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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 405**

**PLANT HEALTH**

**The Plant Health (Import Inspection Fees)  
(Scotland) Amendment Regulations 2010**

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|--|---------|-------------------------------|
| <i>Made</i>                                    | - - - - | <i>18th November 2010</i>     |
| <i>Laid before the Scottish<br/>Parliament</i> | - - - - | <i>22nd November<br/>2010</i> |
| <i>Coming into force</i>                       | - -     | <i>1st January 2011</i>       |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(1) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2010 and come into force on 1st January 2011.

**Amendment of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005**

2. For Schedule 2 (Import Inspection Fees (Reduced Rates)) to the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005(2) substitute—

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(1) [1973 c.51](#). The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the Scotland Act (Consequential Modifications) (No. 2) Order 1999 ([S.I. 1999/1820](#)) and the functions of the Minister transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 ([c.46](#)). The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998.

(2) [S.S.I. 2005/216](#) as amended by [S.S.I. 2007/138](#), [2007/499](#), [2009/8](#) and [2009/305](#).

## “SCHEDULE 2

Regulation 4(3)

## IMPORT INSPECTION FEES (REDUCED RATES)

| <i>Column 1</i>           | <i>Column 2</i>                                   | <i>Column 3</i>          | <i>Column 4</i> | <i>Column 5</i>                           |  |
|---------------------------|---|--------------------------|-----------------|---|--|
| <i>Genus</i>              | <i>Quantity</i>                                   | <i>Country of origin</i> | <i>Fee</i>      | <i>Fee (outside normal working hours)</i> |  |
| <b><i>Cut flowers</i></b> |   |                          |                 |   |  |
| <i>Dianthus</i>           | Per consignment                                   |                          |                 |   |  |
|                           | — up to 20,000 in number                          | Colombia, Kenya          | £0.66           | £0.99                                     |  |
|                           |   | Ecuador                  | £1.98           | £2.97                                     |  |
|                           |   | Turkey                   | £3.31           | £4.96                                     |  |
|                           | — for each additional 1,000 units or part thereof | Colombia, Kenya          | £0.005          | £0.007                                    |  |
|                           |   | Ecuador                  | £0.01           | £0.02                                     |  |
|                           |   | Turkey                   | £0.02           | £0.03                                     |  |
|                           | — maximum price                                   | Colombia, Kenya          | £5.29           | £7.94                                     |  |
|                           |   | Ecuador                  | £15.88          | £23.83                                    |  |
|                           |   | Turkey                   | £26.48          | £39.72                                    |  |
| <i>Rosa</i>               | Per consignment                                   |                          |                 |   |  |
|                           | — up to 20,000 in number                          | Colombia, Ecuador        | £0.39           | £0.59                                     |  |
|                           |   | Ethiopia, Kenya          | £0.66           | £0.99                                     |  |
|                           |   | Tanzania                 | £1.32           | £1.98                                     |  |
|                           |   | Uganda, Zambia           | £3.31           | £4.96                                     |  |
|                           | — for each additional 1,000 units or part thereof | Colombia, Ecuador        | £0.003          | £0.004                                    |  |
|                           |   | Ethiopia, Kenya          | £0.005          | £0.007                                    |  |
|                           |   | Tanzania                 | £0.01           | £0.02                                     |  |
|                           |   | Uganda, Zambia           | £0.02           | £0.03                                     |  |
|                           | — maximum price                                   | Colombia, Ecuador        | £3.17           | £4.76                                     |  |
|                           |   | Ethiopia, Kenya          | £5.29           | £7.94                                     |  |
|                           |   | Tanzania                 | £10.59          | £15.88                                    |  |
|                           |   | Uganda, Zambia           | £26.48          | £39.72                                    |  |
|                           | <b><i>Fruit</i></b>                               |                          |                 |   |  |

The total fee for additional units or weight is to be rounded down to the nearest whole penny, or if that fee is less than £0.01 it is to be disregarded.

| <b>Column 1</b>  | <b>Column 2</b>                                | <b>Column 3</b>                      | <b>Column 4</b> | <b>Column 5</b>                           |
|------------------|--|--------------------------------------|-----------------|---|
| <i>Genus</i>     | <i>Quantity</i>                                | <i>Country of origin</i>             | <i>Fee</i>      | <i>Fee (outside normal working hours)</i> |
| <i>Citrus</i>    | Per consignment                                |                                      |                 |   |
|                  | — up to 25,000 kg in weight                    | Turkey                               | £0.39           | £0.59                                     |
|                  |  | Morocco                              | £0.66           | £0.99                                     |
|                  |  | Egypt, Israel, Uruguay, USA          | £1.98           | £2.97                                     |
|                  |  | Mexico                               | £3.31           | £4.96                                     |
|                  |  | Peru                                 | £4.63           | £6.95                                     |
|                  |  | Honduras                             | £9.93           | £14.89                                    |
|                  | — for each additional 1,000 kg or part thereof | Turkey                               | £0.01           | £0.02                                     |
|                  |  | Morocco                              | £0.02           | £0.03                                     |
|                  |  | Egypt, Israel, Uruguay, USA          | £0.07           | £0.11                                     |
|                  |  | Mexico                               | £0.13           | £0.19                                     |
|                  |  | Peru                                 | £0.18           | £0.27                                     |
| Honduras         |  | £0.39                                | £0.58           |   |
| <i>Malus</i>     | Per consignment                                |                                      |                 |   |
|                  | — up to 25,000 kg in weight                    | Chile                                | £0.92           | £1.39                                     |
|                  |  | Argentina, New Zealand, South Africa | £1.32           | £1.98                                     |
|                  |  | Brazil                               | £1.98           | £2.97                                     |
|                  |  | China, USA                           | £3.31           | £4.96                                     |
|                  | — for each additional 1,000 kg or part thereof | Chile                                | £0.03           | £0.05                                     |
|                  |  | Argentina, New Zealand, South Africa | £0.05           | £0.07                                     |
|                  |  | Brazil                               | £0.07           | £0.11                                     |
| China, USA       |  | £0.13                                | £0.19           |   |
| <i>Mangifera</i> | Per consignment                                |                                      |                 |   |
|                  | — up to 25,000 kg in weight                    | Brazil                               | £6.62           | £9.93                                     |

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*Status: This is the original version (as it was originally made).*

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| <b>Column 1</b>          | <b>Column 2</b>                                | <b>Column 3</b>             | <b>Column 4</b> | <b>Column 5</b>                           |
|--------------------------|--|-----------------------------|-----------------|---|
| <i>Genus</i>             | <i>Quantity</i>                                | <i>Country of origin</i>    | <i>Fee</i>      | <i>Fee (outside normal working hours)</i> |
|                          | — for each additional 1,000 kg or part thereof | Brazil                      | £0.26           | £0.39                                     |
| <i>Passiflora</i>        | Per consignment                                |                             |                 |   |
|                          | — up to 25,000 kg in weight                    | Colombia, Kenya             | £1.32           | £1.98                                     |
|                          |  | Zimbabwe                    | £4.63           | £6.95                                     |
|                          |  | South Africa                | £6.62           | £9.93                                     |
|                          | — for each additional 1,000 kg or part thereof | Colombia, Kenya             | £1.32           | £1.98                                     |
|                          |  | Zimbabwe                    | £0.18           | £0.27                                     |
| South Africa             |  | £0.26                       | £0.39           |   |
| <i>Prunus</i>            | Per consignment                                |                             |                 |   |
|                          | — up to 25,000 kg in weight                    | Chile, South Africa, Turkey | £1.32           | £1.98                                     |
|                          |  | USA                         | £3.31           | £4.96                                     |
|                          |  | Argentina                   | £4.63           | £6.95                                     |
|                          | — for each additional 1,000 kg or part thereof | Chile, South Africa, Turkey | £0.05           | £0.07                                     |
|                          |  | USA                         | £0.13           | £0.19                                     |
| Argentina                |  | £0.18                       | £0.27           |   |
| <i>Pyrus</i>             | Per consignment                                |                             |                 |   |
|                          | — up to 25,000 kg in weight                    | South Africa                | £1.32           | £1.98                                     |
|                          |  | Argentina                   | £1.98           | £2.97                                     |
|                          |  | Chile, China                | £4.63           | £6.95                                     |
|                          | — for each additional 1,000 kg or part thereof | South Africa                | £0.05           | £0.07                                     |
|                          |  | Argentina                   | £0.07           | £0.11                                     |
| Chile, China             |  | £0.18                       | £0.27           |   |
| <b><i>Vegetables</i></b> |  |                             |                 |   |
| <i>Solanum melongena</i> | Per consignment                                |                             |                 |   |
|                          | — up to 25,000 kg in weight                    | Turkey                      | £1.32           | £1.98                                     |

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| <i>Column 1</i> | <i>Column 2</i>                                | <i>Column 3</i>          | <i>Column 4</i> | <i>Column 5</i>                           |
|-----------------|--|--------------------------|-----------------|---|
| <i>Genus</i>    | <i>Quantity</i>                                | <i>Country of origin</i> | <i>Fee</i>      | <i>Fee (outside normal working hours)</i> |
|                 | — for each additional 1,000 kg or part thereof | Turkey                   | £0.05           | £0.07”.                                   |

The total fee for additional units or weight is to be rounded down to the nearest whole penny, or if that fee is less than £0.01 it is to be disregarded.

St Andrew’s House,  
Edinburgh  
18th November 2010

*RICHARD LOCHHEAD*  
A member of the Scottish Executive

*Status: This is the original version (as it was originally made).*

## EXPLANATORY NOTE

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

These Regulations amend the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005 (“the principal Regulations”). The principal Regulations implement Article 13d of Council Directive 2000/29/EC (O.J. L 169, 10.7.2000, p.1) (“the Council Directive”) which requires Member States to charge fees to cover costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products and other objects from third countries.

The Council Directive contains a procedure (Articles 13a(2), 13d(2) and 18(2)) for setting reduced rates of inspection for imports of certain plants and plant products and for charging fees at a proportionately reduced rate.

Schedule 1 to the principal Regulations sets out the standard fees for plant health checks. Schedule 2 to the principal Regulations sets out the fees for reduced rate inspections.

These Regulations substitute Schedule 2 to the principal Regulations in light of the Notification of Reduced Plant Health Checks for Certain Products of 25th June 2010, published by the Commission under Article 2(2) of Commission Regulation (EC) 1756/2004 (O.J. L 313, 12.10.2004, p.6) (“the Commission Regulation”). The Commission Regulation makes provision for the publication of a list of products for which plant health checks may be carried out at a reduced frequency, and specifies the level of the reduced frequency.

The changes to the fees made by these Regulations, which are set at a direct proportion of the standard fee (described in Schedule 1 to the principal Regulations) corresponding to the rate of inspection, are based on the agreed inspection rates set out in the table below:

| Genus              | Country of origin | Standard fee in Schedule 1 of the principal Regulations | Current rate of inspection | Current reduced rate of fee <sup>(1)</sup> | New rate of inspection | New reduced rate of fee |
|--------------------|-------------------|---|----------------------------|--|------------------------|-------------------------|
| <b>Cut Flowers</b> |                   | £13.24  |                            |  |                        |                         |
| <i>Dianthus</i>    | Colombia          |   | 3%                         | £0.39                                      | 5%                     | £0.66                   |
| <i>Dianthus</i>    | Israel            |   | 50%                        | £6.62                                      | 100% <sup>(2)</sup>    |                         |
| <i>Dianthus</i>    | Kenya             |   | 25%                        | £3.31                                      | 5%                     | £0.66                   |
| <i>Rosa</i>        | Colombia          |   | 5%                         | £0.66                                      | 3%                     | £0.39                   |
| <i>Rosa</i>        | Ethiopia          |   | 10%                        | £1.32                                      | 5%                     | £0.66                   |
| <i>Rosa</i>        | Kenya             |   | 10%                        | £1.32                                      | 5%                     | £0.66                   |
| <i>Rosa</i>        | Tanzania          |   | 15%                        | £1.98                                      | 10%                    | £1.32                   |

(1) Current fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the Regulations for additional quantities, maximum price per consignment and non-daytime working hours.

(2) Consignments subject to an inspection rate of 100% are, by definition, excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

**Status:** This is the original version (as it was originally made).

| Genus            | Country of origin | Standard fee in Schedule 1 of the principal Regulations | Current rate of inspection | Current reduced rate of fee <sup>(1)</sup> | New rate of inspection | New reduced rate of fee |
|------------------|-------------------|---|----------------------------|--|------------------------|-------------------------|
| <i>Rosa</i>      | Uganda            |   | 100%                       |  | 25%                    | £3.31                   |
| <i>Rosa</i>      | Zambia            |   | 50%                        | £6.62                                      | 25%                    | £3.31                   |
| <b>Fruit</b>     |                   | £13.24  |                            |  |                        |                         |
| <i>Citrus</i>    | Egypt             |   | 25%                        | £3.31                                      | 15%                    | £1.98                   |
| <i>Citrus</i>    | Honduras          |   | 50%                        | £6.62                                      | 75%                    | £9.93                   |
| <i>Mangifera</i> | Brazil            |   | 10%                        | £1.32                                      | 50%                    | £6.62                   |
| <i>Psidium</i>   | Brazil            |   | 75%                        | £9.93                                      | 100% <sup>(2)</sup>    |                         |
| <i>Prunus</i>    | USA               |   | 50%                        | £6.62                                      | 25%                    | £3.31                   |
| <i>Pyrus</i>     | South Africa      |   | 15%                        | £1.98                                      | 10%                    | £1.32                   |

- (1) Current fee per consignment for cut flowers (up to 20,000 in number) and fruit and vegetables (up to 25,000 kg in weight). Corresponding fees are set in the Regulations for additional quantities, maximum price per consignment and non-daytime working hours.
- (2) Consignments subject to an inspection rate of 100% are, by definition, excluded from the reduced rate inspection scheme and are subject to the import inspection fees specified in Schedule 1 to the principal Regulations.

No Business and Regulatory Impact Assessment has been prepared for this instrument as it has no impact on the cost of business.