

2006 No. 1879

PLANT HEALTH, ENGLAND

**The Plant Health (Import Inspection Fees) (England)
Regulations 2006**

<i>Made</i> - - - -	<i>12th July 2006</i>
<i>Laid before Parliament</i>	<i>14th July 2006</i>
<i>Coming into force</i> - -	<i>4th August 2006</i>

The Secretary of State for Environment, Food and Rural Affairs makes the following Regulations in exercise of the powers conferred on him by section 56(1) of the Finance Act 1973(a);

The Treasury consents to the making of these Regulations:

Title, commencement, extent and application

1.—(1) These Regulations may be cited as the Plant Health (Import Inspection Fees) (England) Regulations 2006 and come into force on 4th August 2006.

(2) These Regulations extend to England and Wales but apply only in relation to England.

Interpretation

2. In these Regulations—

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

“daytime working hours” means any time between the hours of 8.30 a.m. to 5.00 p.m. on any day except a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(b) in England;

“the Directive” means Council Directive 2000/29/EC(c) of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as last amended by Commission Directive 2006/35/EC(d);

“documentary check” has the same meaning as in Article 13a(1)(b)(i) of the Directive;

“identity check” has the same meaning as in Article 13a(1)(b)(ii) of the Directive;

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

(a) 1973 c. 51.

(b) 1971 c. 80.

(c) OJ No. L 169, 10.7.2000, p. 1.

(d) OJ No. L 88, 25.3.2006, p. 9.

“plant product” 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 Community.

Consignments to which these Regulations apply

3. These Regulations apply in relation to consignments of plants, plant products and other objects of a description specified in the first column of Schedule 1 that are landed in England from a third country and are:

- (a) listed in Annex V, Part B of the Directive; or
- (b) seeds of *Solonaceae* whether or not listed in Annex V, Part B of the Directive.

Fees

4.—(1) An importer shall pay to the Secretary of State upon import of a consignment to which these Regulations apply—

- (a) subject to paragraph (2), the fee specified—
 - (i) in the third column of Schedule 1 in respect of any consignment other than a consignment of a plant or plant product to which sub-paragraph (a)(ii) applies; or
 - (ii) the fee specified in the fourth column of Schedule 2 in respect of a consignment of any plant or plant product listed in the first column of that Schedule and originating from a country listed in the third column of that Schedule; and
- (b) the fee specified for a documentary check and an identity check in the third column of Schedule 3.

(2) Where, at the request of an importer, or any other person responsible for the consignment, a plant health check is carried out on a consignment outside daytime working hours, the fee payable under paragraph (1)(a) in respect of that consignment shall be—

- (a) the fee specified in the fourth column of Schedule 1 if the consignment is a consignment to which paragraph (1)(a)(i) applies; or
- (b) the fee specified in the fifth column of Schedule 2 if the consignment is a consignment to which paragraph (1)(a)(ii) applies.

Revocation

5. The Plant Health (Import Inspection Fees) (England) Regulations 2005^(a) are revoked.

8th July 2006

Jeff Rooker
Minister of State
Department for Environment, Food and Rural Affairs

We consent

Frank Roy
Alan Campbell
Two of the Lords Commissioners
of Her Majesty's Treasury

12th July 2006

(a) S.I. 2005/906.

SCHEDULE 1

Regulations 3 and 4

IMPORT INSPECTION FEES

<i>Plant, plant product or other object</i>	<i>Quantity</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
Cuttings, seedlings (except forestry reproductive material), young plants of strawberries or of vegetables	Per consignment		
	— up to 10,000 in number	£13.24	£19.86
	— for each additional 1,000 units	£0.52	£0.78
	— maximum price	£105.92	£158.88
Shrubs, trees (other than cut Christmas trees), other woody nursery plants including forest reproductive material (other than seed)	Per consignment		
	— up to 1,000 in number	£13.24	£19.86
	— for each additional 100 units	£0.33	£0.49
	— maximum price	£105.92	£158.88
Bulbs, corms, rhizomes, tubers, intended for planting (other than tubers of potatoes)	Per consignment		
	— up to 200 kg in weight	£13.24	£19.86
	— for each additional 10 kg	£0.12	£0.18
	— maximum price	£105.92	£158.88
Seeds, tissue cultures	Per consignment		
	— up to 100 kg in weight	£5.67	£8.50
	— for each additional 10 kg	£0.13	£0.19
	— maximum price	£105.92	£158.88
Other plants intended for planting, not specified elsewhere in this Schedule	Per consignment		
	— up to 5,000 in number	£13.24	£19.86
	— for each additional 100 units	£0.13	£0.19
	— maximum price	£105.92	£158.88
Cut flowers	Per consignment		
	— up to 20,000 in number	£13.24	£19.86
	— for each additional 1,000 units	£0.10	£0.15
	— maximum price	£105.92	£158.88
Branches with foliage, parts of conifers (other than cut Christmas trees)	Per consignment		
	— up to 100 kg in weight	£13.24	£19.86
	— for each additional 100 kg	£1.32	£1.98
	— maximum price	£105.92	£158.88
Cut Christmas trees	Per consignment		

	— up to 1,000 in number	£13.24	£19.86
	— for each additional 100 units	£1.32	£1.98
	— maximum price	£105.92	£158.88
Leaves of plants, such as herbs, spices and leafy vegetables	Per consignment		
	— up to 100 kg in weight	£13.24	£19.86
	— for each additional 10 kg	£1.32	£1.98
	— maximum price	£105.92	£158.88
Fruits, vegetables (other than leafy vegetables)	Per consignment		
	— up to 25,000 kg in weight	£13.24	£19.86
	— for each additional 1,000 kg	£0.52	£0.78
Tubers of potatoes	Per lot		
	— up to 25,000 kg in weight	£39.72	£59.58
	— for each additional 25,000 kg	£39.72	£59.58
Soil and growing medium, bark	Per consignment		
	— up to 25,000 kg in weight	£13.24	£19.86
	— for each additional 1,000 kg	£0.52	£0.78
	— maximum price	£105.92	£158.88
Grain	Per consignment		
	— up to 25,000 kg in weight	£13.24	£19.86
	— for each additional 1,000 kg	£0.52	£0.78
	— maximum price	£529.60	£794.40
Other plants or plant products not specified elsewhere in this Schedule, except forest trees	Per consignment	£13.24	£19.86

SCHEDULE 2

Regulation 4

IMPORT INSPECTION FEES (REDUCED RATES)

<i>Genus</i>	<i>Quantity</i>	<i>Country of origin</i>	<i>Fee</i>	<i>Fee (non-daytime working hours)</i>
<i>Cut flowers</i>				
Aster	Per consignment			
	— up to 20,000 in number	Zimbabwe	£3.31	£4.96
	— for each additional 1,000 units	Zimbabwe	£0.02	£0.03
	— maximum price	Zimbabwe	£26.48	£39.72
Dianthus	Per consignment			
	— up to 20,000 in number	Colombia	£0.40	£0.60
		Ecuador	£1.98	£2.97
		Israel, Morocco, Turkey	£3.31	£4.96
	— for each additional 1,000 units	Colombia	£0.003	£0.004
		Ecuador	£0.01	£0.015
		Israel, Morocco, Turkey	£0.02	£0.03
	— maximum price	Colombia	£3.17	£4.75
		Ecuador	£15.88	£23.82
Israel, Morocco, Turkey		£26.48	£39.72	
Rosa	Per consignment			
	— up to 20,000 in number	Ecuador, Kenya, Uganda, Zimbabwe	£0.66	£0.99
		Colombia, Israel, Zambia	£1.32	£1.98
		Tanzania, Ethiopia	£3.31	£4.96
		India	£6.62	£9.93
		— for each additional 1,000 units	Ecuador, Kenya, Uganda, Zimbabwe	£0.005
		Colombia, Israel, Zambia	£0.01	£0.015
		Ethiopia, Tanzania	£0.02	£0.03
		India	£0.05	£0.07

	— maximum price	Ecuador, Kenya, Uganda, Zimbabwe	£5.29	£7.94
		Colombia, Israel, Zambia	£10.59	£15.89
		Ethiopia, Tanzania	£26.48	£39.72
		India	£52.96	£79.44
Fruit				
Malus	Per consignment			
	— up to 25,000 kg in weight	Chile, South Africa	£1.32	£1.98
		Argentina, New Zealand, USA	£1.98	£2.97
		Brazil	£3.31	£4.96
		China	£6.62	£9.93
	— for each additional 1,000 kg	Chile, South Africa	£0.05	£0.07
		Argentina, New Zealand, USA	£0.07	£0.10
		Brazil	£0.13	£0.19
		China	£0.26	£0.39
	Mangifera	Per consignment		
— up to 25,000 kg in weight		Brazil	£1.32	£1.98
		Peru, South Africa	£6.62	£9.93
— for each additional 1,000 kg		Brazil	£0.05	£0.07
		Peru, South Africa	£0.26	£0.39
Prunus		Per consignment		
	— up to 25,000 kg in weight	Chile, South Africa, Turkey,	£1.32	£1.98
		Argentina	£1.98	£2.97
		USA	£4.63	£6.94
	— for each additional 1,000 kg	Chile, South Africa, Turkey,	£0.05	£0.07
		Argentina	£0.07	£0.10
		USA	£0.18	£0.27
	Pyrus	Per consignment		
— up to 25,000 kg in weight		South Africa	£1.32	£1.98
		Argentina	£1.98	£2.97
		Chile	£3.31	£4.96
		China	£6.62	£9.93
— for each additional 1,000 kg		South Africa	£0.05	£0.07
		Argentina	£0.07	£0.10
		Chile	£0.13	£0.19
	China	£0.26	£0.39	
Citrus	Per consignment			
	— up to 25,000 kg in weight	Morocco	£0.66	£0.99
		Turkey	£0.92	£1.38
		USA	£1.32	£1.98

		Israel, Mexico, Uruguay	£1.98	£2.97
		Egypt	£3.31	£4.96
		Peru, Zimbabwe	£9.93	£14.89
	— for each additional 1,000 kg	Morocco	£0.02	£0.03
		Turkey	£0.03	£0.04
		USA	£0.05	£0.07
		Israel, Mexico, Uruguay	£0.07	£0.10
		Egypt	£0.13	£0.19
		Peru, Zimbabwe	£0.39	£0.58
Fortunella	Per consignment			
	— up to 25,000 kg in weight	South Africa	£9.93	£14.89
		Israel	£6.62	£9.93
	— for each additional 1,000 kg	South Africa	£0.39	£0.58
		Israel	£0.26	£0.39
Momordica	Per consignment			
	— up to 25,000 kg in weight	Suriname	£6.62	£9.93
	— for each additional 1,000 kg	Suriname	£0.26	£0.39
Passiflora	Per consignment			
	— up to 25,000 kg in weight	Kenya	£1.32	£1.98
		Colombia,	£1.98	£2.97
		Zimbabwe	£4.63	£6.94
		South Africa	£9.93	£14.89
	— for each additional 1,000 kg	Kenya	£0.05	£0.07
		Colombia	£0.07	£0.10
		Zimbabwe	£0.18	£0.27
		South Africa	£0.39	£0.58
Vegetables				
Solanum melongena	Per consignment			
	— up to 25,000 kg in weight	Turkey	£9.93	£14.89
	— for each additional 1,000 kg	Turkey	£0.39	£0.58

Where the total amount of any fee comprises an amount of less than £0.01, that amount shall be excluded.

SCHEDULE 3

Regulation 4(1)

IMPORT INSPECTION FEES FOR DOCUMENTARY CHECKS AND
IDENTITY CHECKS

<i>Check</i>	<i>Quantity</i>	<i>Fee</i>
Documentary check	Per consignment	£5.29
Identity check	Per consignment — up to a size of a truck load, a railway wagon load or the load of a container of comparable size	£5.29
	— bigger than the above size	£10.58

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Plant Health (Import Inspection Fees) (England) Regulations 2005 (S.I. 2005/906), which implemented Article 13d of Council Directive 2000/29/EC (OJ No. L 169, 10.7.00, p. 1) (“the Directive”). The Directive requires member States to charge 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. These Regulations also implement reduced rates for certain plants and plant products agreed under the procedure provided for in Articles 13d(2) and 18(2) of the Directive.

The Regulations require an importer to pay, upon import of a consignment to which they apply, the fee specified in Schedule 1 or the reduced rate fee in Schedule 2, as appropriate (regulation 4(1)(a)). The fee is payable whether or not an inspection is carried out on the particular consignment (except in the case of the fees payable for an inspection carried out at the request of an importer outside daytime working hours (regulation 4(2))).

An importer is also required to pay the fee specified in Schedule 3 for documentary checks and identity checks (regulation 4(1)(b)).

A Regulatory Impact Assessment was prepared in respect of the introduction of charges for plant health import inspections to which the Regulations apply. This has been placed in the Library of each House of Parliament. Copies can be obtained from Plant Health Division, Defra, Foss House, Kings Pool, Peasholme Green, York YO1 7PX.

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