
STATUTORY INSTRUMENTS

2021 No. 426

The Official Controls, Plant Health, Seeds and
Seed Potatoes (Amendment etc.) Regulations 2021

PART 6

Frequency of checks

Interpretation

11. In this Part—

- (a) “importation” means bringing goods into Great Britain from a relevant third country;
- (b) “the Official Controls Regulation” means [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁽¹⁾;
- (c) “[Regulation \(EU\) 2019/66](#)” means [Commission Implementing Regulation \(EU\) 2019/66](#) on rules on uniform practical arrangements for the performance of official controls on plants, plant products and other objects in order to verify compliance with Union rules on protective measures against pests of plants applicable to those goods⁽²⁾;
- (d) “relevant third country” has the meaning given by Annex 6 to the Official Controls Regulation;
- (e) “specified goods” means plants, plant products and other objects specified in the Annex to [Regulation \(EU\) 2019/66](#) (inserted by regulation 12(3));
- (f) “transitional staging period” has the meaning given by Annex 6 to the Official Controls Regulation.

Modification of [Commission Implementing Regulation \(EU\) 2019/66](#)

12.—(1) [Regulation \(EU\) 2019/66](#) has effect in relation to the importation of specified goods from a relevant third country during the transitional staging period falling on or after 20th April 2021 subject to the following modifications.

(2) After Article 5, insert—

(1) [EUR 2017/625](#), as amended by [S.I. 2020/1481](#). Article 168 of, and Annex 6 to, [Regulation \(EU\) 2017/625](#) was modified by regulation 2 of [S.I. 2021/136](#).

(2) [EUR 2019/66](#), as amended by [S.I. 2020/1631](#).

*“Article 5A**Uniform minimum frequency of official controls on specified goods entering Great Britain from a relevant third country*

1. The competent authority must perform identity checks and physical checks on specified goods entering Great Britain from a relevant third country during the transitional staging period falling on or after 20th April 2021 at a frequency equal to or greater than that specified in the Annex.

2. In this Article—

- (a) “relevant third country” has the meaning given by Annex 6 to [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁽³⁾;
- (b) “specified goods” means plants, plant products and other objects specified in the Annex;
- (c) “transitional staging period” has the meaning given by Annex 6 to [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.”.

(3) After Article 8, insert the following Annex—

“Annex

Article 5A

Minimum frequency for identity checks and physical checks of specified goods entering Great Britain from a relevant third country

<i>Category</i>	<i>Plants, plant products or other objects</i>	<i>Frequency of identity checks (%)</i>	<i>Frequency of physical checks (%)</i>
1	Machinery and vehicles which have been operated for agricultural or forestry purposes		
	—	5	5
2	Plants for planting, other than seeds		
	Bulbs, corms, rhizomes, tubers, (other than tubers of 100 potatoes), not intended for final users ⁽¹⁾		100
	Bulbs, corms, rhizomes, tubers, (other than tubers of 10 potatoes), intended for final users ⁽¹⁾		10
	Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables, not intended for final users ⁽¹⁾	100	100
	Other plants intended for planting (other than cut Christmas trees), not intended for final users ⁽¹⁾	100	100

(1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

(3) [EUR 2017/625](#), as amended by [S.I. 2020/1481](#). Article 168 of, and Annex 6 to, Regulation (EU) 2017/625 was modified by regulation 2 of [S.I. 2021/136](#).

Category	Plants, plant products or other objects	Frequency of identity checks (%)	Frequency of physical checks (%)
	Other plants intended for planting (other than cut Christmas trees) not specified elsewhere in this table, intended for final users ⁽¹⁾	10	10
	Tissue cultures	5	5
3	Tubers of potatoes		
	Tubers of <i>Solanum tuberosum</i> L. intended for planting (seed potatoes)	100	100
4	Tubers of potatoes		
	Tubers of—		
	<i>Solanum tuberosum</i> L. (ware potatoes) originating in Poland, Portugal or Romania	50	50
	<i>Solanum tuberosum</i> L. (ware potatoes) originating in Spain	100	100
5	Seeds, not intended for final users⁽¹⁾		
	Seeds of—		
	<i>Allium cepa</i> L.	100	100
	<i>Allium porrum</i> L.	100	100
	<i>Castanea</i> Mill.	100	100
	<i>Capsicum</i> spp. L.	100	100
	<i>Helianthus annuus</i> L.	100	100
	<i>Medicago sativa</i> L.	100	100
	<i>Phaseolus cocineus</i> .	100	100
	<i>Phaseolus vulgaris</i> L.	100	100
	<i>Solanum lycopersicum</i> L.	100	100
	<i>Solanum tuberosum</i> L. (True potato seed)	100	100
	Vegetable seeds of <i>Pisum sativum</i> L. and <i>Vicia faba</i> L.	100	100
	Seeds of oil and fibre plants of—		
	<i>Brassica napus</i> L.	100	100
	<i>Brassica rapa</i> L.	100	100
	<i>Sinapis alba</i> L.	100	100
	<i>Glycine max</i> (L.) Merrill	100	100
	<i>Linum usitatissimum</i> L.	100	100
6	Seeds, intended for final users⁽¹⁾		

(1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

Category	Plants, plant products or other objects	Frequency of identity checks (%)	Frequency of physical checks (%)
	Seeds of—		
	<i>Allium cepa</i> L.	5	5
	<i>Allium porrum</i> L.	5	5
	<i>Castanea</i> Mill.	5	5
	<i>Capsicum</i> spp. L.	5	5
	<i>Helianthus annuus</i> L.	5	5
	<i>Medicago sativa</i> L.	5	5
	<i>Phaseolus cocineus</i> .	5	5
	<i>Phaseolus vulgaris</i> L.	5	5
	<i>Solanum lycopersicum</i> L.	5	5
	<i>Solanum tuberosum</i> L. (True potato seed)	5	5
	Vegetable seeds of <i>Pisum sativum</i> L. and <i>Vicia faba</i> L.	5	5
	Seeds of oil and fibre plants of—		
	<i>Brassica napus</i> L.	5	5
	<i>Brassica rapa</i> L.	5	5
	<i>Sinapis alba</i> L.	5	5
	<i>Glycine max</i> (L.) Merrill	5	5
	<i>Linum usitatissimum</i> L.	5	5
7	Bark		
	Isolated bark of—		
	<i>Castanea</i> Mill.	5	5
	Conifers (Pinales)	5	5
	<i>Juglans</i> L.	5	5
	<i>Pterocarya</i> Kunth.	5	5
8	Wood		
	Wood of <i>Platanus</i> L., including wood which has not kept its natural round surface	50	50
	Wood of <i>Castanea</i> Mill., excluding wood which is bark-free	50	50
	Wood of Conifers (Pinales), including wood which has not kept its natural round surface	50	50

- (1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.

<i>Category</i>	<i>Plants, plant products or other objects</i>	<i>Frequency of identity checks (%)</i>	<i>Frequency of physical checks (%)</i>
	Wood of <i>Prunus</i> L., including wood which has not kept its natural round surface, other than wood of <i>Prunus laurocerasus</i> L.	5	5
	Wood, including wood which has not kept its natural round surface of—		
	<i>Acer</i> L.	5	5
	<i>Aesculus</i> L.	5	5
	<i>Alnus</i> L.	5	5
	<i>Betula</i> L.	5	5
	<i>Carpinus</i> L.	5	5
	<i>Cercidiphyllum</i> Siebold & Zucc.	5	5
	<i>Corylus</i> L.	5	5
	<i>Fagus</i> L.	5	5
	<i>Fraxinus</i> L.	5	5
	<i>Koelreuteria</i> Medikus.	5	5
	<i>Platanus</i> L.	5	5
	<i>Populus</i> L.	5	5
	<i>Salix</i> L.	5	5
	<i>Tilia</i> L.	5	5
	<i>Ulmus</i> L.	5	5
	Wood of <i>Juglans</i> L. and <i>Pterocarya</i> Kunth.	5	5”.

- (1) “Intended for final users” includes clearly packed and ready for supply to final users, identifiable as being for use by landscapers or contractors for planting at the final site of the plants and where additional packing or preparation (excluding multiplication, propagation or growing on) is required before making plants available to final users.