
STATUTORY INSTRUMENTS

2020 No. 1466

The Official Controls (Plant Health and Genetically Modified Organisms) (England) (Amendment) (No. 5) Regulations 2020

Amendment of the Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019

2.—(1) The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019⁽¹⁾ are amended as follows.

(2) In regulation 3(1)—

- (a) omit the definition of “[Commission Implementing Decision \(EU\) 2015/789](#)”;
- (b) after the definition of “[Commission Implementing Decision \(EU\) 2019/2032](#)” insert—
““[Commission Implementing Decision \(EU\) 2020/1201](#)” means [Commission Implementing Decision \(EU\) 2020/1201](#) as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells et al.)⁽²⁾”

(3) In regulation 38(1)(b), for “2(1), 2A(1), 2B(1), 2C(2), 2D(2), 2E(1), 2F(3), 3A, ” substitute “2(1), 2B(1), 2C(2), 2F(3), ”.

(4) In Schedule 1—

- (a) in paragraph 1—
 - (i) in the definition of “controlled material”, for “paragraph 2(1), 2A(1), 2B(1), 2C(2), 2D(2) or 2E(1)” substitute “paragraph 2(1), 2B(1) or 2C(2)”;
 - (ii) in the definition of “phytosanitary certificate”—
 - (aa) for “2A(1), 2B(1), 2C(2) or 2E(1)” substitute “2B(1) or 2C(2)”;
 - (bb) for “2A(2), 2C(3) or 2E(2) (as the case may be)” substitute “2C(3)”.
- (b) in Part 1—
 - (i) for the heading to paragraph 2 substitute “**Temporary measures applying to the introduction of plants, plant products or other objects from third countries**”;
 - (ii) in paragraph 2, after sub-paragraph (1A) insert—
“⁽²⁾ In paragraph (1) “ISPM 4” means International Standard for Phytosanitary Measures No. 4 of November 1995 on the requirements for the establishment of pest-free areas, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations⁽³⁾.”;
 - (iii) omit paragraphs 2A, 2D and 2E;
 - (iv) in paragraph 2F, in sub-paragraph 1, for “2(1), 2A(1), 2B(1), 2C(2), 2D(2) and 2E(1)” substitute “2(1), 2B(1) and 2C(2)”.

⁽¹⁾ [S.I. 2019/1517](#), amended by [S.I. 2020/381](#); there are other amending instruments but none is relevant.

⁽²⁾ OJ L 269, 17.8.2020 p.2.

⁽³⁾ Available from the IPPC Secretariat, AGPP-FAO, Viale Delle Terme di Caracalla, 00153, Rome, Italy and at <https://ippc.int/> int.

- (c) in Part 2—
 - (i) omit paragraph 3A;
 - (ii) in paragraph 4—
 - (aa) for sub-paragraph (1) substitute—

“(1) No person may introduce or move any plants, plant products or other objects described in column 2 of Table 1 unless that person is a registered operator and the plants, plant products or other objects are accompanied by an official statement confirming the matters set out in the corresponding entry in column 3 of that Table.”;
 - (bb) omit sub-paragraphs (2) and (3);
 - (cc) in Table 1, omit entries 3, 5 and 6.
- (5) In Schedule 3, in Part 1, in the first column of the table—
 - (a) in the entry relating to Article 41(1), for “and paragraphs 2A(2), 2C(3) and 4(2) of Schedule 1” substitute “and paragraphs 2A(2) and 4(1) of Schedule 1”;
 - (b) in the entry relating to Articles 72(1) and 73, for “(as read with paragraphs 2A(2), 2C(3) and 2E(2) of Schedule 1)” substitute “(as read with paragraph 2C(3) of Schedule 1)”;
 - (c) in the entry relating to Article 85, for “paragraph 4(2) and (3)” substitute “paragraph 4(1)”.
- (6) In Schedule 4—
 - (a) omit the entry relating to [Commission Implementing Decision \(EU\) 2015/789](#);
 - (b) after the entry for [Commission Implementing Decision \(EU\) 2019/2032](#)—
 - (i) in the first column of the table, insert—

“[Commission Implementing Decision \(EU\) 2020/1201](#)”;

- (ii) in the second column of the table, insert—

“Article 25(1) and (2) (requirements in relation to the movement within the Union territory of specified plants which have never been grown inside a demarcated area)

Article 26 (requirements in relation to the movement within the Union territory of pre-basic mother plants or pre-basic material, which have been grown outside a demarcated area)

Article 27 (requirements in relation to the movement of plants referred to in Articles 19 to 26)

Article 28 (requirements in relation to the introduction into the Union territory of host plants originating in a third country where the specified pest is known not to be present)

Article 29 (requirements in relation to the introduction into the Union territory of host plants originating in a pest free area of an infected country)

Article 30(1) and (2) (requirements in relation to the introduction into the Union territory of host plants originating in a pest free production site of an infected country)”.
