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## EXPLANATORY NOTE

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

This Order implements Commission Decision [2002/757/EC](#) of 19th September 2002 (OJ L. 252, 20.9.2002, p. 37) in Great Britain insofar as it relates to forest trees, wood and bark. It revokes the Plant Health (Forestry) (*Phytophthora ramorum*) (Great Britain) Order 2002 ([SI 2002/1478](#)) (article 13).

The Order prohibits the introduction and spread of the plant pest, *Phytophthora ramorum*, a fungus identified as causing Sudden Oak Death syndrome in species of oak in the USA and harm to other species of plants (article 3).

It imposes landing controls on plants and wood of four species of forest tree, *Acer macrophyllum* Pursh., *Aesculus californica* Nutt., *Lithocarpus densiflorus* (H & A) and *Quercus* L. Plant material and wood of this description which originates in the USA and is despatched to the EC after 5th November 2002 must be accompanied by a phytosanitary certificate issued in compliance with the various requirements of the Schedule (article 4 and the Schedule). Imports of such material must be notified to an inspector at least three days before landing. The Order extends the ban in the principal Order on imports of isolated bark of *Quercus* to the other susceptible species.

The Order also imposes a requirement for imports from the USA of such susceptible trees to be accompanied by a plant passport when moving within Great Britain or to another part of the UK, or elsewhere in the EC, including the Channel Islands and Isle of Man.

Such material despatched from the USA before 5th November 2002 is not subject to this Order (article 6), but the controls of the revoked Forestry *Phytophthora ramorum* Order will continue to apply to such material despatched from the USA before 5th November 2002 and which enters Great Britain after 5th November 2002 (article 13).

There is provision (article 10) for licensed importation, movement and keeping of the prohibited pest for research purposes.

Inspectors' enforcement powers are provided for in article 11, and offences similar to those created in the principal Order are created in respect of the production of plant passports pursuant to this Order. Offences are also created in respect of the spread of the pest and compliance with the key provisions of the Order (article 12).

No regulatory impact assessment has been undertaken in respect of the measures in this Order.