

SCHEDULE 15

Regulation 5(8)

Emergency measures: *Xylella fastidiosa* (Wells et al.)

PART A

Application and interpretation

1. This Schedule applies where *Xylella fastidiosa* (Wells et al.) is confirmed to be present in a relevant UK territory.
2. In this Schedule—
 - “demarcated area” means an area demarcated under paragraph 5;
 - “infected plant” means a plant which has been tested and found to be infected by the plant pest;
 - “the plant pest” means *Xylella fastidiosa* (Wells et al.);
 - “susceptible plants” means host plants, intended for planting, belonging to the genera or species listed in the list of *Xylella* host plants.
3. Any test or survey which is carried out for the purposes of paragraph 7(b), 25(b)(ii) or 26 must be based on a sampling scheme capable of identifying with 99% reliability a level of presence of infected plants of 1% or above.
4. Any survey which is carried out for the purposes of paragraph 7(c) or 16(g) must be based on a grid split of 100 m x 100 m squares within a zone of a width of at least 1 km surrounding the infected zone and a grid split of 1 km x 1 km squares within the rest of the buffer zone.

PART B

Establishment of a demarcated area

5. The appropriate UK plant health authority must by notice and without delay demarcate an area in relation to the infection consisting of an infected zone and a buffer zone around the infected zone.
6. The infected zone must include all plants known to be infected by the plant pest, all plants showing symptoms indicating possible infection by the plant pest and all other plants liable to be infected by the plant pest due to their close proximity to infected plants or a known common source of production with infected plants or plants grown from them.
7. The boundary of the buffer zone must be at least five km beyond the boundary of the infected zone, but may be reduced to one km beyond the boundary of the infected zone where the appropriate UK plant health authority concludes with a high degree of confidence that the initial presence of the plant pest has not resulted in any spread of the plant pest and the following conditions have been met—
 - (a) all host plants within a radius of 100 m of the infected plant have been promptly removed;
 - (b) no other plants have been found infected by the plant pest in the infected zone following official tests which have been carried out at least once during the course of the year and which targeted symptomatic plants, as well as asymptomatic plants in the proximity of the symptomatic ones;
 - (c) a delimiting survey has been carried out in the zone surrounding the infected zone that extended at least 2.5 km beyond the boundary of the infected zone, which included visual inspections of susceptible plants and the sampling and testing of symptomatic plants, as well as asymptomatic plants in the proximity of the symptomatic plants; and

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- (d) the possibility of natural spread of the plant pest has been excluded as a result of tests which have been carried out twice during the flight season of the relevant vector and in accordance with international guidelines in which no vectors carrying the plant pest have been detected in the infected zone.
- 8. The demarcation of the infected zone and the buffer zone must be based on sound scientific principles, the biology of the plant pest and its vectors, the level of infection, the distribution of the susceptible plants in the area concerned and the presence of vectors of the plant pest.
- 9. Where the infection is limited to one particular sub-species of the plant pest which has been identified by one positive molecular test carried out in line with international standards, the demarcation may be based on that sub-species alone.
- 10. If there is a confirmed finding of the plant pest in the buffer zone, the appropriate UK plant health authority must either demarcate a further area or amend the original demarcated area in accordance with paragraphs 5 to 9 to take account of that finding.
- 11. The appropriate UK plant health authority must maintain a list of demarcated areas in its territory and publish that list.
- 12. Paragraph 5 is subject to paragraph 23.
- 13. This Part does not apply in so far as any part of the area to be demarcated would be in Scotland.

PART C

Eradication measures

- 14. This Part applies where an area is demarcated under paragraph 5 by an appropriate UK plant health authority.
- 15. The appropriate UK plant health authority must ensure that measures are taken to eradicate the plant pest.
- 16. The eradication measures must include—
 - (a) the immediate removal of the following plants within a radius of 100 m of each infected plant, other than any plants to which paragraph 17 applies—
 - (i) host plants, regardless of their health status;
 - (ii) plants known to be infected by the plant pest; and
 - (iii) plants showing symptoms indicating possible infection by the plant pest or which are suspected to be infected by the plant pest;
 - (b) in the case of any plants to which paragraph 17 applies—
 - (i) the official inspection of those plants during the flight season of relevant vectors for symptoms of the plant pest and measures to ensure their physical isolation; and
 - (ii) their sampling and testing for the presence of the plant pest where symptoms of the plant pest are present;
 - (c) the sampling and testing of susceptible plants within a radius of 100 m of each infected plant in accordance with ISPM No. 31;
 - (d) the application of appropriate phytosanitary treatments against vectors of the plant pest and plants that may host those vectors prior to the removal of any plants under sub-paragraph (a);

- (e) the destruction of the plants removed under sub-paragraph (a) either in situ or in a nearby location designated for this purpose within the infected zone in a manner that ensures that the plant pest is not spread;
- (f) appropriate investigations to identify the origin of the infection, which must include the tracing of susceptible plants associated with the infected plants (including those that were moved before the demarcated area was established);
- (g) annual surveys to monitor the presence of the plant pest, which must include visual inspections of susceptible plants and the sampling and testing of symptomatic plants, as well as asymptomatic plants in the proximity of the symptomatic ones;
- (h) the prohibition on the planting of host plants in the infected zone, except where they are physically protected against the introduction of the plant pest by its vectors;
- (i) the raising of public awareness of the threat of the plant pest and the measures adopted to prevent its introduction and spread and the setting up of road signs to delineate the demarcated area;
- (j) where necessary, specific measures to address any particularity or complication that could reasonably be expected to prevent, hinder or delay eradication of the plant pest;
- (k) the application of appropriate agricultural practices for the management of the plant pest and its vectors; and
- (l) any other measure which may contribute the eradication of the plant pest, taking account of the guidelines in ISPM No. 9 and ISPM No. 14.

17. The appropriate UK plant health authority may decide that individual host plants officially designated as plants with historic value need not be removed if the following conditions are met—

- (a) the host plants have been sampled and tested and have been confirmed not to be infected by the plant pest;
- (b) the individual host plants have, or the area concerned has, been physically isolated in an appropriate manner from relevant vectors for the purpose of preventing the spread of the plant pest;
- (c) appropriate agricultural practices for the management of the plant pest and its vectors have been applied.

PART D

Other measures

18. Where an area is demarcated under paragraph 5 by an appropriate UK plant health authority, the appropriate UK plant health authority must ensure that regular official checks are carried out on susceptible plants which are being moved out of the demarcated area, or from the infected zone to the buffer zone in the demarcated area.

19. The UK plant health authority must ensure that the checks referred to in paragraph 18 are carried out at—

- (a) the points where the susceptible plants are moved from the infected zone into the buffer zone;
- (b) the points where the susceptible plants are moved from the buffer zone into an area outside the demarcated area;
- (c) their place of destination in the buffer zone; and
- (d) their place of destination outside the demarcated zone.

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20. The checks must include an examination of the UK plant passport accompanying the plants and an examination to ascertain the identity of the material in the consignment.

21. The intensity of the checks must be based on the risk of the plants carrying the plant pest or its known or potential vectors, taking into account—

- (a) the provenance of the lots in the consignment;
- (b) the degree of susceptibility of the plants; and
- (c) the extent to which each operator in the demarcated area has complied with the restrictions on the movement of susceptible plants under the relevant Plant Health Order and with any other official measure imposed on the operator to eradicate or contain the plant pest.

22. Where any checks carried out pursuant to paragraph 18 show that the plants do not comply with the requirements specified under the relevant Plant Health Order in relation to their movement, the appropriate UK plant health authority must ensure that those plants are destroyed immediately in situ or in a nearby location and that all necessary precautions to avoid the spread of the plant pest and its vectors are taken during and after removal.

PART E

Measures to be taken where no demarcated area is established

23. The appropriate UK plant health authority need not demarcate an area in relation to a finding of the plant pest in a relevant UK territory where—

- (a) there is evidence—
 - (i) that the infection has been caused by the recent movement of susceptible plants to the area in which the plant pest was found; or
 - (ii) that the plant pest has been found in a site with physical protection from the vectors of the plant pest;
- (b) there is evidence that the susceptible plants were infected with the plant pest before they were introduced into that area; and
- (c) no vectors carrying the plant pest have been detected in tests carried out in accordance with internationally validated testing methods in the vicinity of those plants.

24. Where the appropriate UK plant health authority does not demarcate an area for the reasons specified in paragraph 23(a) to (c), the appropriate UK plant health authority must ensure that annual surveys are carried out for a period of at least two years beginning on the date of its decision not to demarcate the area, in order to determine whether any other plants are or have been infected with the plant pest.

PART F

Lifting of demarcation

24. The appropriate UK plant health authority may lift the demarcation that applies to a demarcated area if—

- (a) the plant pest is not detected in the demarcated area over a period of five years in official surveys carried pursuant to paragraph 1(h) of Schedule 9 or by the monitoring referred to in paragraph 16(g); and
- (b) where the buffer zone has been reduced in accordance with paragraph 7, one year after the date of its initial establishment if the following conditions are met—

- (i) the measures described in paragraphs 7(a) to (d) have been taken and, as a result, the appropriate UK plant health authority is able to conclude with a high degree of confidence that the initial presence of the plant pest was an isolated case and no further spread has occurred in the demarcated area; and
- (ii) as close as practically possible to the time of lifting, official tests have been carried out in the demarcated area in accordance with international standards, which targeted symptomatic plants and asymptomatic plants in the proximity of the symptomatic plants.

25. Where the demarcation of an area is lifted under paragraph 25(b), the appropriate UK plant health authority must ensure that the susceptible plants located in that area are subject to intensive surveys for a period of two years following the date of the lifting of the demarcation.

26. Those surveys must—

- (a) be carried out in accordance with international standards;
- (b) be based on scientific and technical principles relating to the potential spread of the plant pest in the immediate surroundings; and
- (c) include the targeting symptomatic plants and asymptomatic plants in the proximity of the symptomatic plants.