

Statutory Instrument 1996 No. 1165

The Plant Health (Great Britain) (Amendment) (No. 2) Order 1996

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STATUTORY INSTRUMENTS

1996No. 1165

PLANT HEALTH

The Plant Health (Great Britain) (Amendment) (No. 2) Order 1996

<i>Made</i>	<i>24th April 1996</i>
<i>Laid before Parliament</i>	<i>25th April 1996</i>
<i>Coming into force</i>	<i>16th May 1996</i>

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred on them by sections 2 and 3 of the Plant Health Act 1967^[1] and now vested in them^[2] and of all other powers enabling them in that behalf, hereby make the following Order:

Title and commencement

1. This Order may be cited as the Plant Health (Great Britain) (Amendment) (No. 2) Order 1996 and shall come into force on 16th May 1996.

Amendment of the Plant Health (Great Britain) Order 1993

2. The Plant Health (Great Britain) Order 1993^[3] shall be amended in accordance

with the provisions of articles 3 to 10 below.

3. In article 4 (4) there shall be added after the word "inspector" the words "or of the appropriate Minister".

4. In Schedule 1, Part B, section (d) for the entry in the second column opposite item number 1 in the first column there shall be substituted the following—
"DK, F (Brittany), FI, IRL, P (Azores), S, UK".

5. In Schedule 2, Part B—

(a) in section (a)—

(i) for item number 1 there shall be substituted the following—

1.	<i>Anthonomus grandis</i> (Boh.)	Seed and fruits (bolls) of <i>Gossypium</i> spp., unginned cotton	EL, E (Andalucia, Catalonia, Extremadura, Murcia, Valencia)
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(ii) for the entry in the second column opposite item number 8 in the first column there shall be substituted the following—

"Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., other than fruit and seeds, wood of conifers (Coniferales) with bark, isolated bark of conifers" ;

(iii) for the entries in the second and third columns opposite item number 9 in the first column there shall be substituted the following—

Seeds of <i>Mangifera</i> spp. originating in third countries	E (Granada and Malaga), P (Alentejo, Algarve and Madeira)
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(b) in section (b) in the entry in the third column opposite item number 1 in the first column the protected zone "I" shall be deleted;

(c) in section (c) item 4 shall be deleted.

6. In Schedule 3, Part B—

(a) in the second column opposite item number 1 in the first column after the word "Rhône-Alpes" there shall be inserted the words "—except department of Rhône—" and after the word "Auvergne" there shall be inserted the words "—except department of Puy de Dome—";

(b) items numbers 2 and 3 shall be deleted.

7. In Schedule 4, Part B—

(a) for the entry in the first column opposite item number 13 there shall be substituted the following—

"Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., other than fruit and seeds" ;

(b) for the entries in the third column opposite items numbers 20.1, 20.2, 22, 23, 25.1, 25.2, 26, 27.1, 27.2 and 30 in the first column there shall be substituted the following—

"DK, F (Brittany), FI, IRL, P (Azores), S, UK" ;

(c) for part (a) of the entry in the second column opposite item number 21 in the first column there shall be substituted the following—

"(a) the plants originate in the protected zones E, F (Champagne-Ardenne, Alsace—except department of Bas Rhin—, Lorraine, Franche-Comté, Rhône-Alpes—except department of Rhône—, Bourgogne, Auvergne—except department of Puy de Dome—, Provence-Alpes-Côte d'Azur, Corse, Languedoc-Roussillon), IRL, I, P, UK (N-IRL, Isle of Man and the Channel Islands), A, FI, or" ;

(d) after item number 28 there shall be inserted the following new item number 28.1—

28.1	Seeds of <i>Gossypium</i> spp.	Official statement that the seed has been acid- delinted	EL, E (Andalucia, Catalonia, Extremadura, Murcia, Valencia)
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(e) for the entry in the third column opposite item number 29 in the first column there shall be substituted the following—

"E (Granada and Malaga), P (Alentejo, Algarve and Madeira)" .

8. In Schedule 5—

(a) in Part AII—

(i) for item number 1.1 there shall be substituted the following—

"1.1 Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr.,
Pinus L. and *Pseudotsuga* Carr." ;

(ii) in item number 1.3 the words "*Persea americana* P. Mill.," shall be deleted;

(iii) in item number 1.9 there shall be inserted at the end ", and unginned cotton";

(iv) item number 2.1 shall be deleted and item number 2.2 shall be renumbered as item number 2.1;

(b) in Part BII—

(i) for item number 6 there shall be substituted the following—

"6. Seeds and fruit (bolls) of *Gossypium* spp., and
unginned cotton" ;

(ii) for item number 8 there shall be substituted the following—

"8. Parts of plants of *Eucalyptus* L'Hérit" .

9. In Schedule 8—

(a) in section (a)—

(i) for the entry in the second column opposite item number 1 there shall be substituted the following—

"Greece, Spain (Andalucia, Catalonia, Extremadura, Murcia,
Valencia)" ;

(ii) for the entry in the second column opposite item number 15 there shall be substituted the following—

"Spain (Granada and Malaga), Portugal (Alentejo, Algarve and
Madeira)" ;

(iii) item number 17 shall be deleted;

(b) in section (b)—

(i) in the entry in the second column opposite item number 1 the word "Italy" shall be deleted;

(ii) item number 3 shall be deleted;

(c) in section (c), items numbers 4 and 5 shall be deleted;

(d) in section (d)—

(i) in the second column opposite item number 1 there shall be inserted the words "France (Brittany)";

(ii) item number 3 shall be deleted.

10. In Schedule 16 there shall be inserted at the end the following—

"Commission Directive 96/14/EC OJ No. L68, 19.3.96, p.24.

Commission Directive 96/15/EC OJ No. L70, 20.3.96, p.35." .

Tim Boswell

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

24th April 1996

Lindsay

Parliamentary Under Secretary of State,
Scottish Office

23rd April 1996

Signed by authority of the Secretary of State for Wales

Gwilym Jones

Parliamentary Under Secretary of State,
Welsh Office

23rd April 1996

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Great Britain) Order 1993 so as to implement—

- (i) Commission Directive 96/14/EC amending certain Annexes to Council Directive 77/93/EEC 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. L68, 19.3.96, p.24); and
- (ii) Commission Directive 96/15/EC amending Directive 92/76/EEC recognizing protected zones exposed to particular plant health risks in the Community (OJ No. L70, 20.3.96, p.35).

The Order, which comes into force on 16th May 1996, amends the protected zones recognized in respect of various specified plant pests (articles 4 to 10). It also removes the obligation on a person engaged in activities involving the genetic modification of plant pests or genetically modified plant pests under the authority of a licence granted by the appropriate Minister to obtain additional authorisation for those activities from an inspector (article 3).

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Notes:

[1] 1967 c. 8; sections 2(1) and 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48). back

[2] In the case of the Secretary of State for Wales, by virtue of S.I. 1978/272. back

[3] S.I. 1993/1320; amended by S.I. 1993/3213, 1995/1358, 1995/2929, 1996/25. [back](#)

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