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STATUTORY INSTRUMENTS

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**2005 No. 2530**

**PLANT HEALTH, ENGLAND**

**The Plant Health (England) Order 2005**

*Made - - - - 9th September 2005*

*Laid before Parliament 12th September 2005*

*Coming into force 3rd October 2005*

**THE PLANT HEALTH (ENGLAND) ORDER 2005**

PART 1

GENERAL

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2. General interpretation

PART 2

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3. Interpretation of Part 2
4. Application of Part 2
5. Prohibitions and restrictions on landing plant pests and relevant material
6. Advance notification of landing
7. Requirements for certificates
8. Exceptions from certain prohibitions and requirements
9. Presentation and display of documents
10. Prohibition on removal of relevant material from an area of plant health control
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12. Plant health discharge
13. Request to an officer for Revenue and Customs for material to be detained
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15. General provisions relating to certificates
16. Requirements to be met by relevant material prior to inspection at its place or country of destination
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### PART 3

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SCHEDULE 1 — Plant pests which shall not be landed in or spread within England

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PART A — Plant pests not known to occur in the European Community

PART B — Plant pests known to occur in the European Community

SCHEDULE 3 — Relevant material which may not be landed in England if that material originates in certain third countries

SCHEDULE 4 — Restrictions on the landing in and movement within England of relevant material

PART A — Relevant material, from third countries, which may only be landed in England if special requirements are satisfied

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SCHEDULE 5 — Relevant material from a third country for which a phytosanitary certificate may be required

PART A — Relevant material which may only be landed in England if accompanied by a phytosanitary certificate

- 1. Plants, intended for planting, other than seeds but including seeds...
- 2. Parts of plants, other than fruit or seeds, of—

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3. Fruits of— (a) Citrus L., Fortunella Swingle, Poncirus Raf., Momordica...
4. Tubers of Solanum tuberosum L.
5. Soil or growing medium, which consists in whole or in...
6. Soil or growing medium attached to or appears to have...
7. Grain of the genera Triticum, Secale or X Triticosecale originating...
  - PART B — Relevant material which, if destined for certain protected zones, may only be landed in England if accompanied by a phytosanitary certificate
1. Plants of Beta vulgaris L. intended for industrial processing.
2. Without prejudice to paragraphs 5 and 6, soil from beet...
3. Live pollen for pollination of Amelanchier Med., Chaenomeles Lindl., Cotoneaster...
4. Parts of plants, other than fruit or seeds, of Amelanchier...
5. Seeds of Dolichos Jacq., Magnifera spp., Beta vulgaris L. or...
6. Seeds or fruits (bolls) of Gossypium spp. or unginned cotton....
7. Fruits of Vitis L.
8. Parts of plants of Eucalyptus L'Hérit.

SCHEDULE 6 — Prohibitions on the landing in and movement within England of relevant material without a plant passport

PART A — Relevant material, from England or elsewhere in the European Community, which may only be landed in or moved within England if accompanied by a plant passport

1. Plants, intended for planting, other than seeds, of Amelanchier Med.,...
2. Plants, other than seeds, of Beta vulgaris L. or Humulus...
3. Plants of stolon or tuber forming species of Solanum L.,...
4. Plants, other than fruit or seeds, of Fortunella Swingle, Poncirus...
5. Plants, other than fruit or seeds, of Citrus L..
6. Fruits of Citrus L., Fortunella Swingle or Poncirus Raf., with...
7. Plants in paragraphs (a) to (e) which are produced by...
  - PART B — Relevant material, from England or elsewhere in the European Community, which may only be landed in or moved within England if accompanied by a plant passport which is valid for England (as a protected zone)
1. Plants in paragraphs (a) and (b) which are produced by...

SCHEDULE 7 — Prohibitions on the consignment of relevant material to another part of the European Community without a plant passport

PART A — Relevant material which may only be consigned to another part of the European Community if accompanied by a plant passport

1. Plants, intended for planting, other than seeds, of Amelanchier Med.,...
2. Plants, other than seeds, of Beta vulgaris L. or Humulus...
3. Plants of stolon or tuber forming species of Solanum L.,...
4. Plants, other than fruit or seeds, of Fortunella Swingle, Poncirus...
5. Plants, other than fruit or seeds, of Citrus L..
6. Fruits of Citrus L., Fortunella Swingle or Poncirus Raf., with...
7. Plants in paragraphs (a) to (e) which are produced by...
  - PART B — Relevant material which may only be consigned to a protected zone in another part of the European Community if accompanied by a plant passport which is valid for that protected zone
1. Plants of Abies Mill., Larix Mill., Picea A. Dietr., Pinus...
2. Plants, other than seeds, of Populus L. or Beta vulgaris...
3. Plants, other than fruit or seeds, of Amelanchier Med., Chaenomeles...

4. Live pollen for pollination of Amelanchier Med., Chaenomeles Lindl., Cotoneaster...
5. Tubers of Solanum tuberosum L., intended for planting.
6. Plants of Beta vulgaris L., intended for industrial processing.
7. Soil from beet or unsterilised waste from beet (Beta vulgaris...
8. Seeds of Beta vulgaris L., Dolichos Jacq., Gossypium spp. or...
9. Fruits (bolls) of Gossypium spp. or unginned cotton or fruits...
10. The plants in paragraphs (a) and (b) which are produced...

SCHEDULE 8 — Swiss plant passports

PART A — Relevant material originating in Switzerland which may be landed in or moved within England if accompanied by a Swiss plant passport

1. Plants, other than seeds, of Beta vulgaris L., Camellia L.,...
2. Plants, other than fruit or seeds, but including live pollen...
3. Plants of stoloniferous and tuberous species intended for planting of...
4. Plants, other than fruit, of Vitis.
5. Plants in sub-paragraphs (a) to (f), produced by producers authorised...

PART B — Relevant material imported into Switzerland from another third country which, if it would normally be permitted to be landed in England if accompanied by a phytosanitary certificate, may be accompanied by a swiss plant passport or may be landed without phytosanitary documentation

1. Plants, other than seeds, intended for planting.
2. Seeds of Cruciferae, Gramineae other than Oryza spp. or Trifolium...
3. Seeds of Allium ascalonicum L., Allium cepa L., Allium porrum...
4. Seeds of Triticum, Secal and X Triticosecale originating in Afghanistan,...
5. Parts of plants, other than fruit or seeds, of—
6. Fruit of— (a) Momordica L. or Solanum melongena L.; or...
7. Tubers of Solanum tuberosum L. other than for planting.
8. Soil or growing medium, which consists in whole or in...
9. Soil or growing medium attached to or appears to have...
10. Grains of the genera Triticum, Secale or X Triticosecale originating...

SCHEDULE 9 — Requirements for plant passports

PART A — Requirements for plants passports for any relevant material in Schedule 6 or 7

1. A plant passport may only be issued in respect of...
2. Subject to Part B, a plant passport shall comprise either...
3. The references in paragraph 1 above to an official label...
4. (1) The information contained in a plant passport shall be—...
5. Where a plant passport comprises only an official label, it...
6. Where the plant passport comprises an official label and an...
7. The information referred to in paragraph 5 and 6 above...

PART B — Requirements for plant passports permitted for certain material in Schedule 6 or 7

1. A plant passport in respect of any relevant material referred...
2. The official label in paragraph 1 in respect of tubers...
3. The official label in paragraph 1 in respect of seeds...
4. The official label in paragraph 1 in respect of seeds...
5. The official label in paragraph 1 in respect of seeds...

SCHEDULE 10 — Form of phytosanitary certificate and form of phytosanitary certificate for re-export required by article 15(1)

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- PART A — Form of phytosanitary certificate
- PART B — Form of phytosanitary certificate for re-export

SCHEDULE 11 — Form of phytosanitary certificate and form of phytosanitary certificate for re-export permitted by article 15(1)

- PART A — Form of a phytosanitary certificate
- PART B — Form of a phytosanitary certificate for re-export

SCHEDULE 12 — Notice of landing

PART A

1. The notice of landing required under article 6(1) shall be...
2. The information contained in the notice in paragraph (1) shall...

PART B

SCHEDULE 13 — Plant health movement document

PART A

1. The plant health movement document required under article 18 shall...
2. The information contained in the notice in paragraph (1) shall...

PART B

SCHEDULE 14 — Special measures for the control of Potato Wart Disease

1. If, as a result of an official test, *Synchytrium endobioticum*...
2. A plot shall be regarded as being contaminated for the...
3. A notice under article 32 may require any potato tubers...
4. Where an inspector is satisfied that any potato tubers or...
5. Where a contaminated plot is demarcated under paragraph 1—
6. Where a safety zone is demarcated under paragraph 1 no...
7. A potato variety shall be considered to be resistant to...
8. Where an inspector is satisfied that *Synchytrium endobioticum* is no...

SCHEDULE 15 — Special measures for the control of Potato Cyst Nematode

1. If, as a result of an official test, Potato Cyst...
2. Subject to paragraph 5, no person shall distribute as seed...
3. Subject to paragraph 5, where contaminated land is demarcated under...
4. Where an inspector is satisfied that Potato Cyst Nematode is...
5. Provided there is no risk of the spread of Potato...
6. A potato variety shall be regarded as being resistant to...

SCHEDULE 16 — Special measures for the control of Potato Ring Rot

1. In this Schedule— “specified plant material” means tubers or plants...
2. Where specified plant material is designated by an inspector to...
3. The methods by which material can be required to be...
4. Where specified plant material is determined by an inspector to...
5. The methods by which material can be required to be...
6. A notice under article 32 may require that any machinery,...
7. Anything cleansed and disinfected in accordance with paragraph 6(b) shall...
8. Without prejudice to paragraph 6, a notice under article 32...
9. Subject to paragraph 13, where a place of production is...
10. The measures referred to in paragraph 9 are—
11. The measures referred to in paragraph 9 are—
12. Where an inspector is satisfied that a place of production...
13. Where an inspector is satisfied that a place of production...

14. The measures referred to in paragraph 13(b) are—
15. The authorisation referred to in paragraph 13(a) may require that...
16. Where a place of production is designated by an inspector...

#### SCHEDULE 17 — *Ralstonia solanacearum*

##### PART A — Special measures for the control of *Ralstonia solanacearum*

1. In this Schedule—“agricultural land” means land used or capable...
2. Where specified plant material is designated by an inspector to...
3. The methods by which material can be required to be...
4. Where specified plant material is determined by an inspector to...
5. The methods by which material can be required to be...
6. A notice under article 32 may require that any machinery,...
7. Anything cleansed and, where appropriate disinfected in accordance with paragraph...
8. Without prejudice to paragraph 6, a notice under article 32...
9. Subject to paragraph 12, where a place of production is...
10. The measures referred to in paragraph 9 are—
11. The measures referred to in paragraph 9 are—
12. Where a place of production is designated by an inspector...
13. The measures referred to in paragraph 12(b) are—
14. The authorisation referred to in paragraph 12(a) may require that—...
15. Where a place of production is designated by an inspector...
16. Where a place of production is designated by an inspector...

##### PART B — Demarcation of zones for the control of *Ralstonia solanacearum*

1. The Secretary of State shall make notice available to the...
2. The zone shall remain demarcated for the purposes of this...
3. For the purposes of this Order, a notice made available...
4. Any premises which are partly inside and partly outside a...
5. Paragraph 4 shall not apply in respect of any part...
6. When a declaration has been made pursuant to paragraph 1...

#### SCHEDULE 18 — Notification requirements

1. Live organisms of the animal kingdom
2. *Ditylenchus dipsaci* (Kühn) Filipjev – Stem nematode
3. *Globodera rostochiensis* (Wollenweber) Behrens and *Globodera pallida* Stone Behrens –...
1. Bacteria
2. *Clavibacter michiganensis* subsp. *michiganensis* (Smith) Davis et al. (syn. *Corynebacterium*...
3. *Erwinia amylovora* (Burr.) Winslow et al., the cause of Fire...
4. *Erwinia chrysanthemi* pv *dianthicola* (Hellmers) Dickey – Slow wilt of...
5. *Xanthomonas campestris* pv *vesicatoria* (Diodge) Dye – Tomato bacterial spot...
1. Cyptograms
2. *Phialophora cinerescens* (Wollenweber) Van Beyma – a carnation wilt
3. *Puccinia horiana* P. Henn – Chrysanthemum white rust
4. *Verticillium albo-atrum* Reinke and Berth. – *Verticillium* wilt disease
5. *Verticillium dahliae* Klebahn – *Verticillium* wilt of hops
1. Viruses and virus-like pathogens
2. Chrysanthemum stunt viroid
3. Plum pox virus
4. Raspberry ringspot virus
5. Strawberry crinkle virus

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6. Strawberry latent ringspot virus
7. Strawberry mild yellow edge virus
8. Tomato black ring virus
9. Tomato spotted wilt virus

SCHEDULE 19 — Revocation of Orders

Explanatory Note