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STATUTORY INSTRUMENTS

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**1998 No. 3109**

**PLANT HEALTH**

**The Plant Health (Forestry) (Great Britain) (Amendment) (No. 2) Order 1998**

<i>Made</i>	- - - -	<i>14th December 1998</i>
<i>Laid before Parliament</i>		<i>18th December 1998</i>
<i>Coming into force</i>		
<i>Article 3(3)</i>		<i>1st February 1999</i>
<i>Remainder</i>		<i>14th January 1999</i>

The Forestry Commissioners in exercise of the powers conferred on them by sections 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**

1. This Order may be cited as the Plant Health (Forestry) (Great Britain) (Amendment) (No. 2) Order 1998.

**Commencement**

- 2.—(1) This Order, except article 3(3), shall come into force on 14th January 1999.  
(2) Article 3(3) of this Order shall come into force on 1st February 1999.

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

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

(2) In Schedule 1 in the list of tree pests under the heading “insects, mites and nematodes” after item 1 there shall be inserted –

“1A. *Anoplophora glabripennis* (Motschulsky)”.

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(1) 1967 c. 8; sections 2(1) and 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48).  
(2) S.I.1993/1283, amended by S.I. 1994/3094, 1995/1989, 1996/751 and 1998/2206.

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*Status: This is the original version (as it was originally made).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

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(3) In Schedule 4, Part A after item 2 there shall be inserted –

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“2A. Wood, other than wood of conifers (Coniferales), in the form of packing cases, crates, drums, pallets, box pallets or load boards, dunnage, spacers and bearers, including wood which has not kept its natural round surface, originating in China (excluding Hong Kong SAR)	Without prejudice to article 3(1), Part A of Schedule 2 and Schedule 3, and to the other conditions applicable to the wood under this Part:	None”.
	(a) the wood shall be stripped of its bark and shall be free from grub holes which are larger than 3 mm across; 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	

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In witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 14th December 1998.

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*W. F. G. Strang*  
Secretary to the Forestry Commissioners

## EXPLANATORY NOTE

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

This Order amends the Plant Health (Forestry) (Great Britain) Order 1993. It prohibits the landing and spread within Great Britain of the tree pest *Anoplophora glabripennis* (Motschulsky) with effect from 14th January 1999 (articles 2(1) and 3(2)).

It also places restrictions on the landing of wood, other than wood of conifers, in certain forms originating in China (excluding Hong Kong SAR) with effect from 1st February 1999 (articles 2(2) and 3(3)).

A Regulatory Impact Assessment has been prepared and placed in the library of both Houses of Parliament. Copies can be obtained from the Forestry Commission, 231 Corstorphine Road, Edinburgh EH12 7AT.