

GUERNSEY STATUTORY INSTRUMENT

2024 No. 59

**The Plant Health (Amendment of Transitional Provision
and Phytosanitary Conditions) (Guernsey)
Regulations, 2024**

<i>Made</i>	<i>2nd August, 2024</i>
<i>Coming into operation</i>	<i>2nd August, 2024</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:-

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

Amendment of the 2020 Regulations.

(1) The Plant Health (Brexit) (Guernsey) Regulations, 2020^b are amended as follows.

(2) For regulation 6(1)(b) substitute -

"(b) are introduced into Guernsey during the period commencing on 4th March, 2024 and ending on 31st January, 2025."

(3) In Schedule 4A, in the section headed "Parts of plants, other than fruits and seeds of:"-

(a) at the beginning, insert-

"Solanaceae Juss. and <i>Ipomoea L</i>	Vegetable products not elsewhere specified or included, fresh	7"
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(b) in the row beginning with "Leafy vegetables of *Apium graveolens L.*" —

(i) in the first column, for "and *Ocimum L.*" substitute "*Ocimum L.* and *Spinacia oleracea L.*", and

^b G. S. I. No. 130 of 2020; this enactment has been amended.

- (ii) in the second column, in the line beginning with "Other vegetables", for "Other" substitute "Spinach and other".
- (4) in the section headed "Fruits of:"-
- (a) in the row beginning with "*Momordica* L.", in the second column, at the beginning insert a new line "Fruits of the genus *Capsicum* or of the genus *Pimenta*.",
 - (b) in the row beginning with "*Carica papaya* L." -
 - (i) in the first column, delete -
 - (A) "*Carica papaya* L., *Cydonia* Mill.",
 - (B) "*Prunus* L.",
 - (C) "*Ribes* L.", and
 - (D) "*Syzygium* Gaertn.",
 - (ii) in the second column -
 - (A) delete "Papaws (papayas) fresh or chilled",
 - (B) for ", pears and quinces" substitute "and pears",

- (C) delete "Apricots, cherries, peaches (including nectarines), plums and sloes, fresh or chilled.",
- (D) delete "Black, white or red currants and gooseberries, fresh or chilled."

Amendment of the Preserved Phytosanitary Conditions Regulation.

2. (1) Annex 11 to the Preserved Phytosanitary Conditions Regulation is amended, insofar as it applies to Guernsey, as follows.

(2) In the table in Part A (List of plants, plant products and other objects and the respective third countries of origin or dispatch, which may not be introduced into Guernsey unless they are accompanied by a phytosanitary certificate, as referred to in Article 72(1) of Regulation (EU) 2016/2031) -

- (a) in entry 7-
 - (i) in the first column, for the existing text, substitute "Solanaceae Juss. and *Ipomoea* L.",
 - (ii) in the second column, for the existing text, substitute -

"Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh:
ex 0603 19 70

Foliage, branches and other parts of plants, without flowers or flower buds, being goods of

a kind suitable for bouquets or for ornamental purposes, fresh:

ex 0604 20 90

Vegetable products not elsewhere specified or included, fresh:

ex 1404 90 00.",

(b) in entry 9 in the first column, for the existing text, substitute "*Convolvulus* L. and *Micromeria* Benth",

(c) in entry 10 -

(i) in the first column, for "and *Ocimum* L." substitute ", *Ocimum* L. and *Spinacia oleracea* L.", and

(ii) in the second column, at the end, insert -

"Spinach, New Zealand spinach and orache spinach (garden spinach):

ex 0709 70 00".

(d) in entry 20 -

(i) in the first column, delete the following -

(A) "*Carica papaya* L., *Cydonia* Mill.",

(B) "*Prunus* L.",

(C) "*Ribes* L.", and

(D) "*Syzygium* Gaertn.",

(ii) in the second column, delete the following -

(A) from "Guavas" to "ex 0804 50 00",

(B) from "Melons" to "0807 20 00",

(C) from "0808 40 00" to "0809 40 90",

(D) from "Black-, white-" to "0810 30 90",

(E) from "Kiwifruit" to "0810 50 00", and

(F) from "Persimmons" to "0810 70 00",

(e) after entry 20A, insert the following -

"

20B. *Cydonia* Mill. Apples, pears and quinces, Canada, Mexico and the
fresh or chilled: USA

Quinces:

0808 40 00

20C. *Prunus* L. Apricots, cherries, peaches Any third country other
(including nectarines), than Albania, Andorra,
plums and sloes, fresh or Armenia, Azerbaijan,
chilled: Belarus, Bosnia and
0809 10 00 Herzegovina, Canary

	0809 21 00	Islands, EU member States,
	0809 29 00	Faroe Islands, Georgia,
	0809 30 10	Iceland, Liechtenstein,
	0809 30 90	Moldova, Monaco,
	0809 40 05	Montenegro, North
	0809 40 90	Macedonia, Norway, the following parts of Russia: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo- Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Switzerland, Turkey and Ukraine
20D.	Ribes L.	Black-, white- or re-currants and gooseberries, fresh or chilled;
	0810 30 10	Anguilla, Antigua and Barbuda, Aruba, the Bahamas, Barbados, Belize,
	0810 30 30	Bermuda, Bonaire, British
	0810 30 90	Virgin Islands, Canada, Cayman Islands,

Clipperton Island, Costa Rica, Cuba, Curaçao, Dominica, Dominican Republic, El Salvador, Greenland, Grenada, Guadeloupe, Guatemala, Haiti, Honduras, Jamaica, Martinique, Mexico, Montserrat, Nicaragua, Panama, Puerto Rico, Saba, Saint Barthélemy, Saint Kitts and Nevis, Saint Lucia, Saint Martin, Saint Pierre and Miquelon, Saint Vincent and the Grenadines, Sint Eustatius, Sint Maarten, Trinidad and Tobago, Turks and Caicos Islands, United States of America and United States Virgin Islands.

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(3) In the table in Part B (List of other plants which may not be introduced into Guernsey unless they are accompanied by a phytosanitary certificate, as referred to in Article 73(1) of Regulation (EU) 2016/2031) -

(a) in entry 1 in the second column, delete the following -

- (i) "Coffee berries (other than beans), fresh, whole in husk, not roasted:

ex 0901 11 00",

- (ii) "Hop cones, fresh:

ex 1210 10 00".

(4) In Part C (List of plants, together with the respective third countries of origin or dispatch, which do not require phytosanitary certificates pursuant to Article 73(2) of Regulation (EU) 2016/2031), for the table, substitute the following table -

"

(1) Description of plants, plant products or other objects	(2) Country of origin or dispatch
1. Fruit of <i>Actinidia</i> sp. Lindl	Any third country
2. Fruit of <i>Ananas comosus</i> (L.) Merrill	Any third country
3. Flower buds and fruit of <i>Capparis spinosa</i> L. (capers and caper berries)	Any third country
4. Fruit of <i>Carica papaya</i> L.	Any third country
5. Leafy vegetables of <i>Cichorium intybus</i> L.	Any third country
6. Fruit and leaves of <i>Citrus</i> sp. L.	Any third country
7. Fruits of <i>Cocos nucifera</i> L.	Any third country
8. Fruit of <i>Coffea arabica</i> L.	Any third country
9. Fruit of <i>Coffea canephora</i> Pierre ex A.Frohner	Any third country
10. Fruit of <i>Cucumis sativus</i> L.	Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia

and Herzegovina, Canary Islands, Faroe Islands, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, the following parts of Russia: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug), San Marino, Serbia, Switzerland, and Ukraine

- | | |
|---|-------------------|
| 11. Flower buds of <i>Cynara cardunculus</i> var. <i>scolymus</i> (L.) Benth. (globe artichoke) | Any third country |
| 12. Fruit of <i>Diospyros</i> sp. L. | Any third country |
| 13. Fruit of <i>Durio zibethinus</i> Murray | Any third country |
| 14. Leafy vegetables and bulb-like structures of <i>Foeniculum vulgare</i> Miller not for planting (fennel bulbs) | Any third country |
| 15. Fruit of <i>Fortunella</i> sp. Swingle | Any third country |

16. Fruit (bolls) of <i>Gossypium</i> spp.	Any third country
17. Flowers of <i>Humulus lupulus</i> L. (hop cones)	Any third country
18. Cones of <i>Juniperus communis</i> L. (juniper berries)	Any third country
19. Fruit of <i>Mangifera</i> sp. L.	Any third country
20. Leaves of <i>Murraya</i> spp.	Any third country
21. Fruit of <i>Musa</i>	Any third country
22. Fruit of <i>Olea europaea</i> L.	Any third country
23. Fruits of <i>Passiflora</i> sp. L	Any third country
24. Fruit of <i>Phoenix dactylifera</i> L.	Any third country
25. Fruit of <i>Poncirus</i> L. Raf	Any third country
26. Fruit of <i>Psidium</i> sp.	Any third country
27. Fruit of <i>Ribes</i> L.	Any third country other than Anguilla, Antigua and Barbuda, Aruba, the Bahamas, Barbados, Belize, Bermuda, Bonaire, British Virgin Islands, Canada, Cayman Islands, Clipperton Island, Costa Rica, Cuba, Curaçao, Dominica, Dominican Republic, El Salvador, Greenland, Grenada, Guadeloupe, Guatemala, Haiti, Honduras, Jamaica, Martinique, Mexico, Montserrat, Nicaragua, Panama, Puerto Rico, Saba,

	Saint Barthélemy, Saint Kitts and Nevis, Saint Lucia, Saint Martin, Saint Pierre and Miquelon, Saint Vincent and the Grenadines, Sint Eustatius, Sint Maarten, Trinidad and Tobago, Turks and Caicos Islands, United States of America and United States Virgin Islands
28. Fruit of <i>Syzygium</i> Gaertn.	Any third country
29. All plants other than those specified in Part A of this Annex and fruit of <i>Cydonia</i> Mill. and <i>Prunus</i> L.	EU member States and Switzerland

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Interpretation.

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

"**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.

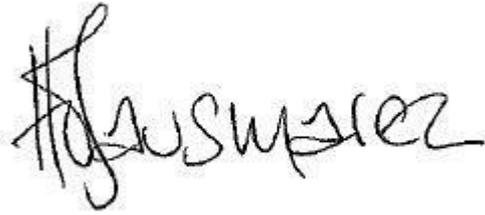
Extent.

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

Citation and commencement.

5. These Regulations may be cited as the Plant Health (Amendment of Transitional Provision and Phytosanitary Conditions) (Guernsey) Regulations, 2024 and shall come into force on 2nd August 2024.

Dated this 2nd day of August, 2024

A handwritten signature in black ink, appearing to read 'H. L. De Saumarez', written in a cursive style.

6.

H. L. DE SAUMAREZ

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 amend the transitional provision in regulation 6 of the Plant Health (Brexit) (Amendment) (Guernsey) Regulations, 2020 (the "2020 Regulations") which makes transitional provision in relation to the requirement for a phytosanitary certificate to accompany certain plants and plant products imported into Guernsey from an EU Member State, Liechtenstein or Switzerland. Regulation 1(2) extends the transitional provision relating to plants etc. from the EU to 31st January, 2025. This is consistent with the extension made to the equivalent transitional provision in Great Britain.

Regulation 1(3) amends Schedule 4A to the 2020 Regulations, to retain consistency with the equivalent provision made in Great Britain. Plants, plant products and other objects imported into Guernsey from an EU Member State listed in Schedule 4A are exempted from the requirement for a phytosanitary certificate.

Regulation 2 also amends Annex 11 to the Preserved Phytosanitary Conditions Regulation, to retain consistency with equivalent provision made in Great Britain. Annex 11 lists the plants and plant products etc. and respective countries of origin or dispatch in respect of which phytosanitary certificates are required.

These Regulations come into force on 2nd August 2024.