STATUTORY RULES OF NORTHERN IRELAND

2008 No. 493

PLANT HEALTH

The Plant Health (Amendment No.3) Order (Northern Ireland) 2008

Made - - - -	*11th December 2008*
Coming into operation	*12th December 2008*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred on it by section 2 of the Plant Health Act (Northern Ireland) 1967(**2**), makes the following Order.

Citation and commencement

1. This Order may be cited as the Plant Health (Amendment No.3) Order (Northern Ireland) 2008 and shall come into operation on 12th December 2008.

Amendments to the Plant Health Order (Northern Ireland) 2006

2.—(1) The Plant Health Order (Northern Ireland) 2006(**3**) is amended as follows.

(2) In Part A of Schedule 1, in the section "Insects, mites and nematodes"—

(a) for item 4 substitute "*Anoplophora chinensis* (Forster)"; and

(b) omit item 6.

(3) In Part A of Schedule 4, after item 81 insert—

"**82.** Plants, other than seeds, of *Acer* spp., *Aesculus hippocastanum,Alnus* spp., *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., *Ulmus* spp., intended for planting, originating in any third country where *Anoplophora chinensis* (Forster) is known to occur

Without prejudice to the requirements in Schedule 3, items 4, 12 and 14 and Schedule 4, Part A, items 12, 13, 20, 21, 23, 24, 28, 29, 30, 31, 49, 51, 52, 53, 56, 61, 65, 66 and 71 the plants shall 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

(**1**) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Art. 3(4).
(**2**) 1967 c. 28 (N.I.).
(**3**) S.R. 2006 No. 82

area established by the national plant protection organisation in the country of origin in accordance with ISPMNo. 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) 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 preventative 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 time and, where signs of *Anoplophora chinensis* (Forster) are found, eradication measures are immediately taken to restore the pest freedom of the buffer zone; and