



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2007 Rhif 3305 (Cy.292)

2007 No. 3305 (W.292)

**IECHYD PLANHIGION,
CYMRU**

**PLANT HEALTH,
WALES**

Gorchymyn Iechyd Planhigion
(Cymru) (Diwygio) (Rhif 2) 2007

The Plant Health (Wales)
(Amendment) (No.2) Order 2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn diwygio Gorchymyn Iechyd Planhigion (Cymru) 2006 (O.S. 2006/1643) ("y prif Orchymyn") er mwyn gweithredu'r offerynnau isod-

This Order amends the Plant Health (Wales) Order 2006 (S.I. 2006/1643) ("the principal Order") so as to implement the instruments below-

- (a) Penderfyniad y Comisiwn 2007/365/EC ar fesurau brys i atal *Rhynchophorus ferrugineus* (Olivier) rhag cael ei gyflwyno i'r Gymuned a'i ledaenu oddi mewn iddi (OJ Rhif L 139, 31.5.2007, t. 24);
- (b) Penderfyniad y Comisiwn 2007/433/EC ar fesurau brys dros dro i atal *Gibberella circinata* Nirenberg & O'Donnell rhag cael ei gyflwyno i'r Gymuned a'i ledaenu oddi mewn iddi (OJ Rhif L 161, 22.6.2007, t. 66);
- (c) Penderfyniad y Comisiwn 2007/410/EC ar fesurau i atal firoid y gloronen bigfain rhag cael ei gyflwyno i'r Gymuned a'i ledaenu oddi mewn iddi (OJ Rhif L 155, 15.6.2007, t. 71);
- (ch) Penderfyniad y Comisiwn 2004/416/EC ar fesurau brys dros dro mewn cysylltiad â ffrwythau sitrws penodol sy'n tarddu o'r Ariannin neu Frasil (OJ Rhif L 151, 30.4.2004, t. 76), fel y'i diwygiwyd gan Benderfyniad y Comisiwn 2007/347/EC (OJ Rhif L 130, 22.5.2007, t. 46); a
- (d) Cyfarwyddeb y Comisiwn 2007/41/EC yn diwygio Atodiadau penodol i Gyfarwyddeb y Cyngor 2000/29/EC ar fesurau gwarchod rhag cyflwyno i'r Gymuned organeddau sy'n niweidiol i blanhigion neu i gynhyrchion planhigion ac yn erbyn eu lledaenu oddi mewn i'r Gymuned (OJ Rhif L 169, 29.6.2007, t. 51).
- (a) Commission Decision 2007/365/EC on emergency measures to prevent the introduction into and the spread within the Community of *Rhynchophorus ferrugineus* (Olivier) (OJ No. L 139, 31.5.2007, p. 24);
- (b) Commission Decision 2007/433/EC on provisional emergency measures to prevent the introduction into and the spread within the Community of *Gibberella circinata* Nirenberg & O'Donnell (OJ No. L 161, 22.6.2007, p. 66);
- (c) Commission Decision 2007/410/EC on measures to prevent the introduction into and spread within the Community of Potato spindle tuber viroid (OJ No. L 155, 15.6.2007, p. 71);
- (d) Commission Decision 2004/416/EC on temporary emergency measures in respect of certain citrus fruits originating in Argentina or Brazil (OJ No. L 151, 30.4.2004, p. 76), as amended by Commission Decision 2007/347/EC (OJ No. L 130, 22.5.2007, p. 46); and
- (e) Commission Directive 2007/41/EC amending certain Annexes to 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, 29.6.2007, p. 51).

Mae'r Gorchymyn hwn yn gwneud darpariaeth ar gyfer diben a grybwyllir yn adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68) ac mae cyfeiriadau at y Penderfyniadau a restrir yn (a), (b) ac (c) i'w dehongli fel cyfeiriadau at yr offerynnau hynny fel y'u diwygir o dro i dro.

Mae erthyglau 3, 4 a 5 yn gwneud amryw o ddiwygiadau i Atodlenni 1, 4, 5, 6 a 7 i'r prif Orchymyn er mwyn cymhwyso'r cyfyngiadau ar lanio yng Nghymru a symud oddi mewn iddi ddeunyddiau planhigion penodol (a ddisgrifir ym mhob erthygl) o drydydd gwledydd a rhannau eraill o'r Gymuned Ewropeaidd a'r gofynion am dystysgrifau ffyioiechydol a phasbortau planhigion i'r deunyddiau planhigion a restrir er mwyn atal, yn ôl eu trefn, y plâu planhigion canlynol rhag cael eu cyflwyno i Gymru a'u lledaenu oddi mewn iddi: *Rhynchophorus ferrugineus* (Olivier), *Gibberella circinata* Nirenberg & O'Donnell, firoid y gloronen bigfain.

Mae erthygl 6 yn diwygio Atodlen 4 i'r prif Orchymyn er mwyn cymhwyso gofynion arbennig mewn cysylltiad â ffrwythau sitrws penodol sy'n tarddu o Frasil.

Mae erthygl 7 yn diwygio'r diffiniad o "Directive 2000/29/EC" er mwyn ymgorffori ynddo Gyfarwyddeb y Comisiwn 2007/41/EC ac mae'n ychwanegu *Vitis* L. at y rhestr o blanhigion yn Rhan B o Atodlen 7 i'r prif Orchymyn y mae'n ofynnol iddynt gael pasbort planhigion os ydynt i gael eu hanfon i barth gwarchod mewn rhan arall o'r Gymuned Ewropeaidd.

Ni luniwyd asesiad effaith reoleiddiol llawn ar gyfer yr offeryn hwn.

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 (c. 68) and references to the Decisions listed in (a), (b) and (c) are to be construed as references to those instruments as amended from time to time.

Articles 3, 4 and 5 make various amendments to Schedules 1, 4, 5, 6 and 7 to the principal Order so as to apply the restrictions on the landing in and movement within Wales of certain plant material (described in each article) from third countries and other parts of the European Community and the requirements for phytosanitary certificates and plant passports to the plant material listed in order to prevent the introduction into and spread within Wales of, respectively, the following plant pests: *Rhynchophorus ferrugineus* (Olivier), *Gibberella circinata* Nirenberg & O'Donnell, Potato spindle tuber viroid.

Article 6 amends Schedule 4 to the principal Order so as to apply special requirements in respect of certain citrus fruits originating in Brazil.

Article 7 amends the definition of "Directive 2000/29/EC" so as to incorporate within it Commission Directive 2007/41/EC and adds *Vitis* L. to the list of plants in Part B of Schedule 7 to the principal Order requiring a plant passport if they are to be consigned to a protected zone in another part of the European Community.

A full regulatory impact assessment has not been produced for this instrument.

2007 Rhif 3305 (Cy.292)

2007 No. 3305 (W.292)

**IECHYD PLANHIGION,
CYMRU**

**PLANT HEALTH,
WALES**

**Gorchymyn Iechyd Planhigion
(Cymru) (Diwygio) (Rhif 2) 2007**

**The Plant Health (Wales)
(Amendment) (No. 2) Order 2007**

Gwnaed 22 Tachwedd 2007
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 23 Tachwedd 2007
Yn dod i rym 18 Rhagfyr 2007

Made 22 November 2007
*Laid before the National
Assembly for Wales* 23 November 2007
Coming into force 18 December 2007

Mae Gweinidogion Cymru yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau a roddwyd gan adrannau 2 a 3(1) o Ddeddf Iechyd Planhigion 1967(1), ac a freiniwyd ynddynt(2) bellach;

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 2 and 3(1) of the Plant Health Act 1967(1), now vested in them(2);

Mae'r Gorchymyn hwn yn gwneud darpariaeth at ddiben a grybwyllir yn adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(3) ac mae'n ymddangos i Weinidogion Cymru ei bod yn hwylus i'r cyfeiriadau yn y Gorchymyn canlynol at Benderfyniadau penodol i gael eu dehongli fel cyfeiriadau at yr offerynnau hynny fel y'u diwygir o dro i dro:

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972(3) and it appears to the Welsh Ministers that it is expedient for the references in the following Order to certain Decisions to be construed as references to those instruments as amended from time to time:

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- (1) 1967 p. 8; diwygiwyd adrannau 2(1) a 3(1) gan Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68), adran 4(1) ac Atodlen 4, paragraff 8.
- (2) Mae adran 1(2)(b) o Ddeddf Iechyd Planhigion 1967 yn darparu mai'r awdurdod cymwys yng Nghymru a Lloegr at ddibenion y Ddeddf honno yw'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd. Yn rhinwedd Gorchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272), erthygl 2(1) ac Atodlen 1, trosglwyddwyd swyddogaethau'r Gweinidog Amaethyddiaeth, Pysgodfeydd a Bwyd o dan Ddeddf Iechyd Planhigion 1967, i'r graddau y maent yn arferadwy o ran Cymru, i Ysgrifennydd Gwladol Cymru. Trosglwyddwyd swyddogaethau Ysgrifennydd Gwladol Cymru wedyn i Gynulliad Cenedlaethol Cymru o dan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Mae'r swyddogaethau a drosglwyddwyd i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672 bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 p.32 a pharagraff 30 o Atodlen 11 iddi.
- (3) 1972 p. 68. Mae Atodlen 2, paragraff 1A, a fewnosodwyd gan Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51), adran 28, yn darparu ar gyfer cynnwys mewn is-ddeddfwriaeth gyfeiriadau at offerynnau'r Gymuned Ewropeaidd fel cyfeiriadau at yr offerynnau hynny fel y'u diwygir o dro i dro.

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- (1) 1967 c. 8; sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8.
- (2) Section 1(2)(b) of the Plant Health Act 1967 provides that the competent authority in England and Wales for the purposes of that Act is the Minister for Agriculture, Fisheries and Food. By virtue of the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I.1978/272), article 2(1) and Schedule 1, the functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 were, so far as they are exercisable in relation to Wales, transferred to the Secretary of State for Wales. These functions of the Secretary of State for Wales were then transferred to the National Assembly for Wales under the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions transferred to the National Assembly for Wales by S.I. 1999/672 are now exercisable by the Welsh Ministers by virtue of section 162 and paragraph 30 of Schedule 11 of the Government of Wales Act 2006 c.32.
- (3) 1972 c. 68. Schedule 2, paragraph 1A, inserted by the Legislative and Regulatory Reform Act 2006 (c. 51), section 28, provides for the inclusion in subordinate legislation of references to European Community instruments as references to those instruments as amended from time to time.

Enwi, cychwyn a chymhwyso

1. Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Planhigion (Cymru) (Diwygio) (Rhif 2) 2007; mae'n gymwys o ran Cymru ac yn dod i rym ar 18 Rhagfyr 2007.

Diwygiadau i Orchymyn Iechyd Planhigion (Cymru) 2006

2. Mae Gorchymyn Iechyd Planhigion (Cymru) 2006(1) wedi'i ddiwygio fel a ganlyn.

Atal *Rhynchophorus ferrugineus* (Olivier) rhag cael ei gyflwyno i'r Gymuned Ewropeaidd a'i ledaenu oddi mewn iddi

3.-(1) Yn erthygl 2(1), yn y man priodol, mewnosoder-

""Decision 2007/365/EC" means Commission Decision 2007/365/EC on emergency measures to prevent the introduction into and the spread within the Community of *Rhynchophorus ferrugineus* (Olivier)(2), as amended from time to time;"

(2) Yn Rhan A o Atodlen 1, ar ôl eitem 34 o "Insects, mites and nematodes", ychwaneger-

"35. *Rhynchophorus ferrugineus* (Olivier)".

(3) Yn Rhan A o Atodlen 4, ar ôl eitem 57, mewnosoder-

Title, commencement and application

1. The title of this Order is the Plant Health (Wales) (Amendment) (No.2) Order 2007; it applies in relation to Wales and comes into force on 18 December 2007.

Amendments to the Plant Health (Wales) Order 2006

2. The Plant Health (Wales) Order 2006(1) is amended as follows.

Prevention of the introduction into and spread within the European Community of *Rhynchophorus ferrugineus* (Olivier)

3.-(1) In article 2(1), at the appropriate place insert-

""Decision 2007/365/EC" means Commission Decision 2007/365/EC on emergency measures to prevent the introduction into and the spread within the Community of *Rhynchophorus ferrugineus* (Olivier)(2), as amended from time to time;"

(2) In Part A of Schedule 1, after item 34 of "Insects, mites and nematodes" add-

"35. *Rhynchophorus ferrugineus* (Olivier)".

(3) In Part A of Schedule 4, after item 57 insert-

"57a.	Plants, other than fruit or seeds, having a diameter of the stem at the base of over 5cm of the species listed in Article 1(b) of Decision 2007/365/EC originating in any third country	Without prejudice to the requirements in item 57, the plants, including those collected from natural habitats, shall be accompanied by an official statement that the plants meet the requirements of paragraph (a), (b) or (c) of point 1 of the Annex to Decision 2007/365/EC".
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"57a.	Plants, other than fruit or seeds, having a diameter of the stem at the base of over 5cm of the species listed in Article 1(b) of Decision 2007/365/EC originating in any third country	Without prejudice to the requirements in item 57, the plants, including those collected from natural habitats, shall be accompanied by an official statement that the plants meet the requirements of paragraph (a), (b) or (c) of point 1 of the Annex to Decision 2007/365/EC".
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(1) O.S. 2006/1643 (Cy.158), a ddiwygiwyd gan O.S. 2007/2716 (Cy.229).

(2) OJ Rhif L 139, 31.5.2007, t. 24.

(1) S.I. 2006/1643 (W.158), amended by S.I. 2007/2716 (W.229)

(2) OJ No. L 139, 31.5.2007, p. 24.

(4) Yn Rhan B o Atodlen 4, ar ôl eitem 6, mewnosoder-

"6a.	Plants, other than fruit or seeds, having a diameter of the stem at the base of over 5cm of the species listed in Article 1(b) of Decision 2007/365/EC	The plants shall be accompanied by an official statement that they have been grown in accordance with the specifications in paragraph (a), (b), (c) or (d) of point 2 of the Annex to Decision 2007/365/EC".
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(5) Yn Rhan A o Atodlen 5, Rhan A o Atodlen 6 a Rhan A o Atodlen 7, ar ôl eitem 1 mewnosoder-

"1a. Plants, other than fruit or seeds, having a diameter of the stem at the base of over 5cm of the species listed in Article 1(b) of Decision 2007/365/EC".

Atal *Gibberella circinata* Nirenberg & O'Donnell rhag cael ei gyflwyno i'r Gymuned Ewropeaidd a'i ledaenu oddi mewn iddi

4.-(1) Yn erthygl 2(1), yn y man priodol, mewnosoder-

""Decision 2007/433/EC" means Commission Decision 2007/433/EC on provisional emergency measures to prevent the introduction into and the spread within the Community of *Gibberella circinata* Nirenberg & O'Donnell(1), as amended from time to time;".

(2) Yn Rhan A o Atodlen 1, ar ôl eitem 17 o "Fungi", ychwaneger-

"18. *Gibberella circinata* Nirenberg & O'Donnell".

(3) Yn Rhan A o Atodlen 4, ar ôl eitem 2, mewnosoder-

"2a.	Plants intended for planting, including seeds and cones for propagation purposes, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC, originating in any third country	Without prejudice to the requirements in items 1, 2 and 3, the plants shall be accompanied by an official statement that they originate in
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(1) OJ Rhif L 161, 22.6.2007, t. 66.

(4) In Part B of Schedule 4, after item 6 insert-

"6a.	Plants, other than fruit or seeds, having a diameter of the stem at the base of over 5cm of the species listed in Article 1(b) of Decision 2007/365/EC	The plants shall be accompanied by an official statement that they have been grown in accordance with the specifications in paragraph (a), (b), (c) or (d) of point 2 of the Annex to Decision 2007/365/EC".
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(5) In Part A of Schedule 5, Part A of Schedule 6 and Part A of Schedule 7, after item 1 insert-

"1a. Plants, other than fruit or seeds, having a diameter of the stem at the base of over 5cm of the species listed in Article 1(b) of Decision 2007/365/EC".

Prevention of the introduction into and spread within the European Community of *Gibberella circinata* Nirenberg & O'Donnell

4.-(1) In article 2(1), at the appropriate place insert-

""Decision 2007/433/EC" means Commission Decision 2007/433/EC on provisional emergency measures to prevent the introduction into and the spread within the Community of *Gibberella circinata* Nirenberg & O'Donnell(1), as amended from time to time;".

(2) In Part A of Schedule 1, after item 17 of "Fungi" add-

"18. *Gibberella circinata* Nirenberg & O'Donnell".

(3) In Part A of Schedule 4, after item 2 insert-

"2a.	Plants intended for planting, including seeds and cones for propagation purposes, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC, originating in any third country	Without prejudice to the requirements in items 1, 2 and 3, the plants shall be accompanied by an official statement that they originate in
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(1) OJ No. L 161, 22.6.2007, p. 66.

		a place of production which is registered and supervised by the national plant protection organisation in the country of origin; and they meet the requirements of paragraph (a), (b) or (c) of point I of Annex I to Decision 2007/433/EC".
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(4) Yn Rhan B o Atodlen 4, ar ôl eitem 1, mewnosoder-

		a place of production which is registered and supervised by the national plant protection organisation in the country of origin; and they meet the requirements of paragraph (a), (b) or (c) of point I of Annex I to Decision 2007/433/EC".
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(4) In Part B of Schedule 4, after item 1 insert-

"1a.	Plants intended for planting, including seeds and cones for propagation purposes, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC	Without prejudice to the requirements in item 7 of Part A of Schedule 6, the plants shall be accompanied by an official statement that they have been grown in accordance with the specifications in paragraph (a), (b) or (c) of point II of Annex I to Decision 2007/433/EC".
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(5) Yn Rhan A o Atodlen 5, ar ôl eitem 1, mewnosoder-

"1b. Seeds and cones, intended for propagating, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC".

(6) Yn Rhan A o Atodlen 6 a Rhan A o Atodlen 7, ar ôl eitem 1 mewnosoder-

"1b. Plants intended for planting, including seeds and cones intended for propagating, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC".

Atal rhag cyflwyno a lledaenu firoid y gloronen bigfain

5.-(1) Yn erthygl 2(1), yn y man priodol, mewnosoder -

"1a.	Plants intended for planting, including seeds and cones for propagation purposes, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC	Without prejudice to the requirements in item 7 of Part A of Schedule 6, the plants shall be accompanied by an official statement that they have been grown in accordance with the specifications in paragraph (a), (b) or (c) of point II of Annex I to Decision 2007/433/EC".
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(5) In Part A of Schedule 5, after item 1 insert-

"1b. Seeds and cones, intended for propagating, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC".

(6) In Part A of Schedule 6 and Part A of Schedule 7, after item 1 insert-

"1b. Plants intended for planting, including seeds and cones intended for propagating, of the genera and species referred to in Article 1(2) of Decision 2007/433/EC".

Prevention of the introduction and spread of Potato spindle tuber viroid

5.-(1) In article 2(1), at the appropriate place insert-

""Decision 2007/410/EC" means Commission Decision 2007/410/EC on measures to prevent the introduction into and spread within the Community of Potato spindle tuber viroid(1), as amended from time to time;".

(2) Yn Rhan A o Atodlen 4, ar ôl eitem 37, mewnosoder-

"37a.	Plants, intended for planting, including seeds, of the genera and species referred to in Article 1 of Decision 2007/410/EC, originating in any third country	The plants shall be accompanied by an official statement that- (a) they originate in and have been grown throughout their life in a place of production which is registered and supervised by the national plant protection organisation in the country of origin; and (b) they meet the requirements of paragraph (a), (b), (c) or (d) of point 1 of the Annex to Decision 2007/410/EC".
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(3) Yn Rhan B o Atodlen 4, ar ôl eitem 20, mewnosoder-

"20a.	Plants, intended for planting, including seeds, of the genera and species referred to in Article 1 of Decision 2007/410/EC	The plants shall be accompanied by an official statement that they have been grown throughout their life or since their
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(1) OJ Rhif L 155, 15.6.2007, t. 71.

""Decision 2007/410/EC" means Commission Decision 2007/410/EC on measures to prevent the introduction into and spread within the Community of Potato spindle tuber viroid(1), as amended from time to time;".

(2) In Part A of Schedule 4, after item 37 insert-

"37a.	Plants, intended for planting, including seeds, of the genera and species referred to in Article 1 of Decision 2007/410/EC, originating in any third country	The plants shall be accompanied by an official statement that- (a) they originate in and have been grown throughout their life in a place of production which is registered and supervised by the national plant protection organisation in the country of origin; and (b) they meet the requirements of paragraph (a), (b), (c) or (d) of point 1 of the Annex to Decision 2007/410/EC".
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(3) In Part B of Schedule 4, after item 20 insert-

"20a.	Plants, intended for planting, including seeds, of the genera and species referred to in Article 1 of Decision 2007/410/EC	The plants shall be accompanied by an official statement that they have been grown throughout their life or since their
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(1) OJ No. L 155, 15.6.2007, p. 71.

		introduction into the European Community in a place of production which meets the requirements of paragraph (a), (b), (c) or (d) of point 2 of the Annex to Decision 2007/410/EC".
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(4) Yn Rhan A o Atodlen 6 a Rhan A o Atodlen 7-

(a) ar ôl eitem 3, mewnosoder-

"3a. Plants, intended for planting, including seeds, other than those in item 3, of the genera and species referred to in Article 1 of Decision 2007/410/EC.";
a

(b) yn lle eitem 7(b) rhodder-

"(b)plants of *Solanaceae*, other than seeds and other than those in items 3 and 3a, intended for planting;"

Mesurau mewn cysylltiad â ffrwythau sitrws penodol

6.-(1) Yn erthygl 2(1), yn y man priodol, mewnosoder-

"Decision 2004/416/EC" means Commission Decision 2004/416/EC on temporary emergency measures in respect of certain citrus fruits originating in Argentina or Brazil(1), as amended from time to time;"

(2) Yn Rhan A o Atodlen 4-

(a) yn ail golofn eitemau 15 a 17, ar ôl "third country", ychwaneger ", other than Brazil";

(b) ar ôl eitem 15, ychwaneger-

"15a.	Fruits of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., originating in Brazil	Without prejudice to the requirements in items 14, 16 and 18, the fruits shall be accompanied by an official statement that they meet the requirements of paragraph (a) or (b) of point 1 and of point 3 of
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(1) OJ Rhif L 151, 30.4.2004, t. 76, a ddiwygiwyd gan Benderfyniad y Comisiwn 2007/347/EC, OJ Rhif L 130, 22.5.2007, t. 46.

		introduction into the European Community in a place of production which meets the requirements of paragraph (a), (b), (c) or (d) of point 2 of the Annex to Decision 2007/410/EC".
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(4) In Part A of Schedule 6 and Part A of Schedule 7-

(a) after item 3 insert-

"3a. Plants, intended for planting, including seeds, other than those in item 3, of the genera and species referred to in Article 1 of Decision 2007/410/EC.";
and

(b) for item 7(b) substitute-

"(b)plants of *Solanaceae*, other than seeds and other than those in items 3 and 3a, intended for planting;"

Measures in respect of certain citrus fruits

6.-(1) In article 2(1), at the appropriate place insert-

"Decision 2004/416/EC" means Commission Decision 2004/416/EC on temporary emergency measures in respect of certain citrus fruits originating in Argentina or Brazil(1), as amended from time to time;"

(2) In Part A of Schedule 4-

(a) in the second column of items 15 and 17, after third country add ", other than Brazil";

(b) after item 15 add-

"15a.	Fruits of <i>Citrus</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., originating in Brazil	Without prejudice to the requirements in items 14, 16 and 18, the fruits shall be accompanied by an official statement that they meet the requirements of paragraph (a) or (b) of point 1 and of point 3 of
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(1) OJ No. L 151, 30.4.2004, p. 76, amended by Commission Decision 2007/347/EC, OJ No. L 130, 22.5.,007, p. 46.

	the Annex to Decision 2004/416/EC".
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- (c) yn nhrydedd golofn eitem 16, yn lle "15, 17", rhodder "15, 15a, 17, 17a";
- (ch) ar ôl eitem 17, ychwaneger-

	the Annex to Decision 2004/416/EC".
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- (c) in the third column of item 16, for "15, 17" substitute "15, 15a, 17, 17a";
- (d) after item 17 add-

"17a.	Fruits of <i>Citrus</i> L., other than <i>Citrus aurantium</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., originating in Brazil	Without prejudice to the requirements in items 14, 16 and 18, the fruits shall be accompanied by an official statement that they meet the requirements of paragraph (a) or (b) of point 2 and of point 3 of the Annex to Decision 2004/416/EC"; and
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- (d) yn nhrydedd golofn eitem 18, yn lle "17", rhodder "17a".

"17a.	Fruits of <i>Citrus</i> L., other than <i>Citrus aurantium</i> L., <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., originating in Brazil	Without prejudice to the requirements in items 14, 16 and 18, the fruits shall be accompanied by an official statement that they meet the requirements of paragraph (a) or (b) of point 2 and of point 3 of the Annex to Decision 2004/416/EC"; and
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- (e) in the third column of item 18, for "17" substitute "17a".

Diwygiadau amrywiol

7. Yn-

- (a) erthygl 2(1), yn lle'r diffiniad o ""Directive 2000/29/EC", rhodder ""Directive 2000/29/EC" means 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(1)"; a
- (b) Rhan B o Atodlen 7, yn eitem 3, yn lle "or *Sorbus* L.", rhodder ", *Sorbus* L. or *Vitis* L."

Miscellaneous amendments

7. In-

- (a) article 2(1), for the definition of ""Directive 2000/29/EC" substitute ""Directive 2000/29/EC" means 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(1)"; and
- (b) Part B of Schedule 7, in item 3 for "or *Sorbus* L." substitute ", *Sorbus* L. or *Vitis* L."

(1) OJ Rhif L 169, 10.7.2000, t. 1, fel y'i diwygiwyd ddiwethaf gan Gyfarwydddeb y Comisiwn 2007/41/EC, OJ Rhif L 169, 29.6.2007, t. 51.

(1) OJ No. L 169, 10.7.2000, p. 1, as last amended by Commission Directive 2007/41/EC, OJ No. L 169, 29.6.2007, p. 51.

Elin Jones

Y Gweinidog dros Faterion Gwledig, un o Minister for Rural Affairs, one of the Welsh Ministers
Weinidogion Cymru

22 Tachwedd 2007

22 November 2007

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2007 Rhif 3305 (Cy.292)

**IECHYD PLANHIGION,
CYMRU**

Gorchymyn Iechyd Planhigion
(Cymru) (Diwygio) (Rhif 2) 2007

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2007 No. 3305 (W.292)

**PLANT HEALTH,
WALES**

The Plant Health (Wales)
(Amendment) (No.2) Order 2007

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