

**L.N. 359 of 2007**

**PLANT QUARANTINE ACT  
(CAP. 433)**

**Plant Quarantine (Harmful Organisms) (Amendment)  
Regulations, 2007**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Rural Affairs and the Environment has made the following rules:-

**1.** (1) The title of these regulations is the Plant Quarantine (Harmful Organisms) (Amendment) Regulations, 2007 and they shall be read and construed as one with the Plant Quarantine (Harmful Organisms) Regulations, 2004, hereinafter referred to as “the principal regulations”. Title and scope.  
L.N. 97 of 2004.

(2) The scope of these regulations is to transpose Commission Directive 2007/40/EC of 28 June 2007 amending Directive 2001/32/EC and Commission Directive 2007/41/EC of 28 June 2007 amending Council Directive 2000/29.

**2.** Schedule VII to the principal regulations shall be amended as follows: Amends Schedule VII to the principal regulations.

(a) in point (c) (1) thereof, the word ‘Denmark’ shall be deleted; and

(b) in point (d) thereof, immediately after point (3) there shall be added the following;

“4. Grapevine flavescence dorée MLO	Czech Republic (until 31 March 2009), regions of Champagne-Ardenne, Lorraine and Alsace in France (until 31 March 2009), region of Basilicata in Italy (until 31 March 2009)”.
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Amends Schedule II to the principal regulations.

3. Schedule II to the principal regulations shall be amended as follows:

(a) in Part B(c), point 0.1, in the right hand column, the word “DK” shall be deleted; and

(b) in Part B(d), the following point shall be added immediately after point 1:

<p>“2. Grapevine flavescence dorée MLO</p>	<p>Plants of <i>Vitis</i> L., other than fruit and seeds.</p>	<p>CZ, FR (Champagne-Ardenne, Lorraine and Alsace), IT (Basilicata)”.</p>
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Amends Schedule IV to the principal regulations.

4. Schedule IV of the principal regulations shall be amended as follows:

(a) in Part B, point 6.3, in the right hand column, the word “DK” shall be deleted; and

(b) in Part B, the following point shall be added immediately after point 31:

<p>“32. Plants of <i>Vitis</i> L., other than fruit and seeds.</p>	<p>Without prejudice to the provisions applicable to the plants listed in Annex III(A)(15), IVA(II)17, and IVB21.1, official statement that:</p> <p>(a) the plants originate and have been grown in a place of production in a country where Grapevine flavescence dorée MLO is not known to occur; or</p> <p>(b) the plants originate and have been grown in a place of production in an area free from Grapevine flavescence dorée MLO established by the national plant protection organisation in accordance with the relevant international standards; or</p> <p>(c) the plants originate and have been grown in either the Czech Republic, France (Champagne-Ardenne, Lorraine and Alsace), or Italy (Basilicata); or</p>	<p>CZ, FR (Champagne-Ardenne, Lorraine and Alsace), IT (Basilicata)”.</p>
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(d) the plants originate and have been grown in a place of production where:

(aa) no symptoms of Grapevine flavescence dorée MLO have been observed on the mother-stock plants since the beginning of the last two complete cycles of vegetation; and

(bb) either

(i) no symptoms of Grapevine flavescence dorée MLO have been found on the plants in the place of production; or,

(ii) the plants have undergone hot water treatment of at least 50 °C for 45 minutes in order to eliminate the presence of Grapevine flavescence dorée MLO.

5. In Schedule V to the principal regulations, in part A.II thereof, for point 1.3 there shall be substituted the following:

Amends Schedule V to the principal regulations.

“1.3. Plants, other than fruit and seeds, of *Amelanchier* Med., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Eucalyptus* L’Herit., *Malus* Mill., *Mespilus* L., *Photinia davidiana* (Dcne.) Cardot, *Pyracantha* Roem., *Pyrus* L., *Sorbus* L. and *Vitis* L.”.

