

**EUROPEAN COMMUNITIES (INTRODUCTION OF ORGANISMS HARMFUL TO
PLANTS OR PLANT PRODUCTS) (PROHIBITION) (AMENDMENT) REGULATIONS
1983**

I, AUSTIN DEASY, Minister for Agriculture, considering there is an imminent danger of the introduction or spread in the State of the harmful organism *Dendroctonus micans* Kugelán (being a danger described in Article 15 of Council Directive No. 77/93/EEC(1) of 21 December, 1976), in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), hereby, for the purpose of giving effect to Commission Decision No. 83/96/EEC of 25 February, 1983(2), make the following regulations:—

REG 1

1. (1) These Regulations may be cited as the European Communities (Introduction of Organisms Harmful to Plants or Plant Products) (Prohibition) (Amendment) Regulations, 1983.
- (2) The European Communities (Introduction of Organisms Harmful to Plants or Plant Products) (Prohibition) Regulations, 1980 to 1982, and these Regulations may be cited together as the European Communities (Introduction of Organisms Harmful to Plants or Plant Products) (Prohibition) Regulations, 1980 to 1983.

REG 2

2. In these Regulations "the Principal Regulations" means the European Communities (Introduction of Organisms Harmful to Plants or Plant Products) (Prohibition) Regulations, 1980 (S.I. No. 125 of 1980).

REG 3

3. (1) Regulation 2B (inserted by Regulation 2 of the European Communities (Introduction of Organisms Harmful to Plants or Plant Products) (Prohibition) (Amendment) Regulations, 1982 (S.I. No. 351 of 1982)) of the Principal Regulations is hereby amended by the substitution of the following paragraph for paragraph (1):
"(1) (a) A person shall not introduce into the State plants of conifers originating in another Member State unless the plants comply with the following conditions:
(1)O.J. No. L26 31.1.1977.
(2)O.J. No. L61 8.3.1983.
(i) the plants shall be free of *Dendroctonus micans* Kugelán;
(ii) in the case of cut plants such as Christmas trees and of rooted plants, other than those grown in nurseries, they shall not exceed 3 metres in height;
(iii) in the case of cut plants, they shall not derive from the tops of forest trees; and
(iv) the plants shall be accompanied by a phytosanitary certificate

as provided for under the Directive and certifying also that they comply with each of such of the foregoing conditions as apply to them.

(b) This paragraph shall not be construed as applying to fruit or seeds."

(2) Paragraph (1) of this Regulation shall cease to have effect on the 1st day of February, 1984, and this paragraph shall not be construed as reviving the paragraph of the Principal Regulations for which the substitution effected by the said paragraph (1) was made.

GIVEN under my Official Seal, this 18th day of November, 1983.

AUSTIN DEASY,
Minister for Agriculture.

EXPLANATORY NOTE.

The Regulations make provisions to allow the import under certain conditions of cut plants and rooted plants of coniferous tree species from EEC Member States.