
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (England) Order 2005 (S.I. 2005/2530) (“the principal Order”) so as to implement Commission Directive 2009/7/EC amending Annexes I, II, IV and V to 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 (OJ No L 40, 11.2.2009, p 12).

The Order amends Schedules 1, 2, 4 and 6 to the principal Order so as to extend controls on the introduction into, and spread within, England of certain plants and plant pests. The following harmful organisms, which are so far not known to be present in the Community, have been added to the list of prohibited organisms:

- Dendrolimus sibiricus* (Siberian coniferous silk moth),
- Rhynchophorus palmarum* (American palm weevil),
- Agrilus planipennis* (Emerald ash borer) on plants of *Fraxinus*, *Juglans mandshurica*, *Ulmus davidiana*, *Ulmus parvifolia*, and *Pterocarya rhoifolia*,
- Chrysanthemum stem necrosis virus on plants of *Dendranthema* and *Lycopersicon lycopersicum*,
- Scrobipalopsis solanivora* (Guatemalan potato moth) on tubers of *Solanum tuberosum*,
- Stegophora ulmea* (Black spot of elm) on plants of *Ulmus* and *Zelkova*, intended for planting, other than seeds.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. A Transposition Note is available and can be obtained from Plant Health Division, Defra, Foss House, Kings Pool, Peasholme Green, York YO1 7PX.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (England) (Amendment) Order 2009.