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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 28**

**PLANT HEALTH**

**The Plant Health (Import Inspection Fees)  
(Scotland) Amendment Regulations 2019**

*Made* - - - - 5th February 2019  
*Laid before the Scottish  
Parliament* - - - - 7th February 2019  
*Coming into force* - - 29th March 2019

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(1) and all other powers enabling them to do so.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2019 and come into force on 29 March 2019.

(2) These Regulations extend to Scotland only.

**Amendment of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014**

2. In the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014(2) for schedule 2 (import inspection fees for applicable checks (reduced rates)), substitute—

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(1) 1973 c.51. The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820) and the functions of the Minister transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998. Section 56(1) was amended by article 6(1)(e) of the Treaty of Lisbon (Changes of Terminology) Order 2011 (S.I. 2011/1043).

(2) S.S.I. 2014/338, as amended by S.S.I. 2015/392, S.S.I. 2017/6 and S.S.I. 2018/22.

## "SCHEDULE 2

Regulations 3 and 4(2)

## REDUCED IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

Item	Product	Quantity	Country of Origin	Fees*	
				Normal working hours	Outside normal working hours
Cut Flowers	Aster	up to 20,000 in number	Zimbabwe	£37.50	£57.00
		for each additional 1,000 units		£0.15	£0.23
		maximum price		£132.00	£246.00
	Dianthus	up to 20,000 in number	Colombia	£24.60	£31.10
			Ecuador, Turkey	£26.70	£35.40
			Kenya	£24.90	£31.80
		for each additional 1,000 units	Colombia	£0.01	£0.01
			Ecuador, Turkey	£0.03	£0.05
			Kenya	£0.01	£0.02
		maximum price	Colombia	£28.40	£38.70
			Ecuador, Turkey	£45.60	£73.20
			Kenya	£31.20	£44.40
	Phoenix	up to 20,000 in number	Costa Rica	£33.00	£48.00
		for each additional 1,000 units		£0.10	£0.15
		maximum price		£96.00	£174.00
	Rosa	up to 20,000 in number	Colombia	£24.60	£31.10
			Ecuador	£24.20	£30.40
			Ethiopia	£24.90	£31.80
			Kenya, Zambia	£25.80	£33.60
			Tanzania	£33.00	£48.00
		for each additional 1,000 units	Colombia	£0.01	£0.01
Ecuador			£0.01	£0.01	
Ethiopia			£0.01	£0.02	
Kenya, Zambia			£0.02	£0.03	
Tanzania			£0.10	£0.15	
maximum price		Colombia	£28.40	£38.70	

<i>Item</i>	<i>Product</i>	<i>Quantity</i>	<i>Country of Origin</i>	<i>Fees*</i>		
				<i>Normal working hours</i>	<i>Outside normal working hours</i>	
Fruit			Ecuador	£25.40	£32.90	
			Ethiopia	£31.20	£44.40	
			Kenya, Zambia	£38.40	£58.80	
			Tanzania	£96.00	£174.00	
	<i>Citrus</i>	up to 25,000kg in weight	Egypt, Tunisia	£37.50	£57.00	
			Morocco, Turkey	£24.60	£31.10	
			Peru	£25.80	£33.60	
			USA	£28.50	£39.00	
		for each additional 1,000kg	Egypt, Tunisia	£0.60	£1.13	
			Morocco, Turkey	£0.03	£0.05	
			Peru	£0.08	£0.15	
			USA	£0.20	£0.38	
		<i>Citrus limon, C. aurantiifolida</i>	up to 25,000kg in weight	Israel	£28.50	£39.00
			for each additional 1,000kg		£0.20	£0.38
		<i>Malus</i>	up to 25,000kg in weight	Argentina	£30.30	£42.60
				Brazil	£33.00	£48.00
	Chile, South Africa			£24.90	£31.80	
	New Zealand			£25.80	£33.60	
	for each additional 1,000kg		Argentina	£0.28	£0.53	
			Brazil	£0.40	£0.75	
			Chile, South Africa	£0.04	£0.08	
			New Zealand	£0.08	£0.15	
	<i>Mangifera</i>	up to 25,000kg in weight	Brazil	£33.00	£48.00	
		for each additional 1,000kg		£0.40	£0.75	
<i>Passiflora</i>	up to 25,000kg in weight	Colombia	£25.30	£32.60		
		Kenya, Vietnam	£28.50	£39.00		
		South Africa	£30.30	£42.60		

<i>Item</i>	<i>Product</i>	<i>Quantity</i>	<i>Country of Origin</i>	<i>Fees*</i>		
				<i>Normal working hours</i>	<i>Outside normal working hours</i>	
		for each additional 1,000kg	Zimbabwe	£33.00	£48.00	
			Colombia	£0.06	£0.11	
			Kenya, Vietnam	£0.20	£0.38	
			South Africa	£0.28	£0.53	
			Zimbabwe	£0.40	£0.75	
	<i>Prunus</i>	up to 25,000kg in weight		Argentina	£37.50	£57.00
				Chile	£25.80	£33.60
				Morocco, USA	£33.00	£48.00
				Turkey	£30.30	£42.60
		for each additional 1,000kg		Argentina	£0.60	£1.13
				Chile	£0.08	£0.15
				Morocco, USA	£0.40	£0.75
				Turkey	£0.28	£0.53
	<i>Prunus</i> – other than. <i>P. persica</i>	up to 25,000kg in weight	South Africa	£24.90	£31.80	
		for each additional 1,000kg		£0.04	£0.08	
	<i>Pyrus</i>	up to 25,000kg in weight		Argentina, Chile	£26.70	£35.40
				China	£33.00	£48.00
				South Africa	£25.80	£33.60
		for each additional 1,000kg		Argentina, Chile	£0.12	£0.23
				China	£0.40	£0.75
South Africa				£0.08	£0.15	
<i>Vaccinium</i>	up to 25,000kg in weight	Argentina	£28.50	£39.00		
	for each additional 1,000kg		£0.20	£0.38		
Vegetables	<i>Solanum lycopersicon</i>	up to 25,000kg in weight	Canary Islands, Morocco	£24.90	£31.80	
		for each additional 1,000kg		£0.04	£0.08	
	<i>Solanum melongena</i>	up to 25,000kg in weight	Turkey	£28.50	£39.00	

<i>Item</i>	<i>Product</i>	<i>Quantity</i>	<i>Country of Origin</i>	<i>Fees*</i>	
				<i>Normal working hours</i>	<i>Outside normal working hours</i>
		for each additional 1,000kg		£0.20	£0.38

\*Fee includes: a documentary check; an identity check; travel costs (weekday/weekend based on average costs) and the cost of physical inspection, which depends on the type and size of import and the country of origin.

Note: Fees are rounded up to the nearest decimal point, with the exception of the additional quantity values, which are rounded up to the nearest penny.”.

### **Revocation**

**3.** Regulation 2 of the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2018(3) is revoked.

St Andrew’s House,  
Edinburgh  
5th February 2019

*MAIRI GOUGEON*  
Authorised to sign by the Scottish Ministers

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

## EXPLANATORY NOTE

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

These Regulations amend the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014 (“the principal Regulations”).

Article 13d of Council Directive 2000/29/EC (OJ L 169, 10.7.2000, p.1) (“the Directive”) requires a Member State to ensure the collection of fees to cover the costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products and other objects from third countries which are required by Article 13a(1) of the Directive. Pursuant to Article 2 of Commission Regulation (EC) 1756/2004 (OJ L 313, 12.10.2004, p.6), the European Commission notifies Member States of plants and plant products which should be subject to reduced inspection and of the rate of such inspection. Regulation 2 substitutes schedule 2 of the principal Regulations to take account of the most recent Commission Notification on reduced inspection rates as published on the following website: [http://ec.europa.eu/food/plant/plant\\_health\\_biosafety/trade\\_non\\_eu/reduced\\_frequency\\_checks\\_en.htm](http://ec.europa.eu/food/plant/plant_health_biosafety/trade_non_eu/reduced_frequency_checks_en.htm).

The table provides a comparison of changes made to the fees in schedule 2 of the principal Regulations:

**TABLE**

<i>Genus</i>	<i>Country of origin</i>	<i>Previous rate of inspection</i>	<i>Previous fee<sup>(i)</sup></i>	<i>New rate of inspection</i>	<i>New fee, specified in Schedule 2</i>
<b>PART 1</b>					
<b>Cut Flowers</b>					
<i>Phoenix</i>	Costa Rica	35%	£30.30	50%	£33.00
<i>Rosa</i>	Ecuador	3%	£24.60	1%	£24.20
<i>Rosa</i>	Kenya	5%	£24.90	10%	£25.80
<i>Rosa</i>	Tanzania	15%	£26.70	50%	£33.00
<b>Fruit</b>					
<i>Citrus</i>	Egypt	100%	£42.00	75%	£37.50
<i>Citrus</i>	Morocco	5%	£24.90	3%	£24.60
<i>Citrus</i>	Tunisia	100%	£42.00	75%	£37.50
<i>Citrus</i>	USA	15%	£26.70	25%	£28.50
<i>Malus</i>	Brazil	75%	£37.50	50%	£33.00
<i>Mangifera</i>	Brazil	100%	£42.00	50%	£33.00

- (i) Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the principal Regulations for additional quantities, maximum price per consignment and inspections carried out outside normal working hours.
- (ii) Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

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

<i>Genus</i>	<i>Country of origin</i>	<i>Previous rate of inspection</i>	<i>Previous fee<sup>(i)</sup></i>	<i>New rate of inspection</i>	<i>New fee, specified in Schedule 2</i>
<i>Passiflora</i>	Vietnam	35%	£30.30	25%	£28.50
<i>Prunus</i>	Morocco	25%	£28.50	50%	£33.00
<i>Prunus</i>	USA	25%	£28.50	50%	£33.00
<b>Vegetables</b>					
<i>Capsicum</i>	Morocco	5%	£24.90	100% <sup>(ii)</sup>	
<i>Momordica</i>	Surinam	35%	£30.30	100% <sup>(ii)</sup>	
<i>Solanum melongena</i>	Kenya	10%	£25.80	100% <sup>(ii)</sup>	

- (i) Initial fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the principal Regulations for additional quantities, maximum price per consignment and inspections carried out outside normal working hours.
- (ii) Consignments subject to an inspection rate of 100% are excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

Regulation 3 revokes regulation 2 of the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2018.

No business and regulatory impact assessment has been prepared for this instrument as it has limited impact on the cost of business.