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OFFERYNNAU STATUDOL CYMRU

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**2003 1851 Rhif (Cy.201)**

**IECHYD PLANHIGION, CYMRU**

**Gorchymyn Iechyd Planhigion (Diwygio) (Cymru) 2003**

*Wedi'u gwneud* - - 16 Gorffennaf 2003

*Yn dod i rym* - - 31 Gorffennaf 2003

Mae Cynulliad Cenedlaethol Cymru, mewn perthynas â Chymru, drwy arfer y pwerau a roddwyd i'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd iddo gan adrannau 2, 3(1) i (4) a 4(1) o Ddeddf Iechyd Planhigion 1967(1) fel y'i darllenir gydag adran 20 o Ddeddf Amaethyddiaeth (Darpariaethau Amrywiol) 1972(2) ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(3) drwy hyn yn gwneud y Gorchymyn canlynol:

**Teitl, cymhwyso a chychwyn**

1. Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Planhigion (Diwygio) (Cymru) 2003, mae'n gymwys i Gymru, a daw i rym ar 31 Gorffennaf 2003.

**Diwygio Gorchymyn Iechyd Planhigion (Prydain Fawr) 1993**

2.—(1) Diwygir Gorchymyn Iechyd Planhigion (Prydain Fawr) 1993(4) yn unol â pharagraffau canlynol yr erthygl hon.

(2) Yn erthygl 2(1) —

(a) Yn lle'r diffiniad o “Directive 2000/29/EC” rhodder y canlynol —

““Directive 2000/29/EC” means Council Directive 2000/29/EC(5) of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

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- (1) 1967 p.8; diwygiwyd adrannau 2(1) a 3(1) a (2) gan Ddeddf y Cymunedau Ewropeaidd 1972 (p.68), adran 4(1) ac Atodlen 4, paragraff 8; amnewidiwyd adran 3(4) gan adran 42 of Ddeddf Cyfiawnder Troseddol 1982 (p.48).
- (2) 1972 p. 62.
- (3) Mae adran 1(2)(b) o Ddeddf Iechyd Planhigion 1967 yn darparu mai'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd yw'r awdurdod cymwys yng Nghymru a Lloegr at ddibenion y Ddeddf honno. Yn rhinwedd Gorchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272), adran 2(1) ac Atodlen 1, trosglwyddwyd swyddogaethau'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd o dan Ddeddf Iechyd Planhigion 1967, i'r graddau eu bod yn arferadwy mewn perthynas â Chymru, i Ysgrifennydd Gwladol Cymru. Yna trosglwyddwyd y swyddogaethau hynny, a roddwyd i Ysgrifennydd Gwladol Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).
- (4) O.S. 1993/1320; fel y'i diwygiwyd gan O.S. 1993/3213, 1995/1358 a 2929, 1996/25, 1165 a 3242, 1997/1145 a 2907, 1998/349, 1121 a 2245, 1999/2641 (Cy.8), 2001/2500 (Cy.203), 2001/3761 (Cy.310) a 2002/1805 (Cy.175).
- (5) OJ Rhif L 169, 10.7.00, t.1.

as amended by Commission Directives [2001/33/EC\(6\)](#) of 8th May 2001, [2002/28/EC\(7\)](#) of 19th March 2002, [2002/36/EC\(8\)](#) of 29th April 2002 and by [2003/22/EC\(9\)](#) of 24th March 2003 amending certain annexes to Council Directive [2000/29/EC](#);" ; a

(b) Ar ôl y difiniad o "reforwarding phytosanitary certificate" rhodder y canlynol —

““relevant International Standards for Phytosanitary Measures (ISPM) means ISPM No.4 “Requirements for the Establishment of Pest Free Areas” February 1996 and ISPM No.10 “Requirements for the Establishment of Pest Free Places of Production and Pest Free Production Sites” October 1999(10), prepared by the Secretariat of the International Plant Protection Convention (IPPC) established by the Food and Agriculture Organisation of the United Nations;”.

(3) Yn Atodlen 1, Rhan A, Adran 1(a) —

(a) ar ôl eitem 4 rhodder y canlynol —

“**4.1.** *Anoplophora glabripennis* (Motschulsky)” ; a

(b) ar ôl eitem 16 rhodder y canlynol —

“**16.1.** *Naupactus leucoloma* Boheman”.

(4) Yn Atodlen 1, Rhan A, Adran 2(a), dileer eitemau 4, 5 a 6.

(5) Yn Atodlen 1, Rhan B(a), ar ôl eitem 2 rhodder y canlynol —

“**3.** *Liriomyza bryoniae* (Kaltenbach) IRL and UK (Northern Ireland)”.

(6) Yn Atodlen 1, Rhan B(d), yn eitem 1, yn lle'r geiriau yn yr ail golofn rhodder y canlynol —

“DK, F (Brittany), IRL, P (Azores), FI, S (with the exception of the District Council areas of Bromölla, Hässleholm, Kristianstad and Östra Göinge in the county of Skåne), UK (Northern Ireland)”.

(7) Yn Atodlen 2, Rhan A, Adran 1(c), ar ôl eitem 1 rhodder y canlynol —

“**1.1.** *Anisogramma anomala* (Peck) E. Müller Plants of *Corylus* L., intended for planting, other than seeds, originating in Canada and the United States of America”.

(8) Yn Atodlen 2, Rhan A, Adran 2(a), ar ôl eitem 7 rhodder y canlynol —

“**8.** *Liriomyza huidobrensis* (Blanchard) Cut flowers, leafy vegetables of *Apium graveolens* L., and plants of herbaceous species, intended for planting, other than:  
— bulbs,  
— corms,  
— plants of the family Gramineae,  
— rhizomes,

(6) OJ Rhif L 127, 9.5.01, t.42; a gweler y Gyfarwyddeb gysylltiedig, sef Cyfarwyddeb y Comisiwn [2001/32/EC](#), OJ Rhif L127, 9.5.01, t.38.

(7) OJ Rhif L 77, 20.3.02, t.23; a gweler y Gyfarwyddeb gysylltiedig, sef Cyfarwyddeb y Comisiwn [2002/29/EC](#), OJ Rhif L 77, 20.3.02, t.26.

(8) OJ Rhif L 116, 3.5.02, t.16.

(9) OJ Rhif L78, 25.3.03, t.10.

(10) Ar gael oddi wrth Ysgrifenyddiaeth IPPC, AGPP-FAO, Viale Delle Terme di Caracalla, 00100 Rhufain, yr Eidal a <http://www.ippc.int/IPPC/En/default.htm>

9. *Liriomyza trifolii* (Burgess)

— seeds.

Cut flowers, leafy vegetables of *Apium graveolens* L., and plants of herbaceous species, intended for planting, other than:

- bulbs,
  - corms,
  - plants of the family Gramineae,
  - rhizomes,
  - seeds”.
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(9) Yn Atodlen 2, Rhan B(a), yn eitem 5, yn lle'r geiriau yn y drydedd golofn rhodder y canlynol —

“EL, P (Azores)”.

(10) Yn Atodlen 2, Rhan B(b), yn eitem 2, yn lle'r geiriau yn y drydedd golofn rhodder y canlynol —

“E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), and for A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)”.

(11) Yn Atodlen 3, Rhan B, yn eitem 1, yn lle'r geiriau yn yr ail golofn rhodder y canlynol —

“E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d' Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), and for A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)”.

(12) Yn Atodlen 4, Rhan A, Adran 1—

(a) ar ôl eitem 11.2 rhodder y canlynol —

<p>“11.3. Plants of <i>Corylus</i> L., intended for planting, other than seeds, originating in Canada and the United States of America</p>	<p>Official statement that the plants have been grown in nurseries and</p> <p>(a) originate in an area, established in the country of export by the national plant protection service in that country, as being free from <i>Anisogramma anomala</i> (Peck) E. Müller, in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration”, or</p> <p>(b) originate in a place of production, established in the country of export by the national plant protection service in that country, as being free from <i>Anisogramma anomala</i> (Peck) E. Müller on official inspections carried out at the place of production or its immediate vicinity since the beginning of the last three complete cycles of vegetation, in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration” and declared free from <i>Anisogramma anomala</i> (Peck) E. Müller”;</p>
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(b) yn lle eitemau 32.1, 32.2 a 32.3 rhodder y canlynol —

<p>“32.1. Plants of herbaceous species, intended for planting, other than:</p> <ul style="list-style-type: none"> <li>— bulbs,</li> <li>— corms,</li> <li>— plants of the family Gramineae,</li> <li>— rhizomes,</li> <li>— seeds,</li> <li>— tubers,</li> </ul> <p>originating in third countries where <i>Liriomyza sativae</i> (Blanchard) and <i>Amauromyza maculosa</i> (Malloch) are known to occur</p>	<p>Without prejudice to the requirements Applicable to the plants in Schedule 4, Part A, Section 1 items 27.1, 27.2, 28 and 29, where appropriate, official statement that the plants have been grown in nurseries and:</p> <p>(a) originate in an area, established in the country of export by the national plant protection service in that country, as being free from <i>Liriomyza sativae</i> (Blanchard) and <i>Amauromyza maculosa</i> (Malloch) in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration”, or</p> <p>(b) originate in a place of production, established in the country of export by</p>
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the national plant protection service in that country, as being free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch) in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration”, and declared free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch) on official inspections carried out at least monthly during the three months prior to export, or

- (c) immediately prior to export, have been subjected to an appropriate treatment against *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch) and have been officially inspected and found free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch). Details of the treatment shall be mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC.

**32.2.** Cut flowers of *Dendranthema* (DC) Des. Moul., *Dianthus* L., *Gypsophila* L., and *Solidago* L., and leafy vegetables of *Apium graveolens* L., and *Ocimum* L. Official statement that the cut flowers and the leafy vegetables:

- originate in a country and free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch), or
- immediately prior to their export, have been officially inspected and found free from *Liriomyza sativae* (Blanchard) and *Amauromyza maculosa* (Malloch).

**32.3.** Plants of herbaceous species, intended for planting, other than: Without prejudice to the requirements applicable to the plants in Schedule 4, Part A, Section 1, items 27.1, 27.2, 28, 29 and 32.1, official statement that:

- bulbs,
- corms,
- plants of the family Gramineae,
- rhizomes,
- seeds,
- tubers, originating in third countries

- (a) the plants originate in an area known to be free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess), or
- (b) either no signs of *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess) have been observed at the place of production, on official inspections carried out at least monthly during the three months prior to harvesting, or
- (c) immediately prior to export, the plants have been officially inspected and

found free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess) and have been subjected to an appropriate treatment against *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burgess)”;

(c) yn lle eitemau 36.1 a 36.2 rhodder y canlynol —

<p>“<b>36.1.</b> Plants, intended for planting, other than:</p> <ul style="list-style-type: none"> <li>— bulbs,</li> <li>— corms,</li> <li>— rhizomes,</li> <li>— seeds,</li> <li>— tubers,</li> </ul> <p>originating in third countries of Directive</p>	<p>Without prejudice to the requirements applicable to the plants in Schedule 4, Part A, Section 1, items 27.1, 27.2, 28, 29, 31, 32.1 and, 32.3, official statement that the plants have been grown in nurseries and:</p> <ul style="list-style-type: none"> <li>(a) originate in an area, established in the country of export by the national plant protection service in that country, as being free from <i>Thrips palmi</i> Karny in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 2000/29/EC under the rubric “Additional declaration”, or</li> <li>(b) originate in a place of production, established in the country of export by the national plant protection service in that country, as being free from <i>Thrips palmi</i> Karny in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration”, and declared free from <i>Thrips palmi</i> Karny on official inspections carried out at least monthly during the three months prior to export, or</li> <li>(c) immediately prior to export, have been subjected to an appropriate treatment against <i>Thrips palmi</i> Karny and have been officially inspected and found free from <i>Thrips palmi</i> Karny. Details of the treatment shall be mentioned on the certificates referred to in Article 7 or 8 of Directive 2000/29/EC.</li> </ul>
<p><b>36.2.</b> Cut flowers of Orchidaceae and fruits of <i>Momordica</i> L., and and <i>Solanum melongena</i> L., originating in third countries</p>	<p>Official statement that the cut flowers and the fruits:</p> <ul style="list-style-type: none"> <li>— originate in a country free from <i>Thrips palmi</i> Karny, or</li> </ul>

- immediately prior to their export, have been officially inspected and found free from *Thrips palmi* Karny”;

(ch) yn eitem 40, yn lle'r geiriau yn yr ail golofn rhodder y canlynol —

“Without prejudice to the provisions applicable to the plants listed in Schedule 3, Part A, items 2, 3, 9, 15, 16, 17 and 18, Schedule 3, Part B, item 1 and Schedule 4, Part A, Section 1, items 11.1, 11.2, 11.3, 12, 13.1, 13.2, 14, 15, 17, 18, 19.1, 19.2, 20, 22.1, 22.2, 23.1, 23.2, 24, 33, 36.1, 38.1, 38.2, 39 and 45.1 where appropriate, official statement that the plants are dormant and free from leaves”;

(d) dileer eitem 45;

(dd) yn lle eitem 45.1 rhodder y canlynol —

<p>“45.1. Plants of herbaceous species and plants of <i>Ficus</i> L. and <i>Hibiscus</i> L., intended for planting, other than bulbs, corms, rhizomes, seeds and tubers, originating in non-European countries</p>	<p>Without prejudice to the requirements applicable to the plants in Schedule 4, Part A, Section 1, items 27.1, 27.2, 28, 29, 32.1, 32.3 and 36.1, official statement that the plants:</p> <ul style="list-style-type: none"> <li>(a) originate in an area established in the country of export by the national plant protection service in that country, as being free from <i>Bemisia tabaci</i> Genn. (non European populations) in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration”, or</li> <li>(b) originate in a place of production, established in the country of export by the national plant protection service in that country as being free from <i>Bemisia tabaci</i> Genn. (non European populations) in accordance with the relevant International Standards for Phytosanitary Measures, and which is mentioned on the certificates referred to in Articles 7 or 8 of Directive 2000/29/EC under the rubric “Additional declaration”, and declared free from <i>Bemisia tabaci</i> Genn. (non European populations) on official inspections carried out at least once each three weeks during the nine weeks prior to export, or</li> <li>(c) in cases where <i>Bemisia tabaci</i> Genn. (non European populations) has been found at the place of production, are held or produced in this place of production and have undergone an appropriate treatment to ensure freedom from <i>Bemisia tabaci</i> Genn. (non European populations) and subsequently this</li> </ul>
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place of production shall have been found free from *Bemisia tabaci* Genn. (non European populations) as a consequence of the implementation of appropriate procedures aiming at eradicating *Bemisia tabaci* Genn. (non European populations), in both official inspections carried out weekly during the nine weeks prior to export and in monitoring procedures throughout the said period. Details of the treatment shall be mentioned on the certificates referred to in Article 7 or 8 of Directive 2000/29/EC”;

(e) ar ôl eitem 45.1 rhodder y canlynol —

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| <p>“45.2. Cut flowers of <i>Aster</i> spp., <i>Eryngium</i> L., <i>Gypsophila</i> L., <i>Hypericum</i> L., <i>Lisianthus</i> L., <i>Rosa</i> L., <i>Solidago</i> L., <i>Trachelium</i> L., and leafy vegetables of <i>Ocimum</i> L., originating in non-European countries”;</p>   | <p>Official statement that the cut flowers and leafy vegetables:</p> <ul style="list-style-type: none"> <li>— originate in a country free from <i>Bemisia</i> Genn. (non-European populations), or</li> <li>— immediately prior to their export, have been officially inspected and found free from <i>Bemisia tabaci</i> Genn. (non-European populations)</li> </ul>   |
| <p>45.3. Plants of <i>Lycopersicon lycopersicum</i> (L.) Karsten ex Farw. intended for planting, other than seeds, originating in countries where Tomato yellow leaf curl virus is known to occur</p> <ul style="list-style-type: none"> <li>(a) Where <i>Bemisia tabaci</i> Genn. is not known to occur</li> <li>(b) Where <i>Bemisia tabaci</i> Genn. is known to occur</li> </ul> | <p>Without prejudice to the requirements applicable to plants listed in Schedule 3, Part A, item 13 and Schedule 4, Part A, Section 1, items 25.5, 25.6, and 25.7 where appropriate Official statement that no symptoms of Tomato yellow leaf curl virus have been observed on the plants Official statement that:</p> <ul style="list-style-type: none"> <li>(a) no symptoms of Tomato yellow leaf curl virus have been observed on the plants, and <ul style="list-style-type: none"> <li>(aa) the plants originate in areas known to be free from <i>Bemisia tabaci</i> Genn., or</li> <li>(bb) the place of production has been found free from <i>Bemisia tabaci</i> Genn. on official inspections carried out at least monthly during the three months prior to export, or</li> </ul> </li> <li>(b) no symptoms of Tomato yellow leaf curl virus have been observed at the place of production and the place of production has been subjected to an appropriate treatment and monitoring regime to ensure freedom from <i>Bemisia tabaci</i> Genn.”;</li> </ul> |

(f) yn eitem 46, yn yr ail golofn rhodder y Rhif au —

“45.2 and 45.3” ar ôl y Rhif “45.1”; ac



(ff) yn eitemau 53 a 54, yn y golofn gyntaf rhodder y geiriau —

“South Africa” ar ôl y gair “Pakistan”.

(13) Yn Atodlen 4, Rhan A, Adran 2, yn lle eitem 24 rhodder y canlynol —

<p>“24. Plants of herbaceous species intended for planting, other than:</p> <ul style="list-style-type: none"> <li>— bulbs,</li> <li>— corms,</li> <li>— plants of the family Gramineae,</li> <li>— rhizomes,</li> <li>— seeds,</li> <li>— tubers</li> </ul>	<p>Without prejudice to the requirements applicable to the plants in Schedule 4, Part A, Section 2, items 21, 22.1 or 22.2, official statement that:</p> <ul style="list-style-type: none"> <li>(a) the plants originate in an area known to be free from <i>Liriomyza huidobrensis</i> (Blanchard) and <i>Liriomyza trifolii</i> (Burgess), or</li> <li>(b) either no signs of <i>Liriomyza huidobrensis</i> (Blanchard) and <i>Liriomyza trifolii</i> (Burgess) have been observed at the place of production, on official inspections carried out at least monthly during the three months prior to harvesting, or</li> <li>(c) immediately prior to marketing, the plants have been officially inspected and found free from <i>Liriomyza huidobrensis</i> (Blanchard) and <i>Liriomyza trifolii</i> (Burgess) and have been subjected to an appropriate treatment against <i>Liriomyza huidobrensis</i> (Blanchard) and <i>Liriomyza trifolii</i> (Burgess)”.</li> </ul>
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(14) Yn Atodlen 4, Rhan B —

(a) yn eitem 19, yn lle'r geiriau yn y drydedd golofn rhodder y canlynol —

“EL, P (Azores)”;

(b) yn eitemau 20.1, 23, 27.1 a 27.2, yn lle'r geiriau yn y drydedd golofn rhodder y canlynol —

“DK, F (Brittany), IRL, P (Azores), FI, S (with the exception of the District Council areas of Bromölla, Hässelholm, Kristianstad and Östra Göinge in the county of Skåne), UK (Northern Ireland)”;

(c) yn lle eitem 20.2 rhodder y canlynol —

<p>“20.2. Tubers of <i>Solanum tuberosum</i> L., other than those mentioned in Schedule 4, Part B, item 20.1</p>	<ul style="list-style-type: none"> <li>(a) The consignment DK, F (Brittany), IRL, P or lot shall not (Azores), FI, S (with the exception of the District Council areas of Bromölla, Hässelholm, Kristianstad and Östra Göinge in the county of Skåne), UK (Northern Ireland)”;</li> <li>(b) the tubers are intended for processing at premises with officially approved waste disposal facilities which ensures that there is</li> </ul>
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no risk of spreading  
BNYVV

(ch) yn eitem 21, yn lle'r geiriau yn rhan (a) o'r cofnod yn yr ail golofn ar ôl y geiriau “the plants originate in the protected zones” ac yn lle'r geiriau yn y drydedd golofn rhodder y canlynol —

“E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castalguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), and for A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, FI, UK (Northern Ireland, Isle of Man and Channel Islands)”;

(d) yn lle eitem 22 rhodder y canlynol —

<p>“22. Plants of <i>Allium porrum</i> L., <i>Apium</i> L., <i>Beta</i> L., other than those mentioned in Schedule 4, Part B, item 25 and those intended for animal fodder, <i>Brassica napus</i> L., <i>Brassica rapa</i> L., <i>Daucus</i> L., other than plants intended for planting</p>	<p>(a) The consignment DK, F (Brittany), IRL, P or lot shall not (Azores), FI, S (with the contain more than exception of the District 1% by weight of soil, Council areas of Bromölla, or Häsleholm Kristianstad and Östra Göinge in the county of Skåne), UK (Northern Ireland)”;</p> <p>(b) the plants are intended for processing at premises with officially approved waste disposal facilities which ensures that there is no risk of spreading BNYVV</p>
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(dd) dileer eitem 24 ac ar ôl eitem 23 rhodder yr eitemau canlynol 24.1, 24.2 a 24.3 —

<p>“24.1. Unrooted cuttings of <i>Euphorbia pulcherrima</i>, Willd., intended for planting</p>	<p>Without prejudice to the requirements applicable to the plants listed in Schedule 4, Part A, Section 1, item 45.1, where appropriate, official statement that:</p> <p>(a) the unrooted cuttings originate in an area known to be free from <i>Bemisia tabaci</i> Genn.</p>	<p>IRL, P (Alentejo, Azores, Beira Interior, Beira Litoral, Entre Douro e Minho, Madeira, Ribatejo e Oeste and Trás -os- Montes), FI, S, UK</p>
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- (European Populations),  
or
- (b) no signs of *Bemisia tabaci* Genn. (European populations) have been observed either on the cuttings or on the plants from which the cuttings are derived and held or produced at the place of production on official inspections carried out at least each three weeks during the whole production period of these plants on this place of production, or
- (c) in cases where *Bemisia tabaci* Genn. European populations) has been found at the place of production, the cuttings and the plants from which the cuttings are derived and held or produced in this place of production have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently this place of production shall have been found free from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aiming at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and in monitoring procedures throughout the said period. The last

inspection of the above weekly inspections shall be carried out immediately prior to the above movement.

**24.2.** Plants of *Euphorbia pulcherrima* Willd., intended for planting, other than:

- seeds,
- those for which there shall be evidence by their packing or their flower (or bract) development or by other means that they are intended for sale to final customers not involved in professional plant production, those specified in 24.1

Without prejudice to the requirements applicable to the plants listed in Schedule 4, Part A, Section 1, item 45.1, where appropriate, official statement that:

- (a) the plants originate in an area known to be free from *Bemisia tabaci* Genn. (European populations), or
- (b) no sign of *Bemisia tabaci* Genn. (European populations) have been observed on plants at the place of production on official inspections carried out at least once each three weeks during the nine weeks prior to marketing, or
- (c) in cases where *Bemisia tabaci* Genn. (European populations) has been found at the place of production, the plants, held or produced in this place of production have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aiming at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and in monitoring procedures throughout

IRL, P (*Alentejo*, Azores, Beira Interior, Beira Entre Litoral, Minho, Douro e Madeira, Ribatejo e Oeste and Trás -os- Montes), FI, S, UK

- the said period. The last inspection of the above weekly inspections shall be carried out immediately prior to the above movement, and
- (d) evidence is available that the plants have been produced from cuttings which:
- (da) originate in an area known to be free from *Bemisia tabaci* Genn. (European populations), or
  - (db) have been grown at a place of production where no signs of *Bemisia tabaci* Genn. (European populations) have been observed on official inspections carried out at least once each three weeks during the whole production period of these plants, or
  - (dc) in cases where *Bemisia tabaci* Genn. (European populations) has been found at the place of production, have been grown on plants held or produced in this place of production having undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently this place of production shall have been found free from

*Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aiming at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and in monitoring procedures throughout the said period. The last inspection of the above weekly inspections shall be carried out immediately prior to the above movement.

- 24.3.** Plants of *Begonia* L., intended for planting, other than seeds, tubers and corms, and plants of *Ficus* L., and *hibiscus* L., intended for planting, other than seeds, other than those for which there shall be evidence by their packing or their flower development or by other means that they are intended for sale to final consumers not involved in professional plant production
- Without prejudice to the requirements applicable to the plants listed in Schedule 4, Part A, Section 1, item 45.1, where appropriate, official statement that:
- (a) the plants originate in an area known to be free from *Bemisia tabaci* Genn. (European populations), or
- (b) no signs of *Bemisia tabaci* Genn. (European populations) have been observed on plants at the place of production on official inspections carried out at least once each three weeks during the nine weeks prior to marketing, or
- IRL, P (Alentejo Azores, Beira Interior, Beira Litoral, Entre Douro e Minho, Madeira, Ribatejo e Oeste and Trás -os- Montes), FI, S, UK”;

- (c) in cases where *Bemisia tabaci* Genn. (European populations) has been found at the place of production, the plants, held or produced in his place of production have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* Genn. (European populations) and subsequently this place of production shall have been found free from *Bemisia tabaci* Genn. (European populations) as a consequence of the implementation of appropriate procedures aiming at eradicating *Bemisia tabaci* Genn. (European populations), in both official inspections carried out weekly during the three weeks prior to the movement from this place of production and in monitoring procedures throughout the said period. The last inspection of the above weekly inspections shall be carried out immediately prior to the above movement

(e) ar ôl eitem 24.3 rhodder y canlynol —

<p>“25. Plants of the <i>Beta Vulgaris</i> L., intended for industrial processing</p>	<p>Official statement that: (a) The plants are transported in such a manner as to ensure that there is no risk of spreading BNYVV, and are intended to be delivered to a processing plant with officially approved waste disposal facilities, which ensures</p>	<p>DK, F (Brittany), IRL, P (Azores), FI, S (with the exception of the District Council areas of Bromölla, Hässleholm, Kristianstad and Ostra Göinge in the county of Skåne), UK (Northern Ireland)”;</p>
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- (b) that there is no risk of spreading BNYVV, or the plants have been grown in an area where BNYVV is known not to occur

(f) dileer eitemau 25.1 a 25.2

(ff) yn lle eitem 26 rhodder y canlynol —

<p>“26. Soil from beet and unsterilised waste from beet (<i>Beta vulgaris</i> L.)</p>	<p>Official statement that soil or waste:</p> <p>(a) has been treated to eliminate contamination with BNYVV, or</p> <p>(b) is intended to be transported for disposal in an officially approved manner, or</p> <p>(c) comes from <i>Beta vulgaris</i> plants grown in an area where BNYVV is known not to occur</p>	<p>DK, F (Brittany), IRL, P (Azores) FI, S, (with the exception of the District Council areas of Bromölla, Hässleholm, Kristianstad and Östra Göinge in the county of Skåne), UK (Northern Ireland)”; a</p>
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(g) yn eitem 30, yn lle'r geiriau yn yr ail a'r drydedd golofn rhodder y canlynol —

<p>(a) “The machinery shall be cleaned and free from soil and plant debris when brought in on places of production where beets are grown, or</p> <p>(b) the machinery shall come from an area where BNYVV is known not to occur”.</p>	<p>DK, F (Brittany), IRL, P (Azores), FI, S, (with the exception of the District Council area of Bromölla, Hässleholm, Kristianstad and Östra Göinge in the county of Skåne), UK (Northern Ireland)”.</p>
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(15) Yn Atodlen 5, Rhan A, Adran I, yn eitem 2.1, ar ôl y geiriau “*Verbena* L.” rhodder y geiriau —

“and other plants of herbaceous species, other than plants of the family Gramineae, intended for planting, and other than bulbs, corms, rhizomes, seeds and tubers”.

(16) Yn Atodlen 5, Rhan A, Adran II —

(a) yn lle eitem 1.6 rhodder y canlynol —

“1.6. Plants of *Beta vulgaris* L., intended for industrial processing”;

(b) yn lle eitem 1.7 rhodder y canlynol —

“1.7. Soil from beet and unsterilised waste from beet (*Beta vulgaris* L.)”; ac

(c) yn lle eitem 2.1 rhodder y canlynol —

“2.1. Plants of *Begonia* L., intended for planting, other than corms, seeds, tubers, and plants of *Euphorbia pulcherrima* Willd., *Ficus* L. and *Hibiscus* L., intended for planting, other than seeds”.

(17) yn Atodlen 5, Rhan B, Adran I —

(a) yn eitemau 1 ac 8, rhodder y geiriau “South Africa” ar ôl y gair “Pakistan”;

(b) yn lle eitem 2 rhodder y canlynol —



- “2. *Castanea* Mill., *Dendranthema* (DC) Des. Moul., *Dianthus* L., *Gypsophila* L., *Pelargonium* L'Herit. ex Ait, *Phoenix* spp., *Populus* L., *Quercus* L., *Solidago* L. and cut flowers of Orchidaceae,
- conifers (Coniferales),
  - *Acer saccharum* Marsh., originating in North American countries
  - *Prunus* L., originating in non-European countries,
  - cut flowers of *Aster* spp., *Eryngium* L., *Hypericum* L., *Lisianthus* L., *Rosa* L. and *Trachelium* L., originating in non-European countries,
  - leafy vegetables of *Apium graveolens* L. and *Ocimum* L.”; ac
- (c) yn y mewnoliad cyntaf yn eitem 3, ar ôl y geiriau “*Poncirus* Raf.,” rhodder y geiriau “*Momordica* L. and *Solanum melongena* L.”;
- (18) Yn Atodlen 5, Rhan B Adran II,
- (a) yn lle eitem 1 rhodder y canlynol —
    - “1. Plants of *Beta vulgaris* L., intended for industrial processing”; a
  - (b) yn lle eitem 2 rhodder y canlynol —
    - “2. Soil from beet and unsterilised waste from beet (*Beta vulgaris* L.)”.
- (19) Yn Atodlen 8(a)
- (a) yn eitem 6, yn lle'r geiriau yn yr ail golofn rhodder y canlynol —
    - “Greece, Portugal (Azores)”;
  - (b) ar ôl eitem 12 rhodder y canlynol —
    - “13. *Liriomyza bryoniae* Ireland, United Kingdom (Kaltenbach) (Northern Ireland)”
- (20) yn Atodlen 8(b), yn eitem 2, yn lle'r geiriau yn yr ail golofn rhodder y canlynol —
- “Spain, France (Corsica), Ireland, Italy (Abruzzi; Apulia; Basilicata; Calabria, Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria, Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertino, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Paulù, Roverchiara, Legnago, Castagnaro, Ronco all' Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), and for Austria (Burgenland, Carinthia, Lower Austria, Tirol (Administrative district Lienz), Styria, Vienna), Portugal, Finland, United Kingdom (Northern Ireland, Isle of Man and Channel Islands)”.
- (21) Yn Atodlen 8(d), yn eitem 1, yn lle'r geiriau yn yr ail golofn rhodder y canlynol —
- “Denmark, France (Brittany), Ireland, Portugal (Azores), Finland, Sweden (with the exception of the District Council area of Bromölla, Hässleholm, Kristianstad and Östra Göinge in the county of Skåne), United Kingdom (Northern Ireland)”.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(11).

16 Gorffennaf 2003

*D. Elis-Thomas*  
Llywydd y Cynulliad Cenedlaethol

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## EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Iechyd Planhigion (Prydain Fawr) 1993 er mwyn rhoi'r canlynol ar waith yng Nghymru:

(1) Cyfarwyddeb y Comisiwn [2002/36/EC](#) (OJ Rhif L116, 3.5.02, t.16) a [2003/22/EC](#) (OJ Rhif L78, 25.3.03, t.10) sy'n diwygio amrywiol Atodiadau i Gyfarwyddeb y Comisiwn [2000/29/EC](#) (OJ Rhif L169, 10.7.00, t.1) ar fesurau diogelu yn erbyn cyflwyno i'r Gymuned organeddau sy'n niweidiol i blanhigion neu gynhyrchion planhigion ac yn erbyn eu lledaenu o fewn y Gymuned;

(2) Cyfarwyddeb y Comisiwn [2003/21/EC](#) (OJ Rhif L78, 25.3.03, t.8) sy'n diwygio rhai parthau gwarchod sy'n agored i risgiau iechyd penodol i blanhigion yn y Gymuned yng Nghyfarwyddeb y Comisiwn [2001/32/EC](#) (OJ Rhif L127, 9.5.01, t.38).

Dyma'r prif newidiadau a gyflwynir gan y Gorchymyn hwn, sydd yn dod i rym ar 31 Gorffennaf 2003, —

- (a) ychwanegu *Anoplophora glabripennis* (erthygl 2(3)(a)) *Naupactus leucoloma* (erthygl 2(3)(b)) ac *Anisogramma anomala* (erthygl 2(7)) at y rhestr cwarantin plâu planhigion. Mae'n cyflwyno mesurau penodedig ar gyfer mewnforio *Corylus* o Ganada a'r Unol Daleithiau (erthygl 2(12)(a));
- (b) cyfyngu ar ddarpariaethau cwarantin ar *Liriomyza bryoniae* ym Mharthau Gwarchod Gweriniaeth Iwerddon a Gogledd Iwerddon (erthyglau 2(4), 2(5) a 2(19)(b));
- (c) cyfyngu ar ddarpariaethau cwarantin ar *Liriomyza huidobrensis* a *Liriomyza trifolii* at restr o blanhigion cynhaliol (erthyglau 2(4) a 2(8));
- (ch) estyn gofynion pasbortau planhigion a thystysgrifau llysiechydol ar gyfer planhigion neu gynhyrchion planhigion penodol mewn perthynas â *Bemisia tabaci*, *Liriomyza sativae*, *Amauromyza maculosa*, *Liriomyza huidobrensis*, *Liriomyza trifolii* a *Thrips palmi* (erthyglau 2(12)(b) i (f), 2(13), 2(14)(dd), 2(15), 2(16)(c) a 2(17)(b) i (c));
- (d) diwygio'r darpariaethau yn erbyn feirws necrotig gwythien felen Betys (erthyglau 2(14)(c), (d) ac (e) i (ff), 2(16)(a) i (b) a 2(18)(a) i (b));
- (dd) ychwanegu De Affrica at restr y gwledydd lle gwyddys bod *Tilletia indica* yn digwydd (erthyglau 2(12)(ff) a 2(17)(a));
- (e) tynnu ardaloedd yn Sweden o'r Parthau Gwarchod ar gyfer *Beet necrotic yellow vein virus* (erthyglau 2(6), 2(14)(c), (d), (e) i (g) a 2(21)) a thynnu ardaloedd yn yr Eidal o'r parth gwarchod ar gyfer *Erwinia amylovora* (erthyglau 2(10), 2(11), 2(14)(ch) a 2(20));
- (f) cyfyngu ar y Parth Gwarchod ar gyfer *Gonipterus scutellatus* i Bortiwgal (Yr Asores) (erthyglau 2(9), 2(14)(a) a 2(19)(a)); ac
- (ff) cynnwys y diffiniad o “*relevant International Standards for Phytosanitary Measures*” a manylion eu hargaeledd (erthygl 2(2)(b)).

Mae arfarniad rheoliadol wedi'i baratoi a gellir cael copïau oddi wrth Gangen Iechyd Planhigion, Cynulliad Cenedlaethol Cymru, Parc Cathays, Caerdydd, CF10 3NQ.