

2016 No. 1255

PLANT HEALTH, ENGLAND

**The Plant Health (Fees) (England) (Amendment) Regulations
2016**

<i>Made</i> - - - -	<i>19th December 2016</i>
<i>Laid before Parliament</i>	<i>21st December 2016</i>
<i>Coming into force</i> - -	<i>16th January 2017</i>

The Secretary of State makes these Regulations, with the consent of the Treasury, in exercise of the powers conferred by section 56(1) of the Finance Act 1973(a).

Citation and commencement

1. These Regulations may be cited as the Plant Health (Fees) (England) (Amendment) Regulations 2016 and come into force on 16th January 2017.

Amendment of the Plant Health (Fees) (England) Regulations 2014

2. For Schedule 2 to the Plant Health (Fees) (England) Regulations 2014(b) substitute—

“SCHEDULE 2 Regulation 2(2)(a)(ii)
and (3)(b)

Import Inspection Fees: Reduced Rates

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
Cut flowers				
<i>Aster</i>	up to 20,000 in number	Zimbabwe	35.90	53.85
	each additional 1,000 or part	Zimbabwe	0.27, up to a maximum of	0.41, up to a maximum of

(a) 1973 c.51; section 56(1) was amended by S.I. 2011/1043.
(b) S.I. 2014/601, amended by S.I. 2014/3243, 2015/1996.

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
	thereof		287.19	430.78
<i>Dianthus</i>	up to 20,000 in number	Colombia	1.43	2.15
		Ecuador	7.18	10.77
		Kenya	2.39	3.59
		Turkey	7.18	10.77
	each additional 1,000 or part thereof	Colombia	0.01, up to a maximum of 11.48	0.01, up to a maximum of 17.23
		Ecuador	0.05, up to a maximum of 57.43	0.08, up to a maximum of 86.15
		Kenya	0.01, up to a maximum of 19.14	0.02, up to a maximum of 28.71
		Turkey	0.05, up to a maximum of 57.43	0.08, up to a maximum of 86.15
<i>Rosa</i>	up to 20,000 in number	Colombia	1.43	2.15
		Ecuador	1.43	2.15
		Ethiopia	2.39	3.59
		Kenya	2.39	3.59
		Tanzania	7.18	10.77
		Zambia	4.78	7.18
	each additional 1,000 or part thereof	Colombia	0.01, up to a maximum of 11.48	0.01, up to a maximum of 17.23
		Ecuador	0.01, up to a maximum of 11.48	0.01, up to a maximum of 17.23
		Ethiopia	0.02, up to a maximum of 19.14	0.03, up to a maximum of 28.71
		Kenya	0.02, up to a maximum of 19.14	0.03, up to a maximum of 28.71
		Tanzania	0.05, up to a maximum of 57.43	0.08, up to a maximum of 86.15
		Zambia	0.04, up to a maximum of 38.29	0.06, up to a maximum of 57.43
Branches with foliage				
<i>Phoenix</i>	up to 100 kg	Costa Rica	16.75	25.13
	each additional 100 kg or part thereof	Costa Rica	1.66, up to a maximum of 134.02	2.49, up to a maximum of 201.03

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
Fruit				
<i>Citrus</i>	up to 25,000 kg	Egypt	11.87	17.95
		Israel	4.78	7.18
		Mexico	4.78	7.18
		Peru	4.78	7.18
		Turkey	1.43	2.15
		USA	7.18	10.77
	each additional 1,000 kg or part thereof	Egypt	0.47	0.71
		Israel	0.19	0.28
		Morocco	0.09	0.14
		Peru	0.19	0.28
		Turkey	0.05	0.08
		USA	0.28	0.43
<i>Malus</i>	up to 25,000 kg	Argentina	16.75	25.13
		Brazil	11.96	17.95
		Chile	2.39	3.59
		New Zealand	4.78	7.18
		South Africa	2.39	3.59
		USA	35.90	53.85
	each additional 1,000 kg or part thereof	Argentina	0.66	1.00
		Brazil	0.47	0.71
		Chile	0.09	0.14
		New Zealand	0.19	0.28
		South Africa	0.09	0.14
		USA	1.43	2.15
<i>Passiflora</i>	up to 25,000 kg	Colombia	3.35	5.02
		Kenya	11.96	17.95
		South Africa	16.75	25.13
		Vietnam	16.75	25.13
		Zimbabwe	35.90	53.85
	each additional 1,000 kg or part thereof	Colombia	0.13	0.20
		Kenya	0.47	0.71
		South Africa	0.66	1.00
		Vietnam	0.66	1.00
		Zimbabwe	1.43	2.15
<i>Prunus</i>	up to 25,000 kg	Argentina	35.90	53.85
		Chile	4.78	7.18
		Morocco	11.96	17.95
		South Africa	4.78	7.18
		Turkey	4.78	7.18
		USA	11.96	17.95
	each additional 1,000 kg or part	Argentina	1.43	2.15
		Chile	0.19	0.28

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment or relevant part of a consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment or relevant part of a consignment (non-daytime working hours) (£)</i>
	thereof	Morocco	0.47	0.71
		South Africa	0.19	0.28
		Turkey	0.19	0.28
		USA	0.47	0.71
<i>Pyrus</i>	up to 25,000 kg	Argentina	4.78	7.18
		Chile	7.18	10.77
		China	35.90	53.85
		South Africa	4.78	7.18
	each additional 1,000 kg or part thereof	Argentina	0.19	0.28
		Chile	0.28	0.43
		China	1.43	2.15
		South Africa	0.19	0.28
<i>Vaccinium</i>	up to 25,000 kg	Argentina	11.96	17.95
	each additional 1,000 kg or part thereof	Argentina	0.47	0.71
Vegetables				
<i>Capsicum</i>	up to 25,000 kg	Israel	4.78	7.18
		Morocco	2.39	3.59
	each additional 1,000 kg or part thereof	Israel	0.19	0.28
		Morocco	0.09	0.14
<i>Momordica</i>	up to 25,000 kg	Surinam	16.75	25.13
	each additional 1,000 kg or part thereof	Surinam	0.66	1.00
<i>Solanum melongena</i>	up to 25,000 kg	Kenya	4.78	7.18
		Turkey	2.62	3.59
	each additional 1,000 kg or part thereof	Kenya	0.19	0.28
		Turkey	0.09	0.14"

13th December 2016

We consent

19th December 2016

Gardiner of Kimble
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

David Evennett
Guy Opperman
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Fees) (England) Regulations 2014 (S.I. 2014/601) (“the principal Regulations”).

Schedule 2 to the principal Regulations (“Schedule 2”) sets out reduced rate fees for certain plants and plant products which are subject to reduced levels of plant health checks agreed under the procedure provided for in Articles 13a(2) and 18(2) of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ No L 169, 10.7.2000, p. 1). Regulation 2 of these Regulations amends Schedule 2 to give effect to the latest notification published by the European Commission of the reduced plant health checks which are applicable to certain plants and plant products.

The inspection rates in respect of the following commodities referred to in Schedule 2 have increased, with matching increases in fees: *Citrus* from Egypt (from 15% to 25%), *Malus* from Argentina (from 25% to 35%), *Malus* from the USA (from 50% to 75%), *Passiflora* from Kenya (from 15% to 25%), *Capsicum* from Israel (from 5% to 10%) and *Momordica* from Surinam (from 25% to 35%).

The inspection rates in respect of the following commodities referred to in Schedule 2 have decreased, with matching decreases in fees: *Dianthus* from Kenya (from 10% to 5%), *Dianthus* from Turkey (from 25% to 15%), *Rosa* from Zambia (from 15% to 10%), *Passiflora* from Colombia (from 10% to 7%), *Prunus* from Morocco (from 50% to 25%), *Prunus* from the USA (from 50% to 25%) and *Solanum melongena* from Turkey (from 10% to 5%).

Fruit of *Citrus* from Tunisia and Mexico are no longer eligible for reduced rate fees and are subject to an inspection rate of 100%. Accordingly, the relevant entries are removed from Schedule 2 and the fees in Schedule 1 to the principal Regulations are applied to these consignments.

Aster from Zimbabwe and *Passiflora* from Vietnam are eligible for reduced rate fees since those commodities are now subject to inspection rates of 75% and 35% respectively.

An impact assessment has not been produced for this instrument as no impact, or no significant, impact on the private, voluntary or public sector is foreseen.

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