

1985 No. 283

## PLANT HEALTH

**Import and Export (Plants and Plant Products) (Plant Health)  
(Amendment) Order (Northern Ireland) 1985***Made* . . . . . 17th October 1985*Coming into operation* . . . . . 21st November 1985

The Department of Agriculture in exercise of the powers conferred on it by section 2(1)(a) and (2)(b) of the Plant Health Act (Northern Ireland) 1967(c) and of every other power enabling it in that behalf, hereby makes the following Order:

*Citation and commencement*

1. This Order may be cited as the Import and Export (Plants and Plant Products) (Plant Health) (Amendment) Order (Northern Ireland) 1985 and shall come into operation on 21st November 1985.

*Amendment of Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981*

2. The Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981(d) shall be amended as follows—

- (a) in Article 4(2) for “*Malus* Mill., *Prunus* L., and *Pyrus* L.,” there shall be substituted “*Chaenomeles* Lindl., *Cotoneaster* (B. Ehrh.) Med., *Crataegus* L., *Cydonia* Mill., *Malus* Mill., *Prunus* L., *Pyracantha* M. J. Roem, *Pyrus* L., *Sorbus* L. and *Stranvaesia* Lindl.”;
- (b) in Article 8A(1) for “Parts 1B (Item 47B) or VID” there shall be substituted “Parts 1B (Items 19 and 47B) or VID”;
- (c) in Schedule 2 Part 1B for Item 19 there shall be substituted—

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(a) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch.2

(b) As amended by 1979 c. 2 s. 177(1) Sch. 4 Part II

(c) 1967 c. 28 (N.I.)

(d) S.R. 1981 No. 38 as amended by S.R. 1984 No. 320

"Item	Description of Plants and Plant Products	Conditions subject to which landing is permitted
19	Plants of the genera: <i>Chaenomeles</i> Lindl.  <i>Cotoneaster</i> (B. Ehrh.):Med.  <i>Crataegus</i> L.  <i>Cydonia</i> Mill.  <i>Malus</i> Mill.  <i>Pyracantha</i> M. J. Roem.  <i>Pyrus</i> L.  <i>Sorbus</i> L. other than <i>Sorbus intermedia</i>  <i>Stranvaesia</i> Lindl.	(1) The consignment shall be accompanied by an official statement that the plants comprising it either— (a) originated in one of the following countries namely: Greece Italy Republic of Ireland; or (b) were produced on a field— (i) which is located in an officially designated protected zone covering at least 50 km <sup>2</sup> i.e. an area where host plants are subjected to an officially approved and supervised control regime with the object of minimising the risk of Fireblight ( <i>Erwinia amylovora</i> (Burr.) Winsl. <i>et al.</i> ) being spread from the plants grown there; (ii) which has been officially approved, before the start of the last complete cycle of vegetation for the cultivation of plants under the requirements laid down in paragraphs (1)(b) and (2) of this column and that this approval has been notified before July to the Commission of the European Community; (iii) which as well as other parts of the protected zone referred to in paragraph (1)(b)(i) of this column, has been found free from Fireblight ( <i>Erwinia amylovora</i> (Burr.) Winsl. <i>et al.</i> ) since the beginning of the last

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		<p>complete cycle of vegetation:</p> <ul style="list-style-type: none"> <li>— at official inspections carried out at least twice in the field as well as in the surrounding zone of a radius of at least 250 metres, i. e. once during July/August and once during September/October in the case of the Northern Hemisphere and once during January/February and once during March/April in the case of the Southern Hemisphere; and</li> <li>— at official spot checks carried out at least once during July to October in the case of the Northern Hemisphere and at least once during January to April in the case of the Southern Hemisphere in selected places in the surrounding zone of a radius of at least 1 km particularly where appropriate indicator plants are present; and</li> <li>— at official tests carried out in accordance with an appropriate laboratory method on samples officially drawn, since the start of the last complete cycle of vegetation, from plants having shown symptoms of Fireblight (<i>Erwinia amylovora</i> (Burr.) Winkl. <i>et al.</i>) on the field or in other parts of the protected zone referred to in paragraph (1)(b)(i) of this column; and</li> </ul> <p>(iv) from which, as well as from other parts of the protected zone referred to in paragraph (1)(b)(i)</p>

<i>Item</i>	<i>Description of Plants and Plant Products</i>	<i>Conditions subject to which landing is permitted</i>
		<p>of this column, no host plants showing symptoms of Fireblight (<i>Erwinia amylovora</i> (Burr.) Winsl. <i>et al.</i>) have been removed without prior official investigation or approval.</p> <p>(2) Where the consignment is comprised of plants produced on a field in accordance with paragraph (1)(b) of this column it shall be accompanied by an official statement that such plants have been subjected to appropriate administrative arrangements to ensure their identity, such as field labelling in the case of fruit trees, or other operations having comparable effects.</p> <p>(3) The plants comprising the consignment shall be packaged and the packages shall be officially marked with distinctive marks to ensure the identity of the plants in the consignment, the same marks being reproduced on the phytosanitary certificate.</p> <p>(4) Where the consignment has been directly consigned to Northern Ireland from a country other than Greece, Italy or the Republic of Ireland it shall be landed in Northern Ireland during either the period—</p> <p>(a) 1st November to 15th April (both dates inclusive) in each year in the case of plants originating in the Northern Hemisphere; or</p> <p>(b) 16th April to 31st October (both dates inclusive) in each year in the case of plants originating in the Southern Hemisphere.”</p>

Sealed with the Official Seal of the Department of Agriculture on 17th October 1985.

(L.S.)

B. R. Cummings

Assistant Secretary

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### EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order amends the Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981 by:—

- (a) requiring the main host plants of Fireblight (*Erwinia amylovora*) to be accompanied by phytosanitary certificates and re-forwarding phytosanitary certificates when landed in the baggage of a passenger [Article 2(a)];
- (b) applying similar controls in respect of imports of the main host plants of Fireblight from Great Britain as those applying to imports from either Member States or Third Countries [Article 2(b)];
- (c) specifying additional conditions with which the main host plants of Fireblight must comply if they are to be landed in Northern Ireland [Article 2(c)].

The Order implements Northern Ireland's obligations under Council Directive 84/378/EEC (O.J. No. L. 207/1, 2.8.84) in respect of Fireblight. It also implements certain other provisions of the Directive which enable Northern Ireland to take additional measures for preventing the introduction of Fireblight into Northern Ireland.

Offences in connection with this Order and penalties which may be imposed in respect of a contravention or failure to comply with this Order are set out in Article 18 of the Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981.