
 STATUTORY INSTRUMENTS

1984 No. 306

PLANT HEALTH

The Import and Export (Plant Health) (Great Britain) (Amendment) Order 1984

<i>Made - - - -</i>	8th March 1984
<i>Laid before Parliament</i>	9th March 1984
<i>Coming into Operation</i>	31st March 1984

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by sections 2 and 3(1), (2) and (4) of the Plant Health Act 1967 **(a)**, and now vested in them **(b)** and of every other power enabling them in that behalf, hereby make the following order:—

Title, extent and commencement

1. This order, which may be cited as the Import and Export (Plant Health) (Great Britain) (Amendment) Order 1984, shall apply to Great Britain and shall come into operation on 31st March 1984.

Amendment of the principal order

2. The Import and Export (Plant Health) (Great Britain) Order 1980 **(c)** shall be amended as follows:—

(1) In column 3 of Part IB of Schedule 2 opposite Item 11, after paragraph (6) there shall be inserted the following paragraph—

“(7) Where the consignment is of pot plants originating in the Netherlands:—

(a) The plants shall have been produced in nurseries which meet the following requirements—

(i) the nurseries shall have been officially approved for producing plants for the purposes of Commission Decision 84/58/EEC **(d)** upon official statement

— that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) have been observed on plants grown or stored there, in at least two official inspections, the first carried out following the application for approval and the second carried out one month after the first, and

— that any earlier approval has not ceased within two months prior to the application for approval, and

(a) 1967 c.8; sections 2(1), 3(1) and (2) were amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 8.

(b) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.

(c) S.I. 1980/420.

(d) O.J. No. L.35, 7.2.84, p.20.

- (ii) no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) have been observed on plants grown or stored in the nurseries in official inspections carried out at least every two weeks after the approval; and
 - (iii) the nurseries have not automatically ceased to be officially approved by virtue of paragraph 2 of Article 1 of Commission Decision 84/58/EEC.
- (b) the plants shall since their production have been continuously kept separate from plants of chrysanthemum produced in nurseries other than those complying with the requirements of subparagraph (a) above in such a way as to avoid any risk of contamination with Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) through such material;
 - (c) the plants shall have undergone, within the last three weeks prior to the packing specified in subparagraph (d) below a fungicidal treatment satisfactory to the Plant Protection Services of the Netherlands and Great Britain to control Chrysanthemum White Rust (*Puccinia horiana* P. Henn.);
 - (d) the plants shall have been packed on arrival at the first place of public sale at the latest, in boxes each of which was marked with a sign indicating that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) were found, in appropriate examination carried out by qualified persons, on the plants packed in the box;
 - (e) the examination provided for in Article 6 of Directive 77/93/EEC (a) shall have been made on samples of at least 10 pots per lot, taken from different boxes; for lots exceeding 25 boxes, the number of pots to be examined shall have been increased by 1 for every 5 additional boxes, up to a maximum number of 20 pots per lot; for the purposes of this paragraph, "lot" means a consignment consisting of a single variety of chrysanthemums produced by a single grower;
 - (f) the examination referred to in subparagraph (e) above shall also have been carried out for the purposes of ascertaining whether the conditions in subparagraphs (a) to (d) above were complied with;
 - (g) each of the boxes or other packing units into which the plants have been packed for export shall have been marked with the number of the phytosanitary certificate or another mark or marks enabling an authorised officer of the Plant Protection Services of the Netherlands and Great Britain to identify the nursery or nurseries in which the plants packed in the box or packing unit were produced; and
 - (h) the phytosanitary certificate shall state under "Additional Declaration": "The consignment meets the requirements laid down in Commission Decision 84/58/EEC".

(2) In column 3 of Part VIIB of Schedule 2 opposite Item 73, after paragraph (2) there shall be inserted the following paragraph—

"(3) Where the consignment is of cut flowers originating in the Netherlands:—

(a) The crop from which the flowers were taken shall have been produced in nurseries which meet the following requirements—

(i) the nurseries shall have been officially approved for producing plants upon official statement

(a) O.J. No. L.26, 31.1.77, p.20.

- that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) have been observed on plants grown or stored there, in at least two official inspections, the first carried out following the application for approval and the second carried out one month after the first, and
 - that any earlier approval has not ceased within two months prior to the application for approval, and
 - (ii) no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) have been observed on plants grown or stored in the nurseries in official inspections carried out at least every two weeks after the approval; and
 - (iii) the nurseries have not automatically ceased to be officially approved by virtue of paragraph 2 of Article 1 of Commission Decision 84/58/EEC (a).
- (b) the plants shall since their production have been continuously kept separate from plants of chrysanthemum produced in nurseries other than those complying with the requirements of subparagraph (a) above in such a way as to avoid any risk of contamination with Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) through such material;
- (c) the plants shall have undergone, within the last three weeks prior to the packing specified in subparagraph (d) below, a fungicidal treatment satisfactory to the appropriate Minister to control Chrysanthemum White Rust (*Puccinia horiana* P. Henn.);
- (d) the flowers shall have been packed, on arrival at the first place of public sale at the latest, in boxes each of which was marked with a sign indicating that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) were found, in appropriate examination carried out by qualified persons, on the flowers packed in the box;
- (e) the examination provided for in Article 6 of Directive 77/93/EEC (b) shall have been made on samples of at least 10 bunches per lot, taken from different boxes; for lots exceeding 25 boxes, the number of bunches to be examined shall have been increased by 1 for every 5 additional boxes, up to a maximum number of 20 bunches per lot; for the purposes of this paragraph, “lot” means a consignment consisting of a single variety of chrysanthemums produced by a single grower;
- (f) the examination referred to in subparagraph (e) above shall also have been carried out for the purpose of ascertaining whether the conditions in subparagraphs (a) to (d) above were complied with;
- (g) each of the boxes or other packing units into which the flowers were packed for export shall have been marked with the number of the phytosanitary certificate or another mark or marks enabling an authorised officer of the Plant Protection Services of the Netherlands and Great Britain to identify the nursery or nurseries in which the plants packed in the box or packing unit were produced; and
- (h) the phytosanitary certificate shall state under “Additional Declaration”: “The consignment meets the requirements laid down in Commission Decision 84/58/EEC”.

(a) O.J. No. L.35, 7.2.84, p.20.

(b) O.J. No. L.26, 31.1.77, p.20.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th March 1984.



Michael Jopling,
Minister of Agriculture, Fisheries
and Food.

George Younger,
Secretary of State for Scotland.

8th March 1984.

Nicholas Edwards,
Secretary of State for Wales.

8th March 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order amends the Import and Export (Plant Health) (Great Britain) Order 1980 by specifying additional conditions subject to which pot plants and cut flowers of chrysanthemum originating in the Netherlands may be landed in Great Britain. These conditions mainly concern the production, examination, treatment, storage, packing and marking of the plants and flowers. In particular the conditions require that the plants and flowers shall have been produced in nurseries approved in the Netherlands, which approval must not have ceased by virtue of Chrysanthemum White Rust having been found on official inspection in the United Kingdom in boxes containing the produce of the nurseries concerned.

The order implements Commission Decision 84/58/EEC (O.J. No. L.35, 7.2.84, p.20) which provides additional measures for preventing the introduction of Chrysanthemum White Rust into Great Britain.

SI 1984/306
ISBN 0-11-046306-4



780110463063