

STATUTORY INSTRUMENTS

2021 No. 641

The Phytosanitary Conditions (Amendment) Regulations 2021

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

3.—(1) EUR 2019/2072 is amended as follows.

(2) In Annex 2A—

(a) under the heading “**A. Fungi and oomycetes**”, after entry 1, insert—

“1A.	<i>Coleosporium asterum</i> (Dietel) Sydow & P.Sydow [COLSAS]
1B.	<i>Coleosporium eupatorii</i> Arthur [COLSEU]
1C.	<i>Coleosporium phellodendri</i> Komarov [COLSPH]”;

(b) under the heading “**B. Insects and mites**”—

(i) after entry 4, insert “4ZA. *Dendrolimus spectabilis* (Butler) [DENDSC]”;

(ii) after entry 13, insert “13A. *Thecodiplosis japonensis* Uchida and Inouye [THEOJA]”.

(3) In Annex 6(1), in Part A, in the table, in entry 1, in the column entitled “(1) *Description of plants, plant products or other objects*”, at the end insert—

“(and other than naturally or artificially dwarfed plants of *Chamaecyparis* Spach., *Juniperus* L., or *Pinus* L., either entirely of the species *Pinus parviflora* Sieb. & Zucc. (*Pinus pentaphylla* Mayr), or of *Pinus parviflora* Sieb. & Zucc. grafted on a rootstock of a *Pinus* species other than *Pinus parviflora* Sieb. & Zucc., originating in the Republic of Korea)”.

(4) In Annex 7, in Part A, in the table, after entry 42, insert—

“42A	Naturally or artificially dwarfed plants of Korea of <i>Chamaecyparis</i> Spach., <i>Juniperus</i> L., or <i>Pinus</i> L., either entirely of the species <i>Pinus parviflora</i> Sieb. & Zucc. (<i>Pinus pentaphylla</i> Mayr), or of <i>Pinus parviflora</i> Sieb. & Zucc. grafted on a rootstock of a <i>Pinus</i> species other than <i>Pinus parviflora</i> Sieb. & Zucc.	Republic of Korea	The plants must be accompanied by an official statement that:
			(a) they are naturally or artificially dwarfed plants:
			(i) of <i>Chamaecyparis</i> Spach,
			(ii) of <i>Juniperus</i> L., or
			(iii) in the case of <i>Pinus</i> L., either:
			(aa) entirely of the species <i>Pinus parviflora</i> Sieb. & Zucc. (<i>Pinus pentaphylla</i> Mayr), or

(bb) of *Pinus parviflora* Sieb. & Zucc., grafted on a rootstock of a *Pinus* L. species other than *Pinus parviflora* Sieb. & Zucc. which has borne no shoots,

(b) prior to export they have been grown, held and trained for at least two consecutive years in officially registered nurseries* which are subject to an officially supervised control regime,

(c) in the case of *Juniperus* L. plants,

(i) the plants of *Juniperus* L. and the plants of *Chaenomeles* Lindl., *Crataegus* L., *Cydonia* Mill., *Malus* Mill., *Photinia* Ldl. and *Pyrus* L. grown in the two years prior to export in the abovementioned naturally or artificially dwarfed plant nurseries, and

(ii) the immediate vicinity of the plants referred to in sub-paragraph (i), have been officially inspected at least six times a year at appropriate intervals and found free** from the following: *Aschistonyx eppoi* Inouye, *Gymnosporangium asiaticum* Miyabe ex Yamada and *G. yamadae* Miyabe ex Yamada, *Oligonychus perditus* Pritchard et Baker, *Popillia japonica* Newman, and any other harmful organism which is not known to occur in GB,

(d) in the case of *Chamaecyparis* Spach plants,
(i) the plants of *Chamaecyparis* Spach, and of *Pinus* L. grown in the abovementioned naturally or artificially dwarfed plant nurseries, and

(ii) the immediate vicinity of the plants referred to in sub-paragraph (i), have been officially inspected, at least six times a year at appropriate intervals and found free** from the following: *Popillia japonica* Newman, and any other harmful organism which is not known to occur in GB,

(e) in the case of *Pinus* L. plants,

(i) the plants of *Pinus* L. and of *Chamaecyparis* Spach grown in the abovementioned naturally or artificially dwarfed plant nurseries, and

(ii) the immediate vicinity of the plants referred to in sub-paragraph (i), have been

officially inspected, at least six times a year at appropriate intervals and found free** from the following: *Bursaphelenchus xylophilus* (Steiner & Buehrer) Nickle et al., *Pseudocercospora pini-densiflorae* (Hori & Nambu) Deighton, *Coleosporium phellodendri* Komarov, *Coleosporium asterum* (Dietel) Sydow & P.Sydow, *Coleosporium eupatorii* Arthur, *Cronartium quercuum* (Berk.) Miyabe ex Shirai, *Dendrolimus spectabilis* (Butler), *Monochamus* spp., *Popillia japonica* Newman, *Thecodiplosis japonensis* Uchida & Inouye, and any other harmful organism which is not known to occur in GB,

(f) the plants intended for GB have at least during the period referred to in paragraph (b),
(i) been potted, in pots which are placed either on shelves at least 50 cm above ground or onto flooring which is impenetrable for nematodes and which is well maintained and free from debris,

(ii) been found free, in the inspections referred to in paragraph (c) to (e), from the harmful organisms of concern specified in paragraph (c) to (e),

(iii) in the case of plants of *Pinus parviflora* Sieb & Zucc. that have been grafted on to a rootstock of a *Pinus* L. species other than *Pinus parviflora* Sieb. & Zucc., have been grafted onto a rootstock which is derived from sources officially approved as healthy material, and

(iv) been made recognisable with a marking, exclusive for each individual plant and notified to the NPPO of the Republic of Korea, enabling the identification of the registered nursery and the year of potting, and

(g) the NPPO of the Republic of Korea has ensured the identifiability of the plants from the time of their removal from the nursery until the time of loading for export, through sealing of transport vehicles or appropriate alternatives.

*The name of the nursery must be included in the phytosanitary certificate under the heading “Additional declaration”.

**Any infested plants must have been removed and the remaining plants effectively treated.

The annual lists of the registered nurseries must be made available to the NPPO of the UK at the latest by 1st March each year. They must include the number of plants grown in each of these nurseries, which are deemed suitable for dispatch to GB, under the conditions laid down. The total number of plants dispatched to GB must not exceed quantities which have been approved by the UK NPPO in advance, having regard to available of quarantine facilities.

Any detection of harmful organisms of concern specified in paragraphs (c) to (e) in the inspections carried out pursuant to those paragraphs must be officially recorded, and the records must be kept available to the NPPO of the UK, upon its request. The detection of any of the harmful organisms which are specified in paragraphs (c) to (e) disqualifies the nursery from exporting the plants specified in column 1 to GB. The NPPO of the UK must be informed immediately thereof. In such case, the registration can be renewed only in the following year.

Following their import into GB, the plants must be subject, before their release, to official post-entry quarantine for a period of not less than three months of active growth in the case of *Pinus* L. and *Chamaecyparis* Spach plants, and for a period including the active growth season from 1st April until 30th June in the case of *Juniperus* L. plants, and must have been found free, during this quarantine period, from any harmful organisms of concern. Particular attention must be given to preserve for each plant the marking referred to in paragraph (f) (iv).

The post-entry quarantine must:

- (a) be supervised by the NPPO of the UK and executed by officially approved and trained staff,
- (b) be performed at an officially approved site provided with appropriate facilities sufficient to contain harmful organisms and maintain the material in such a way as to eliminate any risk of spreading harmful organisms.

During post-entry quarantine each individual plant must be subject to:

(a) visual inspection upon arrival and at regular intervals thereafter, having regard to the type of material and its state of development during the quarantine period, for harmful organisms or symptoms caused by any harmful organism,

(b) appropriate testing of any symptoms observed in the visual inspection in order to identify the harmful organisms having caused such symptoms.

Any lot in which plants have not been found free, during the post-entry quarantine, from harmful organisms of concern must be immediately destroyed under official supervision.”.