
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 338

PLANT HEALTH

The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014

Made - - - - 26th November 2014
Laid before the Scottish Parliament - - - - 1st December 2014
Coming into force - - 15th January 2015

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973^{M1} and section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972^{M2} and all other powers enabling them to do so.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972, and it appears to the Scottish Ministers that it is expedient for references to Annex V, Part B of Council Directive 2000/29/EC^{M3}, to be a reference to those provisions of that instrument as amended from time to time.

Marginal Citations

- M1** 1973 c.51. The reference to a Government department in section 56(1) is to be read as a reference to the Scottish Administration by virtue of article 2(2) of the [Scotland Act \(Consequential Modifications\) \(No. 2\) Order 1999 \(S.I. 1999/1820\)](#) and the functions of the Minister transferred to the Scottish Ministers by virtue of section 53 of the [Scotland Act 1998 \(c.46\)](#). The requirement to obtain the consent of the Treasury was removed by section 55 of the Scotland Act 1998.
- M2** 1972 c.68 (“the 1972 Act”). Section 2(2) was amended by the [Scotland Act 1998 \(c.46\)](#), [Schedule 8, paragraph 15\(3\)](#) (which was amended by section 27(4) of the [Legislative and Regulatory Reform Act 2006 \(c.51\)](#) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the [European Union Amendment Act 2008 \(c.7\)](#), [Schedule](#), Part 1. The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998. The powers in section 2(2) are exercised in relation to regulation 6 of these Regulations. Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act and was amended by the 2008 Act, section 3(3) and Schedule, Part 1.
- M3** OJ L 169, 10.7.2000, p.1, as last amended by Regulation (EU) No 652/2014 (OJ L 189, 27.6.2014, p.1).

Status: Point in time view as at 15/01/2015.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (Scotland) Regulations 2014 and come into force on 15th January 2015.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“applicable checks” means the documentary check, identity check and plant health check which may be performed on a consignment, as described in Article 13a(1)(b) of the Directive;

“consignment” has the same meaning as in Article 2(1)(p) of the Directive;

“the Directive” means Council Directive [2000/29/EC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ^{M4};

“intended for planting” has, in relation to plants, the same meaning as in Article 2(1)(d) of the Directive;

“landed in Scotland” means introduced into Scotland by any means, including by post;

“normal working hours” means any time between the hours of 6 a.m. to 5 p.m. on any day except—

- (a) a Saturday;
- (b) a Sunday;
- (c) Easter Monday;
- (d) 26th December, if it is not a Saturday or Sunday;
- (e) 27th December, in a year in which 25th or 26th December is a Sunday; or
- (f) a day which is a bank holiday in Scotland under the Banking and Financial Dealings Act 1971 ^{M5};

“plants” has the same meaning as in Article 2(1)(a) of the Directive;

“plant health check” has the same meaning as in Article 13a(1)(b)(iii) of the Directive;

“plant products” has the same meaning as in Article 2(1)(b) of the Directive; and

“third country” means a country or territory other than one within the European Union.

(2) A reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in section 15(1) of the Electronic Communications Act 2000 ^{M6}, which has been recorded and is consequently capable of being reproduced.

Marginal Citations

M4 OJ L 169, 10.7.2000, p.1, as last amended by Regulation (EU) No 652/2014 (OJ L 189, 27.6.2014, p.1).

M5 [1971 c.80](#).

M6 [2000 c.7](#). Section 15(1) was amended by the [Communications Act 2003 \(c.21\)](#) section 406 and Schedule 17, paragraph 158.

Application of the import inspection fee

3.—(1) In respect of applicable checks which are carried out on a consignment, or on such part of a consignment, to which this regulation applies, an importer must pay to the Scottish Ministers the fee specified in regulation 4.

- (2) This regulation applies to a consignment, or to such part of a consignment, which—
- (a) consists of—
 - (i) plants, plant products and other objects of a description specified in the second column of Schedule 1 and that are listed in Annex V, Part B of the Directive, as amended from time to time; or
 - (ii) seeds of Solanaceae ^{M7}; and
 - (b) is landed in Scotland from a third country or is the subject of an agreement made under article 12(6) of the Plant Health (Scotland) Order 2005 ^{M8}.

Marginal Citations

M7 Seeds of Solanaceae are not currently included in Annex V Part B of the Directive however they are included in Annex IV Part A (items 25.6 and 48), which means that plant health, documentary and identity checks (as described in Article 13a of the Directive) are required for the purposes of Article 13(1).

M8 [S.S.I. 2005/613](#), as last amended by [S.S.I. 2014/140](#).

Fees

- 4.—(1) Except where paragraph (2) applies, the fee specified for applicable checks carried out—
- (a) during normal working hours, is the fee specified in the fourth column of Schedule 1 and corresponding to the relevant plants, plant products or other objects as described in the second column of that Schedule; or
 - (b) outside normal working hours, is the fee specified in the fifth column of Schedule 1 and corresponding to the relevant plants, plant products or other objects as described in the second column of that Schedule.
- (2) In the case of a consignment, or such part of a consignment, consisting of any plants or plant products listed in the second column of Schedule 2 and originating from a country listed in the fourth column of that Schedule, the fee specified for applicable checks carried out, or which, but for Article 13a(2) of the Directive (providing for checks to be carried out at reduced frequency ^{M9}), would have been required to be carried out—
- (a) during normal working hours, is the fee specified in the fifth column of Schedule 2 and corresponding to the relevant plants or plant products as described in the second column of that Schedule; or
 - (b) outside normal working hours, is the fee specified in the sixth column of Schedule 2 and corresponding to the relevant plants or plant products as described in the second column of that Schedule.

Marginal Citations

M9 [Article 2\(3\)](#) of Commission Regulation (EC) 1756/2004 (OJ L 313, 12.10.2004, p.6) requires the Commission to publish a list of the products for which plant health checks may be carried out at a reduced frequency. The latest list is available on the following Website:

Status: Point in time view as at 15/01/2015.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

http://ec.europa.eu/food/plant/plant_health_biosafety/trade_non_eu/reduced_frequency_checks_en.htm

Additional fees in respect of Potatoes Originating in Egypt and Lebanon

5.—(1) Where paragraph (2) or (3) applies, an importer must pay to the Scottish Ministers the fee specified in the fourth column of Schedule 3, in addition to any fee payable in accordance with regulations 3 and 4.

(2) This paragraph applies where potatoes originating in Egypt are landed in Scotland and a sample of those potatoes is taken in order to ascertain whether, for the purposes of point 5 of the Annex to Commission Implementing Decision 2011/787/EU authorising Member States temporarily to take emergency measures against the dissemination of *Ralstonia solanacearum* (Smith) Yabuuchi et al. as regards Egypt ^{M10}, those potatoes are infected with *Ralstonia solanacearum* (Smith) Yabuuchi et al..

(3) This paragraph applies where potatoes originating in Lebanon are landed in Scotland and a sample of those potatoes is taken in order to ascertain whether for the purposes of Article 4 of Commission Implementing Decision 2013/413/EU authorising Member States to provide for derogations from certain provisions of Council Directive 2000/29/EC in respect of potatoes, other than potatoes intended for planting, originating in the regions of Akkar and Bekaa of Lebanon ^{M11}, those potatoes are infected with *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckermann and Kotthoff) Davis et al..

Marginal Citations

M10 OJ L 319, 2.12.2011, p.112.

M11 OJ L 205, 1.08.2013, p.13.

Revocations

6.—(1) Subject to paragraph (2), the following regulations are revoked:—

- (a) regulation 6 of the Potatoes Originating in Egypt (Scotland) Regulations 2004 ^{M12};
- (b) the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005 ^{M13};
- (c) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2007 ^{M14};
- (d) the Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2007 ^{M15};
- (e) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2009 ^{M16};
- (f) the Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2009 ^{M17};
- (g) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2010 ^{M18};
and
- (h) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2011 ^{M19}.

(2) Despite paragraph (1), an importer must pay to the Scottish Ministers any fee which is payable under regulation 6 of the Potatoes Originating in Egypt (Scotland) Regulations 2004 or regulation 4 of the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005 in respect of a consignment, or part of a consignment, which was landed in Scotland prior to the coming into force of these Regulations.

Marginal Citations

M12 [S.S.I. 2004/111](#).

M13 [S.S.I. 2005/216](#).

M14 [S.S.I. 2007/138](#).

M15 [S.S.I. 2007/499](#).

M16 [S.S.I. 2009/8](#).

M17 [S.S.I. 2009/305](#).

M18 [S.S.I. 2010/405](#).

M19 [S.S.I. 2011/311](#).

St Andrew's House,
Edinburgh
26th November 2014

RICHARD LOCHHEAD
A member of the Scottish Government

Status: Point in time view as at 15/01/2015.**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

SCHEDULE 1

Regulations 3 and 4(1)

IMPORT INSPECTION FEES FOR APPLICABLE CHECKS

| <i>Item</i> | <i>Plants, products or objects</i> | <i>plant or other</i> | <i>Quantity</i> | <i>Fee¹</i> | |
|-------------|---|--|---|--------------------------------------|--------------------------------------|
| | | | | <i>Normal working hours</i> | <i>Outside normal working hours</i> |
| 1 | Cuttings, (except reproductive material), plants of strawberries or of vegetables | seedlings forestry young strawberries | Per consignment— up to 10,000 in number for each additional 1,000 units (or part thereof) | £42 £0.80 up to a maximum of £168 | £66 £1.50 up to a maximum of £318 |
| 2 | Shrubs, trees (other than cut Christmas trees), other nursery including reproductive material (other than seed) | (other than cut Christmas trees), other woody plants forestry material | Per consignment— up to 1,000 in number for each additional 100 units (or part thereof) | £42 £0.50 up to a maximum of £168 | £66 £1.00 up to a maximum of £318 |
| 3 | Bulbs, rhizomes, intended for planting (other than tubers of potatoes) | corms, tubers | Per consignment— up to 200kg in weight for each additional 10kg (or part thereof) | £42 £0.20 up to a maximum of £168 | £66 £0.40 up to a maximum of £318 |
| 4 | Seeds, tissue cultures | | Per consignment— up to 100kg in weight for each additional 10kg (or part thereof) | £42 £0.50 up to a maximum of £168 | £66 £0.90 up to a maximum of £318 |
| 5 | Other plants intended for planting, not specified elsewhere in this table | | Per consignment— up to 5,000 in number for each additional 100 units (or part thereof) | £42 £0.20 up to a maximum of £168 | £66 £0.40 up to a maximum of £318 |
| 6 | Cut flowers | | Per consignment— up to 20,000 in number for each additional 1,000 units (or part thereof) | £42 £0.20 up to a maximum of £168 | £66 £0.30 up to a maximum of £318 |
| 7 | Branches with foliage, parts of conifers (other | | Per consignment— | | |

¹ Fee includes a documentary check and an identity check.

Status: Point in time view as at 15/01/2015.**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

| | | | | |
|----|--|---|-------------------------------|-------------------------------|
| | than cut Christmas trees) | up to 200kg in weight | £42 | £66 |
| | | for each additional 100kg (or part thereof) | £1.80 up to a maximum of £168 | £3.60 up to a maximum of £318 |
| 8 | Cut Christmas trees | Per consignment— up to 1,000 in number | £42 | £66 |
| | | for each additional 100 units (or part thereof) | £1.80 up to a maximum of £168 | £3.60 up to a maximum of £318 |
| 9 | Leaves of plants, such as herbs, spices and leafy vegetables | Per consignment - up to 100kg in weight | £42 | £66 |
| | | for each additional 10kg (or part thereof) | £1.80 up to a maximum of £168 | £3.60 up to a maximum of £318 |
| 10 | Fruits, vegetables (other than leafy vegetables) | Per consignment - up to 25,000kg in weight | £42 | £66 |
| | | for each additional 1,000kg (or part thereof) | £0.80 | £1.50 |
| 11 | Tubers of potatoes | Per lot - up to 25,000kg in weight | £76 | £108 |
| | | for each additional 25,000kg (or part thereof) | £52 | £78 |
| 12 | Soil and growing medium, bark | Per consignment - up to 25,000kg in weight | £42 | £66 |
| | | for each additional 1,000kg (or part thereof) | £0.80 up to a maximum of £168 | £1.50 up to a maximum of £318 |
| 13 | Grain | Per consignment - up to 25,000kg in weight | £42 | £66 |
| | | for each additional 1,000kg (or part thereof) | £0.80 up to a maximum of £168 | £1.50 up to a maximum of £318 |
| 14 | Other plants or plant products not specified elsewhere in this table | per consignment | £42 | £66 |

¹ Fee includes a documentary check and an identity check.

Note: fees are rounded up to the nearest pound, with the exception of the additional quantity values which are rounded up to the nearest decimal point.

Status: Point in time view as at 15/01/2015.**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

SCHEDULE 2

Regulations 3 and 4(2)

IMPORT INSPECTION FEES FOR APPLICABLE CHECKS (REDUCED RATES)

| <i>Item</i> | <i>Plants/ plant Products</i> | <i>Quantity</i> | <i>Country of Origin</i> | <i>Fees(*) of Normal working hours</i> | <i>Outside normal working hours</i> | |
|---------------------------------|---------------------------------------|------------------------|----------------------------------|--|---|--------|
| Cut Flowers | <i>Dianthus</i> | up to 20,000 in number | Columbia | £24.60 | £31.10 | |
| | | | Ecuador | £26.70 | £35.40 | |
| | | | Kenya | £24.90 | £31.80 | |
| | | | Turkey | £28.50 | £39.00 | |
| | | | for each additional 1,000 units | Columbia | £0.01 | £0.01 |
| | | | Ecuador | £0.03 | £0.05 | |
| | | | Kenya | £0.01 | £0.02 | |
| | maximum price | Turkey | £0.05 | £0.08 | | |
| | | Columbia | £28.40 | £38.70 | | |
| | | Ecuador | £45.60 | £73.20 | | |
| | | Kenya | £31.20 | £44.40 | | |
| | | Turkey | £60.00 | £102.00 | | |
| | | <i>Phoenix</i> | up to 20,000 in number | Costa Rica | £30.30 | £42.60 |
| | | | for each additional 1,000 units | | £0.07 | £0.11 |
| | | maximum price | | £74.40 | £130.80 | |
| | <i>Rosa</i> | up to 20,000 in number | Columbia, Ecuador | £24.60 | £31.10 | |
| Ethiopia | | | £25.80 | £33.60 | | |
| Kenya | | | £24.90 | £31.80 | | |
| Tanzania, Zambia | | | £26.70 | £35.40 | | |
| for each additional 1,000 units | | | Columbia, Ecuador | £0.01 | £0.01 | |
| | | | Ethiopia | £0.02 | £0.03 | |
| | | | Kenya | £0.01 | £0.02 | |
| | | | Tanzania, Zambia | £0.03 | £0.05 | |
| | | | maximum price | Columbia, Ecuador | £28.40 | £38.70 |

(*) Fee includes a documentary check and an identity check.

Status: Point in time view as at 15/01/2015.**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

| | | | | | |
|-------|-------------------|-----------------------------|-------------------------|--------|--------|
| | | | Ethiopia | £38.40 | £58.80 |
| | | | Kenya | £31.20 | £44.40 |
| | | | Tanzania, Zambia | £45.60 | £73.20 |
| Fruit | <i>Citrus</i> | up to 25,000kg in weight | Egypt, USA | £26.70 | £35.40 |
| | | | Israel, Mexico, Peru | £25.80 | £33.60 |
| | | | Morocco | £24.90 | £31.80 |
| | | | Tunisia, Uruguay | £37.50 | £57.00 |
| | | | Turkey | £24.60 | £31.10 |
| | | for each additional 1,000kg | Egypt, USA | £0.12 | £0.23 |
| | | | Israel, Mexico, Peru | £0.08 | £0.15 |
| | | | Morocco | £0.04 | £0.08 |
| | | | Tunisia, Uruguay | £0.60 | £1.13 |
| | | | Turkey | £0.03 | £0.05 |
| | <i>Malus</i> | up to 25,000kg in weight | Argentina, Brazil | £28.50 | £39.00 |
| | | | Chile, South Africa | £24.90 | £31.80 |
| | | | New Zealand | £25.80 | £33.60 |
| | | | USA | £33.00 | £48.00 |
| | | for each additional 1,000kg | Argentina, Brazil | £0.20 | £0.38 |
| | | | Chile, South Africa | £0.04 | £0.08 |
| | | | New Zealand | £0.08 | £0.15 |
| | | | USA | £0.40 | £0.75 |
| | <i>Passiflora</i> | up to 25,000kg in weight | Columbia Kenya | £25.80 | £33.60 |
| | | | South Africa | £30.30 | £42.60 |
| | | | Zimbabwe | £37.50 | £57.00 |
| | | for each additional 1,000kg | Columbia Kenya | £0.08 | £0.15 |
| | | | South Africa | £0.28 | £0.53 |
| | | | Zimbabwe | £0.60 | £1.13 |

(*) Fee includes a documentary check and an identity check.

Status: Point in time view as at 15/01/2015.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

| | | | | |
|------------------------------------|-----------------------------|--|--------|--------|
| <i>Prunus</i> | up to 25,000kg in weight | Argentina, Morocco | £33.00 | £48.00 |
| | | Chile, South Africa, Turkey, USA | £25.80 | £33.60 |
| | for each additional 1,000kg | Argentina, Morocco | £0.40 | £0.75 |
| | | Chile, South Africa, Turkey, USA | £0.08 | £0.15 |
| <i>Psidium</i> | Up to 25,000kg in weight | Brazil | £37.50 | £57.00 |
| | for each additional 1,000kg | | £0.60 | £1.13 |
| <i>Pyrus</i> | up to 25,000kg in weight | Argentina, South Africa | £25.80 | £33.60 |
| | | Chile | £26.70 | £35.40 |
| | | China | £33.00 | £48.00 |
| | for each additional 1,000kg | Argentina, South Africa | £0.08 | £0.15 |
| | | Chile | £0.12 | £0.23 |
| | | China | £0.40 | £0.75 |
| <i>Vaccinium</i> | up to 25,000kg in weight | Argentina | £28.50 | £39.00 |
| | for each additional 1,000kg | | £0.20 | £0.38 |
| Vegetable <i>Capsicum</i> | up to 25,000kg in weight | Israel | £24.90 | £31.80 |
| | | Morocco | £25.80 | £33.60 |
| | for each additional 1,000kg | Israel | £0.04 | £0.08 |
| | | Morocco | £0.08 | £0.15 |
| <i>Momordica</i> | up to 25,000kg in weight | Surinam | £30.30 | £42.60 |
| | for each additional 1,000kg | | £0.28 | £0.53 |
| <i>Solanum</i> <i>Melongena</i> | up to 25,000kg in weight | Kenya, Turkey | £25.80 | £33.60 |
| | for each additional 1,000kg | | £0.08 | £0.15 |

(*) Fee includes a documentary check and an identity check.

Note: fees are rounded up to the nearest decimal point, with the exception of the additional quantity values, which are rounded up to the nearest penny.

SCHEDULE 3

Regulation 5

ADDITIONAL FEES

| <i>Item</i> | <i>Plants, plant products or other objects</i> | <i>Quantity¹</i> | <i>Fee</i> |
|-------------|--|-------------------------------------|------------|
| 1 | Potatoes originating in Egypt or Lebanon. | up to 25,000kg in weight | £152 |
| | | for each 25,000kg (or part thereof) | £152 |

¹ A sample of 200 tubers will for be taken for each 25,000kg lot

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Article 13d of Council Directive [2000/29/EC](#) (OJ L 169, 10.7.2000, p.1) which requires a member State to ensure the collection of fees to cover the costs occasioned by the documentary checks, identity checks and plant health checks of certain imports of plants, plant products and other objects from third countries which are required by Article 13a(1) of the Directive. These Regulations revoke and replace the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005 (S.S.I. 2005/216) (“the 2005 Regulations”). These Regulations consolidate amendments made to the 2005 Regulations and also increase the level of the applicable fees. They also make provision for additional fees in respect of potatoes originating in Egypt or Lebanon.

Regulation 3 requires the payment of a fee for documentary, identity and plant health checks (“applicable checks”) performed on consignments, or parts of consignments, consisting of plants, plant products and other objects, which are landed in Scotland from a country outside the European Union, or which are in transit within the Union and in respect of which the Scottish Ministers have agreed with the official body of the point of entry of those goods to be responsible for certain matters (under article 12(6) of the Plant Health (Scotland) Order 2005 (S.S.I. 2005/613). The fees are specified in regulation 4. Except where reduced import inspection fees apply (regulation 4(2)), an importer is required to pay the fee specified in Schedule 1 for applicable checks carried out on those consignments (regulation 3(1), 4(1) and Schedule 1). The fee in Schedule 1 is a single fee. In the 2005 Regulations, the fees for plant health checks, documentary checks and identity checks were prescribed separately. The fees prescribed in Schedule 1 to these Regulations are also higher than the fees prescribed in Schedule 1 to the 2005 Regulations.

Table A provides a comparison of the fees:—

Status: Point in time view as at 15/01/2015.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

TABLE A

| | Fee in 2005 Regulations (for plant health check only) ¹ | | New Fee (for applicable checks) | |
|--|--|---|---|--|
| | Normal working hours | Outside normal working hours | Normal working hours | Outside normal working hours |
| Tubers of potatoes | £39.72 for each 25,000kg | £59.58 for each 25,000kg | £76 for the first 25,000kg and £52 for each 25,000kg thereafter | £108 for the first 25,000kg and £78 for each 25,000kg thereafter |
| All other entries listed in Schedule 1 | £13.24 for a standard consignment size (specified per entry) | £19.86 for a standard consignment size (specified per entry) | £42 for a standard consignment size (specified per entry) | £66 for a standard consignment size (specified per entry) |
| | Up to a maximum of £105.92 may be charged for additional units ² | Up to a maximum of £158.88 may be charged for additional units | Up to a maximum of £168 may be charged for additional units | Up to a maximum of £318 may be charged for additional units |
| | Additional fees per consignment (Schedule 3 of the 2005 Regulations): Documentary Check: £5.29 Identity Check: £5.29 (for up to truck load size) or £10.58 (for larger load) | | | |

¹ Additional fees for documentary check (£5.29) and identity check (£5.29 for truck load size or £10.58 for larger load) require to be added to the plant health check fee on each consignment. These fees were prescribed in Schedule 3 to the 2005 Regulations.

² There is no maximum price for plants, plant products or other objects falling within the description “Fruits, vegetables (other than leafy vegetables)” in Schedule 1.

Regulation 4(2) and Schedule 2 prescribe the reduced import inspection fees which apply (whether or not a plant health inspection is in fact carried out) in respect of applicable checks of certain cut flowers, fruits and vegetables originating in the countries specified in Schedule 2. The fee in Schedule 2 to these Regulations is a single fee. In the 2005 Regulations the documentary, identity and plant health checks were subject to separate fees. Pursuant to Article 2 of Commission Regulation (EC) 1756/2004 (OJ L 313, 12.10.2004, p.6) the European Commission notifies member States of the items which should be subject to reduced inspection and of the rate of such inspection. Schedule 2 takes account of the most recent Commission Notification on reduced inspection rates as published on the following Website: http://ec.europa.eu/food/plant/plant_health_biosafety/trade_non_eu/reduced_frequency_checks_en.htm.

Schedule 2 also increases the fees which are payable.

Table B provides a comparison of the fees:—

TABLE B

| Genus | Country of Origin | Reduced Rate Fee in 2005 Regulations¹ (for plant health check only)² | New reduced Rate Fee³ (for applicable checks) | Rate of Inspection in Period 01.10.2014 – 2015) |
|--------------------|--------------------------|---|---|--|
| Cut Flowers | | | | |
| <i>Dianthus</i> | Columbia | £0.66 | £24.60 | 3% |
| | Ecuador | £1.98 | £26.70 | 15% |
| | Kenya | £0.66 | £24.90 | 5% |
| | Turkey | £3.31 | £28.50 | 25% |
| <i>Phoenix</i> | Costa Rica | | £30.30 | 35% |
| <i>Rosa</i> | Columbia | £0.39 | £24.60 | 3% |
| | Ecuador | £0.39 | £24.60 | 3% |
| | Ethiopia | £0.66 | £25.80 | 10% |
| | Kenya | £0.66 | £24.90 | 5% |
| | Tanzania | £1.32 | £26.70 | 15% |
| | Zambia | £3.31 | £26.70 | 15% |
| Fruits | | | | |
| <i>Citrus</i> | Egypt | £1.98 | £26.70 | 15% |
| | Israel | £1.98 | £25.80 | 10% |
| | Mexico | £3.31 | £25.80 | 10% |
| | Morocco | £0.66 | £24.90 | 5% |
| | Peru | £4.63 | £25.80 | 10% |
| | Tunisia | | £37.50 | 75% |
| | Turkey | £0.39 | £24.60 | 3% |
| | Uruguay | £1.98 | £37.50 | 75% |
| | USA | £1.98 | £26.70 | 15% |
| <i>Malus</i> | Argentina | £1.32 | £28.50 | 25% |
| | Brazil | £1.98 | £28.50 | 25% |

¹ Fee is per consignment of up to 20,000 cut flowers and up to 25,000kg of fruit and vegetables and relate to checks carried out during normal working hours. Fees for additional quantities and the maximum fee per consignment are also prescribed in Schedule 2, together with corresponding fees for checks carried out outside normal working hours.

² Additional fees for documentary check (£5.29) and identity check (£5.29 for truck load size or £10.58 for larger load) require to be added to the plant health check fee on each consignment. These fees were prescribed in Schedule 3 to the 2005 Regulations.

³ Fee is per consignment of up to 20,000 cut flowers and up to 25,000kg of fruit and vegetables and relate to checks carried out during normal working hours. Fees for additional quantities and the maximum fee per consignment are also prescribed in Schedule 2, together with corresponding fees for checks carried out outside normal working hours.

Status: Point in time view as at 15/01/2015.

Changes to legislation: There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014. (See end of Document for details)

| | | | | |
|-------------------|--------------|-------|--------|-----|
| | Chile | £0.92 | £24.90 | 5% |
| | New Zealand | £1.32 | £25.80 | 10% |
| | South Africa | £1.32 | £24.90 | 5% |
| | USA | £3.31 | £33.00 | 50% |
| <i>Passiflora</i> | Colombia | £1.32 | £25.80 | 10% |
| | Kenya | £1.32 | £25.80 | 10% |
| | South Africa | £6.62 | £30.30 | 35% |
| | Zimbabwe | £4.63 | £37.50 | 75% |
| <i>Prunus</i> | Argentina | £4.63 | £33.00 | 50% |
| | Chile | £1.32 | £25.80 | 10% |
| | Morocco | | £33.00 | 50% |
| | South Africa | £1.32 | £25.80 | 10% |
| | Turkey | £1.32 | £25.80 | 10% |
| | USA | £3.31 | £25.80 | 10% |
| <i>Psidium</i> | Brazil | | £37.50 | 75% |
| <i>Pyrus</i> | Argentina | £1.98 | £25.80 | 10% |
| | Chile | £4.63 | £26.70 | 15% |
| | China | £4.63 | £33.00 | 50% |
| | South Africa | £1.32 | £25.80 | 10% |
| <i>Vaccinium</i> | Argentina | | £28.50 | 25% |
| Vegetables | | | | |
| <i>Capsicum</i> | Israel | | £24.90 | 5% |
| | Morocco | | £25.80 | 10% |
| <i>Momordica</i> | Surinam | | £30.30 | 35% |
| <i>Solanum</i> | Kenya | | £25.80 | 10% |
| <i>Melongena</i> | Turkey | £1.32 | £25.80 | 10% |

¹ Fee is per consignment of up to 20,000 cut flowers and up to 25,000kg of fruit and vegetables and relate to checks carried out during normal working hours. Fees for additional quantities and the maximum fee per consignment are also prescribed in Schedule 2, together with corresponding fees for checks carried out outside normal working hours.

² Additional fees for documentary check (£5.29) and identity check (£5.29 for truck load size or £10.58 for larger load) require to be added to the plant health check fee on each consignment. These fees were prescribed in Schedule 3 to the 2005 Regulations.

³ Fee is per consignment of up to 20,000 cut flowers and up to 25,000kg of fruit and vegetables and relate to checks carried out during normal working hours. Fees for additional quantities and the maximum fee per consignment are also prescribed in Schedule 2, together with corresponding fees for checks carried out outside normal working hours.

The Regulations also make provision for two additional fees in respect of sampling of potatoes. Regulations 5(1) and (2) and Schedule 3 prescribe a fee for the taking of samples of potatoes originating in Egypt in order to test for the presence of *Ralstonia solanacearum* (Smith) Yabuuchi et al., in accordance with point 5 of the Annex to Commission Implementing Decision (EU) No

787/2011 (OJ L 319, 02.12.2011, p.112). This fee was formerly prescribed by regulation 6 of the Potatoes Originating in Egypt (Scotland) Regulations 2004 (S.S.I. 2004/111). Regulation 7(1)(a) and (2) of these Regulations revokes that provision with savings.

Regulation 5(1) and (3) and Schedule 3 also introduce a fee for the taking of samples of potatoes originating in Lebanon in order to test for the presence of *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckermann and Kotthoff) Davis et al. in accordance with Article 4 of Commission Implementing Decision (EU) No 413/2013 (OJ L 205, 01.08.2013, p.13).

Regulation 6 revokes the 2005 Regulations, and subsequent amending regulations, with savings.

A business and regulatory impact assessment has been prepared, and placed in the Scottish Parliament Information Centre. A copy can be obtained from the Scottish Government Agriculture, Food and Rural Communities Directorate, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.

Status:

Point in time view as at 15/01/2015.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Import Inspection Fees) (Scotland) Regulations 2014.