1991 No. 435

PLANT HEALTH

Plant Health (Wood and Bark) (Amendment) Order (Northern Ireland) 1991

Made . . . . . 20th September 1991

Coming into operation . . 11th October 1991

The Department of Agriculture, in exercise of the powers conferred on it by sections 2(**a**) and 3(1)(**b**) of the Plant Health Act (Northern Ireland) 1967(**c**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Plant Health (Wood and Bark) (Amendment) Order (Northern Ireland) 1991 and shall come into operation on 11th October 1991.

Amendment of Plant Health (Wood and Bark) Order (Northern Ireland) 1989

2. The Plant Health (Wood and Bark) Order (Northern Ireland) 1989(**d**) shall be amended as provided in Articles 3 to 11.

Interpretation

3. In Article 2(1)—

(*a*) after the definition of ''Europe'' there shall be inserted the following definition—

'' ''fuel wood'' means wood for fuel in the form of logs, billets, twigs, faggots or in similar forms;'';

(*b*) in the definition of ''Member State'' there shall be omitted the words ''the French overseas departments,''; and

(*c*) in the definition of ''mill certificate of debarking'' there shall be omitted the words ''of debarking''.

Phytosanitary certificates and mill certificates

4. There shall be omitted the words ''of debarking'' wherever they occur in the following, that is to say—

(**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; and S.I. 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**) 1967 c. 28 (N.I.) as amended by S.I. 1975/1038 (N.I. 8) Art. 11(2) and S.I. 1984/702 (N.I. 2) Art. 15(2)

(**d**) S.R. 1989 No. 154 as amended by S.R. 1989 No. 484

(*a*) in the heading of Article 5 and in Article 5(1) and (2);

(*b*) in the heading of Article 7 and in Article 7;

(*c*) in Article 9(1), (5)(*a*) and (*b*), (6) and (7); and

(*d*) in the title of Schedule 5, Part III.

5. In Article 5—

(*a*) in paragraph (1) for "Subject to paragraphs (2) and (3)" there shall be substituted "Subject to paragraphs (2) to (4)"; and

(*b*) after paragraph (3) there shall be inserted the following paragraph—

"(4) A phytosanitary certificate may be issued in a country other than the country of origin in relation to any item listed in column (1) of Schedule 3—

(*a*) in the case of wood which complies with the conditions of landing specified opposite thereto in column (2) by virtue of it having been stripped of its bark; and

(*b*) in any other case, to the extent that the conditions of landing specified opposite thereto in column (2) can be fulfilled at a place other than in the country of origin.".

Exports of wood and isolated bark to Member States

6. In Article 11 for paragraph (4) there shall be substituted the following paragraphs—

"(4) Subject to paragraph (4A) a person shall not export from Northern Ireland any consignment of wood or isolated bark which—

(*a*) is listed in column (1) of Part II of Schedule 4; and

(*b*) originated in Northern Ireland, another Member State or a third country,

to a Member State listed in column (2) of Part II of Schedule 4 opposite the reference to such wood or isolated bark unless the consignment is accompanied by a phytosanitary certificate issued in the country of origin or a certified copy of that certificate.

(4A) A phytosanitary certificate may be issued in a country other than the country of origin in relation to any item listed both in column (1) of Part II of Schedule 4 and in column (1) of Schedule 3—

(*a*) in the case of wood which complies with the conditions of landing specified opposite thereto in column (2) of Schedule 3 by virtue of it having been stripped of its bark; and

(*b*) in any other case, to the extent that the conditions of landing specified opposite thereto in column (2) of Schedule 3 can be fulfilled at a place other than in the country of origin.".

Changes to the description of pests which may not be landed, kept, etc

7. In Schedule 1, Part I—

(*a*) in paragraph 2 for the word "Steier" there shall be substituted the word "Steiner";

(*b*) in paragraph 4A for the words "Wood Borers of conifers (Coniferae)" there shall be substituted the words "Sawyer Beetles, vectors of *Bursaphelenchus xylophilus*";

(*c*) in paragraph 5 for the words "the non-European Pine Weevil" there shall be substituted the word "Weevils".

Restriction on landing of fuel wood originating in certain countries

8. In Schedule 2—

(*a*) in the title the word "Isolated" shall be replaced by "Fuel wood, isolated"; and

(*b*) after Item 6 there shall be inserted the following Item—

"7. Fuel wood of conifers (*Coniferae*)	Canada, China, Japan, Korea or the United States of America.".

Conditions subject to which wood and isolated bark may be landed

9. In Schedule 3, for Item 5, there shall be substituted the following Items—

"5. Wood of Conifers (*Coniferae*) originating in non-European countries other than Canada, China, Japan, Korea or the United States of America (other than wood described in column (1) of Item 10).	(1) The consignment shall be accompanied by— (*a*) a phytosanitary certificate; or (*b*) in the case of wood which has been stripped of its bark, a mill certificate; or (*c*) in the case of kiln-dried wood a declaration that such wood has been treated as required by the conditions specified in column (2) of item 1(2), such declaration to be made on accompanying commercial invoices or shipping documents. (2) The wood shall have— (*a*) been stripped of its bark and shall be free from *Monochamus* spp. and any bore holes greater than 3 mm across; or (*b*) undergone kiln-drying in accordance with the conditions specified in column (2) of item 1(2). (3) In the case of wood chips, particles of wood, wood waste or scrap, an official statement shall