; or
- (e) the plants have been produced, or, if moved into a buffer zone have been maintained for a period of at least 7 months including the period from 1st April to 31st October of the last complete cycle of vegetation, on a field:
- (i) located at least 1 km inside the border of an officially designated buffer zone of at least 50 km<sup>2</sup> where host plants are subject to an officially approved and supervised control regime established at the latest before the beginning of the complete cycle of vegetation preceding the last complete cycle of vegetation, with the object of minimising the risk of *Erwinia amylovora* (Burr.) Winkl. et al. being Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands)



- spread from the plants grown there;
- (ii) which has been officially approved, as well as the buffer zone, before the beginning of the complete cycle of vegetation preceding the last complete cycle of vegetation, for the cultivation of plants under the requirements laid down in this item; and
- (iii) which, as well as the surrounding zone of a width of at least 500 m, has been found free from *Erwinia amylovora* (Burr.) Winsl. et al. since the beginning of the last complete cycle of vegetation, at official inspections carried out at least:
  - twice in the field at the most appropriate time i.e. once during June to August and once during August to November; and
  - once in the said surrounding zone at the most appropriate time i.e. during August to

- November;  
and  
(iv) from which plants were officially tested for latent infections in accordance with an appropriate laboratory method on samples officially drawn at the most appropriate period.

These provisions shall not apply to plants moved before 1st April 2005 into and within the protected zones listed in the third column in relation to this item which have been produced and maintained on fields located in officially designated buffer zones in accordance with the relevant requirements applicable before 1st April 2004.

<p><b>21.1.</b> From 15th March to 30th June, beehives</p>	<p>There shall be documented evidence that the beehives:</p> <p>(a) originate in third countries recognised as being free from <i>Erwinia amylovora</i> (Burr.) Winsl. et al.; or</p> <p>(b) originate in one of the following Cantons of Switzerland: Berne (with the exceptions of the districts of Signau and Trachselwald), Fribourg, Grisons, Ticino, Vaud, Valais; or</p> <p>(c) originate in the protected zones listed in the third column; or</p> <p>(d) have undergone an appropriate quarantine measure before being moved.</p> <p>For the purposes of these provisions:</p>	<p>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Trentino-Alto Adige: autonomous province of Trento; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro,</p>
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- (i) “beehive” means a beehive which contains one or more bees of a species known to be susceptible to spreading *Erwinia amylovora* (Burr.) Winsl. et al.; and
  - (ii) an authorized officer shall accept as “documented evidence” any written evidence that shows to the reasonable satisfaction of that officer that one of the above conditions has been met.
- Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands);

- 21.2. Plants of *Vitis* L., other than fruit and seeds**
- Without prejudice to the prohibition applicable to the plants listed in Schedule 3(A) (15), official statement that the plants:
- (a) originate in an area known to be free from *Daktulosphaira vitifoliae* (Fitch); or
  - (b) have been grown at a place of production which has been found free from *Daktulosphaira vitifoliae* (Fitch) on official inspections carried out during the last two complete cycles of vegetation; or
  - (c) have been subject to fumigation or other appropriate treatment against *Daktulosphaira vitifoliae* (Fitch).

- 21.3. Fruits of *Vitis* L.**
- (1) The fruits shall be free from leaves.
  - (2) official statement that the fruits:
    - (a) originate in an area known to be free from

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*Daktulosphaira vitifoliae* (Fitch); or

- (b) have been grown at a place of production which has been found free from *Daktulosphaira vitifoliae* (Fitch) on official inspections carried out during the last two complete cycles of vegetation; or
- (c) have been subject to fumigation or other appropriate treatment against *Daktulosphaira vitifoliae* (Fitch).

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(e) for item 31 substitute—

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“**31.** Fruits of *Citrus* L, Without prejudice to the requirements applicable to the fruit in Schedule 4A(2) (31.1):  
*Fortunella* Swingle, *Poncirus* Raf., and their hybrids originating in E, F (except Corsica) and CY (a) the fruits shall be free from leaves and peduncles; or  
 (b) in the case of fruits with leaves or peduncles, official statement that the fruits are packed in closed containers which have been officially sealed and shall remain sealed during their transport through a protected zone, recognised for these fruits, and shall bear a distinguishing mark to be reported on the passport. EL, F (Corsica), I, M, P”.

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(19) In Schedule 5, Part A (plants, plant products and other objects originating in the Community)—

- (a) in section I (plants, plant products and other objects which are potential carriers of plant pests of relevance for the entire Community, and which must be accompanied by a plant passport), for item 1.1 substitute—

“**1.1.** Plants, intended for planting, 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. and *Prunus lusitanica* L., *Pyracantha* Roem., *Pyrus* L. and *Sorbus* L.”;

- (b) in section II (plants, plant products and other objects which are potential carriers of plant pests of relevance for certain protected zones and which must be accompanied by a plant passport valid for the appropriate zone when introduced into or moved within that zone)–

- (i) for items 1.3 and 1.4 substitute–

“**1.3.** Plants, other than fruit and seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Eucalyptus* L'Herit., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L. and *Sorbus* L.

**1.4.** 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. and *Sorbus* L.”; and

- (ii) in item 1.9 after the words “unginned cotton” insert–

“, fruits of *Vitis* L.”.

(20) In Schedule 5, Part B (plants, plant products and other objects originating in territories, other than those territories referred to in Part A)–

- (a) in section I (plants, plant products and objects which are potential carriers of plant pests of relevance for the entire Community)–

- (i) in item 1 after “India,” insert “Iran”;

- (ii) for item 2 substitute–

“Parts of plants, other than fruits and seeds of:

— *Castanea* Mill., *Dendranthema* (DC) Des. Moul., *Dianthus* L., *Gypsophila* L., *Pelargonium* l'Herit. ex Ait, *Phoenix* spp., *Populus* L., *Quercus* L., *Solidago* L. and cut flowers of Orchidaceae,

— conifers (*Coniferales*),

— *Acer saccharum* Marsh., originating in North American countries,

— *Prunus* L., originating in non-European countries,

— cut flowers of *Aster* spp., *Eryngium* L., *Hypericum* L., *Lisianthus* L., *Rosa* L. and *Trachelium* L., originating in non-European countries,

— Leafy vegetables of *Apium graveolens* L. and *Ocimum* L.”;

- (iii) for item 7(b) substitute–

“Soil and growing medium, attached to or associated with plants, consisting in whole or in part of material specified in (a) or consisting in whole or in part of peat or of any solid inorganic substance intended to sustain the vitality of the plants, originating in:

— Turkey

— Belarus, Georgia, Moldova, Russia, Ukraine

— non European countries other than Algeria, Egypt, Israel, Libya, Morocco, Tunisia”;

- (iv) in item 8 after “India,” insert “Iran”; and

- (b) in section II, (plants, plant products and other objects which are potential carriers of plant pests of relevance for certain protected zones):

(i) for items 3 and 4 substitute—

“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. and *Sorbus* L.

4. Parts of plants, other than fruit and 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. and *Sorbus* L.”; and

(ii) after item 6 insert—

“6a. Fruits of *Vitis* L.”.

(21) After Schedule 5, insert—

“SCHEDULE 5A

Articles 2(1), 3(1), 9 and 11(2)

European Community trade arrangements with Switzerland

## PART A

PLANTS, PLANT PRODUCTS AND OTHER OBJECTS FOR WHICH THE COMMUNITY AND SWITZERLAND HAVE SIMILAR LEGISLATION LEADING TO EQUIVALENT RESULTS AND WHICH RECOGNISE THE PLANT PASSPORT

### ***I. Plants, plant products and other objects, originating in either the Community or Switzerland***

#### ***1. Plants and plant products***

1.1. Plants intended for planting, not including seeds, of—

*Beta vulgaris* L.

*Humulus lupulus* L.

*Prunus* L., other than *Prunus laurocerasus* L. and *Prunus lusitanica* L.

1.2. Plants not including fruit or seeds, but including live pollen for pollination, of—

*Chaenomeles* Lindl.

*Crataegus* L.

*Cydonia* Mill.

*Eriobotrya* Lindl.

*Malus* Mill.

*Mespilus* L.

*Pyracantha* Roem.

*Pyrus* L.

*Sorbus* L. other than *Sorbus intermedia* (Ehrh) Pers.

1.3. Plants of stoloniferous and tuberous species intended for planting of—

*Solanum* L. and hybrids thereof

1.4. Plants not including fruit of–

*Vitis* L.

**2. Plants, plant products and other objects produced by producers whose production and sale is authorised to persons professionally engaged in plant production, other than those plants, plant products and other objects which are prepared and ready for sale to the final consumer, and for which it is ensured by the responsible official bodies of the Member States and Switzerland, that the production thereof is clearly separate from that of other products**

2.1. Plants intended for planting, other than seeds, of–

*Abies* Mill.

*Apium graveolens* L.

*Argyranthemum* spp.

*Aster* spp.

*Brassica* spp.

*Castanea* Mill.

*Cucumis* spp.

*Drepananthera* (DC) Des Moul.

*Dianthus* L. and hybrids

*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 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.

*Verbena* L.

and other plants of herbaceous species, other than plants of the family *Gramineae*, intended for planting, and other than bulbs, corms, rhizomes, seeds and tubers.

**2.2.** Plants of *Solanaceae*, other than those referred to in item 1.3, intended for planting, other than seeds.

**2.3.** Plants for *Araceae*, *Marantaceae*, *Musaceae*, *Persea* spp and *Strelitziaceae*, rooted or with growing medium attached or associated.

**2.4.** Seeds and bulbs of *Allium ascalonicum* L, *Allium cepa* L and *Allium schoenoprasum* L intended for planting and plants of *Allium porrum* L intended for planting.

**2.5.** Bulbs and bulbous rhizomes intended for planting of–

*Camassia* Lindl.

*Chionodoxa* Boiss.

*Crocus flavus* Weston “Golden Yellow”

*Galanthus* L.

*Galtonia candicans* (Baker) Decne

miniature cultivars and their hybrids of the genus *Gladiolus* Tourn ex L., such as *Gladiolus callianthus* Marais, *Gladiolus colvillei* Sweet, *Gladiolus nanus* Hort, *Gladiolus ramosus* Hort and *Gladiolus tubergenii* Hort.

*Hyacinthus* L.

*Iris* L.

*Ismene* Herbert

*Muscari* Mill.

*Narcissus* L.

*Ornithogalum* L.

*Puschkinia* Adams

*Scilla* L.

*Tigridia* Juss.

*Tulipa* L.

## ***II. Plants, plant products and other objects originating in territories other than those referred to in section I***

### **1. Plants, not including seeds**

All plants for planting, not including seeds, listed under Part A(I) of this Schedule.

### **2. Seeds**

Seeds originating in third countries other than Switzerland of *Allium ascalonicum* L., *Allium cepa* L., *Allium schoenoprasum* L.

## **PART B**

### **PLANTS, PLANT PRODUCTS AND OTHER OBJECTS ORIGINATING IN THIRD COUNTRIES OTHER THAN SWITZERLAND FOR WHICH THE COMMUNITY AND SWITZERLAND HAVE SIMILAR**



## LEGISLATION LEADING TO EQUIVALENT RESULTS AND WHICH MAY BE TRADED FREELY WITHOUT A PLANT PASSPORT

1. All plants intended for planting, not including seeds, other than:
  - (a) plants intended for planting, not including seeds, listed in Part A of this Schedule; or
  - (b) *Clausena* Burm. f., *Murraya* Koenig ex L. and *Palmae*, not including *Phoenix* spp. originating in Algeria or Morocco.
2. Seeds
  - 2.1. Seeds originating in Argentina, Australia, Bolivia, Chile, New Zealand and Uruguay of–
    - Cruciferae*
    - Gramineae*, other than *Oryza* spp.
    - Trifolium* spp..
  - 2.2. Seeds of–
    - Allium porrum* L.
    - Capsicum* spp.
    - Helianthus annuus* L.
    - Lycopersicon lycopersicum* (L.) Karsten ex Farw
    - Medicago sativa* L.
    - Phaseolus* L.
    - Prunus* L.
    - Rubus* L.
    - Zea mays* L..
  - 2.3. Seeds originating in Afghanistan, India, Iraq, Mexico, Nepal, Pakistan, South Africa and the United States of–
    - Triticum*
    - Secale*
    - X Triticosecale*.
3. Parts of plants, not including fruit or seeds
  - Acer saccharum* Marsh, originating in North American countries
  - Leafy vegetables of *Apium graveolens* L.
  - cut flowers of *Aster* spp. originating in non-European countries
  - Dendranthema* (DC) Des Moul.
  - Dianthus* L.
  - cut flowers of *Eryngium* L., originating in non European countries
  - Gypsophila* L.
  - cut flowers of *Hypericum* L., originating in non European countries
  - cut flowers of *Lisianthus* L., originating in non European countries
  - leafy vegetables of *Ocimum* L.
  - cut flowers of *Orchidaceae*
  - Pelargonium* L'Hérit ex Ait.

*Populus* L.

*Prunus* L. originating in non-European countries

*Quercus* L.

cut flowers of *Rosa* L., originating in non European countries

*Solidago* L.

cut flowers of *Trachelium* L., originating in non European countries.

**4. Fruit of**

*Annona* L., originating in non European countries

*Cydonia* Mill., originating in non European countries

*Diospyros* L., originating in non European countries

*Malus* Mill., originating in non European countries

*Mangifera* L., originating in non European countries

*Momordica* L.

*Passiflora* L., originating in non European countries

*Prunus* L., originating in non European countries

*Psidium* L., originating in non European countries

*Pyrus* L., originating in non European countries

*Ribes* L., originating in non European countries

*Solanum melongena* L.

*Syzygium* Gaertn., originating in non European countries

*Vaccinium* L., originating in non-European countries.

**5. Tubers other than for planting of**

*Solanum tuberosum* L..

**6. Soil and growing medium**

(a) Soil and growing medium as such, which consists in whole or in part of soil or solid organic substances such as parts of plants, humus including peat or bark, other than that composed entirely of peat.

(b) Soil and growing medium, attached to or associated with plants, consisting in whole or in part of material specified in (a) or consisting in whole or in part of peat or of any solid inorganic substance intended to sustain the vitality of the plants, originating in

— Turkey

— Belarus, Moldova, Russia, Ukraine, Georgia

— non European countries other than Algeria, Egypt, Israel, Libya, Morocco and Tunisia.

**7. Cereals**

Grain of the genera *Triticum*, *Secale* and *X Triticosecale* originating in Afghanistan, India, Iraq, Mexico, Nepal, Pakistan, South Africa and the USA.”.

(22) In Schedule 8(a) (insects, mites and nematodes, at all stages of their development)–

(a) after item 3 insert–

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“3a *Daktulosphaera vitifoliae* Cyprus”;  
(Fitch).

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(b) in item 5a, for the words in the second column substitute–

“Finland, Latvia, Slovenia, Slovakia”;

(c) in item 6, for the words in the second column substitute–

“Greece, Portugal (Azores)”;

(d) in item 12, for the words in the second column substitute–

“Spain (Ibiza and Menorca), Ireland, Portugal (Azores and Maderia), Finland (districts of Åland, Håme, Kymi, Pirkanmaa, Satakunta, Turku, Uusimaa), Sweden (counties of Blekinge, Gotlands, Halland, Kalmar and Skåne), United Kingdom, Cyprus, Malta”.

(23) In Schedule 8(b) (bacteria) in item 2 for the words in the second column substitute–

“Spain, France (Corsica), Ireland, Italy (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia Romagna: provinces of Forlì Cesena, Parma, Piacenza and Rimini; Friuli Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Trentino Alto Adige: autonomous province of Trento; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castalguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), and for Austria (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Portugal, Finland, United Kingdom (Northern Ireland, Isle of Man and Channel Islands), Latvia, Lithuania, Slovakia, Slovenia”.

(24) In Schedule 8(d) (viruses and virus-like organisms)–

(a) in item 1 for the words in the second column substitute–

“Denmark, France (Brittany), Ireland, Lithuania, Portugal (Azores), Finland, United Kingdom (Northern Ireland)”;

(b) in item 4 after “Portugal,” insert “,Malta”.

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## EXPLANATORY NOTE

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

This Order, which comes into force on 11th November 2004, amends the Plant Health (Great Britain) Order 1993 so as to implement in Scotland—

(1) Points 9 and 30 of the Annex to Commission Directive [2002/36/EC](#) (O.J. No. L 116, 3.5.02, p.16) which amends various Annexes to Council Directive [2000/29/EC](#) (O.J. No. L 169, 10.7.00, p.1) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community;

(2) Commission Directive [2003/46/EC](#) (O.J. No. L 138, 5.6.03, p.45) which amends some protected zones exposed to particular plant health risks in the Community in Commission Directive [2001/32/EC](#) (O.J. No. L 127, 9.5.01, p.38);

(3) Commission Directive [2003/47/EC](#) (O.J. No. L 138, 5.6.03, p.47) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community;

(4) Commission Directive [2003/116/EC](#) (O.J. No. L 321, 6.12.03, p.36) which amends certain Annexes to Council Directive [2000/29/EC](#) (O.J. No. L 169, 10.7.00, p.1) as regards the harmful organism *Erwinia amylovora* (Burr.) Winsl. et al.;

(5) Commission Directive [2004/31/EC](#) (O.J. No. L 85, 23.3.04, p.18) which amends certain Annexes to Council Directive [2000/29/EC](#) (O.J. No. L 169, 10.7.00, p.1) as regards the harmful organism *Erwinia amylovora* (Burr.) Winsl. et al. and in other respects;

(6) Commission Directive [2004/32/EC](#) (O.J. No. L 85, 23.3.04, p.24) which amends certain protected zones exposed to particular plant health risks in the Community in Commission Directive [2001/32/EC](#) (O.J. No. L 127, 9.5.01, p.38);

(7) Commission Directive [2004/70/EC](#) (O.J. No. L 127, 29.4.04, p.97) which amends certain Annexes to Council Directive [2000/29/EC](#) (O.J. No. L 169, 10.7.00, p.1);

(8) Commission Decision [2004/522/EC](#) (O.J. No. L 228, 29.6.04, p.18) which amends Directive [2001/32/EC](#) (O.J. No. L 127, 9.5.2001, p.38) recognising protected zones exposed to particular plant health risks in the Community;

(9) Commission Decision [2004/278/EC](#) (O.J. No. L 87, 25.3.04, p.31) on the Community position on the amendment of the Appendices to Annex 4 to the Agreement between the European Community and the Swiss Confederation on trade and agricultural products; and

(10) Article 20 and Annex II of the Act concerning the Conditions of Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union and the adjustments to the Treaties on which the European Union is founded (O.J. No. L 236, 23.9.03, p.33) insofar as they relate to matters covered by the Plant Health (Great Britain) Order 1993.

The principal changes to the Plant Health (Great Britain) Order 1993 introduced by this Order are as follows:—

- (a) amendment of the definition of “Directive [2000/29/EC](#)” so as to incorporate amendments made to it by Directives [2003/47/EC](#), [2003/116/EC](#), [2004/31/EC](#), [2004/70/EC](#) and Article 20 and Annex II of the Act concerning the Conditions of Accession referred to above (article 2(2) (a));

- (b) amendment of the definition of “the Euro-Mediterranean area” and “Europe” to remove the references to Cyprus, Malta, Estonia, Latvia and Lithuania as third countries (article 2(2)(b) and (c));
- (c) amendment of the definition of European Community (article 2(2)(d));
- (d) amendment of the definition of “official statement” in respect of plants, plant products and other objects imported from outside the European Community to include, in the case of imports from Switzerland, a Swiss plant passport (article 2(2)(e));
- (e) amendment of the definition of “plant passport” to include Swiss plant passports and the insertion of a definition of “Swiss plant passport” (article 2(2)(f) and (g) and (2)(21));
- (f) amendment of articles 3(1)(e), 9 and 11(2) so as to include recognition of a Swiss plant passport for certain plant products imported from Switzerland and, in relation to article 3(1)(e) to exclude certain plant products imported from Switzerland from the prohibition on importation (article 2(3), (4), (5) and (21));
- (g) amendment of the Protected Zone for *Globodera pallida* (Stone) Behrens to include Latvia, Slovakia and Slovenia (article 2(6)(a), (18)(c) and (22)(b));
- (h) establishment of a new Protected Zone for *Daktulosphaira vitifoliae* (Fitch) in Cyprus and corresponding amendments to the plant passport arrangements in respect of *Vitis L.* (article 2(6)(a), (18)(d) and (22)(a));
- (i) amendment of the Protected Zone for *Leptinotarsa decemlineata* Say to include Cyprus and Malta (article 2(6)(b) and (22)(d));
- (j) amendment of the Protected Zone for beet necrotic yellow vein virus to include Lithuania and to exclude Sweden (article 2(7), (18)(b) and (24)(a));
- (k) removal of *Eutetranychus orientalis* Klein from the list of plant pests not known to occur in the Community and relevant for the entire Community and placement in the list of plant pests known to occur in the Community and relevant for the entire Community (article 2(8) and (9));
- (l) amendment of the Protected Zone for *Gonipterus scutellatus* Gyll to include Greece and to limit the application in relation to Portugal to the Azores only (article 2(11), (18)(a) and (22)(c));
- (m) amendment of the Protected Zone for Citrus tristeza virus to include Malta (article 2(13), (18)(e) and (24)(b));
- (n) removal of Cyprus and Malta from the countries of origin in relation to tubers of the species of *Solanum L.* and their hybrids (article 2(14)(a));
- (o) removal of Cyprus, Malta, Estonia, Latvia and Lithuania and Algeria and the addition of Georgia to the list of countries that are subject to soil and growing medium requirements (article 2(14)(b), (16)(b) and (20)(a)(iii));
- (p) removal of Switzerland from the list of third countries from which the introduction into Scotland of plants of *Vitis L.* other than fruit is prohibited (article 2(14)(c));
- (q) introduction of plant passport and phytosanitary certificate requirements in respect of fruit of *Vitis L.* (article 2(19)(b)(ii) and 2(20)(b)(ii));
- (r) amendment of Schedule 5, Part B, section I, item 2 to include the relevant plant products of the species referred to in that item (article (20)(a)(ii));
- (s) various amendments in respect of *Erwinia amylovora* (Burr.) Winsl. et al. as follows:–
  - (i) an amendment to the list of host plants capable of spreading *Erwinia amylovora* (Burr.) Winsl. et al. to include *Amelanchier* Med., *Photinia davidiana* (Dcne.) Cardot and all species of *Sorbus L.* (article 2(10), (12), (15), (16)(a), (17), (18)(d), (19)(a) and (b) and (20)(b)(i));

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- (ii) amendments to the provisions on “buffer zones” (article 2(18)(d));
- (iii) the introduction of a requirement of documentary evidence of certain facts for the movement of beehives in Schedule 4, Part B, item 21 (article 2(18)(d));
- (iv) amendment of the Protected Zone for *Erwinia amylovora* (Burr.) Winsl. et al. to include Lithuania, Latvia, Slovenia and Slovakia (article 2(12), (15), (18)(d) and (23));
- (v) removal of Switzerland from the list of third countries prohibited from introducing plants and live pollen for pollination of plants capable of spreading *Erwinia amylovora* (Burr.) Winsl. et al. except in relation to *Cotoneaster* Ehrh. and *Photinia davidiana* (Dene.) Cardot (article 2 (15));
- (t) addition of Iran to the list of countries where *Tilletia indica* Mitra is known to occur and for which special requirements must be met for the introduction and movement into and within Great Britain of seeds and grain of the genera *Triticum*, *Secale* and *X Triticosecale* (article 2(16)(c), (20)(a)(i) and (iv));
- (u) insertion of a new Schedule 5A providing the lists of plants, plant products and other objects which may be traded between the Community and Switzerland with a plant passport and those plants, plant products and other objects which may be traded between the two parties freely (article 2(21)).

No Regulatory Impact Assessment has been prepared in respect of the Order.