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STATUTORY INSTRUMENTS

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**1993 No. 1320**

**PLANT HEALTH**

**The Plant Health (Great Britain) Order 1993**

*Made* - - - - *20th May 1993*

*Laid before Parliament* *21st May 1993*

*Coming into force* *1st June 1993*

**THE PLANT HEALTH (GREAT BRITAIN) ORDER 1993**

1. Title, extent and commencement
2. Interpretation
3. Prohibition on importing into Great Britain from a third country plants, plant pests etc.
4. Prevention of the spread of plant pests within the European Community
5. Prohibition on introduction into protected zones of plant pests, plants etc.
6. Prevention of the spread of plant pests within protected zones
7. Movement of plants, plant pests etc. through protected zones
8. General provisions relating to protected zones
9. Official statements in respect of imported plants etc. from third countries
10. Official statements in respect of plants etc. moved within the European Community
11. Provisions relating to the issue of phytosanitary certificates and subsequent plant passports
12. General provisions relating to certificates
13. Period during which inspections are to be made and certificates issued
14. General provisions relating to plant passports
15. Official register
16. Requirements of registration
17. Authorised persons
18. Miscellaneous potato provisions
19. Special provisions relating to certain citrus fruit
20. Notification of the presence or suspected presence of certain plant pests
21. Notification of the likely entry into, or presence in, a free zone of plant pests, plants, plant products etc.
22. Actions which may be required by an inspector
23. Actions which may be taken by an inspector
24. Miscellaneous provisions as to notices
25. Examination, sampling and marking

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26. Information as to compliance with notices
27. Failure to comply with a notice
28. Power to enter premises used wholly or mainly as a dwelling
29. Monitoring
30. Licences
31. Powers of an officer of Customs and Excise
32. Information to be given
33. Offences
34. The Customs Act
35. Revocation  
Signature

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SCHEDULE 1 —

Part A. — Plant pests whose introduction into, and whose spread within, Great Britain shall be banned

Section 1.

*Plant pests not known to occur in any part of the Community and relevant for the entire Community*

Section 2.

*Plant pests known to occur in the Community and relevant for the entire Community*

Part B. — Plant pests whose introduction into, and whose spread within, certain protected zones shall be banned.

SCHEDULE 2 —

Part A. — Plant pests whose introduction into, and whose spread within, Great Britain shall be banned if they are present on certain plants or plant products.

Section 1.

*Plant pests not known to occur in the Community and relevant for the entire Community.*

Section 2.

*Plant pests known to occur in the Community and relevant for the entire Community.*

Part B. — Plant pests whose introduction into, and whose spread within, certain protected zones shall be banned if they are present on certain plants or plant products

SCHEDULE 3 —

Part A. — Plants, plant products and other objects the introduction of which shall be prohibited in Great Britain

Part B. — Plants, plant products and other objects the introduction of which shall be prohibited in certain protected zones

SCHEDULE 4 —

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Part A. — Special requirements which must be met for the introduction and movement of plants, plant products and other objects into and within Great Britain.

Section 1.

*Plants, plant products and other objects originating outside the Community.*

Section 2.

*Plants, plant products, and other objects originating in the Community.*

Part B. — Special requirements which shall be laid down for the introduction and movement of plants, plant products and other objects into and within certain protected zones

SCHEDULE 5 — PLANTS, PLANT PRODUCTS AND OTHER OBJECTS WHICH MUST BE SUBJECT TO A PLANT HEALTH INSPECTION — AT THE PLACE OF PRODUCTION IF ORIGINATING IN THE COMMUNITY, BEFORE BEING MOVED WITHIN THE COMMUNITY — IN THE COUNTRY OF ORIGIN OR THE CONSIGNOR COUNTRY, IF ORIGINATING OUTSIDE THE COMMUNITY — BEFORE BEING PERMITTED TO ENTER THE COMMUNITY

Part A: — PLANTS, PLANT PRODUCTS AND OTHER OBJECTS ORIGINATING IN THE COMMUNITY

I.

*Plants, plant products and other objects which are potential carriers of plant pests of relevance for the entire Community, and which must be accompanied by a plant passport.*

1. Plants and plant products. (1.1) Plants, intended for planting other...
2. Plants, plant products and other objects produced by producers whose...
3. Bulbs and corms intended for planting produced by producers whose...

II.

*Plants, plant products and other objects which are potential carriers of plant pests of relevance for certain protected zones, and which must be accompanied by a plant passport valid for the appropriate zone when introduced into or moved within that zone.*

1. Plants, plant products and other objects (1.1) Plants of conifers...
2. Plants, plant products and other objects produced by producers whose...  
Part B: — Plants, Plant Products and Other Objects Originating in Territories, Other Than Those Territories Referred to in Part A

I.

*Plants, plant products and other objects which are potential carriers of plant pests of relevance for the entire Community.*

1. Plants, intended for planting, other than seeds or aquarium plants,...
2. Parts of plants, other than fruit and seeds of Castanea...

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3. Fruit of: Citrus L., Fortunella Swingle, Poncirus Raf., and their hybrids  
Annona...
4. Tubers of Solanum tuberosum L.
5. Isolated bark of: conifers (Coniferales) Acer saccharum Marsh., Castanea  
Mill., Populus L....
6. Wood where it: (a) has been obtained in whole or...
7. (a) Soil and growing medium as such, which consists in...

## II.

*Plants, plant products and other objects which are potential carriers of plant pests of relevance for certain protected zones.*

1. Plants of Beta vulgaris L. intended for animal fodder or...
2. Soil and unsterilised waste from beet (Beta vulgaris L.).
3. Live pollen for pollination of Chaenomeles Lindl., Cotoneaster  
Ehrh., Crataegus L., Cydonia Mill., Eriobotrya...
4. Parts of plants, other than fruit and seeds of Chaenomeles...
5. Seeds of Dolichos Jacq., Mangifera spp. Beta vulgaris L. and Phaseolus  
vulgaris...
6. Seeds and fruits (bolls) of Gossypium spp.
7. Wood where it: (a) has been obtained in whole or...
8. Parts of plants of Persea americana P. Mill., and Eucalyptus...

### SCHEDULE 6 — LIST OF PLANT PESTS WHICH SHALL BE NOTIFIABLE TO THE RESPONSIBLE PLANT PROTECTION SERVICE AND WHICH MAY NOT BE KEPT WITHOUT THE AUTHORITY OF AN INSPECTOR

1. All plant pests in Schedule 1 Part A section 1....
2. All plant pests in Schedule 1 Part A section 2,...
3. All plant pests in Schedule 1 Part B, with the...
4. All plant pests in Schedule 2 Part A section 1....
5. All plant pests in Schedule 2 Part A section 2...
6. All plant pests in Schedule 2 Part B when present...
7. The following plant pests, insofar as they may be a...

### SCHEDULE 7 — PART A: CONDITIONS TO BE MET BY PLANTS, PLANT PRODUCTS ETC. MOVING THROUGH PROTECTED ZONES WITHOUT A PLANT PASSPORT VALID FOR THOSE ZONES

1. The packaging containing or, where appropriate, the vehicles transporting,  
the...
2. Immediately after packing the packaging containing, or where appropriate,  
the...
3. The plants, plant products or other objects shall be accompanied...

PART B: MEASURES  
THAT MAY BE  
TAKEN WHERE  
PLANTS, PLANT  
PRODUCTS ETC.  
FAIL TO MEET  
THE CONDITIONS  
SPECIFIED IN PART A

1. The packaging shall be sealed.
2. The plants, plant products or other objects shall be moved,...

SCHEDULE 8 — ZONES IN THE COMMUNITY RECOGNISED AS 'PROTECTED ZONES', IN RESPECT OF PLANT PESTS LISTED AGAINST THEIR NAMES

SCHEDULE 9 — INFORMATION THAT SHALL APPEAR ON A PLANT PASSPORT

Part A: Information  
to Appear on the  
Plant Passport, Where  
Appropriate.

1. 'EEC-plant passport'.
2. An indication of the EC (Member) State code.
3. Indication of responsible official body or its distinguishing code.
4. Registration number.
5. Individual serial, week, or batch number.
6. Botanical name.
7. Quantity.
8. The distinctive marking 'ZP' for the territorial validity of the...
9. The distinctive marking 'RP' in case of the replacement of...
10. Where appropriate, the name of the country of origin or...

Part B: Information  
That Shall Appear on  
the Label Attached  
to the Plant, Plant  
Product or Other Object  
Requiring a Plant  
Passport.

1. 'EEC-plant passport'.
2. Indication of EC (Member) State code.
3. Indication of responsible body or its distinguishing code.
4. Registration number.
5. Individual serial, week or batch number.

SCHEDULE 10 — OBLIGATIONS PLACED ON A BUSINESS, INDIVIDUAL OR OTHER ORGANISATION LISTED IN THE OFFICIAL REGISTER

1. To keep an updated plan of the premises on which...
2. To keep records on plants, plant products or other objects,...
3. To designate a responsible person technically experienced in plant production...
4. To carry out visual observations as necessary and at appropriate...
5. To ensure access for persons entitled to act for the...

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6. To co-operate with the said responsible official bodies.

SCHEDULE 11 — SPECIAL MEASURES FOR THE CONTROL OF POTATO WART DISEASE(COUNCIL DIRECTIVE 69/464/EEC)(OJ No. L323, 24.12.69, p.1)

1. When an occurrence of *Synchytrium endobioticum*(Schilb.) Perc., the pathogenic agent...
2. Subject to item 7 of this Schedule, the appropriate Plant...
3. Subject to item 7 of this Schedule, once a contaminated...
4. Subject to item 7 of this Schedule, potatoes may be...
5. The measures taken to control Potato Wart Disease or to...
6. Subject to item 7 of this Schedule, no person shall...
7. An inspector may authorise exemptions from the measures referred to...
8. Additional or stricter measures as may be deemed necessary for...

SCHEDULE 12 — SPECIAL MEASURES FOR THE CONTROL OF POTATO CYST NEMATODE(COUNCIL DIRECTIVE 69/465/EEC)(OJ No. L323, 24.12.69, p.3)

1. If as a result of an official test Potato Cyst...
2. Subject to item 5 of this Schedule, once contaminated land...
3. Subject to item 5 of this Schedule, seed potatoes which...
4. The measures taken to control Potato Cyst Eelworm or to...
5. Provided that there is no risk of the spread of...
6. A potato variety shall be regarded as being resistant to...
7. Additional or stricter measures as may be deemed necessary for...

SCHEDULE 13 — SPECIAL MEASURES FOR THE CONTROL OF POTATO RING ROT(COUNCIL DIRECTIVE 80/665/EEC) (OJ No. L180, 14.7.80, p.30)

1. Any person suspecting the occurrence, or actual presence, of Potato...
2. Official testing pursuant to item 1 of this Schedule shall...
3. Where the occurrence of Potato Ring Rot is suspected or...
4. Seed potatoes shall not be certified under Council Directive 66/403/EEC...
5. Contaminated potatoes shall not be re-planted and grown on any...
6. In addition, where a field, store or consignment on a...
7. Any buildings, containers, packaging materials, vehicles, handling, grading or packing...
8. Following the contamination of potatoes, a zone covering an area...
9. No one shall, in the demarcated zone: cut seed potatoes,...
10. Subject to item 11 of this Schedule, no person shall...
11. The appropriate Minister may authorise exemptions from any of the...
12. Additional or stricter measures as may be deemed necessary for...

SCHEDULE 14 — FORM OF A PHYTOSANITARY CERTIFICATE

SCHEDULE 15 — FORM OF A REFORWARDING PHYTOSANITARY CERTIFICATE

SCHEDULE 16 — INSTRUMENTS AMENDING AND SUPPLEMENTING COUNCIL DIRECTIVE 77/93/EEC

SCHEDULE 17 — ORDERS REVOKED

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## Explanatory Note