

GUERNSEY STATUTORY INSTRUMENT

2024 No. 58

The Plant Health (Preserved Phytosanitary Conditions Regulation) (Amendment) (Guernsey) Regulations, 2024

<i>Made</i>	<i>22 January, 2024</i>
<i>Coming into operation</i>	<i>see Regulation 12</i>
<i>Laid before the States</i>	<i>, 2024</i>

THE COMMITTEE FOR THE 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:-

PART I

PEST MEASURES COMING INTO FORCE IN ACCORDANCE WITH
REGULATION 12(1)

Amendment of the Preserved Phytosanitary Conditions Regulation.

1. The Preserved Phytosanitary Conditions Regulation is amended, insofar as it applies to Guernsey, as follows in this Part.

^a PEUL (BoG) (RG) 2016/2031; this enactment has been amended insofar as it applies to Guernsey; see also regulation 8 of G.S.I. No. 153 of 2020 which makes provision in relation to the citation of Preserved EU law.

Amendment to Annex 2.

2. (1) In Annex 2 (List of Guernsey quarantine pests), the table in Part A is amended as follows.

(2) Under the heading "**C. Insects and mites**", delete entry 62.

(3) Under the heading "**F. Viruses, viroids and phytoplasmas**" -

(a) after entry 10, insert -

"10A.	Citrus exocortis viroid [CEVD00]",
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(b) delete entries 11 and 12,

(c) after entry 11 (deleted by subparagraph (b)), insert -

"11A.	Columnea latent viroid [CLVD00]",
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(d) after entry 17, insert -

"17A.	Pepper chat fruit viroid [PCFVD0]",
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(e) after entry 30, insert -

"30A.	Tomato planta macho viroid [TPMVD0]".
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Amendment to Annex 2A.

3. (1) In Annex 2A (List of provisional Guernsey quarantine pests), the table is amended as follows.

(2) Under the heading "**A. Fungi and oomycetes**", after entry 1B, insert -

"1BA. *Coleosporium paederiae* Dietal ex Hirats. f.
[COLSPA]".

(3) Under the heading "**B. Insects and mites**" –

(a) after entry 4BB, insert -

"4BC. *Crisicoccus pini* (Kuwana) [DACLPI]",

(b) after entry 4C, insert -

"4CA. *Dendrolimus superans* Butler [DENDSU]",

(c) after entry 10, insert -

"10A. *Sirex nitobei* Mats. [SIRXNI]",

(d) after entry 15, insert -

"15A. *Urocerus japonicus* (F. Sm.) [URCEJA]".

(4) Under the heading "**C. Viruses, viroids and phytoplasmas**", delete entries 2, 3, 4 and 7.

Amendment to Annex 6.

4. (1) Annex 6 (List of plants, etc. which may not be introduced into Guernsey if originating or dispatched from certain third countries) is amended as follows.

(2) In Part A (List of plants, etc. from third countries, other than high-risk plants, plant products and other objects, which may not be introduced into Guernsey), in the table, in the first column of entry 1, after "Korea", insert ", and other than naturally or artificially dwarfed plants of *Chamaecyparis* Spach., *Juniperus* L., or *Pinus* L., either entirely of the species *Pinus thunbergia* Parl. or of *Pinus thunbergia* Parl. grafted on a rootstock of a *Pinus* species other than *Pinus thunbergia* Parl., originating in Japan".

Amendment to Annex 7.

5. (1) In Annex 7 (List of plants, etc. originating from third countries and the corresponding special requirements for their introduction into Guernsey), Part A is amended as follows.

(2) In the section entitled "Interpretation", for the definition of "ISPM10", substitute the following –

""ISPM10" means International Standard for Phytosanitary Measures No 10 of December 2015 on requirements for the establishment of pest-free places of production and pest-free production sites, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations;

""ISPM14" means International Standard for Phytosanitary Measures No 14 of April 2019 on the use of integrated measures in a systems approach for pest risk management, prepared by the Secretariat of the

IPPC established by the Food and Agriculture Organisation of the United Nations;

""ISPM31" means International Standard for Phytosanitary Measures No 31 of December 2015 on methodologies for sampling of consignments, prepared by the Secretariat of the IPPC established by the Food and Agriculture Organisation of the United Nations;"

(3) In the table –

(a) in entry 8, in the second column, delete "Cowpea mild mottle virus,"

(b) after entry 33, insert –

33A.	Plants for planting, other than seeds, of <i>Capsicum</i> spp.	Any third country	The plants must be accompanied by: (a) an official statement that the plants have been derived from seed complying with the requirements set out in entry 105B, and (b) an official statement that: (i) the plants originate in an area established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from Pepper chat fruit viroid, or (ii) the plants have been produced in a site of production where,
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since the beginning of the last cycle of vegetation, no symptoms of disease caused by Pepper chat fruit viroid have been observed and where the following actions have been taken:

(aa) staff and items such as tools, machinery, vehicles, vessels and packaging material from other sites producing solanaceous plants and other host plants of Pepper chat fruit viroid have been prevented from coming into contact with the site, or

(bb) other appropriate hygiene measures have been taken to prevent infection by staff working, or items used, at other sites producing solanaceous plants and other host plants of Pepper chat fruit viroid.

33B.	Plants for planting, other than seed, of <i>Solanum lycopersicum</i> L. and its hybrids	Any third country	<p>The plants must be accompanied by:</p> <p>(a) an official statement that the plants have been derived from seed complying with the requirements set out in entry 105C, and</p> <p>(b) an official statement that:</p> <p>(i) the plants originate in an area established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from Citrus exocortis viroid, Columnea latent viroid, Pepper chat fruit viroid and Tomato planta macho viroid, or</p> <p>(ii) the plants have been produced in a site of production where, since the beginning of the last cycle of vegetation, no symptoms of disease caused by Citrus exocortis viroid, Columnea latent viroid, Pepper chat fruit viroid or Tomato planta macho viroid have been observed and where the following actions have been taken:</p> <p>(aa) staff and items such as tools,</p>
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machinery,
vehicles, vessels
and packaging
material from
other sites
producing
solanaceous
plants and other
host plants of
Citrus exocortis
viroid,
Columnea latent
viroid, Pepper
chat fruit viroid
or Tomato
planta macho
viroid have been
prevented from
coming into
contact with the
site, or

(bb) other
appropriate
hygiene
measures have
been taken to
prevent
infection by staff
working, or
items used, at
other sites
producing
solanaceous
plants and other
host plants of
Citrus exocortis
viroid,
Columnea latent
viroid, Pepper
chat fruit viroid
or Tomato
planta macho
viroid.",

(c) after entry 42A, insert -

"42B.	Naturally or artificially dwarfed plants of <i>Chamaecyparis</i> Spach., <i>Juniperus</i> L., or <i>Pinus</i> L., but in the case of <i>Pinus</i> L., either entirely of the species <i>Pinus parviflora</i> Sieb. & Zucc. (<i>Pinus pentaphylla</i> Mayr) or <i>Pinus thunbergii</i> Parl., or of— (a) <i>Pinus parviflora</i> Sieb. & Zucc. grafted on a rootstock of a <i>Pinus</i> species other than <i>Pinus parviflora</i> Sieb. & Zucc., or (b) <i>Pinus thunbergii</i> Parl., grafted on a rootstock of a <i>Pinus</i> L. species other than <i>Pinus thunbergii</i> Parl.	Japan	The plants must be accompanied by an official statement that: (a) they are naturally or artificially dwarfed plants: (i) of <i>Chamaecyparis</i> Spach., (ii) of <i>Juniperus</i> L., or (iii) of <i>Pinus</i> L., but in the case of <i>Pinus</i> L., they are one of the following: (aa) entirely of the species <i>Pinus parviflora</i> Sieb. & Zucc. (<i>Pinus pentaphylla</i> Mayr), (bb) entirely of the species <i>Pinus thunbergii</i> Parl., (cc) of <i>Pinus parviflora</i> Sieb. & Zucc. grafted on a rootstock of a <i>Pinus</i> L. species other than <i>Pinus parviflora</i> Sieb. & Zucc. which has borne no shoots and
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- originated in Japan, or
- (dd) of *Pinus thunbergii* Parl., grafted on a rootstock of a *Pinus* L. species other than *Pinus thunbergii* Parl. which has borne no shoots and originated in Japan,
- (b) prior to export they have been grown, held and trained for at least two consecutive years in officially registered nurseries which are subject to an officially supervised control regime,
- (c) in the case of *Juniperus* L. plants:
- (i) the plants of *Juniperus* L. and any plants of *Chaenomeles* Lindl., *Crataegus* L., *Cydonia* Mill., *Malus* Mill., *Photinia* Ldl. and *Pyrus* L. grown in the two years prior to export in the plant nurseries mentioned in point (b) for naturally or artificially dwarfed plants, and
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-
- (ii) the immediate vicinity of the plants referred to in sub-item (i), have been officially inspected at least six times a year at appropriate intervals and found to be free from the following: *Aschistonyx eppoi* Inouye, *Gymnosporangium asiaticum* Miyabe ex Yamada and G. yamadae Miyabe ex Yamada, *Oligonychus perditus* Pritchard et Baker, *Popillia japonica* Newman, and any other Guernsey quarantine pest or provisional Guernsey quarantine pest,
- (d) in the case of *Chamaecyparis* Spach. plants:
- (i) the plants of *Chamaecyparis* Spach. and of *Pinus* L. grown in the nurseries mentioned in point (b) for naturally or artificially dwarfed plants, and
- (ii) the immediate vicinity of the plants referred to in sub-paragraph (i), have been officially inspected at least six times a year at
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-
- appropriate intervals and found to be free from *Popillia japonica* Newman and any other Guernsey quarantine pest or provisional Guernsey quarantine pest,
- (e) in the case of *Pinus parviflora* Sieb. & Zucc. plants:
- (i) the plants of *Pinus* L. and of *Chamaecyparis* Spach. grown in the nurseries mentioned in point (b) for naturally or artificially dwarfed plants, and
 - (ii) the immediate vicinity of the plants referred to in sub-paragraph (i),

have been officially inspected, at least six times a year at appropriate intervals and found to be free from the following: *Bursaphelenchus xylophilus* (Steiner and Bühner) Nickle et al., *Coleosporium paederiae* Dietel ex Hirats. f., *Crisicoccus pini* (Kuwana), *Cronartium kurilense* (Dietel) Y. Ono, *Cronartium quercuum* (Berk.) Miyabe ex Shirai, *Dendrolimus sibiricus* Chetverikov, *Dendrolimus spectabilis* (Butler), *Dendrolimus superans* Butler, *Monochamus* spp., *Pissodes nitidus* Roelofs, *Popillia japonica* Newman,

Pseudocercospora pini-densiflorae
(Hori & Nambu) Deighton,
Thecodiplosis japonensis Uchida
& Inouye, and any other
Guernsey quarantine pest or
provisional Guernsey
quarantine pest,

- (f) in the case of *Pinus*
thunbergii Parl plants:
- (i) the plants of *Pinus*
L. and of
Chamaecyparis
Spach. grown in
the nurseries
mentioned in point
(b) for naturally or
artificially dwarfed
plants, and
 - (ii) the immediate
vicinity of the
plants referred to
in sub-paragraph
(i),

have been officially
inspected at least six
times a year at
appropriate intervals
and found to be free
from the following:

Bursaphelenchus
xylophilus (Steiner and
Bührer) Nickle et al.,
Coleosporium asterum
(Dietel) Sydow & P.
Sydow, *Coleosporium*
phellodendri Komarov,
Crisicoccus pini
(Kuwana), *Cronartium*
orientale Kaneko,
Dendrolimus sibiricus
Chetverikov,
Dendrolimus spectabilis
(Butler), *Dendrolimus*

superans Butler,
Dothistroma septosporum
(Dorogin) Morelet,
Fusarium circinatum
Nirenberg & O'Donnell,
Monochamus spp. (non-
European populations),
Pissodes nitidus Roelofs,
Popillia japonica
Newman,
Pseudocercospora pini-
densiflorae (Hori &
Nambu) Deighton, *Sirex*
nitobei Mats.,
Thecodiplosis japonensis
Uchida & Inouye,
Urocerus japonicus (F.
Sm), and any other
Guernsey quarantine
pest or provisional
Guernsey quarantine
pest,

- (g) the plants intended for
Guernsey have at least
during the period
referred to in point (b):
- (i) been potted in pots
which are placed
either on shelves at
least 50cm above
ground or on
concrete flooring
which is well
maintained and
free from debris,
 - (ii) been found to be
free, in the
inspections
referred to in point
(c) to (f), from the
pests specified in
point (c) to (f),
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- (iii) in the case of plants of *Pinus parviflora* Sieb. & Zucc. or *Pinus thunbergii* Parl. grafted on a rootstock of another *Pinus* L. species, been grafted on a rootstock derived from sources officially approved as healthy material, and
 - (iv) been made recognisable with a marking or a traceability code, exclusive for each individual plant and notified to the national plant protection organisation of Japan, enabling the identification of the officially registered nursery and the year of potting, and
 - (h) the plants have been traceable from the time of their removal from the nursery until the time of loading for export, the tracing assured by sealing of transport vehicles or appropriate alternatives.
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The following additional requirements must be complied with.

(1) The annual lists of the registered nurseries must be made available to the national plant protection organisation of the United Kingdom by 1st March each year. Those lists must include the number of plants grown in each of these nurseries which are deemed suitable for dispatch to Guernsey under the conditions laid down.

(2) The total number of plants dispatched to Guernsey must not exceed the quantities which have been approved by the competent authority in advance, having regard to the availability of quarantine facilities.

(3) In the case of plants of *Juniperus L.*, the plants may only be imported into Guernsey during the period beginning on 1st November each year and ending on 31st March the following year.

(4) Any detection of the pests specified in points (c) to (f) in the inspections carried out pursuant to those points must be officially recorded, and the records must be kept available to the national plant protection organisation of the

United Kingdom, upon its request.

(5) The detection of any pests which are specified in points (c) to (f) disqualifies the nursery from the status of officially registered nursery and from exporting the plants specified in column 1 to Guernsey. The national plant protection organisation of the United Kingdom must be informed immediately of such detection. In such case, the registration can be renewed only in the following year.

(6) Following their import into Guernsey, the plants must be subject, before their release, to official post-entry detention in a confinement facility or quarantine station of not less than three months of active growth in the case of *Pinus* L. and *Chamaecyparis* Spach. plants, and for a period including the active growth season from 1st April until 30th June in the case of *Juniperus* L. plants, and must have been found to be free, during this post-entry detention, from any pests listed in points (c) to (f). Particular attention must be given by the competent authority or the professional operators to preserve for each plant the marking or traceability code referred to in point (g)(iv).

(7) Any lot in which plants have not been found to be free, during the post-entry detention, from the pests of concern must be immediately destroyed under official supervision.

(8) If any contamination by the pests of concern is confirmed during the post-entry detention period, the relevant nursery in Japan must be treated as disqualified from its status as an officially registered nursery. The national plant protection organisation of the United Kingdom must immediately inform the national plant protection organisation of Japan of the contamination and the disqualification.

(9) The phytosanitary certificate under the heading "Additional declaration" must indicate:

- the name or names of the officially registered nursery or nurseries;
 - the markings or traceability codes referred to in point (g)(iv), as far as they enable identification of the registered nursery and the year of potting;
 - the specification of the last treatment applied, prior to dispatch."
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(d) delete entry 92,

- (e) in the third column of entry 94, in the first unnumbered paragraph -
- (i) in point (c)(i) after "production" in the first place it occurs, insert "*",
 - (ii) in point (c)(ii), for the words from ", which" to the end, substitute "and prior to export, including a visual examination with an intensity to enable at least the detection of a 2% level of infestation, with a level of confidence of 95% in accordance with the measures specified in ISPM31 and including destructive sampling in case of symptoms, or",
 - (iii) delete point (c)(iii),
 - (iv) for point (d), substitute the following –

"(d) an official statement:

- (i) that they have been produced in a site(s) of production* approved by the national plant protection organisation of the country of origin,
- (ii) that they have been subjected to an effective systems approach** in accordance with

the measures specified in ISPM14 or an effective stand-alone post-harvest treatment** to ensure freedom from *Thaumatotibia leucotreta* (Meyrick), and

(iii) that, prior to export, they have been subjected to official inspections for the presence of *Thaumatotibia leucotreta* (Meyrick), with an intensity to enable at least the detection of a 2% level of infestation, with a level of confidence of 95% in accordance with the measures specified in ISPM31 and including destructive sampling in case of symptoms."

(v) in the second unnumbered paragraph preceded by an asterisk, after "area(s)", insert ", place(s) of production or site(s) of production",

(vi) in the fourth unnumbered paragraph -

- (A) after the second indented subparagraph, insert –

" – the official statement referred to in point (c) unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of the place(s) of production,"

- (B) in the last indented subparagraph, for "treatment or approach" substitute "site(s) of production and the systems approach or post-harvest treatment",

- (vii) in the third column to entry 100 –

- (A) in the words before point (c)(i), after "statement", insert ", which includes information on traceability,"

- (B) in point (c)(i), for the words from "its immediate" to the end substitute "its immediate vicinity, and they have been subjected to effective treatments to ensure freedom from the pest and an inspection of a representative sample of fruits prior to export which has shown the fruits to be free of that pest",

(viii) in the third column to entry 102A at the end,
insert –

"A phytosanitary certificate may not include the official statement referred to in point (b) unless the national plant protection organisation of the country of origin has previously provided the national plant protection organisation of the United Kingdom with written details of the area or areas.",

(ix) after entry 105A, insert –

"105B. Seeds of <i>Capsicum</i> spp.	Any third country	The seeds must be accompanied by an official statement that they: (a) originate in an area* established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from Pepper chat fruit viroid, (b) are derived from plants grown throughout their life in a place of production** established by the national plant protection organisation in accordance with ISPM10 as a place of production that is free from Pepper chat fruit viroid and verified
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			<p>through official inspections and, where appropriate, testing, or</p> <p>(c) have been subjected to official testing for Pepper chat fruit viroid on a statistically based sample in accordance with ISPM31 and using an appropriate method and have been found, in this test, to be free from this pest.</p> <p>* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading "Additional declaration".</p> <p>** The name(s) of the place(s) of production must be included in the phytosanitary certificate under the heading "Additional declaration".</p>
105C.	Seeds of <i>Solanum lycopersicum</i> L. and its hybrids	Any third country	<p>The seeds must be accompanied by an official statement that they:</p> <p>(a) originate in an area* established by the national plant protection organisation in accordance with the measures specified in ISPM4 as an area that is free from Citrus exocortis viroid, Columnea latent viroid, Pepper chat fruit viroid and Tomato planta macho viroid,</p> <p>(b) are derived from plants grown throughout their life in a place of</p>

-
- production** established by the national plant protection organisation in accordance with ISPM10 as a place of production that is free from Citrus exocortis viroid, Columnea latent viroid, Pepper chat fruit viroid and Tomato planta macho viroid and verified through official inspections and, where appropriate, testing, or
- (c) have been subjected to official testing for Citrus exocortis viroid, Columnea latent viroid, Pepper chat fruit viroid and Tomato planta macho viroid on a statistically based sample in accordance with ISPM31 and using an appropriate method and have been found, in these tests, to be free from these pests.

* The name(s) of the area(s) must be included in the phytosanitary certificate under the heading "Additional declaration".

** The name(s) of the place(s) of production must be included in the phytosanitary certificate under the heading "Additional declaration".

(x) in the second column to entry 125, after "country" insert "other than Canada and the USA",

(xi) after entry 125, insert –

"125A.	<p>Wood of <i>Fraxinus</i> L., <i>Juglans ailantifolia</i> Carr., <i>Juglans mandshurica</i> Maxim., <i>Ulmus davidiana</i> Planch. and <i>Pterocarya rhoifolia</i> Siebold & Zucc., other than in the form of</p> <ul style="list-style-type: none"> – chips, particles, sawdust, shavings, wood waste and scrap, obtained in whole or part from these trees, – wood packaging material, except associated controlled dunnage, <p>but including wood which has not kept its natural round surface, and furniture and</p>	Canada and the USA	<p>The wood must be accompanied by an official statement that it:</p> <ul style="list-style-type: none"> (a) originates in an area* established by the national plant protection organisation in accordance with ISPM4 as an area that is free from <i>Agrilus planipennis</i> Fairmaire and that no part of the area lies within 100 km of a known outbreak of <i>Agrilus planipennis</i> Fairmaire, (b) has undergone ionizing irradiation to achieve a minimum absorbed dose of 1kGy throughout the wood, or (c) has been – <ul style="list-style-type: none"> (i) debarked, all sawn wood being produced from such debarked wood**, (ii) heated through its profile to at least 71°C for 1200 minutes in a heat chamber approved by the relevant national plant
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other objects
made of untreated
wood

protection
organisation's
inspection
service***, and
(iii) dried following
industrial drying
schedules of a
duration of at least
two weeks,
recognised by the
relevant national
plant protection
organisation's
inspection
service*** and the
final moisture
content of the
wood must not
exceed 10%
expressed as a
percentage of dry
matter.

* The names(s) of the area(s)
must be included in the
phytosanitary certificate under
the heading "Additional
declaration". A phytosanitary
certificate may not include any
such official statement unless
the national plant protection
organisation of the country of
origin has previously provided
the national plant protection
organisation of the United
Kingdom with written details
of the area or areas.

** The maximum tolerance
level for residual pieces of bark
is 50 cm² in area.

*** The inspection services as
officially approved by the
national plant protection
organisation in the country of

origin or the country of processing, namely Canada or the USA.

In the case of wood declared to comply with the requirements listed in point (c):

(1) the wood must be produced, handled or stored in a facility**** which fulfils all the following requirements:

(i) it is officially approved by the relevant national plant protection organisation's inspection service pursuant to its certification programme for the pest *Agrilus planipennis* Fairmaire,

(ii) it is registered in a database published by the relevant inspection service,

(iii) it is audited ****at least once per month by the relevant national plant protection organisation's inspection service, or an agency approved by that inspection service, which concludes in each audit that the facility has treated wood as per the requirements listed in point (c),

-
- (iv) it uses equipment for the treatment of the wood which has been calibrated consistently with the equipment's manual of operation,
 - (v) it keeps records of its procedures for verification by the relevant national plant protection organisation's inspection service, or an agency approved by that inspection service, including the duration of treatment, temperatures during treatment and, for each specific bundle to be exported, the compliance check and final moisture content.

****The name of the facility or facilities must be included in the phytosanitary certificate under the heading "Additional declaration".

*****Where these audits are performed by an agency approved by the relevant national plant protection organisation's inspection service, the relevant national plant protection organisation's inspection service must carry

out six-monthly audits of this work. The six-monthly audits must include the verification of the procedures and documentation of the agency and audits at approved facilities.

(2) Each bundle of wood must visibly display both the unique bundle number and a label with the words "HTKD" or "Heat Treated-Kiln Dried". That label must be issued by, or under the supervision of, a designated officer of the approved facility after verifying that the processing requirements set out in point (c) and the requirements for facilities set out in point (1) have been complied with. The bundle number(s) corresponding to each specific bundle being exported must be included in the phytosanitary certificate under the heading "Additional declaration".

(3) The wood must have been inspected before export by the relevant national plant protection organisation's inspection service, or an agency approved by that inspection service, to ensure that the requirements laid down in point (c) and point (2) are met."

PART II
PEST MEASURES COMING INTO FORCE IN ACCORDANCE WITH
REGULATION 12(2)

Amendment of the Preserved Phytosanitary Conditions Regulation.

6. The Preserved Phytosanitary Conditions Regulation is amended, insofar as it applies to Guernsey, as follows in this Part.

Amendment to Annex 2A.

7. (1) In Annex 2A (List of provisional Guernsey quarantine pests), the table is amended as follows.

(2) Under the heading "**A. Fungi and oomycetes**", after entry 5, insert the following –

"5A.	<i>Raffaelea lauricola</i> Harrington, Fraedrich & Aghayeva [RAFFLA]",
5B.	<i>Raffaelea quercivora</i> Kubono & Ito [RAFFQU]".

(3) Under the heading "**B. Insects and mites**", immediately before entry 8., insert -

"7B.	<i>Platypus quercivorus</i> (Murayama) [PLTPQU]".
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Amendments to Annex 7.

8. (1) Annex 7 (List of plants, etc. originating from third countries and the corresponding special requirements for their introduction into Guernsey) is amended as follows.

(2) In the table in Part A (Plants, etc. originating in third countries which may only be introduced into Guernsey if special requirements are met) –

(a) in entry 20 –

(i) for the words in the first column, substitute "Plants for planting, other than seeds, of *Solanum tuberosum* L.",

(ii) in the third column –

(A) for "tubers" in the first and second place where it occurs, substitute "plants",

(B) in point (d)(ii), after "appropriate times and", insert ", in the case of tubers,", and

(C) in point (d)(iii) at the beginning, insert "in the case of tubers,",

(b) in entry 21 –

(i) in the first column, for "Tubers of *Solanum tuberosum* L., for planting" substitute "Plants for planting, other than seeds, of *Solanum tuberosum* L.",

(ii) in the third column –

(A) for "tubers", substitute "plants",

(B) after "EU Member State", in both places where it occurs, insert ", Liechtenstein",

(c) in the first column of entry 22, after "entry 20" insert "or 21",

(d) in the third column of entry 29, after "entry 20" insert "or 21",

(e) in entry 83A, for the words in column 2, substitute "Any third country".

(3) In Part B (Plants, etc. originating in third countries which are subject to emergency measures and may only be introduced into Guernsey if special requirements are met), in the table, in the third column of entry 6 –

(a) in the first unnumbered paragraph -

(i) after point (a), delete "or",

(ii) after point (b)(ii), insert – ",

"or,

(c) in the case of any seeds which were harvested before 15th August 2020, an official statement stating that "The seeds were harvested before

15th August 2020 and the seeds have undergone official sampling and testing for Tomato brown rugose fruit virus and have been found, according to those tests, to be free from that pest.".

- (b) in the third unnumbered paragraph, for "point (b)(ii)" substitute "points (b)(ii) and (c)".

PART III
GENERAL PROVISIONS

Interpretation.

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

Extent.

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

^b PEUL (BoG) (IR) 2019/2072; this enactment has been amended, insofar as it applies to Guernsey; see also regulation 8 of G.S.I. No. 153 of 2020 which makes provision in relation to the citation of Preserved EU law.

Citation.

11. These Regulations may be cited as The Plant Health (Preserved Phytosanitary Conditions Regulation) (Amendment) (Guernsey) Regulations, 2024.

Commencement.

12. (1) Parts I and III of these Regulations shall come into force on the 22nd January, 2024.

(2) Part II of these Regulations shall come into force on the 2nd May 2024.

Dated this 22nd day of January, 2024

A handwritten signature in black ink, appearing to read 'H. L. De Saumarez', with a stylized initial 'H'.

H. L. DE SAUSMAREZ

President of the Committee for the Environment & Infrastructure

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations).

These Regulations make further amendments to the Annexes to the Preserved Phytosanitary Conditions Regulation (PPCR) which has effect in Guernsey as preserved EU law.

The amendments are 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.

The following amendments are made by Part I of the Regulations.

Regulation 2 removes certain pests from Annex 2 and regulation 5 removes corresponding conditions for imports from Annex 7.

Regulation 2 also adds certain provisional Guernsey quarantine pests to the list of Guernsey quarantine pests. Regulation 3 removes those pests from the list of provisional Guernsey quarantine pests in Annex 2A and regulation 5 adds corresponding requirements to Annex 7.

Regulation 3 also adds certain new pests to the list of provisional Guernsey quarantine pests and regulations 4 and 5 amend Annexes 6 and 7 to provide for the permitted import of specified plants etc. from Japan, subject to certain conditions.

Regulation 5 also amends Annex 7 to amend import requirements for certain other plants etc.

The following amendments are made by Part II of the Regulations.

Regulation 7 amends Annex 2A to add certain pests to the list of provisional Guernsey quarantine pests. Regulation 8 amends Annex 7 to make updates to import requirements for Tomato brown rugose fruit virus and extends the requirements for tubers of potatoes to plants of potatoes.

Part III of the Regulations contains interpretation and other general provisions. Parts I and III of the Regulations come into force on 22nd January, 2024 and Part II on 2nd May, 2024.