
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).

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—

^{F1}
...

“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};

[^{F2}“documentary check” has the same meaning as in Article 13a(1)(b)(i) of the Directive,]

[^{F3}“the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives [69/464/EEC](#), [74/647/EEC](#), [93/85/EEC](#), [98/57/EC](#), [2000/29/EC](#), [2006/91/EC](#) and [2007/33/EC](#);

[^{F2}“Europe” includes Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, Faeroe Islands, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug)), San Marino, Serbia, Turkey and Ukraine,]

[^{F2}“European Union” means the territories of the Member States including the Isle of Man and the Channel Islands but excluding Canary Islands, Ceuta, Melilla, Guadeloupe, French Guiana, Martinique, Réunion, Saint-Barthélemy and Saint-Martin]

[^{F2}“identity check” has the same meaning as in Article 13a(1)(b)(ii) of the Directive,]

^{F4}
...

“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};

[^{F5}“Official Controls Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC)

No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC, insofar as it applies to rules referred to Article 1(2)(g) of that Regulation;]

“plants” has the same meaning as in [^{F6}Article 2 (definitions), point (1) of the EU Plant Health Regulation];

“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 [^{F7}Article 2 (definitions), point (2), first subparagraph of the EU Plant Health Regulation]; and

[^{F8}“third country” means any country or territory other than—

- (a) one within the European Union,
- (b) Switzerland.]

(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.

Textual Amendments

- F1** Words in reg. 2(1) omitted (22.2.2020) by virtue of [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment \(No. 2\) Regulations 2019 \(S.S.I. 2019/425\)](#), regs. 1(1), **2(2)(a)**
- F2** Words in reg. 2(1) inserted (22.2.2020) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment \(No. 2\) Regulations 2019 \(S.S.I. 2019/425\)](#), regs. 1(1), **2(2)(b)**
- F3** Words in reg. 2(1) inserted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(2)(a)**
- F4** Words in reg. 2(1) omitted (14.12.2019) by virtue of [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(2)(b)**
- F5** Words in reg. 2(1) inserted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(2)(c)**
- F6** Words in reg. 2(1) substituted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(2)(d)**
- F7** Words in reg. 2(1) substituted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(2)(e)**
- F8** Words in reg. 2(1) substituted (22.2.2020) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment \(No. 2\) Regulations 2019 \(S.S.I. 2019/425\)](#), regs. 1(1), **2(2)(c)**

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.—^{F9}(1) An importer of a consignment to which this regulation applies must pay to the Scottish Ministers the fees 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 [^{F10}in Part A of Annex 11 or in Annex 12 to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing [Commission Regulation \(EC\) No 690/2008](#) and amending Commission Implementing Regulation (EU) 2018/2019, as amended from time to time;] or

(ii) seeds of Solanaceae ^{M7}; and

^{F11}(b) is subject to—

(i) official controls at a border control post in Scotland pursuant to Article 47(1) of the Official Controls Regulation; or

(ii) any agreement made under the provisions of any delegated act that establishes the cases where, and the conditions under which, identity checks and physical checks of transhipped consignments and of animals arriving by air or sea and staying on the same means of transport for onward travel may be performed at a border control post other than the one of first arrival into the Union, adopted by the Commission under Article 51(1) (specific rules for official controls at border inspection posts) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations [\(EC\) No 999/2001](#), [\(EC\) No 396/2005](#), [\(EC\) No 1069/2009](#), [\(EC\) No 1107/2009](#), [\(EU\) No 1151/2012](#), [\(EU\) No 652/2014](#), [\(EU\) 2016/429](#) and [\(EU\) 2016/2031](#) of the European Parliament and of the Council, Council Regulations [\(EC\) No 1/2005](#) and [\(EC\) No 1099/2009](#) and Council Directives [98/58/EC](#), [1999/74/EC](#), [2007/43/EC](#), [2008/119/EC](#) and [2008/120/EC](#), and repealing Regulations [\(EC\) No 854/2004](#) and [\(EC\) No 882/2004](#) of the European Parliament and of the Council, Council Directives [89/608/EEC](#), [89/662/EEC](#), [90/425/EEC](#), [91/496/EEC](#), [96/23/EC](#), [96/93/EC](#) and [97/78/EC](#) and Council [Decision 92/438/EEC](#).]

Textual Amendments

F9 Reg. 3(1) substituted (22.2.2020) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment \(No. 2\) Regulations 2019 \(S.S.I. 2019/425\)](#), regs. 1(1), **2(3)**

F10 Words in reg. 3(2)(a)(i) substituted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(3)(a)**

F11 Reg. 3(2)(b) substituted (14.12.2019) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), reg. 1(1), **sch. 5 para. 8(3)(b)**

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).

Fees

4.—(1) Except where paragraph (2) applies, the fee specified for [^{F12}a plant health check] 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 [^{F13}plants, plant products or other objects] 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 [^{F14}a plant health check] carried out, or which, but for Article 13a(2) of the Directive (providing for checks to be carried out at reduced frequency ^{M8}), 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 [^{F13}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 sixth column of Schedule 2 and corresponding to the relevant [^{F13}plants, plant products or other objects] as described in the second column of that Schedule.

[^{F15}(3) The fee specified for a documentary check or an identity check carried out is the fee specified for that check in the third column of schedule 2A.]

Textual Amendments

- F12** Words in reg. 4(1) substituted (22.2.2020) by The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2019 (S.S.I. 2019/425), regs. 1(1), **2(4)(a)**
- F13** Words in reg. 4(2) substituted (22.2.2020) by The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2019 (S.S.I. 2019/425), regs. 1(1), **2(4)(b)(i)**
- F14** Words in reg. 4(2) substituted (22.2.2020) by The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2019 (S.S.I. 2019/425), regs. 1(1), **2(4)(b)(ii)**
- F15** Reg. 4(3) inserted (22.2.2020) by The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2019 (S.S.I. 2019/425), regs. 1(1), **2(4)(c)**

Marginal Citations

- M8** 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:
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) ^{F16}... 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.

Status: Point in time view as at 22/02/2020.

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)

(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^{M9}, those potatoes are infected with *Ralstonia solanacearum* (Smith) Yabuuchi et al..

^{F17}(3)

Textual Amendments

F16 Words in [reg. 5\(1\)](#) omitted (14.12.2019) by virtue of [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), [reg. 1\(1\)](#), [sch. 5 para. 8\(4\)\(a\)](#)

F17 [Reg. 5\(3\)](#) omitted (14.12.2019) by virtue of [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/421\)](#), [reg. 1\(1\)](#), [sch. 5 para. 8\(4\)\(b\)](#)

Marginal Citations

M9 OJ L 319, 2.12.2011, p.112.

Revocations

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

- (a) regulation 6 of the Potatoes Originating in Egypt (Scotland) Regulations 2004^{M10};
- (b) the Plant Health (Import Inspection Fees) (Scotland) Regulations 2005^{M11};
- (c) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2007^{M12};
- (d) the Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2007^{M13};
- (e) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2009^{M14};
- (f) the Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2009^{M15};
- (g) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2010^{M16}; and
- (h) the Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2011^{M17}.

(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

M10 [S.S.I. 2004/111](#).

M11 [S.S.I. 2005/216](#).

M12 [S.S.I. 2007/138](#).

M13 [S.S.I. 2007/499](#).

M14 [S.S.I. 2009/8](#).

M15 [S.S.I. 2009/305](#).

M16 [S.S.I 2010/405](#).

M17 [S.S.I. 2011/311](#).

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RICHARD LOCHHEAD
A member of the Scottish Government

Status: Point in time view as at 22/02/2020.**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)

[F18] SCHEDULE 1

Regulations 3 and 4(1)

IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

Textual Amendments**F18** Sch. 1 substituted (22.2.2020) by The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2019 (S.S.I. 2019/425), regs. 1(1), 2(5)

Item	Plant, plant product or other object	Quantity	*Fees	
			Normal working hours	Outside normal working hours
1	Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables	up to 10,000 in number	£30	£54
		for each additional 1,000 units (or part thereof)	£0.80 up to a maximum of £168	£1.50 up to a maximum of £318
2	Shrubs, trees (other than cut Christmas trees), other woody nursery plants including forest reproductive material (other than seed)	up to 1,000 in number	£30	£54
		for each additional 100 units (or part thereof)	£0.50 up to a maximum of £168	£1.00 up to a maximum of £318
3	Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)	Per consignment— up to 200kg in weight	£30	£54
		for each additional 10kg (or part thereof)	£0.20 up to a maximum of £168	£0.40 up to a maximum of £318
4	Seeds, tissues cultures	Per consignment— up to 100kg in weight	£30	£54
		for each additional 10kg (or part thereof)	£0.50 up to a maximum of £168	£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	£30	£54
		for each additional 100 units (or part thereof)	£0.20 up to a maximum of £168	£0.40 up to a maximum of £318
6	Cut flowers	Per consignment— up to 20,000 in number	£30	£54

Status: Point in time view as at 22/02/2020.**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)

Item	Plant, plant product or other object	Quantity	*Fees	
			Normal working hours	Outside normal working hours
		for each additional 1,000 units (or part thereof)	£0.20 up to a maximum of £168	£0.30 up to a maximum of £318
7	Branches with foliage, parts of conifers (other than cut Christmas trees)	Per consignment— up to 200kg in weight	£30	£54
		for each additional 100kg (or part thereof) (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	£30	£54
		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	£30	£54
		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	£30	£54
		for each additional 1,000kg (or part thereof)	£0.80	£1.50
11	Tubers of potatoes	Per lot— up to 25,000kg in weight	£64	£96
		for each additional 25,000kg in weight (or part thereof)	£52	£78
12	Soil and growing medium, bark	Per consignment— up to 25,000kg in weight	£30	£54
		for each additional 1,000kg (or part thereof)	£0.80 up to a maximum of £168	£1.50 up to a maximum of £318

Status: Point in time view as at 22/02/2020.

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)

Item	Plant, plant product or other object	Quantity	*Fees	
			Normal working hours	Outside normal working hours
13	Grain	Per consignment— up to 25,000kg in weight	£30	£54
		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	£30	£54
15	Machinery and vehicles which have been operated for agricultural or forestry purposes	Per consignment	£30	£54

* Fees include: travel costs (weekday/weekend rate - based on average costs) and the cost of physical inspection, which depends on the type and size of import.

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]

[^{F19}SCHEDULE 2

Regulations 3 and 4(2)

REDUCED IMPORT INSPECTION FEES FOR PLANT HEALTH CHECKS

Textual Amendments	
F19	Sch. 2 substituted (22.2.2020) by The Plant Health (Import Inspection Fees) (Scotland) Amendment (No. 2) Regulations 2019 (S.S.I. 2019/425) , regs. 1(1), 2(6)

Item	Product	Quantity	Country of Origin	*Fees	
				Normal working hours	Outside normal working hours
Cut Flowers	Aster	up to 20,000 in number	Zimbabwe	£25.50	£45.00
		for each additional 1,000 units		£0.15	£0.23
		maximum price		£120.00	£234.00
	Dianthus	up to 20,000 in number	Columbia	£12.60	£19.10
			Ecuador, Turkey	£14.70	£23.40
			Kenya	£12.90	£19.80

Status: Point in time view as at 22/02/2020.**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)

Item	Product	Quantity	Country of Origin	*Fees	
				Normal working hours	Outside normal working hours
		for each additional 1,000 units	Columbia	£0.01	£0.01
			Ecuador, Turkey	£0.03	£0.05
			Kenya	£0.01	£0.02
		maximum price	Columbia	£16.40	£26.70
			Ecuador, Turkey	£33.60	£61.20
			Kenya	£19.20	£32.40
	Phoenix	up to 20,000 in number	Costa Rica	£21.00	£36.00
		for each additional 1,000 units		£0.10	£0.15
		maximum price		£84.00	£162.00
	Rosa	up to 20,000 in number	Columbia	£12.60	£19.10
			Ecuador	£12.20	£18.40
			Ethiopia	£12.90	£19.80
			Kenya, Zambia	£13.80	£21.60
			Tanzania	£21.00	£36.00
		for each additional 1,000 units	Columbia	£0.01	£0.01
			Ecuador	£0.01	£0.01
			Ethiopia	£0.01	£0.02
			Kenya, Zambia	£0.02	£0.03
			Tanzania	£0.10	£0.15
		maximum price	Columbia	£16.40	£26.70
			Ecuador	£13.40	£20.90
			Ethiopia	£19.20	£32.40
			Kenya, Zambia	£26.40	£46.80
Tanzania	£84.00		£162.00		
Fruit	Actinidia	up to 25,000kg in weight	Any third country	£12.90	£19.80
		for each additional 1,000kg		£0.04	£0.08
	Carica papaya	up to 25,000kg in weight	Any third country	£12.90	£19.80
		for each additional 1,000kg		£0.04	£0.08
	Citrus	up to 25,000kg in weight	Egypt	£25.50	£45.00
			Mexico	£21.00	£36.00
			Morocco, Turkey	£12.60	£19.10

Status: Point in time view as at 22/02/2020.

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)

Item	Product	Quantity	Country of Origin	*Fees		
				Normal working hours	Outside normal working hours	
			Peru	£13.80	£21.60	
			USA	£16.50	£27.00	
			Egypt	£0.60	£1.13	
			Mexico	£0.40	£0.75	
			Morocco, Turkey	£0.03	£0.05	
			Peru	£0.08	£0.15	
		USA	£0.20	£0.38		
		Cydonia	up to 25,000kg in weight	Any third country in Europe	£12.90	£19.80
			for each additional 1,000kg		£0.04	£0.08
		Fragaria	up to 25,000kg in weight	Any third country	£12.90	£19.80
			for each additional 1,000kg		£0.04	£0.08
		Malus	up to 25,000kg in weight	Argentina	£18.30	£30.60
Brazil	£21.00			£36.00		
Chile, Any third country in Europe, South Africa	£12.90			£19.80		
New Zealand	£13.80			£21.60		
for each additional 1,000kg	Argentina		£0.28	£0.53		
	Brazil		£0.40	£0.75		
	Chile, South Africa		£0.04	£0.08		
	New Zealand		£0.08	£0.15		
Mangifera	up to 25,000kg in weight	Brazil	£21.00	£36.00		
	for each additional 1,000kg		£0.40	£0.75		
Passiflora	up to 25,000kg in weight	Columbia	£13.30	£20.60		
		Kenya, Vietnam	£16.50	£27.00		
		South Africa	£21.00	£36.00		
		Zimbabwe	£25.50	£45.00		
	for each additional 1,000kg	Columbia	£0.06	£0.11		
		Kenya, Vietnam	£0.20	£0.38		
		South Africa	£0.40	£0.75		
		Zimbabwe	£0.60	£1.13		

Status: Point in time view as at 22/02/2020.**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)

Item	Product	Quantity	Country of Origin	*Fees	
				Normal working hours	Outside normal working hours
	<i>Persea americana</i>	up to 25,000kg in weight	Any third country	£12.90	£19.80
		for each additional 1,000kg		£0.04	£0.08
	<i>Prunus</i>	up to 25,000kg in weight	Argentina	£25.50	£45.00
			Chile	£13.80	£21.60
			Any third country in Europe	£12.90	£19.80
			Morocco	£21.00	£36.00
			Turkey	£18.30	£30.60
		for each additional 1,000kg	Argentina	£0.60	£1.13
			Chile	£0.08	£0.15
			Any third country in Europe	£0.04	£0.08
			Morocco	£0.40	£0.75
			Turkey	£0.28	£0.53
	<i>Prunus</i> – other than <i>P. persica</i>	up to 25,000kg in weight	South Africa	£13.80	£21.60
		for each additional 1,000kg		£0.08	£0.15
	<i>Pyrus</i>	up to 25,000kg in weight	Argentina, Chile	£14.70	£23.40
			China	£21.00	£36.00
			Any third country in Europe	£12.90	£19.80
			South Africa	£13.80	£21.60
		for each additional 1,000kg	Argentina, Chile	£0.12	£0.23
			China	£0.40	£0.75
			Any third country in Europe	£0.04	£0.08
			South Africa	£0.08	£0.15
	<i>Ribes</i>	up to 25,000kg in weight	Any third country in Europe	£12.90	£19.80
		for each additional 1,000kg		£0.04	£0.08
	<i>Rebus</i>	up to 25,000kg in weight	Any third country	£12.90	£19.80
		for each additional 1,000kg		£0.04	£0.08
	<i>Vaccinium</i>	up to 25,000kg in weight	Argentina	£16.50	£27.00

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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)

Item	Product	Quantity	Country of Origin	*Fees	
				Normal working hours	Outside normal working hours
			Any third country in Europe	£12.90	£19.80
			Chile, Peru	£13.80	£21.60
		for each additional 1,000kg	Argentina	£0.20	£0.38
			Any third country in Europe	£0.04	£0.08
			Chile, Peru	£0.08	£0.15
	<i>Vitis</i>	up to 25,000kg in weight	Any third country	£12.90	£19.80
		for each additional 1,000kg		£0.04	£0.08
	Vegetables	<i>Solanum lycopersicon</i>	up to 25,000kg in weight	Canary Islands, Morocco	£12.90
for each additional 1,000kg			Canary Islands, Morocco	£0.04	£0.08
<i>Solanum melongena</i>		up to 25,000kg in weight	Turkey	£14.70	£23.40
		for each additional 1,000kg		£0.12	£0.23
Other Object		Machinery and vehicles which have been operated for agricultural or forestry purposes	Per consignment	Any third country	£12.90

*Fees include: travel costs (weekday/weekend based on average costs) and the cost of physical inspection, which depends on the type and size of import and the country of origin.

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]

[^{F20}SCHEDULE 2A

Regulations 3 and 4(3)

IMPORT INSPECTION FEES FOR DOCUMENTARY CHECKS AND IDENTITY CHECKS

Textual Amendments

F20 Sch. 2A inserted (22.2.2020) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment \(No. 2\) Regulations 2019 \(S.S.I. 2019/425\)](#), regs. 1(1), **2(7)**

<i>Check</i>	<i>Quantity</i>	<i>Fee</i>
Documentary check	Per consignment	£6.00
Identity check	Per consignment	£6.00]

[^{F21}SCHEDULE 3

Regulation 5

ADDITIONAL FEES

Textual Amendments

F21 Sch. 3 substituted (1.1.2016) by [The Plant Health \(Import Inspection Fees\) \(Scotland\) Amendment Regulations 2015 \(S.S.I. 2015/392\)](#), regs. 1(1), **2(b)**

<i>Item</i>	<i>Plants, plant products or other objects</i>	<i>Quantity¹</i>	<i>Fee</i>
1	Potatoes originating in Egypt or Lebanon	in up to 25,000 kg in weight	£158
		for each 25,000 kg (or part thereof)	£158

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

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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)

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:—

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%

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.

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	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%
	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%

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.

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	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 22/02/2020.

Changes to legislation:

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