
STATUTORY INSTRUMENTS

2004 No. 2590

**The Plant Health (Phytophthora
ramorum) (England) Order 2004**

Interpretation

2. In this Order—

“European Community” has the same meaning as in the principal Order;

“inspector” means any person authorised to be an inspector for the purposes of the principal Order;

“origin” means, in respect of susceptible material, the place where the material is grown or produced, and “originating” shall be construed accordingly;

“*Phytophthora ramorum*” refers to the pest *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp. nov;

“phytosanitary certificate” means a certificate duly completed either—

- (a) in the form set out in Schedule 14 of the principal Order; or
- (b) the equivalent in a language other than English;

“place of production” has the same meaning as in the principal Order;

“plant” has the same meaning as in the principal Order;

“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 8(1), a Swiss plant passport;

“plant product” means a product of plant origin, which is unprocessed or has undergone simple preparation insofar as it is not a plant;

“premises” has the same meaning as in the principal Order;

“the principal Order” means the Plant Health (Great Britain) Order 1993⁽¹⁾;

“reforwarding phytosanitary certificate” means a certificate duly completed either—

- (a) in the form set out in Schedule 15 of the principal Order; or
- (b) the equivalent in a language other than English;

“susceptible tree” means a tree, excluding fruit or seeds, of the species and genera listed in the first column of Schedule 1;

“susceptible material” means—

(1) 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, 1121 and 2245 and 1999/2126 and 2726, 2001/2343, 2002/1067, 2003/1157 and 2004/2365.

- (a) in the case of material originating in the United States of America (“USA”), plants, other than fruit or seeds, of the species and genera listed in the first column of Schedule 1, and
- (b) in all other cases, plants, other than seeds, intended for planting of *Camellia* spp., *Rhododendron* spp. L., other than *Rhododendron simsii* Planch., and *Viburnum* spp. L.;

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

- (a) contains information which 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
- (b) relates to a plant intended for planting of *Camellia* spp., *Rhododendron* spp. L., other than *Rhododendron simsii* Planch. or *Viburnum* spp. L.;

“third country” has the same meaning as in the principal Order; and

“tree” has the same meaning as in the Plant Health (Forestry) (Great Britain) Order 1993⁽²⁾.

(2) S.I. 1993/1283, to which there are amendments not relevant to this Order.