
STATUTORY INSTRUMENTS

2021 No. 1229

The Animal Health, Plant Health, Seeds and Seed Potatoes (Miscellaneous Amendments) Regulations 2021

PART 2

Amendment of retained EU law

Amendment of Commission Implementing Regulation (EU) 2019/2072

- 9.—(1) In Annex 7, the table in Part A is amended as follows.
- (2) In entry 1, in the third column, in point (b)(ii), for “the the” substitute “the”.
- (3) In entry 20, in the third column, for point (d) substitute—
- “(d) that:
- (i) they originate in an area in which *Meloidogyne chitwoodi* Golden *et al.* (all populations) is known not to occur,
- (ii) they originate from a place of production which has been found free from *Meloidogyne chitwoodi* Golden *et al.* (all populations) based on an annual survey of host crops by visual inspection of host plants at appropriate times and by visual inspection both externally and by cutting of tubers after harvest from potato crops grown at the place of production, or
- (iii) after harvest, they have been randomly sampled and checked for the presence of symptoms after an appropriate method to induce symptoms has been applied or laboratory tested, as well as inspected visually both externally and by cutting tubers at appropriate times to detect the presence of *Meloidogyne chitwoodi* Golden *et al.*, and in all cases at the time of closing of the packages or containers before movement, and found to be free from symptoms of that pest, and”.
- (4) In entry 28, in the third column, in point (a), for “*Candidiatus*” substitute “*Candidatus*”.
- (5) In entry 109, in the third column—
- (a) omit the “or” at the end of point (a)(ii);
- (b) insert “, or” at the end of point (b)(ii);
- (c) after point (b) insert—
- “(c) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”;
- (d) in the final paragraph, for “There” substitute “For the purposes of points (a) and (b), there”.

- (6) In entry 110, in the third column—
- (a) omit the “or” at the end of point (a)(ii);
 - (b) insert “, or” at the end of point (b)(ii);
 - (c) after point (b) insert—
 - “(c) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”;
 - (d) in the final paragraph, for “There” substitute “For the purposes of points (a) and (b), there”.
- (7) In entry 111, in the third column—
- (a) omit the “or” at the end of point (b);
 - (b) insert “, or” at the end of point (c);
 - (c) after point (c) insert—
 - “(d) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”.
- (8) In entry 112, in the third column—
- (a) omit the “or” at the end of point (c);
 - (b) insert “, or” at the end of point (d);
 - (c) after point (d) insert—
 - “(e) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”.
- (9) In entry 113, in the third column—
- (a) omit the “or” at the end of point (b);
 - (b) insert “, or” at the end of point (c);
 - (c) after point (c) insert—
 - “(d) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”.
- (10) In entry 114, in the third column—

- (a) omit the “or” at the end of point (c);
 - (b) insert “, or” at the end of point (d);
 - (c) after point (d) insert—
 - “(e) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”.
- (11) In entry 131, in the third column—
- (a) omit the “or” at the end of point (a);
 - (b) insert “, or” at the end of point (b);
 - (c) after point (b) insert—
 - “(c) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”.
- (12) In entry 137, in the third column—
- (a) insert “, or” at the end of point (c);
 - (b) after point (c) insert—
 - “(d) an official statement that the wood has been subject to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate; but a phytosanitary certificate may not include any such official statement unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of fumigation.”.