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STATUTORY INSTRUMENTS

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**2015 No. 1827**

**The Plant Health (England) (Amendment) Order 2015**

**Schedule 4 (restrictions on the introduction into and movement within England of relevant material)**

**10.**—(1) In Part A (relevant material, originating in third countries, which may only be landed if special requirements are complied with) of Schedule 4—

- (a) omit item 90;
- (b) in the third column of item 92, for “Section 1(A)” substitute “Section 1(B)”;
- (c) in the third column of item 93 for “Section 1(B)” substitute “Section 1(A)”;
- (d) for item 98 substitute—

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| “98. | Specified plants within the meaning of Article 1(b) of Decision (EU) 2015/789 originating in any third country where the national plant protection organisation of that country has confirmed that <i>Xylella fastidiosa</i> (Wells et al.) is not present in the country in accordance with Article 16(a) of that Decision | The plants must be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with Article 16(b) of Decision (EU) 2015/789                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 98A. | Specified plants within the meaning of Article 1(b) of Decision (EU) 2015/789 originating in any third country where <i>Xylella fastidiosa</i> (Wells et al.) is known to be present                                                                                                                                        | The plants must be accompanied by a phytosanitary certificate which includes: <ul style="list-style-type: none"><li>(a) in the case of plants originating in an area which is free from <i>Xylella fastidiosa</i> (Wells et al.) and has been notified to the European Commission by the relevant national plant protection organisation in accordance with Article 17(2)(a) of Decision (EU) 2015/789, the name of the pest-free area under the heading “place of origin”;</li><li>(b) in the case of plants which originate in an area in which <i>Xylella fastidiosa</i> (Wells et al.) is known to be present:<ul style="list-style-type: none"><li>(i) an official statement under the heading “Additional declaration” in accordance with Article 17(3) of that Decision; and</li><li>(ii) the name of the site from which they originate under the heading “place of origin”</li></ul></li></ul> |
| 98B. | Plants, other than seeds, of <i>Mangifera</i> L. originating in India                                                                                                                                                                                                                                                       | The plants must be accompanied by a phytosanitary certificate which includes an official statement under                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

the heading “Additional declaration” describing the appropriate measures taken to ensure freedom from harmful organisms

- 98C. Specified plants within the meaning of Article 1(a) of Decision (EU) 2015/893 originating in any third country where *Anoplophora glabripennis* (Motschulsky) is known to be present
- The plants must be accompanied by a phytosanitary certificate or a phytosanitary certificate for re-export which includes—
- (a) an official statement under the heading “Additional declaration” that they meet the requirements specified in point (1)(a), (b) or (c) of Section 1(A) of Annex II to Decision (EU) 2015/893; and
  - (b) where point (1)(a) of that Section applies, the name of the relevant pest-free area under the heading “place of origin”.

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(2) In Part B (relevant material, from the European Union, which may only be introduced into or moved within England if special requirements are complied with) of Schedule 4—

- (a) omit item 45;
- (b) for item 51 substitute—

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- “51. Specified plants within the meaning of Article 1(b) of Decision (EU) 2015/789 which have been grown for at least part of their life in an area established in accordance with Article 4 of that Decision
- The plants must be accompanied by an official statement that they:
- (a) have been grown in a site which meets the requirements specified in Article 9(2) of Decision (EU) 2015/789; and
  - (b) meet the requirements specified in Article 9(3) to (5) of that Decision
- 51A. Specified plants within the meaning of Article 1(a) of Decision (EU) 2015/893 which originate, or have been introduced into a place of production, in an area established in accordance with Article 7 of that Decision
- The plants must be accompanied by an official statement that:
- (a) in the case of plants which originate in an area established in accordance with Article 7 of Decision (EU) 2015/893, they have been grown during a period of at least two years prior to their movement, or in the case of plants which are younger than two years, throughout their life, in a place of production which meets the requirements specified in point (1)(a) and (b) of Section 2(A) of Annex II to that Decision; and
  - (b) they meet the requirements specified in point (1)(c) of that Section”.
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