STATUTORY INSTRUMENTS

1983 No. 807

PLANT HEALTH

The Import and Export of Trees, Wood and Bark (Health) (Great Britain) (Amendment) Order 1983

Made - - - -	31*st May* 1983
Coming into Operation	8*th June* 1983

To be laid before Parliament

The Forestry Commissioners, in exercise of the powers conferred on them by sections 2 and 3(1), (2) and (4) of the Plant Health Act 1967(**a**), as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972(**b**), and all other powers enabling them in that behalf, hereby make the following Order:—

1. This Order may be cited as the Import and Export of Trees, Wood and Bark (Health) (Great Britain) (Amendment) Order 1983 and shall come into operation on 8th June 1983.

2. The Import and Export of Trees, Wood and Bark (Health) (Great Britain) Order 1980(**c**) is hereby amended as follows:—

(*a*) in Article 2(1) (interpretation) the following definition shall be inserted immediately after the definition of "Customs Act"—

" "cut tree" means any part of the trunk of a tree which has been severed from its roots and still retains branches and foliage;";

(*b*) in Schedule 2 (tree pests the landing of which is prohibited if carried on or infecting certain trees or wood) Part I there shall be inserted in the second column at the end of the entries numbered 2 the words "and trees of conifers (including cut trees).";

(*c*) in Schedule 3 (trees and isolated bark the landing of which is prohibited when grown in specified countries):—

(i) there shall be inserted in the first and second columns immediately after the entries numbered 2 the following entries—

(**a**) 1967 c. 8; sections 2(1), 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8; section 3(4) was amended by the Criminal Justice Act 1982 (c. 48), section 42.
(**b**) 1972 c. 62.
(**c**) S.I. 1980/449.

"2A. Trees of conifers (*Coniferae*) (other than cut trees) over three metres in height which have not been grown in a nursery.	Any country or part of a country in Europe.
2B. Cut trees of conifers (*Coniferae*).	Any country or part of a country not in Europe.
2C. Cut trees of conifers (*Coniferae*) which are— (i) over three metres in height; or (ii) three metres in height or less and derived from the tops of trees which are over three metres in height and which have not been grown in a nursery.	Any country or part of a country in Europe. ";

(ii) there shall be inserted in the second column at the beginning of the entry numbered 3 the words "France or";

(*d*) in Schedule 4 (special conditions subject to which the landing is permitted in Great Britain of specified trees, wood, isolated bark and soil):—

(i) in the entry numbered 1 in the first column there shall be inserted after the words "grown in" the words "France or in";

(ii) there shall be inserted in the first and second columns immediately after the entries numbered 8 the following entries—

"8A.(*a*) Trees of conifers (*Coniferae*) (other than cut trees or fruit and seeds), grown in any country or part of a country in Europe, and which— (i) are of three metres in height or less; or (ii) have been grown in a nursery.	Each consignment shall be accompanied by an official statement that no symptoms of *Dendroctonus micans* have been observed at the place of production or its immediate vicinity since the beginning of the last complete cycle of vegetation.

(*b*) Cut trees of conifers (*Coniferae*) of three metres in height or less grown in any country or part of a country in Europe.	Each consignment shall be accompanied by an official statement certifying— (i) that no symptoms of *Dendroctonus micans* have been observed at the place of production or its immediate vicinity since the beginning of the last complete cycle of vegetation; and (ii) that the cut trees do not derive from the tops of trees over three metres in height other than trees grown in a nursery. ”;

(*e*) in Schedule 5 (phytosanitary certificates to accompany imported trees, wood, isolated bark and soil):—

(i) in Part I there shall be substituted for the entry numbered 5 the following entries—

“5.(*a*) Trees of conifers (*Coniferae*) (other than cut trees or fruit and seeds), grown in any country or part of a country in Europe, and which—

(i) are of three metres in height or less; or

(ii) have been grown in a nursery.

(*b*) Cut trees of conifers (*Coniferae*) of three metres in height or less grown in any country or part of a country in Europe.”;

(ii) in Part II there shall be inserted in the entry numbered 2 after the words “grown in” the words “France or in”;

(iii) in Part III there shall be inserted immediately after the entry numbered 1 the following entries—

“1A.(*a*) Trees of conifers (*Coniferae*) (other than cut trees or fruit and seeds), grown in any country or part of a country in Europe, and which—

(i) are of three metres in height or less; or

(ii) have been grown in a nursery.

(*b*) Cut trees of conifers (*Coniferae*) of three metres in height or less grown in any country or part of a country in Europe.”;

(iv) in Part III there shall be inserted in the entry numbered 3 after the words “grown in” the words “France or in”.

In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 31st May 1983.

(L.S.)

P. J. Clarke,
Secretary to the Forestry Commissioners.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, made by the Forestry Commissioners, amends the Import and Export of Trees, Wood and Bark (Health) (Great Britain) Order 1980. The amendments in part are made under Article 15 of Council Directive 77/93/EEC (OJ No. L26, 31.1.77 p. 20) (the Directive) which allows for the taking of additional protective measures against the introduction of harmful organisms. They also implement the European Commission Decision of 25th February 1983 EEC (OJ Vol 26, L61 8.3.83 p. 20) (the Decision) which authorizes Great Britain to take measures to protect itself against the introduction of the beetle *Dendroctonus micans* (the Great Spruce Bark Beetle), a non-indigenous pest which attacks conifer trees.

The main amendment introduced by the Order requires conifer wood grown in France to be stripped of bark before being landed in Great Britain and to be accompanied by a phytosanitary certificate; in addition the landing of isolated bark of conifers grown in France is prohibited (Article 2(*c*)(ii), 2(*d*)(i), 2(e)(ii) and 2(*e*)(iv)), (Article 15 of the Directive).

The following amendments are also introduced by the Order:—

(*a*) the landing of conifer trees (including cut trees) is prohibited if they are contaminated with *Dendroctonus micans* (Article 2(*b*)), (Article 1(*a*) of the Decision);

(*b*) the landing of conifer trees (other than cut trees) originating in Europe, which are over three metres in height and have not been grown in a nursery, is prohibited (Article 2(*c*)(i)), (Article 1(*b*) of the Decision);

(*c*) the landing of cut trees of conifers originating from countries outside Europe is prohibited; the landing of such trees originating in Europe is also prohibited if the trees are over three metres in height or derive from the tops of trees grown outside a nursery which are themselves over three metres in height (Article 2(*c*)(i)), (Article 1(*b*) and (*c*) of the Decision);

(*d*) conifer trees or cut trees of conifers when imported into Great Britain must be accompanied by a phytosanitary certificate and by specified official statements (Article 2(*d*)(ii) and 2(*e*)(i) and (iii)), (Article 1(*a*), (*c*) and (*d*) of the Decision).

SI 1983/807
ISBN 0-11-036807-X

