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STATUTORY INSTRUMENTS

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**1998 No. 349**

**PLANT HEALTH**

**The Plant Health (Great Britain) (Amendment) Order 1998**

*Made* - - - - 23rd February 1998  
*Laid before Parliament* 23rd February 1998  
*Coming into force* - - 25th February 1998

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred on them by sections 2 and 3 of the Plant Health Act 1967(1) and now vested in them(2) 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 (Great Britain) (Amendment) Order 1998 and shall come into force on 25th February 1998.

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

2.—(1) The Plant Health (Great Britain) Order 1993(3) shall be amended in accordance with paragraphs (2) to (4) below.

(2) In Schedule 4, Part A, Section 1, after item 54 there shall be inserted the following—

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“55.	Cut flowers of Orchidaceae originating in Thailand	In relation to consignments leaving Thailand after 9th February 1998, an official statement on the phytosanitary certificate, either— (a) under the heading “Additional declaration”, that the cut flowers have been produced at a place of production
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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) In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272.  
(3) S.I. 1993/1320; amended by S.I. 1993/3213, 1995/1358 and 2929, 1996/25, 1165 and 3242, 1997/1145 and 2907.

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which has been found to be free from *Thrips palmi* Karny on official inspections carried out at least monthly during the three months prior to export; or,

- (b) under the heading “Additional declaration”, that as a consignment prior to export the cut flowers have been subjected to an appropriate fumigation treatment to ensure freedom from Thysanoptera, and, under the heading “Disinfestation and/or disinfection treatment”, specifying the fumigation treatment applied prior to export.”.

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(3) In Schedule 5, Part B, Section I, after item 8 there shall be added the following—

“9. Cut flowers of Orchidaceae originating in Thailand and which left Thailand after 9th February 1998.”

(4) In Schedule 16 there shall be inserted at the end the following—

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“Commission Decision [98/109/EC](#)

OJNo. L27, 3.2.98, p. 47”.

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23rd February 1998

*Jeff Rooker*  
Minister of State, Ministry of Agriculture,  
Fisheries and Food

19th February 1998

*Sewel*  
Parliamentary Under Secretary of State, Scottish  
Office

Signed by authority of the Secretary of State for Wales

20th February 1998

*Win Griffiths*  
Parliamentary Under Secretary of State, Welsh  
Office

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## EXPLANATORY NOTE

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

This Order amends the Plant Health (Great Britain) Order 1993 so as to implement Commission Decision [98/109/EC](#) (OJ No. L27, 3.2.98, p. 47) authorising member States temporarily to take emergency measures against the dissemination of *Thrips palmi* Karny as regards Thailand. It applies to consignments of cut flowers of Orchidaceae (cut orchid flowers) which left Thailand after 9th February 1998.

The Order, which comes into force on 25th February 1998, introduces the requirement that imports of such orchid flowers must be accompanied by a phytosanitary certificate (article 2(3)) which contains certain information about steps taken with regard to *Thrips palmi* Karny (article 2(2)).

The Order also makes a minor consequential amendment to the 1993 Order (article 2(4)).