

2013 No. 3050

PLANT HEALTH, ENGLAND

**The Plant Health (Fees) (England) (Amendment) Regulations
2013**

<i>Made</i>	- - - -	<i>4th December 2013</i>
<i>Laid before Parliament</i>		<i>9th December 2013</i>
<i>Coming into force</i>	- -	<i>1st January 2014</i>

The Secretary of State, with the consent of the Treasury, makes these Regulations in exercise of the powers conferred by section 56(1) of the Finance Act 1973(a).

Citation and commencement

1. These Regulations may be cited as the Plant Health (Fees) (England) (Amendment) Regulations 2013 and come into force on 1st January 2014.

Amendment of the Plant Health (Fees) (England) Regulations 2013

2. The Plant Health (Fees) (England) Regulations 2013(b) are amended in accordance with these Regulations.

Amendment of Schedule 1

3. In Schedule 1, in column 3 of the entry relating to “Soil and growing medium, bark”, for “1.89” substitute “1.98”.

Substitution of Schedule 2

4. For Schedule 2, substitute—

“**SCHEDULE 2** Regulation 2(2)(a)(ii) and (3)(b)

Import Inspection Fees: Reduced Rates

(a) 1973 c. 51.
(b) S.I. 2013/494.

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment (non-daytime working hours) (£)</i>
Cut Flowers				
<i>Dianthus</i>	up to 20,000 in number	Colombia	1.48	2.23
		Ecuador	7.44	11.17
		Kenya	2.48	3.72
		Turkey	12.41	18.62
	each additional 1,000 or part thereof	Colombia	0.01, up to a maximum of 11.91	0.01, up to a maximum of 17.87
		Ecuador	0.05, up to a maximum of 59.59	0.08, up to a maximum of 89.39
		Kenya	0.02, up to a maximum of 19.87	0.03, up to a maximum of 29.80
		Turkey	0.10, up to a maximum of 99.36	0.16, up to a maximum of 149.04
<i>Rosa</i>	up to 20,000 in number	Colombia	1.43	2.14
		Ecuador	1.43	2.14
		Ethiopia	4.96	7.45
		Kenya	2.48	3.72
		Tanzania	7.44	11.17
		Zambia	12.41	18.62
	each additional 1,000 or part thereof	Colombia	0.01, up to a maximum of 11.89	0.01, up to a maximum of 17.84
		Ecuador	0.01, up to a maximum of 11.89	0.01, up to a maximum of 17.84
		Ethiopia	0.04, up to a maximum of 39.72	0.06, up to a maximum of 59.58
		Kenya	0.02, up to a maximum of 19.87	0.03, up to a maximum of 29.80
		Tanzania	0.05, up to a maximum of 59.59	0.08, up to a maximum of 89.39
		Zambia	0.07, up to a maximum of 99.36	0.10, up to a maximum of 149.04
Branches with foliage				
<i>Phoenix</i>	up to 100 kg	Costa Rica	17.35	26.03
	each additional 100 kg or part thereof	Costa Rica	1.70, up to a maximum of 139.05	2.56, up to a maximum of 208.57
Fruit				
<i>Citrus</i>	up to 25,000 kg	Egypt	7.45	11.17

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment (non-daytime working hours) (£)</i>
		Israel	4.96	7.45
		Mexico	7.45	11.17
		Morocco	2.48	3.72
		Peru	7.44	11.17
		Tunisia	12.41	18.62
		Turkey	1.46	2.19
		Uruguay	7.45	11.17
		USA	7.45	11.17
	each additional 1,000 kg or part thereof	Egypt	0.28	0.42
		Israel	0.21	0.31
		Mexico	0.28	0.42
		Morocco	0.07	0.10
		Peru	0.29	0.44
		Tunisia	0.49	0.73
		Turkey	0.03	0.05
<i>Malus</i>	up to 25,000 kg	Argentina	12.41	18.62
		Brazil	12.41	18.62
		Chile	2.47	3.70
		New Zealand	4.96	7.45
		South Africa	2.47	3.70
		USA	24.83	37.25
	each additional 1,000 kg or part thereof	Argentina	0.49	0.74
		Brazil	0.49	0.74
		Chile	0.07	0.10
		New Zealand	0.21	0.31
		South Africa	0.07	0.10
		USA	0.99	1.48
<i>Mangifera</i>	up to 25,000 kg	Brazil	24.83	37.25
	each additional 1,000 kg or part thereof	Brazil	0.99	1.48
<i>Passiflora</i>	up to 25,000 kg	Colombia	4.96	7.45
		Kenya	4.96	7.45
		South Africa	17.38	26.07
		Zimbabwe	37.24	55.87
	each additional 1,000 kg or part thereof	Colombia	0.17	0.26
		Kenya	0.17	0.26
		South Africa	0.69	1.03
<i>Prunus</i>	up to 25,000 kg	Argentina	24.83	37.25
		Chile	4.96	7.45
		Morocco	24.83	37.25
		South Africa	4.96	7.45

<i>Column 1 Genus</i>	<i>Column 2 Quantity</i>	<i>Column 3 Country of origin</i>	<i>Column 4 Fee for each consignment (daytime working hours) (£)</i>	<i>Column 5 Fee for each consignment (non-daytime working hours) (£)</i>
		Turkey	7.44	11.17
		USA	7.44	11.17
	each additional 1,000 kg or part thereof	Argentina	0.97	1.46
		Chile	0.17	0.26
		Morocco	0.97	1.46
		South Africa	0.17	0.26
		Turkey	0.29	0.44
		USA	0.29	0.44
<i>Pyrus</i>	up to 25,000 kg	Argentina	4.96	7.45
		Chile	12.41	18.62
		China	24.83	37.25
		South Africa	4.96	7.45
	each additional 1,000 kg or part thereof	Argentina	0.17	0.26
		Chile	0.49	0.73
		China	0.97	1.46
		South Africa	0.17	0.26
<i>Vaccinium</i>	up to 25,000 kg	Argentina	11.74	17.61
	each additional 1,000 kg or part thereof	Argentina	0.47	0.71
Vegetables				
<i>Momordica</i>	up to 25,000 kg	Surinam	17.38	26.07
	each additional 1,000 kg or part thereof	Surinam	0.69	1.03
<i>Solanum melongena</i>	up to 25,000 kg	Kenya	4.96	7.45
		Turkey	4.96	7.45
	each additional 1,000 kg or part thereof	Kenya	0.17	0.26
		Turkey	0.17	0.26".

28th November 2013

We consent

4th December 2013

de Mauley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

Mark Lancaster
Anne Milton
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Health (Fees) (England) Regulations 2013 (S.I. 2013/494) (“the principal Regulations”).

The principal Regulations implement Article 13d of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ No. 169, 10.7.2000, p. 1) (“the Directive”) which requires Member States to charge fees to cover the costs of documentary, identity and plant health checks of certain imports of plants, plant products and other objects from third countries set out in Annex V, Part B of the Directive.

Schedule 2 to the principal Regulations sets out reduced rate fees for certain plants and plant products subject to reduced frequency inspections agreed under the procedure provided for in Articles 13d(2) and 18(2) of the Directive. Regulation 4 of these Regulations substitutes a new Schedule 2 to give effect to the latest agreement by the EU Standing Committee on Plant Health in respect of reduced rate fees.

The inspection rates for the following have increased with matching increases in fees: *Dianthus* from Ecuador (from 10% to 15%); *Rosa* from Tanzania (from 10% to 15%); *Malus* from Argentina and the USA (from 10% to 25% and 35% to 50% respectively); and *Passiflora* from Zimbabwe (from 50% to 75%).

Aster from Zimbabwe and *Rosa* from Uganda are no longer eligible for reduced rate fees since these are subject to 100% inspection frequency. Accordingly, they are removed from Schedule 2 and the fees in Schedule 1 to the principal Regulations are applied for these consignments.

The inspection rates for the following have decreased with matching decreases in fees: *Dianthus* from Colombia (from 5% to 3%); *Citrus* from Peru (from 25% to 15%); *Passiflora* from South Africa (from 50% to 35%); and *Momordica* from Surinam (from 50% to 35%).

Mangifera from Brazil is newly eligible for reduced rate fees corresponding to its decreased inspection rate from 100% to 50% and is accordingly added to Schedule 2.

Regulation 3 corrects an error in one of the 100% inspection level fees specified in Schedule 1.

An impact assessment has not been produced for this instrument as no or no significant impact on the private or voluntary sectors is foreseen and they implement annual changes in fees in line with a predetermined level rather than fundamental changes to the regulatory regime itself.

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