

GUERNSEY STATUTORY INSTRUMENT

2023 No.41

**The Plant Health (Preserved EU law) (Amendment)
(Guernsey) Regulations, 2023**

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|-------------------------------|----------------------------------|
| <i>Made</i> | <i>5th June, 2023</i> |
| <i>Coming into operation</i> | <i>5th June, 2023</i> |
| <i>Laid before the States</i> | <i>, 2023</i> |

THE COMMITTEE FOR ENVIRONMENT & INFRASTRUCTURE, in exercise of the powers conferred upon it by Article 108 of Preserved Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants^a, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the Preserved Phytosanitary Conditions Regulation.

1. (1) The Preserved Phytosanitary Conditions Regulation is amended, insofar as it applies to Guernsey, as follows.

(2) In Annex 5 (measures to prevent the presence of RNQPs on specific plants for planting), in Part F, for the second table substitute the following –

^a PEUL (BoG) (RG) 2016/2031. This enactment has been amended insofar as it applies to Guernsey.

| (1) RNQPs or symptoms caused by RNQPs | (2) Plants for planting (genus or species) | (3) Thresholds for growing plants for basic seed potatoes ⁽¹⁾ | | (4) Thresholds for the growing plants for basic seed potatoes ⁽¹⁾ | (5) Thresholds for the growing plants for certified seed potatoes ⁽¹⁾ |
|---|--|--|------|---|--|
| | | PBTC | PB | | |
| Blackleg (<i>Dickeya</i> <i>Samson et al.</i> spp. [1DICKG]; <i>Pectobacterium</i> Waldee emend. <i>Hauben et al.</i> spp. [1PECBG]) | <i>Solanum</i> <i>tuberosum</i> L. | 0% | 0% | 1% | 4% |
| <i>Candidatus</i> <i>Liberibacter</i> <i>solanacearum</i> <i>Liefting et al.</i> [LIBEPS] | <i>Solanum</i> <i>tuberosum</i> L. | 0% | 0% | 0% | 0% |
| Mosaic symptoms caused by viruses and symptoms caused by Potato leaf roll virus [PLRV00] | <i>Solanum</i> <i>tuberosum</i> L. | 0% | 0.1% | 0.8% | 6% |
| Potato spindle tuber viroid [PSTVD0] | <i>Solanum</i> <i>tuberosum</i> L. | 0% | 0% | 0% | 0%". |

Amendment of the Preserved PHR.

2. (1) The Preserved PHR is amended, insofar as it applies to Guernsey, as follows.

(2) In Articles 12(1), 14(3), 15(1), 16 and 17, in each place where it occurs, after "Guernsey quarantine pest" insert "or provisional Guernsey quarantine pest".

Interpretation.

3. In these Regulations, unless the context requires otherwise -

"**the Preserved PHR**" means the item of Preserved EU law entitled Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants, and

"**the Preserved Phytosanitary Conditions Regulation**" means the item of Preserved EU law entitled Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants^b.

Extent.

4. These Regulations have effect in the Islands of Guernsey, Herm and Jethou.

Citation.

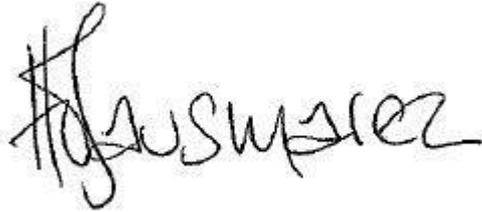
5. These Regulations may be cited as the Plant Health (Preserved EU law) (Amendment) (Guernsey) Regulations, 2023.

^b PEUL (BoG) (IR) 2019/2072. This enactment has been amended insofar as it applies to Guernsey.

Commencement.

6. These Regulations shall come into force on the 5th June, 2023.

Dated this 5th day of June, 2023

A handwritten signature in black ink, appearing to read 'H. L. DE SAUMAREZ', is centered on the page.

H. L. DE SAUMAREZ

President of the Committee for Environment & Infrastructure

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Preserved Phytosanitary Conditions Regulation and the Preserved PHR which have effect in Guernsey as preserved EU law.

The amendments are made to align with amendments made in Great Britain as, from the end of 2020, Guernsey has been part of a Great Britain and Crown Dependency market in plants and plant products.

Regulation 1 substitutes the second table in Part F of Annex 5 to the Preserved Phytosanitary Conditions Regulation relating to movement and import requirements for seed potatoes.

Regulation 2 amends certain articles of the Preserved PHR referring to Guernsey quarantine pests by extending the provisions to include "provisional Guernsey quarantine pests".

These Regulations come into force on the 5th June, 2023.