1995 No. 494

PLANT HEALTH

Plant Health (Amendment No. 2) Order (Northern Ireland) 1995

Made . . . . . 22nd December 1995

Coming into operation . . 1st February 1996

The Department of Agriculture, in exercise of the powers conferred on it by sections 2(**a**), 3(1)(**b**), 3A(**c**), 3B(1)(**d**) and 4(1)(**e**) of the Plant Health Act (Northern Ireland) 1967(**f**) and of all powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Plant Health (Amendment No. 2) Order (Northern Ireland) 1995 and shall come into operation on 1st February 1996.

Amendment of the Plant Health Order (Northern Ireland) 1993

2. The Plant Health Order (Northern Ireland) 1993(**g**) shall be amended in accordance with the provisions of Articles 3 to 7.

3. In Schedule 1 (Pests prohibited) for Part B there shall be substituted the Part set out in Schedule 1.

4. In Schedule 2 (Pests prohibited on certain plants or plant products) for Part B there shall be substituted the Part set out in Schedule 2.

5. In Schedule 4 for Part B (Conditions to be met before plants, plant products and other objects may be introduced into or moved within certain protected zones) there shall be substituted the Part set out in Schedule 3.

6. In Schedule 8 (Zones in the European Community recognised as "Protected Zones" in respect of the pests listed against their names) there shall be substituted the Schedule set out in Schedule 4.

(**a**) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2; 1979 c. 2, s. 177(1) and Sch. 4. Pt II; 1984/702 (N.I. 2) Art. 15(2)
(**b**) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2
(**c**) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(2)
(**d**) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**e**) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**f**) 1967 c. 28 (N.I.)
(**g**) S.R. 1993 No. 256; the relevant amending Order is S.R. 1995 No. 250

7. In Schedule 14 (Instruments amending and supplementing Council Directive 77/93/EEC) at the end there shall be added the following—

"Commission Directive 95/40/EC O.J. No. L. 182, 2.8.95, p. 14.

Commission Directive 95/41/EC O.J. No. L. 182, 2.8.95, p. 17."

Revocation

8. Articles 10(*b*) and (*c*), 11(*d*), (*e*) and (*f*), 13(*c*) and 15 of the Plant Health (Amendment) Order (Northern Ireland) 1995(**a**) are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture on 22nd December 1995.

(L.S.) *L. G. McKibben*
Assistant Secretary

(a) S.R. 1995 No. 250

"SCHEDULE 1

PART B

PESTS WHICH MAY NOT BE INTRODUCED INTO CERTAIN PROTECTED ZONES AND WHOSE SPREAD WITHIN THOSE ZONES IS PROHIBITED

SECTION A

Insects, Mites and Nematodes at all stages of their development

Item	*Description of pests*	*Protected zones*
(1)	(2)	(3)
1.	*Bemisia tabaci* Genn. (European populations)	Denmark Finland Ireland Portugal (Entre Douro e Minho, Traz-os-Montes, Beira Litoral, Beira Interior, Ribatejo e Oeste, Alentejo, Madeira and Azores) Sweden United Kingdom
1A.	*Globodera pallida* (Stone) Behrens	Finland
2.	*Leptinotarsa decemlineata* Say	Finland (the districts of Aland, Turku, Uusimaa, Kymi, Häme, Pirkanmaa, Satakunta) Ireland Portugal (Azores and Madeira) Spain (Menorca and Ibiza) Sweden (Malmöhus, Kristianstads, Blekinge, Kalmar, Gotlands Län, Halland) United Kingdom

SECTION B

Viruses and Virus-like Organisms

Item	*Description of pests*	*Protected zones*
(1)	(2)	(3)
1.	Beet necrotic yellow vein virus	Denmark Finland Ireland Portugal (Azores) Sweden United Kingdom
2.	Tomato spotted wilt virus	Denmark Finland Sweden

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"SCHEDULE 2

PART B

PESTS WHICH MAY NOT BE INTRODUCED INTO CERTAIN PROTECTED ZONES AND WHOSE SPREAD WITHIN THOSE ZONES IS PROHIBITED IF THEY ARE PRESENT ON CERTAIN PLANTS OR PLANT PRODUCTS

SECTION A

Insects, Mites and Nematodes at all stages of their development

Item	*Description of pests*	*Description of plants and plant products*	*Protected zones*
(1)	(2)	(3)	(4)
1.	*Anthonomus grandis* (Boh.)	Seed and fruits (bolls) of *Gossypium* spp.	Greece Spain
2.	*Cephalcia lariciphila* (Klug)	Plants of *Larix* Mill., intended for planting, other than seeds.	Ireland United Kingdom (Northern Ireland, the Isle of Man and Jersey)
3.	*Dendroctonus micans* Kugelan	Plants of conifers (Coniferales), over 3m. in height, other than fruit and seeds.	Greece Ireland Spain United Kingdom(**a**)
4.	*Gilpinia hercyniae* (Hartig)	Plants of *Picea* A. Dietr., intended for planting, other than seeds.	Greece Ireland United Kingdom (Northern Ireland, the Isle of Man and Jersey)
5.	*Gonipterus scutellatus* Gyll.	Plants of *Eucalyptus* L'Hérit, other than fruit and seeds.	Greece Portugal

(a) Scotland, Northern Ireland, England:the following counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Cleveland, Cornwall, Cumbria, Devon, Dorset, Durham, East Sussex, Essex, Greater London, Hampshire, Hertfordshire, Humberside, Kent, Lincolnshire, Norfolk, Northamptonshire, Northumberland, Nottinghamshire, Oxfordshire, Somerset, South Yorkshire, Suffolk, Surrey, Tyne and Wear, West Sussex, West Yorkshire, the Isle of Wight, the Isle of Man, Jersey, the Isles of Scilly and the following parts of counties; Avon: that part of the county which lies to the south of the southern boundary of the M4 motorway; Cheshire: that part of the county which lies to the east of the eastern boundary of the Peak District National Park together with that part of the county which lies to the north of the northern boundary of the A52(T) road to Derby and that part of the county which lies to the north of the northern boundary of the A6(T) road; Gloucestershire: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; Greater Manchester: that part of the county which lies to the east of the eastern boundary of the Peak District National Park; Leicestershire: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road together with that part of the county which lies to the east of the eastern boundary of the B411A road together with that part of the county which lies to the east of the eastern boundary of the M1 motorway; North Yorkshire: the whole county except that part of the county which comprises the district of Craven; Staffordshire: that part of the county which lies to the east of the eastern boundary of the A52(T) road; Warwickshire: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; Wiltshire: that part of the county which lies to the south of the southern boundary of the M4 motorway to the intersection of the M4 motorway and the Fosse Way Roman road, and that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road

Item	Description of pests	Description of plants and plant products	Protected zones
(1)	(2)	(3)	(4)
6.	(*a*) *Ips amitinus* Eichhof	Plants of conifers (Coniferales), over 3m. in height, other than fruit and seeds.	France (Corsica) Greece Ireland Spain United Kingdom
	(*b*) *Ips cembrae* Heer	Plants of conifers (Coniferales), over 3m. in height, other than fruit and seeds.	Greece Ireland Spain United Kingdom (Northern Ireland and the Isle of Man)
	(*c*) *Ips duplicatus* Sahlberg	Plants of conifers (Coniferales), over 3m. in height, other than fruit and seeds.	Greece Ireland Spain United Kingdom
	(*d*) *Ips sexdentatus* Boerner	Plants of conifers (Coniferales), over 3m. in height, other than fruit and seeds.	Ireland United Kingdom (Northern Ireland and the Isle of Man)
	(*e*) *Ips typographus* Heer	Plants of conifers (Coniferales), over 3m. in height, other than fruit and seeds.	Greece Ireland Spain United Kingdom
7.	*Pissodes* spp. (European)	Plants of conifers (Coniferales), other than fruit and seeds.	Ireland United Kingdom (Northern Ireland, the Isle of Man and Jersey)
8.	*Sternochetus mangiferae* Fabricius	Seeds of *Mangifera* spp. originating in third countries.	Portugal Spain
9.	*Thaumetopoea pityocampa* (Den. et Schiff.)	Plants of *Pinus* L., intended for planting, other than fruit and seeds.	Spain (Ibiza)