

Island of  Guernsey

Ordinance of the States **XXVIII**
1984

Made 26th September, 1984.
Came into Operation ... 26th September, 1984.

**The Import and Export (Plant Health)
(Amendment) Ordinance, 1984**

THE STATES, in pursuance of their Resolution of the 25th day of July, 1984, hereby order:—

1. (1) The Import and Export (Plant Health) Ordinance, 1982^(a) is hereby amended in accordance with the following provisions of this section.

Amend-
ments to
the Import
and Export
(Plant
Health)
Ordinance,
1982.

(2) In column 3 of Part IB of the Second Schedule thereto (conditions subject to which plants and plant products may be landed—rooted plants and unrooted vegetative propagating material other than bulbs, corms, tubers of potato and seeds: additional conditions) the following additional paragraph is inserted opposite item 11 immediately after paragraph (6)—

“(7) Where the consignment is of pot plants originating in the Netherlands:

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

(a) No. XXIII of 1982.

- (i) the nurseries shall have been officially approved for producing plants for the purposes of Commission Decision 84/58/EEC upon official statement—that 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 carried out following the application for approval and the second carried out one month after the first, and
—that any earlier approval has not ceased within two months prior to the application for 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 approval; and
 - (iii) the nurseries have not automatically ceased to be officially approved by virtue of paragraph 2 of Article 1 of Commission Decision 84/58/EEC;
- (b) the plants shall 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) of this paragraph in such a way as to avoid any risk of

contamination with Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) through such material;

- (c) the plants shall have undergone, within the last three weeks prior to the packing specified in sub-paragraph (d) of this paragraph, a fungicidal treatment satisfactory to the Plant Protection Service of the Netherlands and to the Inspector to control Chrysanthemum White Rust (*Puccinia horiana* P. Henn.);
- (d) the plants shall have been packed on arrival at the first place of public sale at the latest in boxes each of which was marked with a sign indicating that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) were found, in appropriate examination carried out by qualified persons, on the plants packed in the box;
- (e) the examination provided for in Article 6 of Council Directive 77/93/EEC shall have been made 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 shall have 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 chrysanthemums produced by a single grower;

- (f) the examination referred to in sub-paragraph (e) of this paragraph shall also have been carried out for the purposes of ascertaining whether the conditions in sub-paragraphs (a) to (d) of this paragraph were complied with;
- (g) each of the boxes or other packing units into which the plants have been packed for export shall have been marked with the number of the phytosanitary certificate or another mark or marks enabling an authorised officer of the Plant Protection Service of the Netherlands and the Inspector to identify the nursery or nurseries in which the plants packed in the box or packing unit were produced; and
- (h) the phytosanitary certificate shall state under "Additional Declaration": "The consignment meets the requirements laid down in Commission Decision 84/58/EEC".

(3) In column 3 of Part VIIB of the Second Schedule thereto (conditions subject to which plants and plant products may be landed—cut flowers and parts of plants used for decoration: additional conditions) the following additional paragraph is inserted opposite item 73 immediately after paragraph (2)—

"(3) Where the consignment is of cut flowers originating in the Netherlands:

- (a) the crop from which the flowers were taken shall have been produced in nurseries which meet the following requirements—

- (i) the nurseries shall have been officially approved for producing plants upon official statement—that 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 carried out following the application for approval and the second carried out one month after the first, and
—that any earlier approval has not ceased within two months prior to the application for 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 approval; and
 - (iii) the nurseries have not automatically ceased to be officially approved by virtue of paragraph 2 of Article 1 of Commission Decision 84/58/EEC;
- (b) the plants shall 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) of this paragraph in such a way as to avoid any risk of

contamination with Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) through such material;

- (c) the plants shall have undergone, within the last three weeks prior to the packing specified in sub-paragraph (d) of this paragraph a fungicidal treatment satisfactory to the Plant Protection Service of the Netherlands and to the Inspector to control Chrysanthemum White Rust (*Puccinia horiana* P. Henn.);
- (d) the flowers shall have been packed, on arrival at the first place of public sale at the latest, in boxes each of which was marked with a sign indicating that no symptoms of Chrysanthemum White Rust (*Puccinia horiana* P. Henn.) were found, in appropriate examination carried out by qualified persons, on the flowers packed in the box;
- (e) the examination provided for in Article 6 of Council Directive 77/93/EEC shall have been made on samples of at least 10 bunches per lot, taken from different boxes; for lots exceeding 25 boxes, the number of bunches to be examined shall have been increased by 1 for every 5 additional boxes, up to a maximum number of 20 bunches per lot; for the purposes of this paragraph, "lot" means a consignment consisting of a single variety of chrysanthemums produced by a single grower;

- (f) the examination referred to in sub-paragraph (e) of this paragraph shall also have been carried out for the purpose of ascertaining whether the conditions in sub-paragraphs (a) to (d) of this paragraph were complied with;
- (g) each of the boxes or other packing units into which the flowers were packed for export shall have been marked with the number of the phytosanitary certificate or another mark or marks enabling an authorised officer of the Plant Protection Service of the Netherlands and the Inspector to identify the nursery or nurseries in which the plants whose flowers are packed in the box or packing unit were produced; and
- (h) the phytosanitary certificate shall state under "Additional Declaration": "The consignment meets the requirements laid down in Commission Decision 84/58/EEC".

2. (1) This Ordinance may be cited as the Import and Export (Plant Health) (Amendment) Ordinance, 1984. Citation and collective title.

(2) This Ordinance and the Import and Export (Plant Health) Ordinance, 1982, may be cited together as the Import and Export (Plant Health) Ordinances, 1982 and 1984.

K. H. TOUGH,
Her Majesty's Greffier.