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STATUTORY INSTRUMENTS

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**2021 No. 426**

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

PART 6

Frequency of checks

**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—

*“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<sup>(1)</sup>;
- (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—

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(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](#).

## “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> |
|-----------------|---|---|---|
| <b>1</b>        | <b>Machinery and vehicles which have been operated for agricultural or forestry purposes</b>  |   |   |
|                 | —   | 5                                       | 5                                       |
| <b>2</b>        | <b>Plants for planting, other than seeds</b>  |   |   |
|                 | Bulbs, corms, rhizomes, tubers, (other than tubers of 100 potatoes), not intended for final users <sup>(1)</sup>  | 100                                     | 100                                     |
|                 | Bulbs, corms, rhizomes, tubers, (other than tubers of 10 potatoes), intended for final users <sup>(1)</sup>   | 10                                      | 10                                      |
|                 | Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables, not intended for final users <sup>(1)</sup> | 100                                     | 100                                     |
|                 | Other plants intended for planting (other than cut Christmas trees), not intended for final users <sup>(1)</sup>  | 100                                     | 100                                     |
|                 | Other plants intended for planting (other than cut Christmas trees) not specified elsewhere in this table, intended for final users <sup>(1)</sup>      | 10                                      | 10                                      |
|                 | Tissue cultures   | 5                                       | 5                                       |
| <b>3</b>        | <b>Tubers of potatoes</b>   |   |   |
|                 | Tubers of <i>Solanum tuberosum</i> L. intended for planting (seed potatoes)   | 100                                     | 100                                     |
| <b>4</b>        | <b>Tubers of potatoes</b>   |   |   |
|                 | 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                                     |
| <b>5</b>        | <b>Seeds, not intended for final users<sup>(1)</sup></b>  |   |   |
|                 | 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                                     |

(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 (%) |
|----------|---|----------------------------------|----------------------------------|
|          | <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                              |
| <b>6</b> | <b>Seeds, intended for final users<sup>(1)</sup></b>                |                                  |                                  |
|          | 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                                |

(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 (%) |
|----------|---|----------------------------------|----------------------------------|
|          | <i>Linum usitatissimum</i> L.   | 5                                | 5                                |
| <b>7</b> | <b>Bark</b>   |                                  |                                  |
|          | 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                                |
| <b>8</b> | <b>Wood</b>   |                                  |                                  |
|          | 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                               |
|          | 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                                |

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| <i>Category</i> | <i>Plants, plant products or other objects</i>         | <i>Frequency of identity checks (%)</i> | <i>Frequency of physical checks (%)</i> |
|-----------------|--|---|---|
|                 | <i>Tilia L.</i>  | 5                                       | 5                                       |
|                 | <i>Ulmus L.</i>  | 5                                       | 5                                       |
|                 | Wood of <i>Juglans L.</i> and <i>Pterocarya Kunth.</i> | 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.