

## SCHEDULE 8

Derogations from specific prohibitions and requirements under the relevant Plant Health Orders

### PART A

Dwarfed plants of *Chamaecyparis* Spach, *Juniperus* L.  
or *Pinus* L. originating in the Republic of Korea or Japan

1. In this Part—

“permitted plants” means naturally or artificially dwarfed plants, other than fruit or seeds, originating in the Republic of Korea or Japan, of—

- (a) the genus *Chamaecyparis* Spach or the genus *Juniperus* L., or
- (b) in the case of the genus *Pinus* L., the species *Pinus parviflora* Sieb. & Zucc. or that species grafted on a rootstock of any other species of *Pinus* L. which does not bear any shoots;

“registered nursery” means a nursery which is registered and supervised by the national plant protection organisation of the Republic of Korea or the national plant protection organisation of Japan (as the case may be) for the purpose of exports of permitted plants to the United Kingdom;

“relevant NPP0” means—

- (a) in relation to permitted plants originating in the Republic of Korea, the national plant protection organisation of the Republic of Korea;
- (b) in relation to permitted plants originating in Japan, the national plant protection organisation of Japan;

“relevant plant pest” means—

- (a) in the case of plants of *Juniperus* L., *Aschistonyx eppoi* Inouye, *Gymnosporangium asiaticum* Miyabe ex Yamada and *G. yamadae* Miyabe ex Yamada, *Oligonychus perditus* Pritchard et Baker, *Popillia japonica* Newman or any other plant pest which is not known to occur in the United Kingdom;
- (b) in the case of plants of *Chamaecyparis* Spach, *Popillia japonica* Newman or any other plant pest which is not known to occur in the United Kingdom;
- (c) in the case of any plants of *Pinus* L. originating in Korea, *Bursaphelenchus xylophilus* (Steiner & Buhner) Nickle et al., *Cercoseptoria pini-densiflorae* (Hori & Nambu) Deighton, *Coleosporium phellodendri* Komr, *Coleosporium asterum* (Dietel) Sydow, *Coleosporium eupatorii* Arthur, *Cronartium quercuum* (Berk.) Miyabe ex Shirai, *Dendrolimus spectabilis* Butler, *Monochamus* spp., *Popillia japonica* Newman, *Thecodiplosis japonensis* Uchida & Inouye or any other plant pest which is not known to occur in the United Kingdom;
- (d) in the case of any plants of *Pinus* L. originating in Japan, *Bursaphelenchus xylophilus* (Steiner & Buhner) Nickle et al., *Cercoseptoria pini-densiflorae* (Hori & Nambu) Deighton, *Coleosporium paederiae*, *Coleosporium phellodendri* Komr, *Cronartium quercuum* (Berk.) Miyabe ex Shirai, *Dendrolimus spectabilis* Butler, *Monochamus* spp., *Popillia japonica* Newman, *Peridermium kurilense* Dietel, *Thecodiplosis japonensis* Uchida & Inouye or any other plant pest which is not known to occur in the United Kingdom.

2. Permitted plants may be imported into a relevant UK territory provided that—

- (a) in the case of dwarfed plants, other than fruit or seeds, of *Juniperus* L., they are imported in the period beginning on 1st November and ending on 31st March;
  - (b) they originate in a registered nursery which is included in a list of registered nurseries provided by the relevant NPPO to the national plant protection organisation of the United Kingdom;
  - (c) the plants and any adhering or associated growing medium are accompanied by a phytosanitary certificate issued by the relevant NPPO which includes the required official statement and the relevant details; and
  - (d) the importation of the permitted plants is authorised by the appropriate UK plant health authority under the relevant Plant Health Order.
3. When authorising the importation of permitted plants for the purposes of paragraph 2, the appropriate UK plant health authority must ensure that the authorisation contains conditions—
- (a) requiring the importer to provide sufficient advance notice of any consignment of permitted plants to be imported, which must include details of the type of relevant material, the quantity of plants, the expected date of arrival and the officially approved site where the plants are to be held for the purposes of paragraph 6; and
  - (b) requiring compliance with the post-entry quarantine requirements specified in paragraphs 6 to 9.
4. For the purposes of paragraph 2(c), the required official statement is an official statement that—
- (a) the permitted plants have been grown, held and trained in a registered nursery which was registered and supervised by the relevant NPPO for at least two consecutive years prior to its inclusion by the relevant NPPO in the list mentioned in paragraph 2(b);
  - (b) the registered nursery has, along with its immediate vicinity, been officially inspected during the period mentioned in sub-paragraph (a) and in any subsequent period up to the date of its dispatch at least six times a year at appropriate intervals for the presence of a relevant plant pest and no relevant plant pests have been found in those inspections at the nursery;
  - (c) the permitted plants have during the period mentioned in sub-paragraph (b)—
    - (i) been potted and kept in pots which have been placed on shelves at least 50 cm above ground or onto concrete flooring, impenetrable for nematodes, that was well maintained and free from debris;
    - (ii) been found free, in the inspections referred to in sub-paragraph (b), from all relevant plant pests;
  - (d) where they belong to the genus *Pinus* L. and in the case of grafting on a rootstock of a *Pinus* species, other than *Pinus parviflora* Sieb & Zucc., they have a rootstock derived from sources that have been officially approved as healthy material;
  - (e) each plant has been given a recognisable marking, exclusive to each individual plant, that enables the registered nursery and the year of its potting to be identified, which has been notified to the relevant NPPO; and
  - (f) the relevant NPPO has ensured that the permitted plants have remained identifiable from their dispatch from the registered nursery until the time of loading for export, through the sealing of transport vehicles or other alternatives.
5. The relevant details which must be included in the phytosanitary certificate for the purposes of paragraph 2(c) are—
- (a) the name of the registered nursery;

- (b) the recognisable marking for each plant contained in the consignment and the year of potting;
  - (c) the specification of the last treatment applied to the plants prior to dispatch; and
  - (d) under the heading “Additional declaration”, the statement that “This consignment meets the conditions in Part A of Schedule 8 to the Plant Health (EU Exit) Regulations 2019”.
6. Any permitted plants imported under paragraph 2 must be subject to official post-entry quarantine for the following periods, and found free during those periods from any relevant plant pest—
- (a) in the case of plants of *Pinus* L. or *Chamaecyparis* Spach, a period of not less than three months of active growth;
  - (b) in the case of plants of *Juniperus* L., the period beginning on 1st April and ending on 30th June.
7. Any official post-entry quarantine for the purposes of paragraph 6 must—
- (a) be supervised by the appropriate UK plant health authority and executed by officially approved and trained staff;
  - (b) ensure that the recognisable mark on each plant is preserved;
  - (c) be performed at an officially approved site with the facilities necessary to contain the spread of plant pests and maintain the permitted plants in a manner that eliminates any risk of the spread of relevant plant pests; and
  - (d) be performed for each permitted plant—
    - (i) by visual examination upon arrival and at regular intervals subsequently, having regard to the type of relevant material and its state of development during the quarantine period, for relevant plant pests or symptoms caused by a relevant plant pest; and
    - (ii) by appropriate testing of any symptoms observed in the visual examination in order to identify the plant pest causing those symptoms.
8. Any lot containing permitted plants which have not been found free from relevant plant pests during the post-entry quarantine period must be immediately destroyed under official supervision.
9. Any permitted plants which are released from quarantine must not be moved within the United Kingdom without a valid UK plant passport, which indicates the country of origin of the plants.