

STATUTORY INSTRUMENTS

2016 No. 104

The Plant Health (England) (Amendment) Order 2016

Schedule 4 (restrictions on the introduction into and movement within England of relevant material)

9.—(1) In the table in Part A of Schedule 4 (relevant material, originating in third countries, which may only be landed if special requirements are complied with)(1)—

- (a) in the entry in column 3 of item 8, after “*Agrilus planipennis* Fairmaire” insert “for the purposes of point 11.4 of Section I of Annex IV Part A(2)”;
- (b) for item 97 substitute—

“97. Fruits of <i>Citrus</i> L., other than fruits of <i>Citrus aurantium</i> L., or fruits of <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., originating in South Africa	The fruits must be accompanied by: (a) in the case of fruits of <i>Citrus</i> L., other than fruits of <i>Citrus aurantium</i> L., or fruits of <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., an official statement that they originate in an area in South Africa which is recognised as being free from <i>Guignardia citricarpa</i> Kiely (all strains pathogenic to <i>Citrus</i>), as referred to in Article 3(2) of Decision 2006/473/EC (3), and which is mentioned on the phytosanitary certificate or phytosanitary certificate for re-export; or (b) in the case of fruits of <i>Citrus</i> L., other than fruits of <i>Citrus aurantium</i> L. or <i>Citrus latifolia</i> Tanaka, or fruits of <i>Fortunella</i> Swingle or <i>Poncirus</i> Raf., a phytosanitary certificate which includes an official statement under the heading “Additional declaration” in accordance with point 1 of the Annex to Decision 2014/422/EU (4)
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(c) in the entries in column 2 of items 98 and 98A, for “Article 1(b)” substitute “Article 1(c)”.

(2) In the table in Part B of Schedule 4 (relevant material, from the European Union, which may only be introduced into or moved within England if special requirements are complied with)(5)—

- (a) for item 51 substitute—

- (1) Items 98 and 98A of Part A of Schedule 4 were inserted by [S.I. 2015/1827](#), article 10(1)(d); there are other amendments to Part A of Schedule 4, but none is relevant.
- (2) Part A of Annex IV to Council [Directive 2000/29/EC](#) (OJ No L 169, 10.7.2000, p. 1), as last amended by Regulation (EU) No 652/2014 (OJ No L 189, 27.6.2014, p. 1).
- (3) OJ No L 187, 8.7.2006, p. 35, as last amended by Commission Implementing Decision (EU) 2015/1175 (OJ No L 189, 17.7.2015, p. 39).
- (4) OJ No L 196, 3.7.2014, p. 21.
- (5) Item 51 of Part B of Schedule 4 was substituted by [S.I. 2015/1827](#), article 10(2)(b); there are other amendments to Part B of Schedule 4, but none is relevant.

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- “51. Specified plants within the meaning of Article 1(c) of Decision (EU) 2015/789 which have been grown for at least part of their life in an area established in accordance with Article 4 of that Decision
- The plants must be accompanied by an official statement that:
- (a) they have been grown in a site which meets the requirements specified in Article 9(2) of Decision (EU) 2015/789; and
 - (b) they:
 - (i) meet the requirements specified in Article 9(3), (4) and (5) of that Decision; or
 - (ii) in the case of dormant plants, other than seeds, of *Vitis* intended for planting, meet the requirements specified in Article 9(3), (4a) and (5) of that Decision
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(b) after item 53 insert—

- “54. Tubers of *Solanum tuberosum* L., including those intended for planting, originating in any area of Spain which is within the European Union, other than those originating in an area established in accordance with Article 5 of [Decision 2012/270/EU](#)(6) or the Balearic Islands
- The tubers must have been washed so that there is no more than 0.1% of soil remaining”.
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(6) OJ No L 132, 23.5.2012, p. 18, as amended by Commission Implementing [Decision 2014/679/EU](#) (OJ No L 283, 27.9.2014, p. 61).

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- [Order revoked by S.I. 2019/1517 Sch. 6](#)