
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Scotland) Order 2005 ([S.S.I. 2005/613](#)) (“the principal Order”) to implement certain import restrictions on plants, other than seeds, of certain species, intended for planting, originating in any third country to prevent the introduction into Scotland of *Anoplophora chinensis* (Forster) (the citrus longhorn beetle).

This Order implements Commission Decision [2008/840/EC](#) of 7th November 2008 on emergency measures to prevent the introduction into and spread within the Community of *Anoplophora chinensis* (Forster) (O.J. L 300, 11.11.2008, p.36) and Commission Decision 2010/380/EU of 7th July 2010 amending Decision [2008/840/EC](#) as regards emergency measures to prevent the introduction into and spread within the Community of *Anoplophora chinensis* (Forster) (O.J. L 174, 9.7.2010, p.46).

In particular Article 4 amends Schedule 3 to the principal Order to prohibit the import on or before 30th April 2012 of plants of *Acer* spp., originating from China.

Article 5 amends Schedule 4 to the principal Order to prohibit imports of certain plant species originating in any third country where *Anoplophora chinensis* (Forster) is known to occur unless certain conditions are met. In the case of those plant species originating in China, certain additional conditions require to be met.

It is an offence under the principal Order to contravene these requirements and Part 6 of the principal Order provides plant health inspectors with general enforcement powers.

A Regulatory Impact Assessment has not been prepared for this instrument as no impact on the private or voluntary sector is foreseen.