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STATUTORY INSTRUMENTS

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**2022 No. 114**

**PLANT HEALTH**

**The Phytosanitary Conditions (Amendment) Regulations 2022**

*Made* - - - - *at 11.17 a.m. on 8th*  
*February 2022*  
*Laid before Parliament* *at 4.30 p.m. on 8th*  
*February 2022*  
*Coming into force in accordance with regulation 1(1)*

The Secretary of State, in exercise of the powers conferred by Articles 5(3), 30(1), 32(3), 37(5), 41(3), 42(3), 54(3), 72(3) and 105(6) of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants<sup>(1)</sup> (“the Plant Health Regulation”), makes the following Regulations.

The Scottish Ministers and the Welsh Ministers<sup>(2)</sup> have consented to the Secretary of State making these Regulations for the purposes of Article 2a(2) of the Plant Health Regulation.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Phytosanitary Conditions (Amendment) Regulations 2022 and come into force—

- (a) as regards this regulation, regulation 3 and regulation 2 so far as it relates to regulation 3, on 2nd March 2022;
- (b) otherwise, on 8th August 2022.

(2) These Regulations extend to England and Wales, and Scotland.

**Amendments to Commission Implementing Regulation (EU) 2019/2072**

2.—(1) Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants<sup>(3)</sup> is amended in accordance with regulations 3 and 4.

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(1) EUR 2016/2031 amended by [S.I. 2020/1482](#). There are other amendments, but none is relevant to this instrument.  
(2) Article 2a(2) of EUR 2016/2031 contains a definition of “the appropriate authority” for the purposes of making regulations and provides that, in the case of regulations applying in relation to Wales or Scotland, “the appropriate authority” is the Secretary of State if consent is given by Welsh Ministers or the Scottish Ministers, as the case may be.  
(3) EUR 2019/2072, amended by [S.I. 2020/1527](#), [2021/136](#), [426](#), [641](#), [1229](#) and [1171](#).

(2) In regulations 3 and 4, any reference to an Annex is to an Annex of Commission Implementing Regulation 2019/2072.

**Amendments to Commission Implementing Regulation (EU) 2019/2072 relating to pest measures: coming into force in accordance with regulation 1(1)(a)**

3.—(1) In Annex 2(4)—

- (a) in Part A, under the heading “**C. Insects and mites**” after entry 115, insert “115A. *Scolytus morawitzi* Semenov [SCOLMO]”;
- (b) in Part B, at the end, insert—

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**“E. Insects and mites**

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1. *Thaumetopoea processionea* L. [THAUPR]”.

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(2) In Annex 2A(5), under the heading “**B. Insects and mites**”, omit entries 2A and 11.

(3) In Annex 3(6), omit entry 4.

(4) In Annex 4(7) in Part G, under the heading “**Fungi and oomycetes**”, in the entry which relates to *Diaporthe caulivora* (Athow & Caldwell) J.M. Santos, Vrandecic & A.J.L. Phillips [DIAPPC]; *Diaporthe phaseolorum* var. *sojae* Lehman [DIAPPS], omit “*Diaporthe caulivora* (Athow & Caldwell) J.M. Santos, Vrandecic & A.J.L. Phillips [DIAPPC];”.

(5) In Annex 5(8) in Part G, in paragraph 3, in the table, omit the entry which relates to *Diaporthe caulivora* (*Diaporthe phaseolorum* var. *caulivora*).

(6) In Annex 6(9), in Part B, after entry 3A, insert—

“5. Plants of *Abies* Mill., *Pinus* L., *Picea* Mill., *Larix* Mill., and *Tsuga* Carr., originating from Russia.”.

(7) In Annex 7(10), in Part A—

(a) in the section headed “Interpretation”—

- (i) in the definition of ‘associated controlled dunnage’, after “113,” insert “115A, 115B,”;
- (ii) after the definition of ‘EPPO PM 9/26’ insert “‘ISPM4’ means International Standard for Phytosanitary Measures No 4 of April 2017 on requirements for the establishment of pest free areas, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations;”;

(b) in the table—

- (i) in entry 45B, in the second column, omit “, Taiwan”;
- (ii) after entry 48, insert—

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- (4) Annex 2 to EUR 2019/2072 was substituted by Schedule 1 to [S.I. 2020/1527](#); there are other amending instruments but none is relevant.
  - (5) Annex 2A to EUR 2019/2072 was inserted by Schedule 2 to [S.I. 2020/1527](#) and amended by [S.I. 2021/426](#); there are other amending instruments but none is relevant.
  - (6) Annex 3 to EUR 2019/2072 was inserted by Schedule 3 to [S.I. 2020/1527](#) and amended by [S.I. 2021/426](#).
  - (7) Annex 4 to EUR 2019/2072 was substituted by Schedule 4 to [S.I. 2020/1527](#); there are other amending instruments but none is relevant.
  - (8) Annex 5 to EUR 2019/2072 was substituted by Schedule 5 to [S.I. 2020/1527](#); there are other amending instruments but none is relevant.
  - (9) Annex 6 to EUR 2019/2072 was substituted by Schedule 6 to [S.I. 2020/1527](#) and amended by [S.I. 2021/426](#) and 1171; there are other amending instruments but none is relevant.
  - (10) Annex 7 to EUR 2019/2072 was substituted by Schedule 7 to [S.I. 2020/1527](#) and amended by [S.I. 2021/641](#); there are other amending instruments but none is relevant.

“48A.	Plants for planting, other than fruits and seeds, of <i>Quercus</i> L., of a girth of at least 8cm measured at a height of 1.2m from the root collar	All third countries	<p>The plants must be accompanied by an official statement that:</p> <p>(a) they have been grown throughout their life in places of production in countries where <i>Thaumetopoea processionea</i> L. is not known to occur,</p> <p>(b) they have been grown throughout their life in an area* established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from <i>Thaumetopoea processionea</i> L., or</p> <p>(c) they have been grown throughout their life in a site of production with complete physical protection against the introduction of <i>Thaumetopoea processionea</i> L. and they have been inspected at appropriate times and found to be free from <i>Thaumetopoea processionea</i> L.</p> <p>* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.”;</p>
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(iii) after entry 115, insert—

“115A.	<p>Wood of <i>Abies</i> Mill., <i>Pinus</i> L., <i>Picea</i> Mill., <i>Larix</i> Mill., and <i>Tsuga</i> Carr., other than in the form of:</p> <p>—chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or part from these conifers, or</p> <p>—wood packaging material, except associated controlled dunnage,</p> <p>but including wood which has not kept its natural round surface</p>	Russia	<p>The wood must be accompanied by an official statement that:</p> <p>(a) it originates in an area* established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from <i>Polygraphus proximus</i> Blandford,</p> <p>(b) it is bark-free,</p> <p>(c) it has undergone kiln-drying to below 20% moisture content expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule,</p> <p>(d) it has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum</p>
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duration of 30 continuous minutes throughout the entire profile of the wood,

(e) it has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m<sup>3</sup>) and the exposure time of which are indicated on the phytosanitary certificate, or

(f) it has undergone appropriate ionizing irradiation to achieve a minimum absorbed dose of 1 kGy throughout the wood.

\* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.

Where the phytosanitary certificate includes the official statement referred to in point (c), there must also be evidence of that kiln-drying by a mark “kiln-dried” or “KD” or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage.

Where the phytosanitary certificate includes the official statement referred to in point (d), there must also be evidence of that heat treatment by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purposes of the official statement referred to in point (e), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.

115B. Wood of *Larix* Mill. Russia  
other than in the form of:  
  
—chips, particles,  
sawdust, shavings,

The wood must be accompanied by an official statement that:

(a) it originates in an area\* which is established by the national plant protection organisation in accordance

wood waste and scrap obtained in whole or part from these conifers, or

—wood packaging material, except associated controlled dunnage,

but including wood which has not kept its natural round surface

with the measures specified in ISPM4 as an area that is free from *Scolytus morawitzi* Semenov,

(b) it is bark-free,

(c) it has undergone kiln-drying to below 20% moisture content expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule,

(d) it has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood,

(e) it has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m<sup>3</sup>) and the exposure time of which are indicated on the phytosanitary certificate, or

(f) it has undergone appropriate ionizing irradiation to achieve a minimum absorbed dose of 1 kGy throughout the wood.

\* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.

Where the phytosanitary certificate includes the official statement referred to in point (c), there must also be evidence of that kiln-drying by a mark “kiln-dried” or “KD” or another internationally recognised mark, put on the wood or on any wrapping in accordance with current usage.

Where the phytosanitary certificate includes the official statement referred to in point (d), there must also be evidence of that heat treatment by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the phytosanitary certificate.

- 115C. Wood of conifer Russia (Pinales) in the form of chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or part from conifers
- For the purposes of the official statement referred to in point (e), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.
- The wood must be accompanied by an official statement that:
- (a) it originates in an area\* which is established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from *Polygraphus proximus* Blandford and *Scolytus morawitzi* Semenov,
  - (b) it has been produced from wood which is bark-free,
  - (c) it has undergone kiln-drying to below 20% moisture content expressed as a percentage of dry matter, achieved through an appropriate time/temperature schedule,
  - (d) it has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood, or
  - (e) it has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m<sup>3</sup>) and the exposure time of which are indicated on the phytosanitary certificate.

\* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.

Where the phytosanitary certificate includes the official statement referred to in point (c), there must also be evidence of that kiln-drying by a mark “kiln-dried” or “KD” or another

internationally recognised mark, put on the wood or on any wrapping in accordance with current usage.

Where the phytosanitary certificate includes the official statement referred to in point (d), there must also be evidence of that heat treatment by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purposes of the official statement referred to in point (e), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.

115D. Isolated bark of conifer Russia (Pinales)

The bark must be accompanied by an official statement that:

(a) it originates in an area\* which is established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from *Polygraphus proximus* Blandford and *Scolytus morawitzi* Semenov,

(b) it has undergone an appropriate heat treatment to achieve a minimum temperature of 56 °C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood, or

(c) it has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m<sup>3</sup>) and the exposure time of which are indicated on the phytosanitary certificate.

\* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.

Where the phytosanitary certificate includes the official statement referred

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to in point (b), there must also be evidence of that heat treatment by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purposes of the official statement referred to in point (c), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”

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(iv) in entry 122, in the first column, for the words from “other than” to the end substitute—

“other than:

- in the form of wood packaging material, (except associated controlled dunnage),
- in the case of *Quercus* L., in the form of casks, barrels, vats, tubs and other coopers’ products and parts thereof, including staves, where there is documented evidence that the wood has been produced or manufactured using heat treatment to achieve a minimum temperature of 176 °C for 20 minutes”;

(v) in entry 128A, in the first column, for the words from “other than” to the end, substitute—

“other than:

- in the form of chips, particles, sawdust, shavings, wood waste and scrap, obtained in whole or in part from these trees,
- in the form of wood packaging material (except associated controlled dunnage),
- in the case of *Quercus* L., in the form casks, barrels, vats, tubs and other coopers’ products and parts thereof, including staves, originating in Canada or the USA, where there is documented evidence that the wood has been produced or manufactured using heat treatment to achieve a minimum temperature of 176 °C for 20 minutes,

but including wood which has not kept its natural round surface”;

(vi) in entry 128C, in the second column, omit “, Taiwan”;

(vii) in entry 128D, in the second column, omit “, Taiwan”.

(8) In Annex 8(11), in Part A, in the table, after entry 19, insert—

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“20.	Plants for planting, other than fruits and seeds, of <i>Quercus</i> L., of a girth of at least 8cm measured at a height of 1.2m from the root collar	The plants must be accompanied by an official statement that:  (a) they have been grown throughout their life in an area established by the national plant protection organisation in accordance with the
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measures specified in ISPM4 as an area that is free from *Thaumetopoea processionea* L., or

(b) they have been grown throughout their life in a site of production with complete physical protection against the introduction of *Thaumetopoea processionea* L. and the plants have been inspected at appropriate times and found to be free from *Thaumetopoea processionea* L.”.

(9) In Annex 10(12), in the table, omit entry 1.

(10) In Annex 11(13), in Part A, in the table—

(a) in entry 41, for the entry in the third column, substitute “Canada and the USA”;

(b) after entry 41 insert—

“41ZA.	<i>Quercus</i> L., other than wood packaging material, but including wood which has not kept its natural round surface.	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms: -Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms: --Non-coniferous: ex 4401 12 00 -Wood in chips or particles: --Non-coniferous: ex 4401 22 00 -Sawdust and wood waste and scrap, not agglomerated: --Sawdust: ex 4401 40 10 --Wood waste and scrap (other than sawdust): ex 4401 40 90	China, the Democratic People’s Republic of Korea, Japan, the Republic of Korea, Russia, Turkey and Vietnam”.
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(12) Annex 10 of EUR 2019/2072 was substituted by Schedule 9 to S.I. 2020/1527 and amended by S.I. 2021/426.

(13) Annex 11 of EUR 2019/2072 was substituted by Schedule 10 to S.I. 2020/1527 and amended by S.I. 2021/426; there are other amending instruments but none is relevant.

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Wood in the rough, not stripped of bark or sapwood, or roughly squared:

-Treated with paint, stains, creosote or other preservatives:

--Non-coniferous:

ex 4403 12 00

Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared:

-Other than treated with paint, stains, creosote or other preservatives:

--Of oak (*Quercus* spp.):

4403 91 00

Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise:

-Non-coniferous:

ex 4404 20 00

Non-coniferous railway or tramway sleepers (cross-ties) of wood:

-Not impregnated:

ex 4406 12 00

-Other (than not impregnated):

ex 4406 92 00

Wood sawn or chipped lengthwise, sliced or peeled whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm:

-- Of oak (*Quercus* spp.):

ex 4407 91 15

ex 4407 91 31

ex 4407 91 39

ex 4407 91 90

Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm:

ex 4408 90 15

ex 4408 90 35

ex 4408 90 85

ex 4408 90 95

Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves:

ex 4416 00 00

Prefabricated buildings of wood:

ex 9406 10 00

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**Amendments to Commission Implementing Regulation (EU) 2019/2072 relating to pest measures: coming into force in accordance with regulation 1(1)(b)**

- 4.—(1) In Annex 2(14), in Part A, under the heading “C. Insects and mites”—
- (a) after entry 51, insert “51A. *Eotetranychus sexmaculatus* (Riley) [TETRSM]”;
  - (b) after entry 96, insert “96A. *Platypus apicalis* (White) [PLTPAP]”.
- (2) In Annex 2A(15)—
- (a) under the heading “**B. Insects and mites**”—
    - (i) before the first entry, insert “1A. *Agrilus horni* (Kerremans) [AGRLHO]”;
    - (ii) after entry 4, insert “4B. *Chrysobothris femorata* (Olivier) [CHRBFE]”;
    - (iii) renumber entry 4ZA as 4C;
    - (iv) omit entry 4A;
    - (v) after entry 5, insert “5A. *Lycorma delicatula* (White) [LYCMDE]”;
    - (vi) omit entry 7A;
  - (b) under the heading “**C. Viruses, viroids and phytoplasmas**”, after entry 1, insert “1A. Chilli veinal mottle virus [CHIVMV]”;

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(14) Annex 2 to EUR 2019/2072 was substituted by Schedule 1 to [S.I. 2020/1527](#); there are other amending instruments but none is relevant.

(15) Annex 2A to EUR 2019/2072 was inserted by Schedule 2 to [S.I. 2020/1527](#) and amended by [S.I. 2021/426](#) and 641; there are other amending instruments but none is relevant.

(c) at the end, insert—

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**“D. Bacteria**

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1. *Diaporthe phaseolorum* var. *sojae* Lehman [DIAPPS]
  2. *Pseudomonas avellanae* Janse et al. [PSDMAL]
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**E. Nematodes**

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1. *Meloidogyne arenaria* (Neal) Chitwood [MELGAR]
  2. *Meloidogyne enterolobii* Yang & Eisenback [MELGMY]
  3. *Meloidogyne javanica* (Treub) Chitwood [MELGJA]
  4. *Xiphinema index* Thorne & Allen [XIPHIN].
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(3) In Annex 4(16)—

(a) in Part G, under the heading “**Fungi and oomycetes**”, omit the entry which relates to *Diaporthe phaseolorum* var. *sojae* Lehman [DIAPPS] so far as not omitted by regulation 3(4);

(b) in Part I—

(i) under the heading “**Bacteria**”, omit the entry which relates to *Pseudomonas avellanae* Janse et al. [PSDMAL];

(ii) under the heading “**Nematodes**”, omit the entries which relate to *Meloidogyne arenaria* Chitwood [MELGAR], *Meloidogyne javanica* Chitwood [MELGJA] and *Xiphinema index* Thorne & Allen [XIPHIN].

(4) In Annex 5(17), in Part G, in paragraph 3, in the table, omit the entry which relates to *Diaporthe* var. *sojae*.

(5) In Annex 7(18), in Part A, in the table—

(a) in entry 11, for the text in the third column, substitute—

“In the case of plants for which there is evidence from their packaging or their flower (or bract) development or by other means that they are intended for direct sale to final consumers not involved in professional plant production, the plants must be accompanied by an official statement that they have been officially inspected and found free from *Bemisia tabaci* (Gennadius) prior to their movement.

In any other case, the plants must be accompanied by—

(a) an official statement that the plants comply with one of the following requirements—

- (i) they originate in an area which, in accordance with the measures specified in ISPM4, is known to be free from *Bemisia tabaci* (Gennadius),
- (ii) they originate in a place of production where no signs of *Bemisia tabaci* (Gennadius) have been observed during official inspections carried out at least every three weeks during a period of nine weeks prior to export, or
- (iii) in cases where *Bemisia tabaci* (Gennadius) has been found at the place of production:

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(16) Annex 4 to EUR 2019/2072 was substituted by Schedule 4 to S.I. 2020/1527 and amended by S.I. 2021/1171; there are other amending instruments but none is relevant.

(17) Annex 5 to EUR 2019/2072 was substituted by Schedule 5 to S.I. 2020/1527; there are other amending instruments but none is relevant.

(18) Annex 7 to EUR 2019/2072 was substituted by Schedule 7 to S.I. 2020/1527 and amended by S.I. 2021/426; there are other amending instruments but none is relevant.

- (aa) they have undergone an appropriate treatment to ensure freedom from *Bemisia tabaci* (Gennadius), and
  - (bb) subsequently, official inspections carried out weekly during a period of three weeks prior to export have found the place of production to be free from *Bemisia tabaci* (Gennadius) as a consequence of the implementation of appropriate procedures aimed at eradicating *Bemisia tabaci* (Gennadius), and
- (b) an official statement that the cuttings from which those plants originate comply with one of the requirements in point (a).”;
- (b) in entry 13, in the third column—
  - (i) in the words before point (a), omit “they originate”;
  - (ii) at the beginning of point (a) and point (b), insert “they originate”;
  - (iii) at the end of point (b) insert “or”;
  - (iv) at the beginning of point (c), omit “an official statement that”;
- (c) in entry 40, in the third column—
  - (i) omit the “or” at the end of point (c);
  - (ii) in point (d) for “sterile conditions.” substitute “sterile conditions, or”;
  - (iii) after point (d), insert—
    - “(e) in the case of plants for which there is evidence from their packaging, their flower development, or from other means that they are intended for direct sale to final consumers not involved in professional plant production, an official statement that they have been officially inspected immediately prior to export and found free from *Liriomyza huidobrensis* (Blanchard) and *Liriomyza trifolii* (Burges).”;
- (d) in entry 45, in the second column, after “country”, insert “where *Cronartium* spp., with the exception of *Cronartium gentianeum* Thümen, *Cronartium pini* (Willdenow) Jørstad and *Cronartium ribicola* Fischer, is known to occur”;
- (e) omit entry 93B;
- (f) in entry 95, in the third column—
  - (i) at the end of point (b), omit “or” ;
  - (ii) in point (c)—
    - (aa) at the end of paragraph (ii), omit “and”;
    - (bb) after paragraph (iii), insert—
      - “,
      - (iv) the production site is identified in the official statement for traceability purposes, and
      - (v) the production site is provided with complete physical protection against the introduction of *Spodoptera frugiperda* (Smith),”;
  - (iii) after point (c), insert--
    - “(d) an official statement that the plants originate in areas other than those referred to in points (a) and (b), comply with point (c)(i) – (iv) and have been subjected to an effective treatment to ensure freedom from *Spodoptera frugiperda* (Smith), or

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- (e) an official statement that they originate in areas other than those referred to in points (a) and (b), they have been subjected to an effective post-harvest treatment to ensure freedom from *Spodoptera frugiperda* (Smith) and the treatment is indicated in the official statement.

\* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.

*Benyon of Englefield*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

At 11.17 a.m. on 8th February 2022

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend Commission Implementing Regulation (EU) 2019/2072 (“the Phytosanitary Conditions Regulation”) establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants.

Regulation 3 amends the Phytosanitary Conditions Regulation to include pest measures which require urgent implementation and are therefore subject to an earlier commencement date of 2nd March 2022. The regulation includes measures to prevent the introduction of the plant pests *Polygraphus proximus* and *Scolytus morawitzi* in Great Britain, including a prohibition, pending a risk assessment, on the introduction of the hosts of these pests: *Abies*, *Pinus*, *Picea*, *Larix* and *Tsuga*, originating from Russia. The import and movement requirements for *Thaumetopoea processionea* are updated to reflect the current situation regarding the pest in Great Britain. The following pests which no longer pose a risk to biosecurity in Great Britain are also deregulated: *Aonidiella orientalis* and *Diaporthe caulivora*.

Regulation 4 amends the Phytosanitary Conditions Regulation to include additional pest measures which do not require urgent implementation and are subject to a later commencement date of 8th August 2022. These include adding the following provisional GB quarantine pests to the GB quarantine pest list: *Eotetranychus sexmaculatus* and *Platypus apicalis*. The following pests are added to the provisional GB quarantine pest list for the first time: *Agrilus horni*, *Chrysobothris femorata*, *Lycorma delicatula*, *Diaporthe phaseolorum* var. *sojae*, *Pseudomonas avellanae*, *Meloidogyne arenaria*, *Meloidogyne enterolobii*, *Meloidogyne javanica*, *Xiphinema index* and *Chilli vein mottle virus*. Updates are also made to the import requirements for *Bemisia tabaci*, *Liriomyza huidobrensis* and *Liriomyza tifoldii*, *Cronartium* spp. and *Spodoptera frugiperda*.

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