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WELSH STATUTORY INSTRUMENTS

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**2018 No. 1064 (W. 223)**

**PLANT HEALTH, WALES**

**The Plant Health (Wales) Order 2018**

<i>Made - - - -</i>	<i>9 October 2018</i>
<i>Laid before the National</i>	
<i>Assembly for Wales</i>	<i>11 October 2018</i>
<i>Coming into force</i>	<i>2 November 2018</i>

**THE PLANT HEALTH (WALES) ORDER 2018**

PART 1

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2. General interpretation

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3. Interpretation of Part 2
4. Application of Part 2
5. Prohibitions and restrictions on landing plant pests and relevant material
6. Advance notification of landing
7. Requirements for certificates
8. Exceptions from certain prohibitions and requirements
9. Presentation and display of documents
10. Prohibition on the removal of relevant material from its area of plant health control
11. Exceptions from the prohibition on the removal of relevant material from its area of plant health control
12. Plant health discharge
13. Request to an officer for Revenue and Customs for material to be detained
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15. General provisions relating to certificates
16. Requirements to be met by EU transit goods or relevant material destined for an approved place of inspection

**Status:** Point in time view as at 20/03/2019.

**Changes to legislation:** There are currently no known outstanding effects for the *The Plant Health (Wales) Order 2018 (revoked)*. (See end of Document for details)

Approved places of inspection and requirements for plant health movement documents

17. (1) The Welsh Ministers may approve a place to which...

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19. Notification of the landing of certain plants for planting  
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21. Requirements for plant passports  
22. Exceptions from certain prohibitions and requirements  
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41. Licences for trial or scientific purposes or for work on varietal selections permitted by Directive 2008/61/EC

#### PART 9

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42. Notification of the presence or suspected presence of certain plant pests
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44. Information to be given
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Signature

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## SCHEDULE 1 Plant pests which may not be introduced into or spread within Wales

1

### PART A — Plant pests not known to occur in any part of the European Union

1. Insects, mites and nematodes
2. *Agrilus anxius* Gory
3. *Agrilus planipennis* Fairmaire
4. *Amauromyza maculosa* (Malloch)
5. *Anomala orientalis* Waterhouse
6. *Anoplophora chinensis* (Forster)
7. *Anoplophora glabripennis* (Motschulsky)
8. *Anthonomus eugeni* Cano
9. *Arrhenodes minutus* Drury
10. *Bactericera cockerelli* (Sulc.)
11. *Bemisia tabaci* Genn. (non-European populations), vector of viruses such as:...
12. Cicadellidae (non-European) known to be vectors of Pierce's disease (caused...)
13. *Choristoneura* spp. (non-European)
14. *Conotrachelus nenuphar* (Herbst)
15. *Dendrolimus sibiricus* Tschetverikov
16. *Diabrotica barberi* Smith and Lawrence
17. *Diabrotica undecimpunctata howardi* Barber
18. *Diabrotica undecimpunctata undecimpunctata* Mannerheim
19. *Diabrotica virgifera zeae* Krysan & Smith
20. *Diaphorina citri* Kuway

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21. *Epitrix cucumeris* (Harris), *Epitrix papa*. sp.n, *Epitrix subcrinita* (Lec.) or...
22. *Heliethis zea* (Boddie)
23. *Hirschmanniella* spp., other than *Hirschmanniella gracilis* (de Man) Luc and...
24. *Keiferia lycopersicella* (Walsingham)
25. *Liriomyza sativae* Blanchard
26. *Longidorus diadecturus* Eveleigh and Allen
27. *Monochamus* spp. (non-European)
28. *Myndus crudus* Van Duzee
29. *Nacobbus aberrans* (Thorne) Thorne and Allen
30. *Naupactus leucoloma* Boheman
31. *Premnotrypes* spp. (non-European)
32. *Pseudopityophthorus minutissimus* (Zimmermann)
33. *Pseudopityophthorus pruinosis* (Eichhoff)
34. *Rhynchophorus ferrugineus* (Olivier)
35. *Rhynchophorus palmarum* (L.)
36. *Saperda candida* Fabricius
37. *Scaphoideus luteolus* Van Duzee
38. *Spodoptera eridania* (Cramer)
39. *Spodoptera frugiperda* (J.E. Smith)
40. *Spodoptera litura* (Fabricius)
41. *Thrips palmi* Karny
42. Tephritidae (non-European) such as: *Anastrepha fraterculus* (Wiedemann), *Anastrepha ludens* (Loew),...
43. *Thaumatotibia leucotreta* (Meyrick)
44. *Xiphinema americanum* Cobb sensu lato (non-European populations)
45. *Xiphinema californicum* Lamberti and Bleve-Zacheo
  1. Bacteria
  2. *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto...
  3. *Xanthomonas citri* pv. *aurantifolii*
  4. *Xanthomonas citri* pv. *citri*
  1. Fungi
  2. *Chrysomyxa arctostaphyli* Dietel
  3. *Cronartium* spp. (non-European)
  4. *Endocronartium* spp. (non-European)
  5. *Gibberella circinata* Nirenberg & O'Donnell
  6. *Guignardia loricata* (Saw.) Yamamoto et Ito
  7. *Gymnosporangium* spp. (non-European)
  8. *Inonotus weirii* (Murril) Kotlaba and Pouzar
  9. *Melampsora farlowii* (Arthur) Davis
  10. *Mycosphaerella larici-leptolepsis* Ito et al.
  11. *Mycosphaerella populorum* G.E. Thompson
  12. *Phoma andina* Turkensteen
  13. *Phyllosticta citricarpa* (McAlpine) Van der Aa
  14. *Phyllosticta solitaria* Ellis & Everhart.
  15. *Phytophthora ramorum* Werres, De Cock & Man in't Veld sp....
  16. *Septoria lycopersici* Speg. var *malagutii* Ciccarone and Boerema
  17. *Thecaphora solani* Barrus
  18. *Tilletia indica* Mitra
  19. *Trechispora brinkmannii* (Bresad.) Rogers

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1. Viruses and virus-like organisms
  2. Tobacco ringspot virus
  3. Tomato ringspot virus
  4. Viruses or virus-like organisms of *Cydonia* Mill., *Fragaria* L., *Malus*...
  5. Viruses transmitted by *Bemisia tabaci* Genn., such as: Bean golden...
    1. Parasitic plants
    1. Molluscs
- PART B — Plant pests known to occur in the European Union
1. Insects, mites and nematodes
  2. *Bursaphelenchus xylophilus* (Steiner & Bühner) Nickle et al.
  3. *Dryocosmus kuriphilus* Yasumatsu
  4. *Globodera pallida* (Stone) Behrens
  5. *Globodera rostochiensis* (Wollenweber) Behrens
  6. *Leptinotarsa decemlineata* Say
  7. *Meloidogyne chitwoodi* Golden et al. (all populations)
  8. *Meloidogyne fallax* Karssen
  9. *Opogona sacchari* (Bojer)
  10. *Popillia japonica* Newman
  11. *Rhizoecus hibisci* Kawai and Takagi
  12. *Spodoptera littoralis* (Boisduval)
  13. *Thaumetopoea processionea* L
  14. *Trioza erytreae* Del Guercio
    1. Bacteria
    2. *Ralstonia solanacearum* (Smith) Yabuuchi et al.
    3. *Xylella fastidiosa* (Wells et al.)
  1. Fungi
  2. *Melampsora medusae* Thümen
  3. *Synchytrium endobioticum* (Schilbersky) Percival
  1. Viruses and virus-like organisms
  2. Apricot chlorotic leaf roll mycoplasma
  3. Candidatus *Phytoplasma ulmi*
  4. Pear decline mycoplasma
- SCHEDULE 2 Relevant material which may not be introduced into or moved within Wales if that material is carrying or infected with plant pests
- PART A — Plant pests not known to occur in the European Union
- PART B — Plant pests known to occur in the European Union
- SCHEDULE 3 Relevant material which may not be introduced into Wales if that material originates in certain third countries
- SCHEDULE 4 Restrictions on the introduction into and movement within Wales of relevant material
- PART A — Relevant material, originating in third countries, which may only be landed if special requirements are complied with
- PART B — Relevant material, from the European Union, which may only be introduced into or moved within Wales if special requirements are complied with
- PART C — Relevant material which may only be landed in or moved within Wales (as a protected zone) if special requirements are complied with
- SCHEDULE 5 Relevant material from a third country for which a phytosanitary certificate may be required
- PART A — Relevant material which may only be landed if accompanied by a phytosanitary certificate

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1. Plants, other than seeds, intended for planting.
  2. Seeds of— (a) Cruciferae, Gramineae or Trifolium spp., originating in...
  3. Parts of plants, other than fruit or seeds, of—
  4. Parts of plants, other than fruit but including seeds, of...
  5. Fruit of— (a) Citrus L., Fortunella Swingle, Poncirus Raf., Microcitrus...
  6. Tubers of Solanum tuberosum L.
  7. Soil or growing medium, which consists in whole or in...
  8. Soil or growing medium which is attached to or appears...
  9. Grain of the genera Triticum, Secale or X Triticosecale originating...
  10. Susceptible plants within the meaning of Article 1(2) of Decision...
  11. Susceptible plants within the meaning of Article 1(b) of Decision...
  12. Seeds or cones, intended for propagating, of the genera or...
  13. Live pollen of Actinidia Lindl.
  14. Plants, other than seeds, of Mangifera L. originating in India....
  15. Parts of plants, including seeds, of Fraxinus L.
- PART B — Relevant material which, if destined for certain protected zones, may only be landed if accompanied by a phytosanitary certificate
16. Plants of Beta vulgaris L. intended for industrial processing.
  17. Soil from beet or unsterilized waste from beet (Beta vulgaris...
  18. Live pollen for pollination of Amelanchier Med., Chaenomeles Lindl., Cotoneaster...
  19. Parts of plants, other than fruit or seeds, of Amelanchier...
  20. Seeds of Castanea Mill., Dolichos Jacq., Magnifera spp., Beta vulgaris...
  21. Seeds or fruits (bolls) of Gossypium spp. or unginned cotton....
  22. Fruits of Vitis L.
  23. Parts of plants of Eucalyptus L'Hérit.
- SCHEDULE 6 Prohibitions on the introduction into or movement within Wales of relevant material without a plant passport
- PART A — Relevant material which may only be landed or moved within Wales if accompanied by a plant passport
1. Plants, other than seeds, of Amelanchier Med., Chaenomeles Lindl., Cotoneaster...
  2. Plants, other than seeds, of Beta vulgaris L. or Humulus...
  3. Plants of stolon- or tuber-forming species of Solanum L., intended...
  4. Plants, other than fruit or seeds, of Choisya Kunth, Fortunella...
  5. Plants, other than fruit or seeds, of Citrus L.
  6. Fruits of Citrus L., Fortunella Swingle or Poncirus Raf., with...
  7. The following plants which have been produced by producers whose...
  8. Susceptible plants within the meaning of Article 1(2) of Decision...
  9. Plants, other than seeds, intended for planting, of Viburnum spp.,...
  10. Susceptible plants within the meaning of Article 1(b) of Decision...
  11. Specified plants within the meaning of Article 1(2) of Decision...
  12. Specified plants within the meaning of Article 1(a) of Decision...
  13. Tubers of Solanum tuberosum L., including those intended for planting,...
  14. Plants, other than seeds, intended for planting, which can only...
  15. Live pollen or plants intended for planting, other than seeds,...
  16. Pre-basic mother plants as defined in Article 1(3) of Commission...
  17. Specified plants within the meaning of Article 1(c) of Decision...

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18. Specified plants within the meaning of Article 1(a) of Decision...
  19. Plants of *Fraxinus* L., intended for planting.  
PART B — Relevant material which may only be landed or moved within Wales if accompanied by a plant passport which is valid for Wales as a protected zone
  20. Plants, other than seeds, of *Platanus* L., *Prunus* L., *Quercus*...
  21. Plants, other than fruit, of *Castanea* Mill.
  22. Plants of *Palmae*, intended for planting, having a diameter of...
  23. Plants of *Pinus* L.
  24. Seeds of *Castanea* Mill.
  25. The following plants which have been produced by producers whose...
- SCHEDULE 7
- Prohibitions on the consignment of relevant material to another part of the European Union without a plant passport
- PART A — Relevant material which may only be consigned to another part of the European Union if accompanied by a plant passport
1. Plants, other than seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster*...
  2. Plants, other than seeds, of *Beta vulgaris* L. or *Humulus*...
  3. Plants of stolon- or tuber-forming species of *Solanum* L., intended...
  4. Plants, other than fruit or seeds, of *Choisya* Kunth, *Fortunella*...
  5. Plants, other than fruit or seeds, of *Citrus* L.
  6. Fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., with leaves...
  7. The following plants which have been produced by producers whose...
  8. Susceptible plants within the meaning of Article 1(2) of Decision...
  9. Plants, other than seeds, intended for planting, of *Viburnum* spp.,...
  10. Susceptible plants within the meaning of Article 1(b) of Decision...
  11. Specified plants within the meaning of Article 1(2) of Decision...
  12. Specified plants within the meaning of Article 1(a) of Decision...
  13. Tubers of *Solanum tuberosum* L., including those intended for planting,...
  14. Plants, other than seeds, intended for planting which can only...
  15. Live pollen or plants intended for planting, other than seeds,...
  16. Pre-basic mother plants as defined in Article 1(3) of Commission...
  17. Specified plants within the meaning of Article 1(c) of Decision...
  18. Specified plants within the meaning of Article 1(a) of Decision...
  19. Plants of *Fraxinus* L., intended for planting.  
PART B — Relevant material which may only be consigned to a protected zone in another part of the European Union by a plant passport which is valid for that protected zone
  20. Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus*...
  21. Plants, other than seeds, of *Beta vulgaris* L., *Platanus* L.,...
  22. Plants, other than fruit or seeds, of *Amelanchier* Med., *Castanea*...
  23. Plants of *Palmae*, intended for planting, having a diameter of...
  24. Live pollen for pollination of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster*...
  25. Tubers of *Solanum tuberosum* L. intended for planting.
  26. Plants of *Beta vulgaris* L. intended for industrial processing.
  27. Soil from beet or unsterilized waste from beet (*Beta vulgaris*...
  28. Seeds of *Beta vulgaris* L., *Castanea* Mill., *Dolichos* Jacq., *Gossypium*...
  29. Fruits (bolls) of *Gossypium* spp. or unginning cotton or fruits...

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30. The following plants which have been produced by producers whose...
- SCHEDULE 8  
Swiss plant passports
- PART A — Relevant material originating in Switzerland which may be landed or moved within Wales if accompanied by a Swiss plant passport
1. Plants, other than seeds, of *Amelanchier* Med., *Beta vulgaris* L.,...
  2. Plants of stoloniferous or tuberous species of *Solanum* L. intended...
  3. Plants, other than fruit or seeds, of *Citrus* L., *Fortunella*...
  4. Fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., with leaves...
  5. The following plants which have been produced by producers whose...
- PART B — Relevant material imported into Switzerland from another third country which, if it would normally be permitted to be landed in Wales if accompanied by a phytosanitary certificate, may be accompanied by a Swiss plant passport or may be landed without phytosanitary documentation
6. Plants, other than seeds, intended for planting.
  7. Seeds of *Cruciferae*, *Gramineae* or *Trifolium* spp. originating in Argentina,...
  8. Seeds of *Allium ascalonicum* L., *Allium cepa* L., *Allium porrum*...
  9. Seeds of *Citrus* L., *Fortunella* Swingle or *Poncirus* Raf.
  10. Seeds of *Triticum*, *Secale* or X *Triticosecale*, originating in Afghanistan,...
  11. Parts of plants, other than fruit or seeds, of—
  12. Parts of plants, other than fruit but including seeds, of...
  13. Fruit of— (a) *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., *Momordica*...
  14. Tubers of *Solanum tuberosum* L.
  15. Soil or growing medium, which consists in whole or in...
  16. Soil or growing medium which is attached to or appears...
  17. Grain of the genera *Triticum*, *Secale* or X *Triticosecale*, originating...
- SCHEDULE 9  
Requirements for plant passports
- PART A — Requirements for plant passports for any relevant material in Schedule 6 or 7
1. A plant passport may only be issued in respect of...
  2. A plant passport must comprise— (a) an official label containing...
  3. But where the plant passport relates to any relevant material...
  4. The plant passport details are— (a) the title “EU-plant passport”;
  5. An official label must— (a) not have been previously used;
  6. (1) The information contained in a plant passport must be—
  7. An additional document of a kind referred to in paragraph...
  8. The additional information is any information relevant for the purpose...
- PART B — Requirements for plant passports permitted for certain relevant material in Schedule 6 or 7
9. An official label which comprises a plant passport or part...
  10. An official label in respect of tubers of *Solanum tuberosum*...
  11. An official label in respect of seeds of *Helianthus annuus*...
  12. An official label in respect of seeds of *Solanum lycopersicum*...
  13. An official label in respect of seeds of *Medicago sativa*...



- SCHEDULE 10 Form of phytosanitary certificate and form of phytosanitary certificate for re-export
- PART A — Form of phytosanitary certificate
- PART B — Form of phytosanitary certificate for re-export
- SCHEDULE 11 Notice of landing
- SCHEDULE 12 Plant health movement document
- PART A
1. The plant health movement document required under article 17(6) must...
  2. The information contained in a plant health movement document must...
  3. In Part B, “approved place of inspection” has the same...
- PART B
- SCHEDULE 13 Special measures for the control of Potato wart disease
1. A plot is to be regarded as contaminated for the...
  2. An inspector must demarcate a contaminated plot and a safety...
  3. An inspector must serve a notice under article 32 requiring...
  4. Where an inspector is satisfied that any potato tubers or...
  5. Where a contaminated plot is demarcated under paragraph 2—
  6. No potatoes may be grown in a safety zone demarcated...
  7. A potato variety is to be considered resistant to a...
  8. Where an inspector is satisfied that Potato wart disease is...
- SCHEDULE 14 Special measures for the control of European populations of Potato cyst nematode
1. Interpretation and application of Schedule 14
  2. In this Schedule— “field” ( “cae” ) means an area...
- 2A Official investigations and surveys
- 2B Official records
- 2C Where the officially approved measures set out in Section 3(C)...
3. ...
  4. The notice may not be withdrawn until it is confirmed,...
- 4A Official designation
5. Prohibition on planting of potatoes
  6. An inspector may authorise the planting of susceptible bulbs or...
  7. An authorisation under paragraph 6 must be by notice and...
  8. Suppression of Potato cyst nematode
- 8A An authorisation under paragraph 8 must be by notice and...
9. Controls on contaminated seed potatoes etc.
  10. An authorisation under paragraph 9 must be by notice and...
- 10A Controls on potatoes for industrial processing or grading
- 10B An authorisation under paragraph 10A must be by notice and...
11. Controls on contaminated bulbs etc.
  12. An authorisation under paragraph 11 must be by notice and...
  13. Further investigations
- SCHEDULE 15 Special measures for the control of Potato ring rot
1. Interpretation
- PART A
- 1A Official surveys and testing
- 1B Where the presence of Potato ring rot in susceptible material...

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- 1C A notice may contain measures for the purposes of paragraph...
- PART B
- 1D Measures to be taken following the confirmation of the presence of Potato ring rot
- 1E Where susceptible material has been designated as contaminated under paragraph...
- 1F Any such testing must be carried out on as much...
- 1G Any designation by an inspector under this Part must be...
- 1H Where any susceptible material or object is determined by an...
- PART C
2. Susceptible material or objects contaminated or possibly contaminated with Potato ring rot
3. Where susceptible material or an object has been designated as...
4. Anything cleansed and disinfected in accordance with paragraph 3(c)(ii) may...
5. Measures ... in relation to a contaminated place of production
6. The first set of eradication measures are—
7. The second set of eradication measures are—
8. The third set of eradication measures are—
9. Except where the Welsh Ministers have published a notice under...
10. The measures which may be specified in a notice under...
- 10A Where an inspector serves a notice containing the first set...
11. Additional measures applicable in relation to unit of protected crop production
12. An inspector may not grant an authorisation under paragraph 11...
13. Where an authorisation is granted under paragraph 11, the authorisation...
- PART D
14. Demarcation of zones for the control of Potato ring rot
15. The Welsh Ministers may, by notice, specify—
16. A notice under paragraph 15— (a) must be in writing;...
17. Any premises which are partly within and partly outside a...
18. A notice published in accordance with paragraph 16 is to...
19. A notice under paragraph 15 must specify that—
20. The Welsh Ministers must ensure that during the specified period —...
21. For the purposes of paragraphs 19 and 20, the “specified... Potato brown rot
- SCHEDULE 16
1. Interpretation
- PART A
- 1A Official surveys and testing
- 1B Where the presence of Potato brown rot is suspected, the...
- 1C A notice may contain measures for the purposes of paragraph...
- PART B
- 1D Measures to be taken following confirmation of the presence of Potato brown rot
- 1E In the case of susceptible material, the actions are—
- 1F In the case of host plants, other than susceptible material,...
- 1G In the case of surface water and associated wild solanaceous...
- PART C — Special measures for the control of Potato brown rot
2. Susceptible material or objects contaminated or possibly contaminated with Potato brown rot

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3. Where susceptible material or any object has been designated as...
4. Anything cleansed and disinfected in accordance with paragraph 3(c)(ii) may...
5. Measures which may be required in relation to a contaminated place of production
6. The first set of eradication measures are—
7. The second set of eradication measures are—
8. The third set of eradication measures are—
9. Except where the Welsh Ministers have published a notice under...
10. The measures which may be specified in a notice under...
11. Additional measures applicable in relation to units of protected crop production
12. An inspector may not grant an authorisation under paragraph 11...
13. An authorisation under paragraph 11 may— (a) in relation to...  
PART D — Demarcation of zones for the control of Potato brown rot
14. This Part applies where an inspector has demarcated a zone...
15. The Welsh Ministers may, by notice, specify—
16. A notice under paragraph 15— (a) must be in writing;...
17. Any premises which are partly within and partly outside a...
18. A notice published in accordance with paragraph 16 is to...
19. A notice under paragraph 15 must specify that—
20. The Welsh Ministers may only specify— (a) the measures referred...
21. The Welsh Ministers must ensure that during the specified period —...
22. For the purposes of paragraphs 19 and 21, the “specified...  
SCHEDULE Notification requirements
- 17
1. Live organisms of the animal kingdom
2. *Ditylenchus dipsaci* (Kühn) Filipjev – Stem nematode.
3. *Globodera rostochiensis* (Wollenweber) Behrens and *Globodera pallida* (Stone) Behrens –...
4. Bacteria
5. *Clavibacter michiganensis* subspecies *michiganensis* (Smith) Davis et al. (syn. *Corynebacterium*...
6. *Erwinia amylovora* (Burr.) Winslow et al., the cause of Fire...
7. *Erwinia chrysanthemi* pv. *dianthicola* (Hellmers) Dickey – Slow wilt of...
8. *Xanthomonas campestris* pv. *vesicatoria* (Diodge) Dye – Tomato bacterial spot...
9. Cyptograms
10. *Phialophora cinerescens* (Wollenweber) Van Beyma – a carnation wilt.
11. *Puccinia horiana* P. Henn. – Chrysanthemum white rust.
12. *Verticillium albo-atrum* Reinke and Berth – *Verticillium* wilt disease.
13. *Verticillium dahliae* Klebahn – *Verticillium* wilt of hops.
14. Viruses and virus-like pathogens
15. Chrysanthemum stunt viroid.
16. Plum pox virus.
17. Raspberry ringspot virus.
18. Strawberry crinkle virus.
19. Strawberry latent ringspot virus.
20. Strawberry mild yellow edge virus.
21. Tomato black ring virus.

**Status:** Point in time view as at 20/03/2019.

**Changes to legislation:** There are currently no known outstanding effects for the  
The Plant Health (Wales) Order 2018 (revoked). (See end of Document for details)

22.	Tomato spotted wilt virus.
SCHEDULE	Revocation of Orders
18	Explanatory Note

**Status:**

Point in time view as at 20/03/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Wales) Order 2018 (revoked).