
STATUTORY INSTRUMENTS

2017 No. 8

The Plant Health (England) (Amendment) Order 2017

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

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

(a) in item 17—

(i) in the entry in the second column, for “Brazil or South Africa” substitute “Brazil, South Africa or Uruguay”;

(ii) in the entry in the third column, for “*Guignardia citricarpa* Kiely”, in each place it occurs, substitute “*Phyllosticta citricarpa* (McAlpine) Van der Aa”;

(b) after item 17, insert—

“17A.	Fruits of <i>Citrus latifolia</i> Tanaka originating in Brazil, South Africa or Uruguay	The fruits must be accompanied by an official statement that:
		(a) they originate in an area recognised as being free from <i>Phyllosticta citricarpa</i> (McAlpine) Van der Aa (all strains pathogenic to Citrus), as referred to in Article 3(2) of Decision 2006/473/EC(1) , and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export;
		(b) no symptoms of <i>Phyllosticta citricarpa</i> (McAlpine) Van der Aa (all strains pathogenic to Citrus) have been observed in the field of production or in its immediate vicinity since the beginning of the last cycle of vegetation, and none of the fruits harvested in the field of production has shown, in appropriate official examination, symptoms of this plant pest; or
		(c) the fruits originate in a field of production subjected to appropriate treatments against <i>Phyllosticta citricarpa</i> (McAlpine) Van der Aa (all strains pathogenic to Citrus), and none of the fruits harvested in the field of production has shown, in appropriate official examination, symptoms of this plant pest
17B.	Fruits of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., other	The fruits must:

(1) OJ No L 187, 8.7.2006, p. 35, as last amended by Commission Implementing Decision (EU) 2016/696 (OJ No L 120, 5.5.2016, p. 33).

- than fruits of *Citrus aurantium* L. or *Citrus latifolia* Tanaka, which originate in Brazil, South Africa or Uruguay and are not destined exclusively for industrial processing into juice
- (a) be accompanied by an official statement that they originate in an area recognised as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa (all strains pathogenic to Citrus), as referred to in Article 3(2) of [Decision 2006/473/EC](#), and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export;
- (b) in the case of fruits originating in Brazil, be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” that they meet the requirements specified in Articles 4 and 7 of Decision (EU) 2016/715; or
- (c) in the case of fruits originating in South Africa or Uruguay, be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” that they meet the requirements specified in Articles 5 and 7 of Decision (EU) 2016/715
- 17C. Fruits of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf., other than fruits of *Citrus aurantium* L. or *Citrus latifolia* Tanaka, which originate in Brazil, South Africa or Uruguay and are destined exclusively for industrial processing into juice
- The fruits:
- (a) must be accompanied by an official statement that:
- (i) they originate in an area recognised as being free from *Phyllosticta citricarpa* (McAlpine) Van der Aa (all strains pathogenic to Citrus), as referred to in Article 3(2) of [Decision 2006/473/EC](#), and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export; or
- (ii) no symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa (all strains pathogenic to Citrus) have been observed in the field of production or in its immediate vicinity since the beginning of the last cycle of vegetation and none of the fruits harvested in the field of production has shown, in appropriate official examination, symptoms of this plant pest; or
- (b) in the case of citrus fruits for processing under Decision (EU) 2016/715, must be:
- (i) accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with Articles 9(1) and 10 of Decision

(EU) 2016/715 and the information specified in Article 9(2) of that Decision;

- (ii) packaged and labelled in accordance with Article 17 of that Decision; and
- (iii) subject to a licence granted under Article 40(1) of this Order authorising their movement within England and, where applicable, their processing and storage in England”;

(c) omit item 88;

(d) in the entry in the second column of item 94, for “*Epitrix similaris* (Gentner)” substitute “*Epitrix papa* sp. n.”;

(e) omit item 97;

(f) for items 98 and 98A substitute—

“98.	Specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 originating in any third country, other than a third country where <i>Xylella fastidiosa</i> (Wells et al.) is known to be present	The plants must: <ul style="list-style-type: none"> (a) originate in a third country which has been notified to the European Commission by the relevant national plant protection organisation in accordance with Article 16(a) of Decision (EU) 2015/789; and (b) be accompanied by a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with Article 16(b) of that Decision
98A.	Specified plants within the meaning of Article 1(c) 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"> (a) in the case of plants originating in an area which has been established as free from <i>Xylella fastidiosa</i> (Wells et al.) in accordance with ISPM No. 4 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 area under the heading “place of origin”; (b) in the case of plants which originate in an area where <i>Xylella fastidiosa</i> (Wells et al.) is known to be present and have not been grown for their entire production cycle <i>in vitro</i>: <ul style="list-style-type: none"> (i) an official statement under the heading “Additional declaration” in accordance with Article 17(3) of that Decision; and (ii) the name of the site from which they originate under the heading “place of origin”;

- (c) in the case of plants which originate in an area where *Xylella fastidiosa* (Wells et al.) is known to be present and have been grown for their entire production cycle *in vitro*:
- (i) an official statement under the heading “Additional declaration” in accordance with Article 17(3a) of that Decision; and
 - (ii) the name of the site from which they originate under the heading “place of origin”.

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

(a) for item 51 substitute—

<p>“51. Specified plants within the meaning of Article 1(c) 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</p>	<p>The plants must:</p> <ul style="list-style-type: none"> (a) in the case of plants which have not been grown for their entire production cycle <i>in vitro</i>: <ul style="list-style-type: none"> (i) be accompanied by an official statement that they meet the requirements specified in Article 9(2) to (4) and (5) of Decision (EU) 2015/789; or (ii) in the case of dormant plants, other than seeds, of <i>Vitis</i> intended for planting, be accompanied by an official statement that they meet the requirements specified in Article 9(4a) and (5) of that Decision; (b) in the case of plants which have been grown for their entire production cycle <i>in vitro</i>, be accompanied by an official statement that they meet the requirements specified in Article 9a(2) and (3) of that Decision and be transported in the manner specified in Article 9a(4) of that Decision”;
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(b) after item 51A, insert—

<p>“51B. Fruits of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., other than fruits of <i>Citrus aurantium</i> L. or <i>Citrus latifolia</i> Tanaka, which:</p> <p>—originate in Brazil, South Africa or Uruguay;</p> <p>—are destined exclusively for industrial processing into juice; and</p>	<p>The fruits must be:</p> <ul style="list-style-type: none"> (a) packaged and labelled in accordance with Article 17 of that Decision; and (b) subject to a licence granted under Article 40(1) of this Order authorising their introduction into, and their movement within, England and, where applicable, their processing and storage in England”.
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—have been introduced into
another part of the European
Union in accordance with
Articles 9 to 13 of Decision
(EU) 2016/715
