
STATUTORY INSTRUMENTS

1995 No. 1989

PLANT HEALTH

The Plant Health (Forestry) (Great Britain) (Amendment) Order 1995

<i>Made</i>	- - - -	<i>14th July 1995</i>
<i>Laid before Parliament</i>		<i>1st August 1995</i>
<i>Coming into force</i>	- -	<i>21st August 1995</i>

The Forestry Commissioners, in exercise of the powers conferred on them by section 2 and 3 of the Plant Health Act 1967(1) and of all other powers enabling them in that behalf, hereby make the following Order:

Title and commencement

1. This Order may be cited as the Plant Health (Forestry) (Great Britain) (Amendment) Order 1995 and shall come into force on 21st August 1995.

Amendment of the Plant Health (Forestry) (Great Britain) Order 1993

2.—(1) The Plant Health (Forestry) (Great Britain) Order 1993(2) shall be amended in accordance with the provisions of this article.

(2) In article 16(1) (conditions for registration) there shall be inserted after sub-paragraph (g) the following sub-paragraph—

“(h) he shall make a declaration at such time and in such form as the Commissioners may from time to time require that he is able and willing to comply with the conditions specified in the above sub-paragraphs and with the other provisions of this Order.”

(3) After article 19 there shall be inserted the following article—

“Notification of landing of relevant material, consigned directly from third countries, whose landing in Great Britain is subject to special conditions

(1) 1967 c. 8; sections 2(1) and 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48). The powers conferred by sections 2 and 3 of the Plant Health Act 1967 are conferred on "a competent authority", which expression is defined in section 1(2), as regards the protection of forest trees and timber from attack by pests, as the Forestry Commissioners.

(2) S.I.1993/1283, amended by S.I. 1994/3094.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (19A) (1) Subject to paragraph (2) below, no person shall land in Great Britain any relevant material of a description specified in column 2 of Part A of Schedule 4 unless he has notified an inspector of his intention to land that relevant material and of the proposed means of introduction and point of entry at least three days before the intended date of landing.
- (2) Paragraph (1) above shall not apply to items 11 to 19 of Part A of Schedule 4.”.
- (4) For Part B of Schedule 5 there shall be substituted the contents of the Schedule to this Order.

In witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 14th July 1995.

L.S.

T J D Rollinson
Secretary to the Forestry Commissioners

SCHEDULE

Article 2(4)

“PART B

RELEVANT MATERIAL WHOSE CONSIGNMENT TO A PROTECTED ZONE OUTSIDE GREAT BRITAIN IS SUBJECT TO SPECIAL CONDITIONS

(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
1.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones: (a) the wood shall be accompanied by an official statement that it originates in areas known to be free from <i>Dendroctonus micans</i> Kugelann; or (b) there shall be evidence by a mark “Kiln-dried”, “K.D.” or another internationally recognised mark, put on the wood or on its packaging in accordance with current commercial	Greece, Ireland, Spain, Northern Ireland, Jersey and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
2.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	<p>usage, that it has undergone kiln-drying to below 20% moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/temperature schedule</p> <p>Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones</p> <p>(a) the wood shall be accompanied by an official statement that it originates in areas known to be free from <i>Ips duplicatus</i> Sahlberg; or</p> <p>(b) there shall be evidence by a mark “Kiln-dried”, “K.D.” or another</p>	Greece, Ireland, Spain, Northern Ireland, Jersey and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
3.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones: (a) the wood shall be accompanied by an official statement that it originates in areas known to be free	Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
4.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones: from <i>Ips typographus</i> Heer, or (b) there shall be evidence by a mark “Kiln-dried”, “K.D.” or another internationally recognised mark, put on the wood or on its packaging in accordance with current commercial usage, that it has undergone kiln-drying to below 20% moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/temperature schedule	France (Corsica), Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
		<p>(a) the wood shall be accompanied by an official statement that it originates in areas known to be free from <i>Ips amitinus</i> Eichhoff;</p> <p>or</p> <p>(b) there shall be evidence by a mark “Kiln-dried”, “K.D.” or another internationally recognised mark, put on the wood or on its packaging in accordance with current commercial usage, that it has undergone kiln-drying to below 20% moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/</p>		

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment temperature schedule	(4) Protected zone(s)	(5) Plant passport required
5.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	<p>Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones:</p> <p>(a) the wood shall be accompanied by an official statement that it originates in areas known to be free from <i>Ips cembrae</i> Heer;</p> <p>or</p> <p>(b) there shall be evidence by a mark “Kiln-dried”, “K.D.” or another internationally recognised mark, put on the wood or on its packaging in accordance with current commercial usage, that it has undergone kiln-drying to below 20% moisture content,</p>	Greece, Ireland, Spain, Northern Ireland and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
		expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/temperature schedule		
6.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones: (a) the wood shall be accompanied by an official statement that it originates in areas known to be free from <i>Ips sexdentatus</i> Boerner; or (b) there shall be evidence by a mark “Kiln-dried”, “K.D.” or another internationally recognised mark, put on the wood or on its packaging in accordance	Ireland, Northern Ireland and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
		with current commercial usage, that it has undergone kiln-drying to below 20% moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/temperature schedule		
7.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones: (a) the wood shall be accompanied by an official statement that it originates in areas known to be free from <i>Pissodes</i> spp. (European); or (b) there shall be evidence by a mark	Ireland, Northern Ireland, Jersey and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
8.	Wood of conifers (Coniferales), retaining any bark, other than wood actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone, the wood shall be accompanied by an official statement that it originates in areas known to be free	France (Corsica)	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
		from <i>Matsucoccus feytaudi</i> Duc		
9.	Trees of conifers (Coniferales), over 3 metres in height, other than fruit or seeds	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they originate in areas known to be free from <i>Dendroctonus micans</i> Kugelann	Greece, Ireland, Spain, Northern Ireland, Jersey and the Isle of Man	Yes
10.	Trees of conifers (Coniferales), over 3 metres in height, other than fruit or seeds	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they originate in areas known to be free from <i>Ips duplicatus</i> Sahlberg	Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes
11.	Trees of conifers (Coniferales), over 3 metres in height, other than fruit or seeds	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied	Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
		by an official statement that they originate in areas known to be free from <i>Ips typographus</i> Heer		
12.	Trees of conifers (Coniferales), over 3 metres in height, other than fruit or seeds	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they originate in areas known to be free from <i>Ips amitinus</i> Eichhoff	France (Corsica), Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes
13.	Trees of conifers (Coniferales), over 3 metres in height, other than fruit or seeds	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they originate in areas known to be free from <i>Ips cembrae</i> Heer	Greece, Ireland, Spain, Northern Ireland and the Isle of Man	Yes
14.	Trees of conifers (Coniferales), over 3 metres in height, other than fruit or seeds	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone	Ireland, Northern Ireland, and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
15.	Trees of conifers (Coniferales) other than fruit or seeds,	or zones, the trees shall be accompanied by an official statement that they originate in areas known to be free from <i>Ips sexdentatus</i> Boerner Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they originate in areas known to be free from <i>Pissodes spp.</i> (European)	Ireland, Northern Ireland, Jersey and the Isle of Man	Yes
16.	Isolated bark of conifers (Coniferales)	Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone or zones, the bark shall be accompanied by an official statement that the consignment: (a) has been subjected to fumigation or other appropriate treatment for bark beetles; or	Greece, Ireland, Spain, Northern Ireland, Jersey and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
17.	Isolated bark of conifers (Coniferales)	<p>(b) originates in areas known to be free from <i>Dendroctonus micans</i> Kugelann</p> <p>Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone or zones, the bark shall be accompanied by an official statement that the consignment:</p> <p>(a) has been subjected to fumigation or other appropriate treatment for bark beetles; or</p> <p>(b) originates in areas known to be free from <i>Ips amitinus</i> Eichhoff</p>	France (Corsica), Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes
18.	Isolated bark of conifers (Coniferales)	<p>Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone or zones, the bark shall be accompanied by an official statement that the consignment:</p>	Greece, Ireland, Spain, Northern Ireland and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
19.	Isolated bark of conifers (Coniferales)	<p>Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone or zones, the bark shall be accompanied by an official statement that the consignment:</p> <p>(a) has been subjected to fumigation or other appropriate treatment for bark beetles; or</p> <p>(b) originates in areas known to be free from <i>Ips cembrae</i>Heer</p>	Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes
20.	Isolated bark of conifers (Coniferales)	<p>Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone</p>	Ireland, Northern Ireland and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
21.	Isolated bark of conifers (Coniferales)	<p>Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone or zones, the bark shall be accompanied by an official statement that the consignment:</p> <p>(a) has been subjected to fumigation or other appropriate treatment for bark beetles; or</p> <p>(b) originates in areas known to be free from <i>Ips sexdentatus</i> Boerner,</p>	Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
22.	Isolated bark of conifers (Coniferales)	Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone, the bark shall be accompanied by an official statement that the consignment: (a) has been subjected to fumigation or other appropriate treatment; or (b) originates in areas known to be free from <i>Matsucoccus feytaudi</i> Duc.	France (Corsica)	Yes
23.	Isolated bark of conifers (Coniferales)	Without prejudice to the other conditions applicable to the bark under this Part in relation to the same protected zone or zones, the bark shall be accompanied by an official statement that the consignment: (a) has been subjected to fumigation or other appropriate treatment	Ireland, Northern Ireland, Jersey and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
		for bark beetles; or (b) originates in areas known to be free from <i>Pissodes</i> spp. (European)		
24.	Trees of <i>Larix</i> Mill., other than seeds, intended for planting	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they have been produced in nurseries and that the place of production is free from <i>Cephalcia lariciphila</i> (Klug.)	Ireland, Northern Ireland, Jersey and the Isle of Man	Yes
25.	Trees of <i>Pinus</i> L., <i>Picea</i> A. Dietr., <i>Larix</i> Mill., <i>Abies</i> Mill. and <i>Pseudotsuga</i> Carr., other than seeds, intended for planting	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they have been produced in nurseries and	Ireland and Northern Ireland	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
26.	Trees of <i>Pinus</i> L., other than seeds, intended for planting	that the place of production is free from <i>Gremmeniella abietina</i> (Lag.) Morelet Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone, the trees shall be accompanied by an official statement that they have been produced in nurseries and that the place of production is free from <i>Thaumetopoea pityocampa</i> (Den. et Schiff.)	Spain (Ibiza)	Yes
27.	Trees of <i>Picea</i> A Dietr., other than seeds, intended for planting	Without prejudice to the other conditions applicable to the trees under this Part in relation to the same protected zone or zones, the trees shall be accompanied by an official statement that they have been produced in nurseries and that the place of production is free from <i>Gilpinia hercyniae</i> (Hartig.)	Greece, Ireland, Northern Ireland, Jersey and the Isle of Man	Yes

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(1) Item	(2) Description of relevant material	(3) Conditions of consignment	(4) Protected zone(s)	(5) Plant passport required
28.	Used forestry machinery	The machinery shall be cleaned and free from soil and plant debris	Denmark, Ireland, Northern Ireland, Portugal (Azores), the Channel Islands and the Isle of Man	No
29.	Wood of conifers (Coniferales), actually in use as dunnage	Without prejudice to the other conditions applicable to the wood under this Part in relation to the same protected zone or zones: (a) the wood shall be stripped of its bark; or (b) the wood shall have undergone kiln- drying to below 20% moisture content, expressed as a percentage of dry matter, at time of manufacture, achieved through an appropriate time/ temperature schedule	France (Corsica), Greece, Ireland, Spain, Northern Ireland, the Channel Islands and the Isle of Man	No”

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Forestry) (Great Britain) Order 1993 so as to reflect changes in the recognized protected zones agreed in accordance with the procedure laid down by Council Directive [77/93/EEC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJNo. L26, 31.1.77, p.20), as amended. The Order also completes the implementation of the amendment to Council Directive [77/93/EEC](#) made by Commission Directive [93/110/EC](#) (OJ No. L303, 10.12.93, p.19) (article 2(4)).

The Order contains provisions to improve protection against the introduction and spread of tree pests. It permits the Forestry Commissioners to require a forestry trader to make a declaration of his ability and willingness to comply with the provisions of the Plant Health (Forestry) (Great Britain) Order 1993 as a condition of being listed in the register of forestry traders (article 2(2)), and it provides that prior notification must be given to an inspector of intention to import relevant material from countries outside the European Community (article 2(3)).