1965 No. 1426

PESTS

DESTRUCTIVE INSECTS AND PESTS

The Importation of Plants and Plant Produce (Health) (Great Britain) Order 1965

Made - - - -	*15th July* 1965
Laid before Parliament	*27th July* 1965
Coming into Operation	*15th September* 1965

ARRANGEMENT OF ARTICLES

Article

1. Citation, extent and commencement.
2. Revocation of previous Orders.
3. Interpretation.
4. Exception of certain produce.
5. Restrictions on the landing of plants and of certain seeds, raw fruit and raw vegetables.
6. Phytosanitary certificates to accompany certain consignments.
7. Supplemental certificates to accompany certain consignments.
8. Further provisions as to phytosanitary and supplemental certificates.
9. Examination and sampling.
10. Procedure when plants, seeds, raw fruit or raw vegetables are landed in contravention of this Order.
11. Procedure in the case of landing of unhealthy produce.
12. Information regarding imported produce.
13. Licences.
14. Service of notices.
15. Offences.

ARRANGEMENT OF SCHEDULES

Schedule

1. Restrictions on the importation into England, Wales or Scotland of plants and certain seeds, raw fruit and raw vegetables (other than those excepted by Article 4).

Schedule

		Part	
PLANTS	...	IA	Landing prohibited.
		IB	General conditions subject to which landing is permitted.
		IC	Additional conditions applying in particular cases.
SEEDS	...	IIA	Landing prohibited.
		IIB	Conditions subject to which landing is permitted.
RAW FRUIT	...	IIIA	Landing prohibited.
		IIIB	Conditions subject to which landing is permitted.
RAW VEGETABLES		IV	Conditions subject to which landing is permitted.

2. Phytosanitary certificate for plants.

3. Phytosanitary certificate for certain seeds, raw fruit and raw vegetables.

4. Supplemental certificate required in cases where plants and certain seeds, raw fruit and raw vegetables are imported from a country other than that in which they were grown.

5. Orders revoked.

The Minister of Agriculture, Fisheries and Food and the Secretary of State, by virtue and in exercise of the powers vested in them respectively by section 1 of the Destructive Insects Act 1877(a) as extended by section 1 of the Destructive Insects and Pests Act 1907(b) and amended by section 1 of the Destructive Insects and Pests Act 1927(c) and of every other power enabling them in that behalf, order as follows:—

Citation, extent and commencement

1. This Order which may be cited as the Importation of Plants and Plant Produce (Health) (Great Britain) Order 1965 shall apply to England and Wales and Scotland and shall come into operation on 15th September 1965.

Revocation of previous Orders

2. The Orders specified in Schedule 5 to this Order are hereby revoked.

Interpretation

3.—(1) In this Order unless the context otherwise requires

" appropriate Minister " means in the application of this Order to England and Wales the Minister of Agriculture, Fisheries and Food and in its application to Scotland the Secretary of State;

" importer " in relation to any produce includes any person who, whether as owner, consignor or consignee, agent or broker, is in possession of or in any wise entitled to the custody or control of the produce;

" inspector " means an officer authorised by the appropriate Minister for the purposes of this Order;

" landed " includes unloaded from an aircraft and imported by post and " landing " shall be construed accordingly;

(a) 40 & 41 Vict. c. 68. (b) 7 Edw. 7. c. 4.
(c) 17 & 18 Geo. 5. c. 32.

"plants" means plants (including trees and bushes) or parts thereof, intended for growing, planting or propagation, but does not include potatoes, seeds or mushroom spawn;

"premises" includes any vehicle, vessel or aircraft;

"produce" means—

(*a*) plants (including trees and bushes) or parts thereof, intended for growing, planting or propagation or for ornamental use,

(*b*) seeds,

(*c*) fruit,

(*d*) vegetables other than potatoes, or

(*e*) hay or straw other than hay or straw used as packing material;

"raw fruit" does not include dried, dehydrated or deep-frozen fruit and "raw" in relation to fruit of any particular description shall be construed accordingly;

"raw vegetables" does not include potatoes or dried, dehydrated, brined, pickled or deep-frozen vegetables;

"unhealthy" means carrying or affected with any bacterium, fungus, virus or invertebrate animal destructive to agricultural or horticultural crops or to trees or bushes.

(2) Nothing in this Order shall be deemed to permit the landing in England, Wales or Scotland of—

(*a*) any potato, potato plant or part thereof the landing of which is for the time being prohibited or restricted under the Importation of Potatoes (Health) (Great Britain) Orders 1964(a) or

(*b*) any forest tree or part or seed thereof the landing of which is for the time being prohibited or restricted under any Order made by the Forestry Commissioners.

(3) Any reference in this Order to any other Order shall be construed as a reference to such Order as amended by any subsequent Order and, if any Order referred to in this Order is replaced by any subsequent Order, the reference shall be construed as a reference to such subsequent Order.

(4) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Orders hereby revoked were Acts of Parliament.

Exception of certain produce

4.—(1) Nothing in this Order shall apply to any produce grown in Great Britain.

(2) Nothing in this Order excepting Articles 9, 11, 12, 14 and 15 shall apply to any plants, seeds, raw fruit or raw vegetables grown in Northern Ireland, the Republic of Ireland, the Isle of Man or the Channel Islands.

Restrictions on the landing of plants and of certain seeds, raw fruit and raw vegetables

5.—(1) The landing in England, Wales or Scotland of any particular plants, seeds or raw fruit described in the second column of Parts IA, IIA or IIIA of

(a) S.I. 1964/409, 1979 (1964 I, p. 674; III, p. 4489).
(b) 52 & 53 Vict. c. 63.

Schedule 1 to this Order is prohibited during the period of the year specified in the third column of the said Schedule opposite the description of such plants, seeds or raw fruit.

(2) The landing in England, Wales or Scotland of any particular plants, seeds raw fruit or raw vegetables described in the second column of Parts IB, IC, IIB, IIIB or IV of Schedule 1 to this Order is prohibited unless the conditions specified in the third column of the said Schedule opposite the description of such plants, seeds, raw fruit or raw vegetables are or have been complied with.

Phytosanitary certificates to accompany certain consignments

6.—(1) Where a consignment of plants, seeds, raw fruit or raw vegetables landed in England, Wales or Scotland is required by this Order to be accompanied by a phytosanitary certificate such certificate shall, in the case of a consignment of plants, be in the form set out in Schedule 2 to this Order and, in the case of a consignment of seeds, raw fruit or raw vegetables, be in the form set out in Schedule 3 to this Order.

(2) The phytosanitary certificate shall have been duly completed and signed by or on behalf of an authorised officer of the Plant Protection Service of the country in which the plants, seeds, raw fruit or raw vegetables were grown.

(3) If, in the description of the consignment in a phytosanitary certificate in the form set out in Schedule 2 to this Order, the address of the consignee is not in Great Britain, the certificate shall include an additional declaration by the said authorised officer to the effect that the consignment is believed to conform with the current phytosanitary regulations of Great Britain.

(4) The examination referred to in a phytosanitary certificate in the form set out in Schedule 2 to this Order shall have been carried out not more than 14 days prior to the date of despatch of the consignment.

(5) A phytosanitary certificate in the form set out in Schedule 3 to this Order shall have been signed not more than 14 days prior to the date of despatch of the consignment.

(6) Where a consignment is accompanied by a supplemental certificate in accordance with Article 7 of this Order, a facsimile copy of the phytosanitary certificate, endorsed by the Plant Protection Service of the country in which the plants, seeds, raw fruit or raw vegetables were unloaded or landed as being a true copy, may accompany the consignment in place of the phytosanitary certificate itself.

Supplemental certificates to accompany certain consignments

7.—(1) Each consignment of plants, seeds, raw fruit or raw vegetables landed in England, Wales or Scotland which is required by this Order to be accompanied by a phytosanitary certificate and which, or any part of which, before being so landed, was unloaded or landed in a country or countries other than that in which the plants, seeds, fruit or vegetables as the case may be were grown, shall also be accompanied in respect of each such country by a supplemental certificate in the form set out in Schedule 4 to this Order.

(2) The supplemental certificate shall have been duly completed and signed by or on behalf of an authorised officer of the Plant Protection Service of the country in which the plants, seeds, raw fruit or raw vegetables have been unloaded or landed.

(3) The supplemental certificate shall have been signed not more than 14 days prior to the date of despatch of the consignment.

Further provisions as to phytosanitary and supplemental certificates

8.—(1) Where a phytosanitary certificate or a supplemental certificate is issued in a country of which the language is other than English it shall incorporate or be accompanied by a translation into the language of that country, which translation, if it is in a document separate from the certificate, shall have been duly completed and signed by or on behalf of the officer by whom or on whose behalf the certificate was signed.

(2) Except in the case of consignments imported by post, phytosanitary certificates and supplemental certificates shall be delivered to the proper officer at the same time as, and together with, the entry relating to the consignment:

Provided that in this paragraph the expression "proper officer" has the like meaning as in the Customs and Excise Act 1952(a) and the reference to the entry shall be construed as a reference to the entry, delivery of which is to be made in accordance with the provisions of that Act.

(3) In the case of consignments imported by post such certificates shall be affixed to the package comprising the consignment or, if the consignment consists of more than one package, the certificate shall be affixed to one of the packages and copies thereof affixed to each of the remaining packages.

(4) No certificate issued by or on behalf of a state, provincial or other regional or local government authority of part of a country, or by or on behalf of any department, service or other organ of such authority shall be deemed to be a valid phytosanitary or supplemental certificate for the purposes of this Order unless such authority is the only one empowered to issue, in relation to such part of the country, phytosanitary or supplemental certificates to accord with the requirements of this Order.

Examination and sampling

9. An inspector, upon production if so required of his appointment or authority, may—

(*a*) enter any premises and examine and take samples of any consignment or part of a consignment of produce (including any soil, packing material and containers accompanying the produce) landed or likely to be landed or suspected by him to have been landed or to be likely to be landed in England, Wales or Scotland, whether or not such consignment was or ought to have been accompanied by a certificate required by this Order,

(*b*) for the purposes of such examination, open, authorise any person to open on his behalf or require the importer or the person in charge of the produce to open any container, bundle or other package in the consignment or part of a consignment,

(*c*) if and so far as is necessary for the purposes of such examination, prohibit entirely, or to the extent indicated by him, the movement of any consignment or part of a consignment of produce which has been landed or is suspected by him to have been landed in England, Wales or Scotland and

(*d*) enter any premises and examine and take samples of any plants which have been landed or are suspected by him to have been landed in England, Wales or Scotland during the previous twelve months or which have been derived or are suspected by him to have been derived from plants or seeds which have been so landed.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.

Procedure when plants, seeds, raw fruit or raw vegetables are landed in contravention of this Order

10.—(1) Without prejudice to the provisions of the customs Acts as defined in the Customs and Excise Act 1952, if any consignment or part of a consignment of plants, seeds, raw fruit or raw vegetables is landed in England, Wales or Scotland in contravention of this Order, the plants, seeds, raw fruit or raw vegetables comprising the consignment or part of a consignment as the case may be shall forthwith be destroyed by and at the expense of the importer unless they are immediately re-exported or are disposed of in accordance with the terms of a licence granted by the appropriate Minister or an inspector.

(2) Any destruction required by paragraph (1) of this Article shall be carried out by the importer to the satisfaction of an inspector at a place designated by the appropriate Minister or an inspector and, except with the written authority of the appropriate Minister or an inspector, none of the said plants, seeds, raw fruit or raw vegetables shall be moved other than to such place.

(3) If the importer shall have failed to destroy the said plants, seeds, raw fruit or raw vegetables in accordance with paragraph (1) of this Article or if he shall have failed to dispose of them in accordance with the terms of a licence granted as aforesaid, then, without prejudice to any proceedings under this Order consequent upon such failure, an inspector or a person authorised by him for the purpose may enter any premises in which the plants, seeds, raw fruit or raw vegetables or any of them may be and may remove and destroy them and the cost of taking such steps shall be recoverable by the appropriate Minister from the importer as a civil debt.

(4) In this Article "plants, seeds, raw fruit or raw vegetables" includes soil, packing materials and containers.

Procedure in the case of landing of unhealthy produce

11.—(1) If it appears to an inspector at any time that any produce in a consignment or part of a consignment landed in England, Wales or Scotland is unhealthy, he may serve upon the importer a notice requiring him, within such time and in such manner as may be specified in the notice, to destroy the produce comprising the consignment or part of a consignment or such of the said produce as may be so specified.

(2) Where a notice under paragraph (1) of this Article has been served upon an importer, an inspector may grant a licence authorising at the importer's own expense and risk, in lieu of the destruction required by the notice, the treatment or re-export or the disposal in some other manner of the produce or of such of it as may be specified in the licence, within such time, in such manner and subject to such conditions as may be so specified.

(3) Any destruction required by a notice served under paragraph (1) of this Article shall be carried out by the importer upon whom the notice is served to the satisfaction of an inspector at a place designated by an inspector and, except with the written authority of the appropriate Minister or an inspector, none of the produce shall be moved other than to such place.

(4) If a notice under paragraph (1) of this Article has been served upon an importer and has not been superseded by a licence granted under paragraph

(2) thereof and the importer shall have failed to destroy any produce as required in the said notice, or if an importer to whom a licence has been granted under paragraph (2) of this Article shall have failed fully to comply with the terms and requirements thereof, then, without prejudice to any proceedings under this Order consequent upon such failure, an inspector or a person authorised by him for the purpose may enter any premises in which the produce or any of it may be and may remove and destroy it and the cost of taking such steps shall be recoverable by the appropriate Minister from the importer as a civil debt.

(5) This Article shall apply in relation to any plants which appear to an inspector to be unhealthy following an examination authorised by Article 9(*d*) of this Order and, in the application of this Article to any such plants, any reference to the importer shall be construed as including a reference to the person in charge of the plants.

(6) In this Article "produce" includes soil, packing materials and containers.

Information regarding imported produce

12. Every person who has or has had in his possession or under his charge any produce which the appropriate Minister or an inspector knows or suspects to have been landed in England, Wales or Scotland, and every person who as auctioneer, salesman or otherwise, has sold or offered for sale any such produce shall, if so required by demand in writing by the appropriate Minister or an inspector, give to the said Minister or inspector within the time specified in that demand all such information as he possesses as to the persons who have or have had or are likely to have or have had the said produce in their possession or under their custody or control:

Provided that any information given under this Article shall not be available as evidence against the person giving the same in any prosecution under this Order, except in respect of an alleged failure to comply with this Article.

Licences

13. Notwithstanding any provisions of this Order, any plants, seeds, raw fruit or raw vegetables may be landed in England, Wales or Scotland under and in accordance with the conditions of a licence granted by the appropriate Minister or by an inspector.

Service of notices

14. For the purposes of this Order, a notice shall be deemed to be served on any person if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post in a letter addressed to him there; and a notice purporting to be signed by an inspector shall be *prima facie* evidence that it was signed by him.

Offences

15.—(1) Every person who wilfully obstructs or impedes the appropriate Minister or an inspector in the exercise of his powers under this Order or

who does any act in contravention of this Order, of the terms or conditions of any notice served or licence granted thereunder or of the requirements of, or of a prohibition imposed by, the appropriate Minister or an inspector, or who fails to do any act which he is required to do by the appropriate Minister or an inspector or by this Order or by any such notice or licence shall be liable on conviction to a penalty not exceeding ten pounds or in respect of a second or subsequent offence to a penalty not exceeding fifty pounds.

(2) In order that the penalty for the landing of any plants, seeds, raw fruit or raw vegetables in contravention of this Order shall be such as may be imposed under the Customs and Excise Act 1952, paragraph (1) of this Article shall not apply in respect of any such landing.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 15th July 1965.

(L.S.) *Frederick Peart,*

Minister of Agriculture, Fisheries and Food.

Given under the seal of the Secretary of State for Scotland on 15th July 1965.

(L.S.) *William Ross,*

Secretary of State for Scotland.

Article 5

SCHEDULE 1

RESTRICTIONS ON THE IMPORTATION INTO ENGLAND, WALES OR SCOTLAND OF PLANTS AND CERTAIN SEEDS, RAW FRUIT AND RAW VEGETABLES (OTHER THAN THOSE EXCEPTED BY ARTICLE 4)

PART IA—PLANTS: LANDING PROHIBITED

Item	Description of plants (as defined in Article 3(1) of this Order)	Period of the year during which landing is prohibited
(1)	Annual and biennial plants grown ir any place outside Europe.	Throughout the year.
(2)	Carnation (*Dianthus caryophyllus* L., perpetual flowering types), florists' chrysanthemum (*Chrysanthemum sinense* Sabine (syn. *C. morifolium* Ramat.)) and pelargonium plants grown in Crete, Cyprus, Greece, Spain or any place outside Europe *except the Americas, the West Indies and New Zealand.*	Throughout the year.
(3)	*Prunus* L. (including *Amygdalus* L., *Armeniaca* Mill., *Cerasus* Adan., *Laurocerasus* Roem., *Padus* Mill. and *Prunophora* Neck.) spp. plants grown in Australia, the People's Republic of China, Formosa, Japan, Malaysia, Mongolia, New Zealand or the Republic of South Africa.	Throughout the year.

PART IB—PLANTS: GENERAL CONDITIONS SUBJECT TO WHICH LANDING IS PERMITTED

Item	Description of plants (as defined in Article 3(1) of this Order)	Conditions subject to which landing is permitted
(4)	All plants *other than those described in items* (1) *to* (3) *of this Schedule.*	1. Each consignment of the plants shall be accompanied by a phytosanitary certificate (Schedule 2) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. The plants shall have been grown on land on which physiologic races of Wart Disease fungus (*Synchytrium endobioticum* (Schilb.) Perc.) other than the common European race have not been known to occur at any time.

PART IC—PLANTS: ADDITIONAL CONDITIONS APPLYING IN PARTICULAR CASES

Item	Description of plants (as defined in Article 3(1) of this Order)	Conditions subject to which landing is permitted
(5)	All plants *other than*— *Aquatic plants* *Cacti* *Ferns* *Wild bulbs, corms, rhizomes and orchids that have been collected in the wild and not grown in cultivation.*	The plants shall have been examined during the growing season prior to export by an authorised officer of the Plant Protection Service of the country in which they were grown and found by him to be substantially free from injurious pests and diseases, including nematodes and virus diseases: Provided that— (*a*) the said examination may have been carried out concurrently with the examination referred to in the phytosanitary certificate if the plants were then in active growth; (b) where the said examination was carried out prior to the examination referred to in the phytosanitary certificate, the plants need not have been found at the former examination to have been substantially free from such injurious pests and diseases as would readily have been detected at the latter examination; (*c*) in the case of bud-wood and cuttings (including rooted cuttings), the said examination shall have been carried out on the plants from which the bud-wood or cuttings were taken and not solely on the bud-wood or cuttings themselves; (*d*) in the case of florists' chrysanthemums (*Chrysanthemum sinense* Sabine (syn. *C. morifolium* Ramat.))— (i) the plants shall have been found by the authorised officer to be free from the virus disease Stunt

PART IC—PLANTS: ADDITIONAL CONDITIONS APPLYING IN PARTICULAR CASES—*continued*

Item	Description of plants (as defined in Article 3(1) of this Order)	Conditions subject to which landing is permitted
		as well as substantially free from other injurious pests and diseases, including nematodes and virus diseases, and, in particular, from the virus disease Aspermy; and (ii) where the consignment consists of plants other than cuttings a representative sample of such plants, and where the consignment consists of cuttings (including rooted cuttings) a representative sample of the plants comprising the stock from which the cuttings were taken, being in either case a sample consisting of not less than 10 per cent of the said plants, shall have been examined when in flower and found to be free or substantially free from pests and diseases in accordance with the aforesaid requirements of this Condition.
(6)	Plants of the following genera and species grown in any country in which the insect San José Scale (*Quadraspidiotus perniciosus* Comst.) is known to have occurred during the two years preceding the date of the signing of the phytosanitary certificate— *Acacia* Mill. *Acer* L. *Amelanchier* Medic. *Chaenomeles* Lindl. (including *Cydonia japonica* Pers.) *Cotoneaster* L. *Crataegus* L. *Cydonia oblonga* Mill. (syn. *C. vulgaris* Pers.) *Euonymus* L. *Fagus* L. *Juglans* L. *Ligustrum* L. *Maclura pomifera* (Raf.) Schneid. (syn. *M. aurantiaca* Nutt.) *Malus* Mill. *Populus* L. *Prunus* L. (as defined in item (3) of this Schedule) *Ptelea trifoliata* L. *Pyrus* (or *Pirus*) L. *Ribes* L. *Rosa* L. *Salix* L. *Sorbus* L. *Symphoricarpos* Duham. *Syringa* L. *Tilia* L. *Ulmus* L.	1. The farm, nursery or other premises on which the plants were grown shall have been inspected during each of the two years prior to export by an authorised officer of the Plant Protection Service of the country in which the plants were grown and found by him to be free from San José Scale: Provided that, if San José Scale is not known to have occurred in any part of the said country during the first of the said two years, the said farm, nursery or premises need not have been so inspected during that year. 2. The plants shall have been fumigated, prior to export to Great Britain, in accordance with one of the following methods— *Method* 1. With hydrocyanic acid gas at a concentration of 10 grams per cubic metre,— at temperatures less than 15° C., for not less than 60 minutes, or at temperatures not less than 15° C. or more than 25° C., for not less than 40 minutes, or at temperatures more than 25° C., for not less than 30 minutes. *Method* 2. With methyl bromide gas for between 2 and 3 hours at a concentration such that in any part of the consignment the product of the average concentration, in grams per cubic metre, and the exposure time, in hours, is not less than the value indicated in the following table—

PART IC—PLANTS: ADDITIONAL CONDITIONS APPLYING IN PARTICULAR CASES—*continued*

Item	Description of plants (as defined in Article 3(1) of this Order)	Conditions subject to which landing is permitted
		Temperature — Concentration × time product (g.hr./cu.m.) Not less than 10° C. or more than 15° C. .. — 116 More than 15° C., but not more than 20° C. — 104 More than 20° C., but not more than 25° C. — 92
(7)	Apple (*Malus pumila* Mill. cultivars) and pear (*Pyrus communis* L. cultivars) plants grown in any country in which the virus disease Apple Proliferation (Witches' Broom) is known to occur.	The farm, nursery or other premises on which the plants were grown shall have been inspected during the growing season prior to export by an authorised officer of the Plant Protection Service of the country in which the plants were grown and found by him to be free from Apple Proliferation disease.
(8)	Carnation (*Dianthus caryophyllus* L., perpetual flowering types) plants grown in any country in which bacterial wilts caused by *Pseudomonas caryophylli* (Burkh.) Starr and Burkh. or *Erwinia chrysanthemi* Burkh. et al. (referred to in the condition opposite as "the said bacteria") are known to occur.	The plants shall have been immediately derived from plants grown from cuttings which— (*a*) were tested and found to be free from the said bacteria and (*b*) were themselves immediately derived from plants which were also tested as cuttings and found to be free from the said bacteria.
(9)	Florists' chrysanthemum (*Chrysanthemum sinense* Sabine (syn. *C. morifolium* Ramat.)) plants grown in any country in which the disease White Rust of chrysanthemums (*Puccinia horiana* P. Henn) is known to occur.	The plants shall have been— (*a*) examined by an authorised officer of the Plant Protection Service of the country in which they were grown and found by him to be free from White Rust of chrysanthemums and (*b*) grown on a farm, nursery or other premises— (i) which was or were inspected during the growing season prior to export by an authorised officer of the said service and found by him to be free from White Rust of chrysanthemums and (ii) on which White Rust of chrysanthemums is not known to have occurred during the three months prior to export.
(10)	Pear (*Pyrus communis* L. cultivars) plants grown in the Province of British Columbia in Canada, the States of California, Oregon or Washington in the United States of America, Greece or Italy or in any other Province of Canada, State of the United States of America or country in which the disease known as Pear Decline or Moria is known to occur.	The farm, nursery or other premises on which the plants were grown shall have been inspected during the growing season prior to export by an authorised officer of the Plant Protection Service of the country in which the plants were grown and found by him to be free from Pear Decline or Moria.

PART IC—PLANTS: ADDITIONAL CONDITIONS APPLYING IN PARTICULAR CASES—*continued*

Item	Description of plants (as defined in Article 3(1) of this Order)	Conditions subject to which landing is permitted
(11)	*Prunus* L. (as defined in item (3) of this Schedule) spp. plants grown in any country in which the virus disease Sharka (Plum Pox) is known to occur.	The farm, nursery or other premises on which the plants were grown shall have been inspected during the growing season prior to export by an authorised officer of the Plant Protection Service of the country in which the plants were grown and found by him to be free from Sharka disease.
(12)	*Prunus* L. (as defined in item (3) of this Schedule) spp. plants grown in any country in which the disease Bacterial Spot (*Xanthomonas pruni* (E. F. Smith) Dowson) is known to occur.	The plants shall have been examined during the growing season prior to export by an authorised officer of the Plant Protection Service of the country in which they were grown and found by him to be free from Bacterial Spot.
(13)	*Prunus* L. (as defined in item (3) of this Schedule) spp. plants grown in Canada or the United States of America.	The plants shall have been approved, in the country in which they were grown, under an official certification scheme which is restricted to plants derived from tested material found free from all important virus diseases of the genus *Prunus* and under which the plants are required to be officially examined during the growing season for virus diseases.
(14)	Rose (*Rosa* L. spp.) plants grown in Australia, Italy, New Zealand, the Republic of South Africa or any other country in which the virus disease Rose Wilt is known to occur.	The plants shall have been grown in a region in which Rose Wilt is not known to occur.
(15)	*Rubus* L. spp. and strawberry (*Fragaria* L. spp.) plants grown in Canada or the United States of America.	The plants shall have been approved, in the country in which they were grown, under an official certification scheme which is restricted to plants derived from tested material found free from all important virus diseases of the genus *Fragaria* or *Rubus*, as the case may be, and under which the plants are required to be officially examined during the growing season for virus diseases.

PART IIA—SEEDS: LANDING PROHIBITED

Item	Description of seeds	Period of the year during which landing is prohibited
(16)	Lucerne (*Medicago sativa* L.) seed taken from crops grown in Canada, Chile, Italy, Mexico, the United States of America (*excluding the State of California*), the Union of Soviet Socialist Republics or any other country in which the disease Lucerne Bacterial Wilt (*Corynebacterium insidiosum* (McCulloch) Jensen) is known to occur.	Throughout the year.

PART IIB—SEEDS: CONDITIONS SUBJECT TO WHICH LANDING IS PERMITTED

Item	Description of seeds	Conditions subject to which landing is permitted
(17)	Lettuce (*Lactuca sativa* L.) seed.	1. Each consignment of the seed shall be accompanied by a phytosanitary certificate (Schedule 3) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. The crops from which the seed was taken shall have been examined during the growing season by an authorised officer of the Plant Protection Service of the country in which they were grown and found by him to be substantially free from the virus disease Lettuce Mosaic.
(18)	Lucerne (*Medicago sativa* L.) seed taken from crops grown in the State of California in the United States of America.	1. Each consignment of the seed shall be accompanied by a phytosanitary certificate (Schedule 3) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. The crops from which the seed was taken shall have been— (*a*) grown from seed produced in a European country *other than Italy*, and (*b*) grown on a farm or other premises which has or have been inspected during the growing season prior to export by an authorised officer of the Plant Protection Service of the country in which the said crops were grown and found by him to be free from the disease Lucerne Bacterial Wilt (*Corynebacterium insidiosum* (McCulloch) Jensen). 3. The seed shall have been fumigated, prior to export to Great Britain, in accordance with the following method— *Method.* With methyl bromide gas for between 20 and 30 hours at a concentration such that in any part of the consignment the product of the average concentration, in grams per cubic metre, and the exposure time, in hours, is not less than the value indicated in the following table— Temperature — Concentration × time product (g.hr./cu.m.) Not less than 10°C. or more than 20°C. .. 1,200 More than 20°C. but not more than 25°C. 1,000 More than 25°C. but not more than 30°C. 800
(19)	Lucerne (*Medicago sativa* L.) seed *other than that described in items* (16) *and* (18) *of this Schedule.*	Conditions 1 and 3 set out above in this column, opposite item (18) of this Schedule, shall be complied with.

PART IIB—SEEDS: CONDITIONS SUBJECT TO WHICH LANDING IS PERMITTED *—continued*

Item	Description of seeds	Conditions subject to which landing is permitted
(20)	Pea (*Pisum sativum* L.) seed for sowing.	1. Each consignment of the seed shall be accompanied by a phytosanitary certificate (Schedule 3) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. The crops from which the seed was taken shall either— (*a*) have been grown in a region where the disease Bacterial Blight (*Pseudomonas pisi* Sackett) is not known to occur, or (*b*) have been examined during the growing season by an authorised officer of the Plant Protection Service of the country in which they were grown and found by him to be free from Bacterial Blight.
(21)	Tomato (*Lycopersicon esculentum* Mill.) seed.	1. Each consignment of the seed shall be accompanied by a phytosanitary certificate (Schedule 3) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. The crops from which the seed was taken shall either— (*a*) have been grown in a region where the disease Bacterial Canker (*Corynebacterium michiganense* (E. F. Smith) Jensen) is not known to occur, or (*b*) have been examined during the growing season by an authorised officer of the Plant Protection Service of the country in which they were grown and found by him to be free from Bacterial Canker.

PART IIIA—RAW FRUIT: LANDING PROHIBITED

Item	Description of raw fruit (as defined in Article 3 (1) of this Order)	Period of the year during which landing is prohibited
(22)	Raw cherries grown in Italy (*excluding the regions of Valle d'Aosta, Piemonte, Liguria, Lombardia, Trentino-Alto Adige, Veneto, Friuli-Venezia Giulia and Emilia-Romagna*), Portugal or Spain.	1st June to 30th September (both dates inclusive).
(23)	Raw cherries grown in Austria, Bulgaria, Southern France (comprising that part of France south of latitude 46° North), Hungary, Northern Italy (comprising the regions of Valle d'Aosta, Piemonte, Liguria, Lombardia, Trentino-Alto Adige, Veneto, Friuli-Venezia Giulia and Emilia-Romagna) or Yugoslavia.	16th June to 30th September (both dates inclusive).

PART IIIB—RAW FRUIT: CONDITIONS SUBJECT TO WHICH LANDING IS PERMITTED

Item	Description of raw fruit (as defined in Article 3 (1) of this Order)	Conditions subject to which landing is permitted
(24)	The following raw fruit— Apples, apricots, greengages, nectarines, peaches, pears and plums *other than those grown in Belgium, Denmark, Finland, Luxembourg, the Netherlands, Norway or Sweden* and Cherries *other than those described in items* (22) *and* (23) *of this Schedule of which the landing is prohibited.*	1. Each consignment of the fruit shall be accompanied by a phytosanitary certificate (Schedule 3) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. The fruit or a representative sample of it shall have been examined by an authorised officer of the Plant Protection Service of the country in which the fruit was grown and found by him to be free from the insects Apple Fruit Fly or Apple Maggot (*Rhagoletis pomonella* Walsh), European Cherry Fruit Fly (*Rhagoletis cerasi* L.) and the North American Cherry Fruit Flies (*Rhagoletis fausta* Osten-Sacken and *Rhagoletis cingulata* Loew) and substantially free from other insects and from mites.

PART IV—RAW VEGETABLES: CONDITIONS SUBJECT TO WHICH LANDING IS PERMITTED

Item	Description of raw vegetables (as defined in Article 3 (1) of this Order)	Conditions subject to which landing is permitted
(25)	The following raw vegetables— Lettuce and endive (*Cichorium endivia* L.) landed during the period of the year 1st March to 15th October (both dates inclusive) and grown in Europe south of latitude 46° North or in any place outside Europe; Lettuce and endive (*Cichorium endivia* L.) landed during the period of the year 1st April to 15th October (both dates inclusive) and grown in Europe north of latitude 46° North; and Other raw vegetables landed during the period of the year 1st April to 15th October (both dates inclusive) *other than—* *Root vegetables free from foliage* *Globe artichokes* *Asparagus* *Aubergines* *Beans* *Capsicums* *Carrots free from foliage or with foliage not exceeding 5 inches* *Witloof chicory* (*Cichorium intybus* L.)	1. Each consignment of the vegetables shall be accompanied by a phytosanitary certificate (Schedule 3) and, where appropriate, by one or more supplemental certificates (Schedule 4), in accordance with Articles 6 to 8 of this Order. 2. There shall have been no outbreak of the insect Colorado Beetle (*Leptinotarsa decemlineata* Say) during the 12 months prior to export within a distance of 25 kilometres of the place where the vegetables were grown, except that, in the case of the raw vegetables specified in the table below landed during the periods of the year specified in relation thereto, this requirement shall not apply provided that the vegetables were grown in a district where an intensive system of control of Colorado Beetle is in operation and they are vegetables which are believed by an authorised officer of the Plant Protection Service of the country in which they were grown to be free from Colorado Beetle.

PART IV—RAW VEGETABLES: CONDITIONS SUBJECT TO WHICH LANDING IS PERMITTED—*continued*

<table>
<tr><th>Item</th><th>Description of raw vegetables (as defined in Article 3(1) of this Order)</th><th colspan="2">Conditions subject to which landing is permitted</th></tr>
<tr><td></td><td>Cucumbers
Marrows
Mushrooms and other edible fungi
Onions
Peas
Pimentos
Pumpkins
Shallots
Tomatoes</td><td colspan="2">THE RAW VEGETABLES REFERRED TO IN CONDITION 2 ABOVE</td></tr>
<tr><td></td><td></td><td>Description of raw vegetables</td><td>Period of the year during which landed (both dates inclusive)</td></tr>
<tr><td></td><td></td><td>I. Lettuce and endive grown in France in the Department of Pyrénées Orientales only.</td><td>1st to 15th March</td></tr>
<tr><td></td><td></td><td>II. Lettuce and endive—
(a) grown in Belgium in the Provinces of Antwerp, Brabant, East Flanders and West Flanders only,
(b) grown under glass in France in the Departments of Finistère, Ille et Vilaine and Loire Atlantique only, or
(c) grown in the Netherlands.</td><td>1st to 30th April</td></tr>
<tr><td></td><td></td><td>III. Cauliflowers grown in—
(a) Belgium in the Provinces of Antwerp, Brabant, East Flanders and West Flanders only,
(b) France in the Departments of Calvados, Côtes du Nord, Finistère, Ille et Vilaine, Loire Atlantique and Manche only, or
(c) the Netherlands.</td><td>1st April to 15th May</td></tr>
<tr><td></td><td></td><td>IV. The raw vegetables described in item (25) of this Schedule grown in—
(a) Belgium in the Provinces of Antwerp, Brabant, East Flanders and West Flanders only, or
(b) the Netherlands.
other than cauliflowers referred to in III above.</td><td>1st to 30th April</td></tr>
</table>

Article 6

SCHEDULE 2

(PHYTOSANITARY CERTIFICATE FOR PLANTS)

Phytosanitary Certificate

PLANT PROTECTION SERVICE

of ..... No.....

This is to certify that the plants, parts of plants or plant products described below or representative samples of them were thoroughly examined on (date) ..... by (name) ..... an authorised officer of the (service) ..... and were found to the best of his knowledge to be substantially free from injurious diseases and pests; and that the consignment is believed to conform with the current phytosanitary regulations of the importing country both as stated in the additional declaration hereon and otherwise.

Fumigation or disinfection treatment (if any)

Date ..... Treatment.....

Duration of Exposure ..... Chemical and Concentration.....

Additional Declaration

.....19.....

.....

(Signature)

.....

(Rank)

(Stamp of the Service)

Description of the Consignment

Name and address of exporter: .....

Name and address of consignee: .....

Number and description of packages: .....

Distinguishing marks: .....

Origin (Grown at)*: .....

Means of conveyance: .....

Point of entry: .....

Quantity and name of produce: .....

Botanical name: .....

* State precise location.

Article 6

SCHEDULE 3

(PHYTOSANITARY CERTIFICATE FOR CERTAIN SEEDS, RAW FRUIT AND RAW VEGETABLES)

Phytosanitary Certificate

PLANT PROTECTION SERVICE

of ..... No.....

This is to certify that the plant products described below are believed to conform with the current phytosanitary regulations of Great Britain.

.....19.....

.....
(Signature)

.....
(Rank)

(Stamp of the Service)

Description of the Consignment

Name and address of exporter: .....
Name and address of consignee: .....
Number and description of packages: .....
Distinguishing marks: .....
Origin (Grown at)*: .....
Means of conveyance: .....
Point of entry: .....
Quantity and name of produce: .....
Botanical name: .....

* State precise location.

Article 7

SCHEDULE 4

(SUPPLEMENTAL CERTIFICATE REQUIRED IN CASES WHERE PLANTS AND CERTAIN SEEDS, RAW FRUIT AND RAW VEGETABLES ARE IMPORTED FROM A COUNTRY OTHER THAN THAT IN WHICH THEY WERE GROWN)

Supplemental Certificate

PLANT PROTECTION SERVICE

of ..... No.....

The undersigned (name) ..... an authorised officer of the (service) ..... declares that the plants, parts of plants or plant products included in the consignment described below are part of a shipment imported into (country) ..... on (date) ..... from (country) ..... and covered by phytosanitary certificate(s) No(s) ..... the original or facsimile copy(ies)* of which is (are) attached to this certificate; and that while in (country) ..... the consignment has not been subjected to the risk of infection or infestation.

.....19.....

.....
(Signature)

.....
(Rank)

(Stamp of the Service)

Description of the Consignment

Name and address of exporter: .....
Name and address of consignee: .....
Number and description of packages: .....
Distinguishing marks: .....
Means of conveyance: .....
Point of entry: .....
Quantity and name of produce: .....

* Copies of certificates must be endorsed by the Plant Protection Service of the re-exporting country as true copies.

Article 2

SCHEDULE 5
ORDERS REVOKED

ORDER	REFERENCE
Importation of Plants Order 1955	S.I. 1955/81 (1955 II, p. 1841)
Importation of Plants (Scotland) Order 1955	S.I. 1955/405 (1955 II, p. 1850)
Importation of Carnation Cuttings Order 1956	S.I. 1956/1519 (1956 II, p. 1742)
Importation of Carnation Cuttings (Scotland) Order 1956	S.I. 1956/1924 (1956 II, p. 1743)
Importation of Plants (Amendment) Order 1958	S.I. 1958/1138 (1958 II, p. 1878)
Importation of Plants (Scotland) (Amendment) Order 1958	S.I. 1958/1275 (1958 II, p. 1879)
Importation of Plants (Amendment) Order 1959	S.I. 1959/220 (1959 II, p. 2070)
Importation of Plants (Scotland) Amendment Order 1959	S.I. 1959/1589 (1959 II, p. 2071)
Importation of Plants (Amendment) Order 1964	S.I. 1964/686 (1964 II, p. 1303)
Importation of Plants (Scotland) Amendment Order 1964	S.I. 1964/948 (1964 II, p. 2125)
Importation of Raw Vegetables Order 1965	S.I. 1965/92 (1965 I, p. 141)
Importation of Raw Vegetables (Scotland) Order 1965	S.I. 1965/252 (1965 I, p. 614)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food and the Secretary of State, consolidates, with amendments, the Importation of Plants Orders 1955 to 1964 and the Importation of Raw Vegetables Order 1965 (as regards England and Wales) and the Importation of Plants (Scotland) Orders 1955 to 1964 and the Importation of Raw Vegetables (Scotland) Order 1965 (as regards Scotland).

It prohibits the landing in England, Wales or Scotland (except under licence) of certain plants, seeds, fruit and vegetables; and it lays down conditions which must be complied with if certain other plants, seeds, fruit and vegetables are landed, including the requirement that they shall be accompanied by phytosanitary and, if they have not been imported direct from the country of origin, supplemental certificates, in the forms prescribed. These prohibitions and requirements do not apply to plants, etc. grown in Great Britain, Northern Ireland, the Republic of Ireland, the Isle of Man or the Channel Islands.

Inspectors of the Ministry of Agriculture, Fisheries and Food and the Department of Agriculture and Fisheries for Scotland are empowered to examine and take samples of any imported produce grown outside Great Britain and of plants derived from plants or seeds imported during the previous 12 months. Provision is made for the disposal of those found to be unhealthy and of any plants, etc. landed in contravention of the Order.

Licences may be given modifying the requirements of the Order.