



---

OFFERYNNAU STATUDOL  
CYMRU

---

---

WELSH  
STATUTORY INSTRUMENTS

---

**2009 Rhif 1376 (Cy.137)**

**2009 No. 1376 (W.137)**

**IECHYD PLANHIGION,  
CYMRU**

**PLANT HEALTH,  
WALES**

**Gorchymyn Iechyd Planhigion  
(Cymru) (Diwygio) 2009**

**The Plant Health (Wales)  
(Amendment) Order 2009**

**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 Cyfarwyddeb y Comisiwn 2009/7/EC sy'n diwygio Atodiadau I, II, IV a V i Gyfarwyddeb y Cyngor 2000/29/EC ar fesurau amddiffynnol yn erbyn cyflwyno i'r Gymuned organeddau sy'n niweidiol i blanhigion neu gynhyrchion planhigion ac yn erbyn eu hymlediad o fewn y Gymuned (OJ Rhif L 40, 11.2.2009, t. 12).

This Order amends the Plant Health (Wales) Order 2006 (S.I. 2006/1643) ("the principal Order") so as to implement Commission Directive 2009/7/EC amending Annexes I, II, IV and V 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 40, 11.2.2009, p. 12).

Mae'r Gorchymyn yn diwygio Atodlenni 1, 2, 4 a 6 i'r prif Orchymyn er mwyn ehangu'r rheolaethau ar gyflwyno planhigion a phlâu planhigion penodol i Gymru, ac ar eu hymlediad oddi mewn iddi. Mae'r organeddau niweidiol canlynol, nad yw'n hysbys hyd yn hyn eu bod yn bresennol yn y Gymuned, wedi'u hychwanegu at y rhestr o organeddau gwaharddedig:

The Order amends Schedules 1, 2, 4 and 6 to the principal Order so as to extend controls on the introduction into, and spread within, Wales of certain plants and plant pests. The following harmful organisms, which are so far not known to be present in the Community, have been added to the list of prohibited organisms:

—*Dendrolimus sibiricus* (gwyfyn sidan conwydd Siberia),

—*Dendrolimus sibiricus* (Siberian coniferous silk moth),

—*Rhynchophorus palmarum* (gwiddonyn palmwydd Americanaidd),

—*Rhynchophorus palmarum* (American palm weevil),

—*Agrilus planipennis* (Tyllbryf onn emrallt) ar blanhigion *Fraxinus*, *Juglans mandshurica*, *Ulmus davidiana*, *Ulmus parvifolia*, a *Pterocarya rhoifolia*,

—*Agrilus planipennis* (Emerald ash borer) on plants of *Fraxinus*, *Juglans mandshurica*, *Ulmus davidiana*, *Ulmus parvifolia*, and *Pterocarya rhoifolia*,

—*Firws necrosis coesau ffarwelau haf* ar blanhigion *Dendranthema* a *Lycopersicon lycopersicum*,

—*Chrysanthemum stem necrosis virus* on plants of *Dendranthema* and *Lycopersicon lycopersicum*,

—*Scrobipalopsis solanivora* (gwyfyn tatws Guatemala) ar gloron *Solanum tuberosum*,

—*Scrobipalopsis solanivora* (Guatemalan potato moth) on tubers of *Solanum tuberosum*,

—*Stegophora ulmea* (Smotiau duon llwyfen) ar blanhigion *Ulmus* a *Zelkova*, sydd wedi'u bwriadu i'w plannu, ac eithrio hadau.

—*Stegophora ulmea* (Black spot of elm) on plants of *Ulmus* and *Zelkova*, intended for planting, other than seeds.

Nid oes asesiad effaith llawn wedi'i lunio ar gyfer yr offeryn hwn, gan na ragwelir y bydd yr offeryn yn effeithio o gwbl ar y sector preifat na'r sector gwirfoddol.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

**2009 Rhif 1376 (Cy.137)**

**2009 No. 1376 (W.137)**

**IECHYD PLANHIGION,  
CYMRU**

**PLANT HEALTH,  
WALES**

**Gorchymyn Iechyd Planhigion  
(Cymru) (Diwygio) 2009**

**The Plant Health (Wales)  
(Amendment) Order 2009**

*Gwnaed* 8 Mehefin 2009  
*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 10 Mehefin 2009  
*Yn dod i rym* 1 Gorffennaf 2009

*Made* 8 June 2009  
*Laid before the National  
Assembly for Wales* 10 June 2009  
*Coming into force* 1 July 2009

Mae Gweinidogion Cymru, y mae'r pwerau a roddwyd gan adrannau 2(1) a 3(1) o Ddeddf Iechyd Planhigion 1967(1) bellach wedi eu breinio ynddynt(2), yn gwneud y Gorchymyn a ganlyn drwy arfer y pwerau hynny.

The Welsh Ministers, in whom the powers conferred by sections 2(1) and 3(1) of the Plant Health Act 1967(1) are now vested(2), makes the following Order in exercise of those powers.

**Enwi a chychwyn**

1. Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Planhigion (Cymru) (Diwygio) 2009. Daw i rym ar 1 Gorffennaf 2009 ac mae'n gymwys o ran Cymru.

**Title and commencement**

1. The title of this Order is the Plant Health (Wales) (Amendment) Order 2009. It comes into force on 1 July 2009 and applies in relation to Wales.

**Diwygiadau i Orchymyn Iechyd Planhigion  
(Cymru) 2006**

2.—(1) Mae Gorchymyn Iechyd Planhigion (Cymru) 2006(3) wedi'i ddiwygio fel a ganlyn.

(2) Yn erthygl 2(1), yn lle'r diffiniad o "Directive 2000/29/EC", rhodder—

**Amendments to the Plant Health (Wales) Order  
2006**

2.—(1) The Plant Health (Wales) Order 2006(3) is amended as follows.

(2) In article 2(1), for the definition of "Directive 2000/29/EC" substitute—

---

(1) 1967 p. 8; diwygiwyd adrannau 2(1) a 3(1) gan Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68), Atodlen 4, paragraff 8.

(2) O dan Orchymyn 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'r Ysgrifennydd Gwladol; ac, o dan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), erthygl 2 ac Atodlen 1, trosglwyddwyd y swyddogaethau a drosglwyddwyd i'r Ysgrifennydd Gwladol o dan Orchymyn 1978 i Gynulliad Cenedlaethol Cymru. Trosglwyddwyd y swyddogaethau hyn o Gynulliad Cenedlaethol Cymru i Weinidogion Cymru o dan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 (1) a (2) o Atodlen 11 iddi.

(3) O.S. 2006/1643 (Cy.158); yr offerynnau diwygio perthnasol yw O.S. 2007/2716 (Cy.229), 2007/3305 (Cy.292), 2008/2781 (Cy.248) a 2008/2913 (Cy.257).

---

(1) 1967 c. 8; sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 8.

(2) Under 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; and under the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1, the functions transferred to the Secretary of State by the 1978 Order were transferred to the National Assembly for Wales. These functions were transferred from the National Assembly for Wales to the Welsh Ministers under section 162 of, and paragraph 30(1) and (2) of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(3) S.I. 2006/1643 (W.158); relevant amending instruments are S.I. 2007/2716 (W.229), 2007/3305 (W.292), 2008/2781 (W.248) and 2008/2913 (W.257).

""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).

(3) Yn Rhan A o Atodlen 1, yn yr adran "Insects, mites and nematodes"—

- (a) ar ôl eitem 11, mewnosoder "11a *Dendrolimus sibiricus* Tschetverikov";
- (b) yn lle eitem 15, rhodder "15 *Diabrotica virgifera zea* Krysan & Smith"; ac
- (c) ar ôl eitem 26, mewnosoder "26a *Rhynchophorus palmarum* (L.)".

(4) Yn Rhan B o Atodlen 1, yn yr adran "Insects, mites and nematodes", ar ôl eitem 1 mewnosoder "1a *Diabrotica virgifera virgifera* Le Conte".

(5) Yn Rhan A o Atodlen 2, yn yr adran "Insects, mites and nematodes"—

- (a) ar ôl eitem 1, mewnosoder—

"1a Plants intended for planting, 1a other than plants in tissue culture and seeds, of *Fraxinus* L., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch., *Ulmus parvifolia* Jacq. and *Pterocarya rhoifolia* Siebold & Zucc., originating in Canada, China, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

- (b) hepgorer eitem 23; ac
- (c) ar ôl eitem 26, mewnosoder—

"26a Tubers of *Solanum tuberosum* L. *Scrobipalopsis solanivora* Povolny".

(6) Yn Rhan A o Atodlen 2—

- (a) yn yr adran "Bacteria", yn yr ail golofn yn eitem 4, hepgorer "fruit or";
- (b) yn yr adran "Fungi", ar ôl eitem 15, mewnosoder—

"15a Plants of *Ulmus* L. and *Zelkova* L., intended for planting, other than seeds *Stegophora ulmea* (Schweinitz: Fries) Sydow & Sydow"; ac

""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).

(3) In Part A of Schedule 1, in the section "Insects, mites and nematodes"—

- (a) after item 11 insert "11a *Dendrolimus sibiricus* Tschetverikov";
- (b) for item 15 substitute "15 *Diabrotica virgifera zea* Krysan & Smith"; and
- (c) after item 26 insert "26a *Rhynchophorus palmarum* (L.)".

(4) In Part B of Schedule 1, in the section "Insects, mites and nematodes", after item 1 insert "1a *Diabrotica virgifera virgifera* Le Conte".

(5) In Part A of Schedule 2, in the section "Insects, mites and nematodes"—

- (a) after item 1 insert—

"1a Plants intended for planting, 1a other than plants in tissue culture and seeds, of *Fraxinus* L., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch., *Ulmus parvifolia* Jacq. and *Pterocarya rhoifolia* Siebold & Zucc., originating in Canada, China, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

- (b) omit item 23; and
- (c) after item 26 insert—

"26a Tubers of *Solanum tuberosum* L. *Scrobipalopsis solanivora* Povolny".

(6) In Part A of Schedule 2—

- (a) in the section "Bacteria" in the second column in item 4 omit "fruit or";
- (b) in the section "Fungi" after item 15 insert—

"15a Plants of *Ulmus* L. and *Zelkova* L., intended for planting, other than seeds *Stegophora ulmea* (Schweinitz: Fries) Sydow & Sydow"; and

(1) OJ Rhif L 169, 10.7.2000, t.1, a ddiwygiwyd ddiwethaf gan Gyfarwydddeb y Comisiwn 2009/7/EC, OJ Rhif L 40, 11.2.2009, t.12.

(1) OJ No L 169, 10.7.2000, p.1, as last amended by Commission Directive 2009/7/EC, OJ No L 40, 11.2.2009, p.12.

(c) yn yr adran "Viruses and virus-like organisms", ar ôl eitem 5, mewnosoder—

"5a Plants of *Dendranthema* Chrysanthemum  
(DC.) Des Moul. stem necrosis virus".  
and *Lycopersicon*  
*lycopersicum* (L.)  
Karsten ex Farw.,  
intended for planting,  
other than seeds

(7) Yn Rhan B o Atodlen 2, yn yr adran "Insects, mites and nematodes"—

(a) ar ôl eitem 7, mewnosoder—

"7a Plants of *Citrus* L., *Parasaissetia nigra*  
*Fortunella Swingle*, (Nietner)"; and  
*Poncirus* Raf., and their  
hybrids, other than fruit  
and seeds

(b) ar ôl eitem 11(1) mewnosoder—

"12 Plants of Palmae, *Paysandisia archon*  
intended for planting, (Burmeister)".  
having a diameter of the  
stem at the base of over  
5 cm and belonging to  
the following genera:  
*Brahea* Mart., *Butia*  
Becc., *Chamaerops* L.,  
*Jubaea* Kunth, *Livistona*  
R. Br., *Phoenix* L., *Sabal*  
Adans., *Syagrus* Mart.,  
*Trachycarpus* H.  
Wendl., *Trithrinax* Mart.,  
*Washingtonia* Raf.

(8) Yn Rhan A o Atodlen 4—

(a) ar ôl eitem 7, mewnosoder—

"7a Plants of *Fraxinus* L., The plants shall be  
*Juglans mandshurica* accompanied by an  
Maxim., *Ulmus* official statement  
*dauriana* Planch., that they:  
*Ulmus parvifolia* Jacq. (a) have been grown  
and *Pterocarya rhoifolia* throughout their life  
Siebold & Zucc., in an area free from  
intended for planting, *Agrilus planipennis*  
other than seeds and Fairmaire,  
plants in tissue culture established by the  
originating in Canada, national plant  
China, Japan, Mongolia, protection  
Republic of Korea, organisation in  
Russia, Taiwan and USA accordance with  
ISPM No. 4; or  
(b) have, for a  
period of at least  
two years prior to  
export, been grown  
in a place of

(c) in the section "Viruses and virus-like organisms" after item 5 insert—

"5a Plants of *Dendranthema* Chrysanthemum  
(DC.) Des Moul. stem necrosis virus".  
and *Lycopersicon*  
*lycopersicum* (L.)  
Karsten ex Farw.,  
intended for planting,  
other than seeds

(7) In Part B of Schedule 2, in the section "Insects, mites and nematodes"—

(a) after item 7 insert—

"7a Plants of *Citrus* L., *Parasaissetia nigra*  
*Fortunella Swingle*, (Nietner)"; and  
*Poncirus* Raf., and their  
hybrids, other than fruit  
and seeds

(b) after item 11(1) insert—

"12 Plants of Palmae, *Paysandisia archon*  
intended for planting, (Burmeister)".  
having a diameter of the  
stem at the base of over  
5 cm and belonging to  
the following genera:  
*Brahea* Mart., *Butia*  
Becc., *Chamaerops* L.,  
*Jubaea* Kunth, *Livistona*  
R. Br., *Phoenix* L., *Sabal*  
Adans., *Syagrus* Mart.,  
*Trachycarpus* H.  
Wendl., *Trithrinax* Mart.,  
*Washingtonia* Raf.

(8) In Part A of Schedule 4—

(a) after item 7 insert—

"7a Plants of *Fraxinus* L., The plants shall be  
*Juglans mandshurica* accompanied by an  
Maxim., *Ulmus* official statement  
*dauriana* Planch., that they:  
*Ulmus parvifolia* Jacq. (a) have been grown  
and *Pterocarya rhoifolia* throughout their life  
Siebold & Zucc., in an area free from  
intended for planting, *Agrilus planipennis*  
other than seeds and Fairmaire,  
plants in tissue culture established by the  
originating in Canada, national plant  
China, Japan, Mongolia, protection  
Republic of Korea, organisation in  
Russia, Taiwan and USA accordance with  
ISPM No. 4; or  
(b) have, for a  
period of at least  
two years prior to  
export, been grown  
in a place of

(1) Mewnosodwyd eitem 11 gan O.S. 2008/2411, erth. 2(1), (9).

(1) Item 11 was inserted by S.I. 2008/2411, art. 2(1), (9).

production where no signs of *Agrilus planipennis* Fairmaire have been observed during two official inspections per year carried out at appropriate times, including immediately prior to export";

production where no signs of *Agrilus planipennis* Fairmaire have been observed during two official inspections per year carried out at appropriate times, including immediately prior to export";

(b) yn eitem 11, yn lle "requirements in items 60, 61 and 64" yn y golofn ar yr ochr dde rhodder "provisions applicable to the plants in item 7";

(b) in item 11, for "requirements in items 60, 61 and 64" in the right-hand column substitute "provisions applicable to the plants in item 7";

(c) ar ôl eitem 35, mewnosoder—

(c) after item 35 insert—

"35a Tubers of *Solanum tuberosum* L., other than those intended for planting Without prejudice to the provisions applicable to tubers listed in items 32 to 34, the plants shall be accompanied by an official statement that the tubers originate in areas in which *Pseudomonas solanacearum* (Smith) Smith is not known to occur.

"35a Tubers of *Solanum tuberosum* L., other than those intended for planting Without prejudice to the provisions applicable to tubers listed in items 32 to 34, the plants shall be accompanied by an official statement that the tubers originate in areas in which *Pseudomonas solanacearum* (Smith) Smith is not known to occur.

35b Tubers of *Solanum tuberosum* L. Without prejudice to the provisions applicable to tubers listed in items 32 to 35a, the plants shall be accompanied by an official statement that:  
(a) the tubers originate in a country where *Scrobipalopsis solanivora* Povolny is not known to occur; or  
(b) the tubers originate in an area free from *Scrobipalopsis solanivora* Povolny, established by the national plant protection organisation in accordance ISPM No. 4";

35b Tubers of *Solanum tuberosum* L. Without prejudice to the provisions applicable to tubers listed in items 32 to 35a, the plants shall be accompanied by an official statement that:  
(a) the tubers originate in a country where *Scrobipalopsis solanivora* Povolny is not known to occur; or  
(b) the tubers originate in an area free from *Scrobipalopsis solanivora* Povolny, established by the national plant protection organisation in accordance ISPM No. 4";

(ch) hepgorer eitem 39;

(d) omit item 39;

(d) ar ôl eitem 43, mewnosoder—

(e) after item 43 insert—

"43a	Plants of <i>Dendranthema</i> (DC.) Des Moul. and <i>Lycopersicon lycopersicum</i> (L.) Karsten ex Farw., intended for planting, other than seeds	Without prejudice to the requirements applicable to the plants listed in items 36, 37, 38, 41 to 43, the plants shall be accompanied by an official statement that: (a) the plants have been grown throughout their life in a country free from <i>Chrysanthemum</i> stem necrosis virus; (b) the plants have been grown throughout their life in an area established by the national plant protection organisation in the country of export as being free from <i>Chrysanthemum</i> stem necrosis virus in accordance with ISPM No. 4; or (c) the plants have been grown throughout their life in a place of production, established as being free from <i>Chrysanthemum</i> stem necrosis virus and verified through official inspections and, where appropriate, testing"; ac	"43a	Plants of <i>Dendranthema</i> (DC.) Des Moul. and <i>Lycopersicon lycopersicum</i> (L.) Karsten ex Farw., intended for planting, other than seeds	Without prejudice to the requirements applicable to the plants listed in items 36, 37, 38, 41 to 43, the plants shall be accompanied by an official statement that: (a) the plants have been grown throughout their life in a country free from <i>Chrysanthemum</i> stem necrosis virus; (b) the plants have been grown throughout their life in an area established by the national plant protection organisation in the country of export as being free from <i>Chrysanthemum</i> stem necrosis virus in accordance with ISPM No. 4; or (c) the plants have been grown throughout their life in a place of production, established as being free from <i>Chrysanthemum</i> stem necrosis virus and verified through official inspections and, where appropriate, testing"; and
	(dd) ar ôl eitem 57a(1) mewnosoder—		(f) after item 57a(1) insert—		
"57b	Plants of <i>Palmae</i> , intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: <i>Brahea</i> Mart., <i>Butia</i> Becc., <i>Chamaerops</i> L., <i>Jubaea</i> Kunth, <i>Livistona</i> R. Br., <i>Phoenix</i> L., <i>Sabal</i> Adans., <i>Syagrus</i> Mart., <i>Trachycarpus</i> H. Wendl., <i>Trithrinax</i> Mart., <i>Washingtonia</i> Raf.	Without prejudice to the provisions applicable to the plants listed in items 57 and 57a, the plants shall be accompanied by an official statement that the plants: (a) have been grown throughout their life in a country where <i>Paysandisia archon</i> (Burmeister) is not known to occur;	"57b	Plants of <i>Palmae</i> , intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: <i>Brahea</i> Mart., <i>Butia</i> Becc., <i>Chamaerops</i> L., <i>Jubaea</i> Kunth, <i>Livistona</i> R. Br., <i>Phoenix</i> L., <i>Sabal</i> Adans., <i>Syagrus</i> Mart., <i>Trachycarpus</i> H. Wendl., <i>Trithrinax</i> Mart., <i>Washingtonia</i> Raf.	Without prejudice to the provisions applicable to the plants listed in items 57 and 57a, the plants shall be accompanied by an official statement that the plants: (a) have been grown throughout their life in a country where <i>Paysandisia archon</i> (Burmeister) is not known to occur;

(1) Mewnosodwyd eitem 57a gan O.S. 2007/2950, erth. 3(3).

(1) Item 57a was inserted by S.I. 2007/2950, art. 3(3).

(b) have been grown throughout their life in an area free from *Paysandisia archon* (Burmeister), established by the national plant protection organisation in accordance with ISPM No. 4; or  
 (c) have, during a period of at least two years prior to export, been grown in a place of production:  
 (i) which is registered and supervised by the national plant protection organisation in the country of origin,  
 (ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandisia archon* (Burmeister) or with application of appropriate preventive treatments, and  
 (iii) where, during three official inspections per year carried out at appropriate times, including immediately prior to export, no signs of *Paysandisia archon* (Burmeister) have been observed".

(b) have been grown throughout their life in an area free from *Paysandisia archon* (Burmeister), established by the national plant protection organisation in accordance with ISPM No. 4; or  
 (c) have, during a period of at least two years prior to export, been grown in a place of production:  
 (i) which is registered and supervised by the national plant protection organisation in the country of origin,  
 (ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandisia archon* (Burmeister) or with application of appropriate preventive treatments, and  
 (iii) where, during three official inspections per year carried out at appropriate times, including immediately prior to export, no signs of *Paysandisia archon* (Burmeister) have been observed".

(9) Yn Rhan B o Atodlen 4, ar ôl eitem 22, mewnosoder—

(9) In Part B of Schedule 4, after item 22 insert—

"22a Plants of Palmae, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth, *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H.

The plants are accompanied by an official statement that the plants:  
 (a) have been grown throughout their life in an area free from *Paysandisia archon* (Burmeister), established by the national plant protection

"22a Plants of Palmae, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth, *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H.

The plants are accompanied by an official statement that the plants:  
 (a) have been grown throughout their life in an area free from *Paysandisia archon* (Burmeister), established by the national plant protection



Wendl., *Trithrinax* Mart., organisation in accordance with ISPM No. 4; or  
*Washingtonia* Raf. (b) have, during a period of at least two years prior to movement, been grown in a place of production:  
(i) which is registered and supervised by the responsible official body in the Member State of origin,  
(ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandisia archon* (Burmeister) or with application of appropriate preventive treatments, and  
(iii) where, during three official inspections per year carried out at appropriate times, no signs of *Paysandisia archon* (Burmeister) have been observed".

Wendl., *Trithrinax* Mart., organisation in accordance with ISPM No. 4; or  
*Washingtonia* Raf. (b) have, during a period of at least two years prior to movement, been grown in a place of production:  
(i) which is registered and supervised by the responsible official body in the Member State of origin,  
(ii) where the plants were placed in a site with complete physical protection against the introduction of *Paysandisia archon* (Burmeister) or with application of appropriate preventive treatments, and  
(iii) where, during three official inspections per year carried out at appropriate times, no signs of *Paysandisia archon* (Burmeister) have been observed".

(10) Yn Rhan A o Atodlen 6, ar ôl paragraff 7(c), mewnosoder—

"(ca) Plants of Palmae, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: Brahea Mart., Butia Becc., Chamaerops L., Jubaea Kunth, Livistona R. Br., Phoenix L., Sabal Adans., Syagrus Mart., Trachycarpus H. Wendl., Trithrinax Mart. or Washingtonia Raf.;"

(10) In Part A of Schedule 6, after paragraph 7(c) insert—

"(ca) Plants of Palmae, intended for planting, having a diameter of the stem at the base of over 5 cm and belonging to the following genera: Brahea Mart., Butia Becc., Chamaerops L., Jubaea Kunth, Livistona R. Br., Phoenix L., Sabal Adans., Syagrus Mart., Trachycarpus H. Wendl., Trithrinax Mart. or Washingtonia Raf.;"

*Elin Jones*

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

8 Mehefin 2009

8 June 2009

---

© Hawlfraint y Goron 2009

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

---

© Crown copyright 2009

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

---

OFFERYNNAU STATUDOL  
CYMRU

---

**2009 Rhif 1376 (Cy.137)**

**IECHYD PLANHIGION,  
CYMRU**

Gorchymyn Iechyd Planhigion  
(Cymru) (Diwygio) 2009

---

WELSH  
STATUTORY INSTRUMENTS

---

**2009 No. 1376 (W.137)**

**PLANT HEALTH,  
WALES**

The Plant Health (Wales)  
(Amendment) Order 2009