
STATUTORY INSTRUMENTS

2023 No. 957

The Windsor Framework (Plant Health) Regulations 2023

PART 3

Northern Ireland Plant Health Labels

Invalidation and removal of a Northern Ireland plant health label

20.—(1) This regulation applies where a professional operator becomes aware that a trade unit of plants for planting, other object or a consignment with a Northern Ireland plant health label which is under the operator's control does not comply with requirements in—

- (a) regulation 8 (content and format);
- (b) regulation 9 (issuance of Northern Ireland plant health labels);
- (c) regulation 10 (authorisation);
- (d) regulation 11 (obligations);
- (e) regulation 12 (substantive requirements);
- (f) regulation 13 (examination);
- (g) regulation 17 (replacement of a phytosanitary certificate); or
- (h) regulation 19 (replacement of a Northern Ireland plant health label).

(2) The professional operator concerned must invalidate the Northern Ireland plant health label and, where possible, remove it from that trade unit, other object or consignment.

(3) Without limiting the notification obligation on professional operators referred to in Article 14(1) of the UK Plant Health Regulation, that professional operator must inform the competent authority under the competence of which it operates of the non-compliance referred to in paragraph (1).

(4) Where the professional operator fails to comply with paragraph (2), the competent authority must invalidate the Northern Ireland plant health label and, where possible, remove it from the trade unit, other object or consignment concerned.

(5) Where paragraph (2) or (4) applies, the professional operator concerned must retain the invalidated Northern Ireland plant health label or its content for at least three years.

(6) The retention referred to in paragraph (5) may take the form of storage of the information contained in the invalidated Northern Ireland plant health label in a computerised database, provided that this includes the information contained in any traceability barcode, hologram, chip or other data carrier which may supplement the information on the Northern Ireland plant health label referred to in regulation 8(b), and a statement concerning that invalidation.

(7) Where paragraph (2) or (4) applies, the professional operator concerned must inform the authorised operator or the competent authority who issued the invalidated Northern Ireland plant health label that the label has been invalidated.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) For the purposes of this regulation, “invalidate” means to strike through the Northern Ireland plant health label with a mark which cannot easily be removed or faded.