OFFERYNNAU STATUDOL CYMRU

2008 Rhif 2913 (Cy.257)

IECHYD PLANHIGION, CYMRU

Gorchymyn Iechyd Planhigion (Cymru) (Diwygio) (Rhif 2) 2008

Gwnaed - - - -	*9 Tachwedd 2008*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru - -	*11 Tachwedd 2008*
Yn dod i rym - -	*10 Rhagfyr 2008*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 2 a 3(1) o Ddeddf Iechyd Planhigion 1967(**1**) ac sydd bellach wedi eu breinio ynddynt(**2**), yn gwneud y Gorchymyn canlynol drwy arfer y pwerau hynny.

Enwi, cymhwyso a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Planhigion (Cymru) (Diwygio) (Rhif 2) 2008. Mae'n gymwys o ran Cymru a daw i rym ar 10 Rhagfyr 2008.

Diwygiadau i Orchymyn Iechyd Planhigion (Cymru) 2006

2.—(1) Diwygir Gorchymyn Iechyd Planhigion (Cymru) 2006(**3**) fel a ganlyn.

(2) Yn Rhan A o Atodlen 1, yn yr adran "Insects, mites and nematodes"—

(a) yn lle eitem 4 rhodder "*Anoplophora chinensis* (Forster)"; a

(b) hepgorer eitem 6.

(3) Yn Rhan A o Atodlen 4, ar ôl eitem 80 mewnosoder—

"81.	Plants, other than seeds, of *Acer* spp., *Aesculus hippocastanum, Alnus* spp.,	Without prejudice to the requirements in Schedule 3, Part A, items 4, 12 and 14 and

(**1**) 1967 p. 8; diwygiwyd adrannau 2(1) a 3(1) gan Ddeddf y Cymunedau Ewropeaidd 1972 (p. 68), Atodlen 4, paragraff 8.

(**2**) Trosglwyddwyd swyddogaethau'r awdurdod cymwys y cyfeirir ato yn adrannau 2 a 3 o Ddeddf Iechyd Planhigion 1967, i'r graddau y maent yn arferadwy o ran Cymru, i Ysgrifennydd Gwladol Cymru gan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (O.S. 1978/272). Trosglwyddwyd swyddogaethau Ysgrifennydd Gwladol Cymru i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru o dan adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraff 30 o Atodlen 11 iddi.

(**3**) O.S. 2006/1643 (Cy. 158), fel y'i diwygiwyd.

Betula spp., *Carpinus* spp., *Citrus* spp., *Corylus* spp., *Cotoneaster* spp., *Fagus* spp., *Lagerstroemia* spp., *Malus* spp., *Platanus* spp., *Populus* spp., *Prunus* spp., *Pyrus* spp., *Salix* spp., and *Ulmus* spp., intended for planting, originating in any third country where *Anoplophora chinensis* (Forster) is known to occur	Schedule 4, Part A, items 11, 12, 19, 20, 22, 23, 27, 28, 29, 30, 48, 50, 51, 52, 55, 60, 61, 64, 65 and 70 the plants must be accompanied by an official statement— (a) that the plants have been grown throughout their life in a place of production situated in a pest-free area established by the national plant protection organisation in the country of origin in accordance with ISPM No. 4 (the name of the pest-free area to be mentioned on the phytosanitary certificate or phytosanitary certificate for re-export under the rubric "Place of origin"); or (b) that— (i) the plants have been grown during a period of at least two years prior to export in a place of production, which is registered and supervised by the national plant protection organisation in the country of origin, established as free from *Anoplophora chinensis* (Forster) in accordance with ISPM No. 10 and which has been subjected annually to two official inspections for any signs of *Anoplophora chinensis* (Forster) carried out at appropriate times and no signs of the organism have been found;

(ii) the plants have been grown in a site—

(aa) with complete physical protection against the introduction of *Anoplophora chinensis* (Forster); or

(bb) with the application of appropriate preventive treatments and surrounded by a buffer zone with a radius of at least two km where official surveys for the presence or signs of *Anoplophora chinensis* (Forster) are carried out annually at appropriate times and, where signs of *Anoplophora chinensis* (Forster) are found, eradication measures are immediately taken to restore the pest freedom of the buffer zone; and

(iii) immediately prior to export, consignments of the plants have been officially