1984 No. 70

PLANT HEALTH

Import and Export (Plants and Plant Products) (Plant Health) (Amendment) Order (Northern Ireland) 1984

Made	*9th March 1984*
Coming into operation . . .	*31st March 1984*

The Department of Agriculture, in exercise of the powers conferred on it by sections 2(1)(**a**) and (2) of the Plant Health Act (Northern Ireland) 1967(**b**) 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 Import and Export (Plants and Plant Products) (Plant Health) (Amendment) Order (Northern Ireland) 1984 and shall come into operation on 31st March 1984.

Amendment of the Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981

2. The Import and Export (Plants and Plant Products) (Plant Health) Order (Northern Ireland) 1981(**c**) shall be amended as follows:—

(1) In Schedule 2 Part IB under "Conditions subject to which landing is permitted" opposite item 14 after paragraph (6) there shall be inserted the following paragraph—

"7.—(1) Where a consignment of pot plants originates in the Netherlands, in addition to complying with the requirements of paragraphs (1), (2), (3)(*b*)(ii) and (5) it shall be accompanied by an official statement that:

(*a*) the pot plants have been produced in nurseries which meet the following requirements—

(i) the nurseries at the time of consigning the pot plants to Northern Ireland shall be officially approved for producing pot plants for export to the United Kingdom; such official approval being granted when no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn) have been observed on plants grown or stored there, in at least two official inspections, the first such inspection having been carried out following the application for such official approval and the second such inspection having been carried out one month after the first inspection and when any earlier such official approval has not ceased later than two months prior to the application for such official approval; and

(ii) no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn) have been observed on plants grown or stored in the nurseries in official inspections carried out at least every two weeks after the granting of such official approval;

(**a**) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2
(**b**) 1967 c. 28 (N.I.)
(**c**) S.R. 1981 No. 38

(*b*) the pot plants since their production have been continuously kept separate from plants of chrysanthemum produced in nurseries other than those complying with the requirements of sub-paragraph (*a*) in such a way as to avoid any risk of contamination with Chrysanthemum White Rust (*Puccinia horiana* P. Henn) through such material;

(*c*) the pot plants have undergone within the last three weeks prior to the packing specified in sub-paragraph (*d*) a fungicidal treatment to control Chrysanthemum White Rust (*Puccinia horiana* P. Henn);

(*d*) the pot plants have been packed, on arrival at the first place of public sale at the latest, in boxes each of which is marked with a sign indicating that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn) were found on examination of the plants packed in the box by an authorised officer of the plant protection services of the Netherlands;

(*e*) the examination provided for in Article 6 of Directive 77/93/EEC (O.J. No. L.26,31.1.77, p. 20) has been carried out on samples of at least 10 pots per lot taken from different boxes: for lots exceeding 25 boxes the number of pots to be examined having been increased by 1 for every 5 additional boxes up to a maximum number of 20 pots per lot: for the purposes of this paragraph "lot" means a consignment consisting of a single variety of chrysanthemum produced by a single grower;

(*f*) the examination referred to in sub-paragraph (*e*) has also been carried out for the purpose of ascertaining whether the conditions in sub-paragraphs (*a*) to (*d*) were complied with;

(*g*) each of the boxes or other packing units into which the pot plants were packed for export have been marked with the number of the plant health certificate or another mark which will enable the nurseries in which the pot plants were produced to be identified;

(2) Without prejudice to the general application of Article 10(3) where a consignment of pot plants originates in the Netherlands the phytosanitary certificate shall state under "Additional Declaration": "the consignment meets the requirements laid down in Commission Decision 84/58/EEC";

(3) For the purposes of sub-paragraph (1)(*a*) where a consignment of pot plants originates in the Netherlands and is found on examination by an inspector when landed in Northern Ireland to be contaminated by Chrysanthemum White Rust (*Puccinia horiana* P. Henn) the nurseries which are identified, by means of the markings on the box or packing unit, as having produced all the pot plants packed in the box or packing unit shall cease to be officially approved: but where it is subsequently possible to identify the nursery which produced the contaminated pot plants this provision shall apply only to the nursery so identified, and the official approval of the other nurseries shall be re-established immediately."

(2) In Schedule 2 Part VIB under "Conditions subject to which landing is permitted" opposite item 81 after paragraph (2) there shall be inserted the following paragraph—

"3.—(1) Where a consignment of cut flowers originates in the Netherlands, in addition to complying with the requirements of paragraph (1) it shall be accompanied by an official statement that:

(*a*) the cut flowers have been produced in nurseries which meet the following requirements—

(i) the nurseries at the time of consigning the cut flowers to Northern Ireland shall be officially approved for producing cut flowers for export to the United Kingdom; such official approval being granted when no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn) have been observed on plants grown or stored there