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STATUTORY INSTRUMENTS

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**2021 No. 641**

**The Phytosanitary Conditions (Amendment) Regulations 2021**

**Amendments to Commission Implementing Regulation (EU) 2019/2072 relating to matters other than the introduction into Great Britain of *Chamaecyparis* Spach., *Juniperus* L., or *Pinus* L., originating in Korea**

2.—(1) Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants<sup>(1)</sup> is amended as follows.

(2) In Annex 2<sup>(2)</sup>—

(a) in the table in Part A, under the heading “**C. Insects and mites**”—

(i) after entry 11, insert “11A. *Agrilus bilineatus* (Weber) [AGRLBL]”;

(ii) after entry 79, insert “79A. *Neocerambyx raddei* (Blessig) [MALLRA]”.

(3) In Annex 2A<sup>(3)</sup>, under the heading “**B. Insects and mites**”, omit entries 2 and 6.

(4) In Annex 7<sup>(4)</sup>—

(a) in Part A—

(i) in the section headed “Interpretation”, in the definition of ‘associated controlled dunnage’, after “128,” insert “128A, 128C,”;

(ii) in the table—

(aa) after entry 45, insert—

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| “45A Plants, other than Canada, Turkey or the USA including cut branches with or without foliage of <i>Castanea</i> Mill. and <i>Quercus</i> L. | The plants must be accompanied by an official statement that they have been grown throughout their life in an area* established by the national plant protection organisation in accordance with ISPM No. 4 as an area that is free from <i>Agrilus bilineatus</i> Weber and not within 100 km of a known outbreak of <i>Agrilus bilineatus</i> Weber. |
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\*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.

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| 45B Plants, other than China, Democratic Republic of the Congo, and Viet Nam | The plants must be accompanied by an official statement: |
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(1) EUR 2019/2072 amended by [S.I. 2020/1527](#), [2021/136](#) and 426.

(2) Annex 2 of EUR 2019/2072 was substituted by Schedule 1 to [S.I. 2020/1527](#).

(3) Annex 2A of EUR 2019/2072 was substituted by Schedule 2 to [S.I. 2020/1527](#) and amended by [S.I. 2021/426](#).

(4) Annex 7 of EUR 2019/2072 was substituted by Schedule 7 to [S.I. 2020/1527](#) and amended by [S.I. 2021/136](#) and 426.

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in tissue culture, pollen or seeds of *Castanea* Mill, *Castanopsis* (Don) Spach and *Quercus* L., intended for planting

People's Republic of Korea, Japan, Republic of Korea, Russia, Taiwan and Vietnam

(a) that they have a main stem base of less than 1 cm just above the root collar,

(b) that they have been grown throughout their life in an area\* established by the national plant protection organisation in accordance with ISPM No. 4 as an area that is free from *Neocerambyx raddei* Blessig, and where appropriate packed in such a manner as to prevent infestation during transport, or

(c) that the following conditions are met:

(i) they have been grown during a period of at least four years prior to export, or, in the case of plants which are younger than four years, have been grown throughout their life in a place of production established as free from *Neocerambyx raddei* Blessig, in accordance with ISPM No. 10:

(aa) that is registered and supervised by the national plant protection organisation in the country of origin and has been subjected annually to two official inspections for any signs of *Neocerambyx raddei* Blessig carried out at appropriate times, and

(bb) within which they have been grown in a site of production with complete physical protection against the introduction of *Neocerambyx raddei* Blessig,

(ii) immediately prior to export, the plants, and in particular their stems, have been subjected to a meticulous inspection for the presence of *Neocerambyx raddei* Blessig, which has included destructive sampling, where appropriate, and

(iii) they have been packed in such a manner as to prevent infestation during transport.

\*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.”;

(bb) after entry 128, insert—

|       |   |                                  |  |
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| “128A | <p>Wood of <i>Castanea</i> Mill, and <i>Quercus</i> L. other than in the form of:</p> <ul style="list-style-type: none"> <li>- chips, particles, sawdust, shavings, wood waste and scrap, obtained in whole or in part from these trees,</li> <li>- wood packaging material (except associated controlled dunnage),</li> </ul> <p>but including wood which has not kept its natural round surface</p> | <p>Canada, Turkey or the USA</p> | <p>The wood must be accompanied by an official statement that:</p> <ul style="list-style-type: none"> <li>(a) it originates in an area* which, in accordance with ISPM No. 4 is known to be free from <i>Agrilus bilineatus</i> Weber and not within 100 km of a known outbreak of <i>Agrilus bilineatus</i> Weber,</li> <li>(b) it is bark-free, and has undergone an appropriate heat treatment to achieve a minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood, or</li> <li>(c) it has undergone appropriate ionizing irradiation to achieve a minimum absorbed dose of 1 kGy throughout the wood.</li> </ul> <p>Where the phytosanitary certificate includes the official statement referred to in paragraph (b), there must also be evidence of that heat treatment by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the phytosanitary certificate.</p> |
| 128B  | <p>Wood in the form of chips particles, sawdust, shavings, wood waste and scrap, obtained in whole or in part from <i>Castanea</i> Mill and <i>Quercus</i> L.</p>   | <p>Canada, Turkey or the USA</p> | <p>The wood must be accompanied by an official statement that it originates in an area* which, in accordance with ISPM No. 4, is known to be free from <i>Agrilus bilineatus</i> Weber and is not within 100 km of a known outbreak of <i>Agrilus bilineatus</i> Weber.</p>  |

\*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.”.

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|      |   |   |   |
|------|---|---|---|
|      |   |   | <p>*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.</p>   |
| 128C | <p>Wood of <i>Castanea</i> Mill, <i>Castanopsis</i> (D. Don) Spach and <i>Quercus</i> L. other than in the form of:</p> <p>- chips, particles, sawdust, shavings, wood waste and scrap, obtained in whole or in part from these trees,</p> <p>- wood packaging material, except associated controlled dunnage,</p> <p>but including wood which has not kept its natural round surface</p> | <p>China, Democratic People’s Republic of Korea, Japan, Republic of Korea, Russia, Taiwan and Vietnam</p> | <p>The wood must be accompanied by an official statement that:</p> <p>(a) it originates in an area* which, in accordance with ISPM No. 4, is known to be free from <i>Neocerambyx raddei</i> Blessig,</p> <p>(b) it has undergone an appropriate heat treatment to achieve a minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood, or</p> <p>(c) it has undergone appropriate ionizing irradiation to achieve a minimum absorbed dose of 1 kGy throughout the wood.</p> <p>Where the phytosanitary certificate includes the official statement referred to in paragraph (b), there must also be evidence of that heat treatment by a mark “HT” put on the wood or on any wrapping in accordance with current usage and on the phytosanitary certificate.</p> <p>*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.</p> |
| 128D | <p>Wood in the form of chips, particles, sawdust, wood waste or scrap obtained in whole or part from <i>Castanea</i> Mill, <i>Castanopsis</i> (D. Don) Spach and <i>Quercus</i> L.</p>  | <p>China, Democratic People’s Republic of Korea, Japan, Republic of Korea, Russia, Taiwan and Vietnam</p> | <p>The wood must be accompanied by an official statement, that:</p> <p>(a) it originates in an area* which, in accordance with ISPM No. 4, is known to be free from <i>Neocerambyx raddei</i> Blessig,</p> <p>(b) it has been processed into pieces of not more than 2.5 cm thickness and width, or</p> <p>(c) it has undergone an appropriate heat treatment to achieve a</p>  |

minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the chips, particles, wood waste or scrap.

Where the phytosanitary certificate includes the official statement referred to in paragraph (c), there must also be evidence of that heat treatment by a mark “HT” on the phytosanitary certificate.

\*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.”;

(cc) after entry 131, insert—

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| “131A Isolated bark and Turkey objects made of bark of <i>Quercus</i> L. | The isolated bark must be accompanied by an official statement that it originates in an area* which, in accordance with ISPM No. 4, is known to be free from <i>Agrilus bilineatus</i> Weber and is not within 100 km of a known outbreak of <i>Agrilus bilineatus</i> Weber. |
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\*The name of the area(s) must be included in the phytosanitary certificate under the heading “Additional declaration”.”;

(b) in Part B, in the table, in entry 5, in the first column, omit “and plants grown for their entire production cycle in vitro.”;

(5) In Annex 11(5), in Part A, in the table—

(a) in entry 41, in the third column, for “The USA”, substitute “Canada, China, the Democratic Republic of Korea, Japan, the Republic of Korea, Russia, Taiwan, Turkey, Vietnam and the USA”;

(b) after entry 52, insert—

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|                                   |  |   |
|-----------------------------------|--|---|
| “53 <i>Castanopsis Don) Spach</i> | (D. Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms, wood in chips or particles, sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms: | China, Democratic People’s Republic of Korea, Japan, Republic of Korea, Russia, Taiwan and Vietnam.”. |
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-Fuel wood, in logs, in billets, in twigs,  
in faggots or in similar forms:

--Non-coniferous:

ex 4401 12 00

-Wood in chips or particles:

--Non-coniferous:

ex 4401 22 00

-Sawdust and wood waste and scrap, not  
agglomerated:

--Wood waste and scrap (other than  
sawdust):

ex 4401 40 90

Wood in the rough, not stripped of bark  
or sapwood, or roughly squared:

-Treated with paint, stains, creosote or  
other preservatives:

--Non coniferous

ex 4403 12 00

Non-coniferous wood (other than tropical  
wood specified in subheading note 1 to  
Chapter 44 of Council Regulation (EEC)  
No.2658/87 or other tropical wood, oak,  
(*Quercus* spp.) or beech (*Fagus* spp.)),  
in the rough, whether or not stripped of  
bark or sapwood, or roughly squared  
other than treated with paint, stains,  
creosote or other preservatives:

ex 4403 99 00

Split poles; piles, pickets and stakes of  
wood, pointed but not sawn lengthwise:

-Non-coniferous:

ex 4404 20 00

Railway or tramway sleepers (cross-ties):

-Not impregnated:

--Non-coniferous:

4406 12 00

-Other (than not impregnated):

--Non-coniferous:

4406 92 00

Non-coniferous wood (other than tropical wood, oak (*Quercus* spp.), beech (*Fagus* spp.), maple (*Acer* spp.), cherry (*Prunus* spp.), ash (*Fraxinus* spp.), birch (*Betula* spp.) or poplar and aspen (*Populus* spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm:

ex 4407 99 27

ex 4407 99 40

ex 4407 99 90

Packing cases, boxes, crates, drums and similar packings of wood, cable-drums of wood, pallets, box pallets and other load boards of wood, pallet collars of wood:

-Cases, boxes, crates, drums and similar packings, cable-drums:

4415 10 10

4415 10 90

-Pallets, box pallets and other load boards, pallet collars:

4415 20 20

4415 20 90

Prefabricated buildings of wood:

9406 10 00.

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