

GUERNSEY STATUTORY INSTRUMENT

2024 No. 73

**The Plant Health (Preserved Phytosanitary Conditions
Regulation) (Amendment) (Guernsey) (No. 2)
Regulations, 2024**

Made

7th October, 2024

Coming into operation

See Regulation 6

Laid before the States

, 2024

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

URGENT PEST MEASURES

Amendments to the Preserved Phytosanitary Conditions Regulation.

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

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

(2) In Annex 2 (list of Guernsey quarantine pests), in the table in Part A (pests not known to occur in Guernsey) -

(a) under the heading "**C. Insects and mites**" -

(i) after entry 39, insert -

(A) "39A. *Chrysobothris femorata* (Olivier)
[CHRBFE]", and

(B) "39B. *Chrysobothris mali* (Horn)
[CHRBMA]",

(ii) after entry 75, insert "75A. *Lycorma delicatula*
(White) [LYCMDE]",

(b) under the heading "**F. Viruses, viroids and phytoplasmas**", after entry 9, insert "9A. Chilli veinal mottle virus [CHIVMV]".

(3) In Annex 2A (list of provisional Guernsey quarantine pests), in the table (provisional Guernsey quarantine pests and their EPPO codes) -

(a) under the heading "**B. Insects and mites**", delete entries 4B and 5A,

(b) under the heading "**C. Viruses, viroids and phytoplasmas**", delete entry 1A.

(4) In Annex 5 (measures to prevent the presence of RNQPs on specific plants for planting), in the table in Part C (measures to prevent the presence

of RNQPs on propagating material of ornamental plants and other plants for planting intended for ornamental purposes), under the heading " **Viruses, viroids, virus-like diseases and phytoplasmas**", in the entry relating to "Potato spindle tuber viroid [PSTVD0]", in the second column, for "*Capiscum annuum* L.", substitute "*Capsicum annuum* L."

(5) In Annex 6 (list of plants, plant products and other objects which may not be introduced into Guernsey if originating or dispatched from certain third countries), in the table in Part A (list of plants, plant products and other objects from third countries, other than high-risk plants, plant products and other objects, which may not be introduced into Guernsey), in entry 1, in the first column, for the words from "*Tsuga* Carr" to the end, substitute -

"Tsuga Carr., and other than

- naturally or artificially dwarfed plants of *Chamaecyparis* Spach., *Juniperus* L., or *Pinus* L., either entirely of the species *Pinus parviflora* Sieb. & Zucc. (*Pinus pentaphylla* Mayr), or of the species *Pinus parviflora* Sieb. & Zucc. grafted on a rootstock of a *Pinus* species other than *Pinus parviflora* Sieb. & Zucc., originating in the Republic of Korea;
- naturally or artificially dwarfed plants of *Chamaecyparis* Spach., *Juniperus* L., *Pinus* L., either entirely of the species *Pinus parviflora* Sieb. & Zucc. (*Pinus pentaphylla* Mayr) or *Pinus thunbergii* Parl., or of the species *Pinus parviflora* Sieb. & Zucc. grafted on a rootstock of a *Pinus* species other than *Pinus parviflora* Sieb. & Zucc., or of *Pinus thunbergii* Parl. grafted on a rootstock of a *Pinus* species other than *Pinus thunbergii* Parl., originating in Japan".

(6) In Annex 7 (list of plants, plant products and other objects originating from third countries and the corresponding special requirements for their introduction into Guernsey), in the table in Part A (plants, plant products and other objects originating in third countries which may only be introduced into Guernsey if special requirements are met) -

(a) in entries 52, 53 and 54, in the first column, delete "
Picea Mill.",

(b) after entry 54, insert -

"

54A.	Plants, other than fruit and seeds, of <i>Picea</i> Mill.	Any third country other than Norway	The plants must be accompanied by an official statement that they originate in a place of production which has been established by the national plant protection organisation in accordance with ISPM10 as a place of production that is free from <i>Ips duplicatus</i> (Sahlberg), <i>Ips typographus</i> L. and <i>Ips amitinus</i> (Eichhoff).
54B.	Plants, other than fruit, seeds and cut trees mentioned in column (1) of entry 54C, of <i>Picea</i> Mill.	Norway	The plants must be accompanied by an official statement that they originate in a place of production which has been established by the national plant protection organisation in accordance with ISPM10 as a place of production that is free from <i>Ips duplicatus</i> (Sahlberg), <i>Ips typographus</i> L. and <i>Ips amitinus</i> (Eichhoff).
54C.	Cut trees with foliage of <i>Picea</i> Mill. over 3m in height, introduced during the period beginning with 1st November,	Norway	<p>The trees must:</p> <p>(a) be accompanied by an official statement that they originate in a place of production* which has been established by the national plant protection organisation in accordance</p>

and ending with
30th January of the
following year (“the
relevant period”),
following the
notification of their
intended
introduction by the
national plant
protection
organisation of
Norway to the
national plant
protection
organisation of the
United Kingdom:

- (a) for display at
any time during
the relevant
period in a
public place
where it has
been a custom
for at least 10
years to display
cut trees with
foliage of *Picea*
Mill. at that
place, and
- (b) not intended to
be placed on the
market

with ISPM10 as a place of
production that is free from *Ips*
duplicatus (Sahlberg), *Ips*
typographus L. and *Ips amitinus*
(Eichhoff), or

- (b) fulfil all of the following
requirements:
 - (i) they are accompanied by
an official statement that
each tree has been
subjected to an official
inspection prior to export
and found, in that
inspection, to be free
from *Ips duplicatus*
(Sahlberg), *Ips*
typographus L. and *Ips*
amitinus (Eichhoff),
 - (ii) they have been made
recognisable with a
marking or a traceability
code, exclusive to each
tree and notified to the
national plant protection
organisation of Norway,
enabling the
identification of their
place of origin,
 - (iii) following their
introduction into
Guernsey, they are
transported directly for
display to a public place
as referred to in the
second column,
 - (iv) following their display,
they are:
 - (aa) transported
directly to a site for
their destruction by
the person
responsible for the
trees, and

- (bb) destroyed at that site by chipping or incineration,
 - if introduced on or after 1st January, before the end of 31st January of that year, otherwise
 - before the end of 31st January of the following year,

and subsequent to their destruction, the place and time of the destruction is notified by the person responsible for the trees to the competent authority in writing.

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

The phytosanitary certificate under the heading "Additional Declaration" must also include:

- the marking or traceability code referred to in point (b)(ii),
- the date of dispatch, and

the place of display as referred to in the second column.

”

(c) after entry 64, insert -

"

- 64A. Plants, including cut branches with or without foliage, other than fruit, seeds, tissue cultures and pollen, of *Acer* L., *Betula* L., *Carpinus* L., *Carya illinoensis* (Wangenheim) Koch, *Cercis* L., *Cornus* L., *Crataegus* L., *Juglans* L., *Malus* Mill., *Ostrya virginiana* (Miller) Koch, *Platanus occidentalis* L., *Populus* L., *Prunus* L., *Pyrus* L., *Salix* L., *Tilia* L., *Ulmus* L., and *Vaccinium darrowii* Camp.
- Canada and the USA
- The plants must be accompanied by an official statement that:
- (a) they have been grown during a period of at least three years prior to export, or, in the case of plants younger than three years, throughout their life, in a place of production:
 - (i) which has been established by the national plant protection organisation in accordance with ISPM10 as a place of production that is free from *Chrysobothris femorata* (Olivier),
 - (ii) which is registered and supervised by the national plant protection organisation in the country of origin,
 - (iii) which has been subjected annually to two official inspections for any signs of *Chrysobothris femorata* (Olivier) carried out at appropriate times, and
 - (iv) within which the plants have been grown in a site with complete physical protection against the introduction of *Chrysobothris femorata* (Olivier),
 - (b) immediately prior to export, the plants, and in particular their stems and branches, have been subjected to a meticulous inspection for the presence of *Chrysobothris femorata* (Olivier), which has included destructive sampling, where appropriate, and
 - (c) they have been packed in such a manner as to prevent infestation during transport and storage.

- 64B. Plants, including cut branches with or without foliage, other than fruit, seeds, tissue cultures and pollen, of *Acer* L., *Aesculus* L., *Arbutus menziesii* Pursh., *Ceanothus* L., *Cercocarpus montanus* (Kunth) Rafinesque, *Corylus* L., *Eriobotrya japonica* (Thunberg) Lindley, *Fagus sylvatica* L., *Ficus carica* L., *Frangula californica* (Eschscholtz) A. Gray, *Heteromeles arbutifolia* (Lindl) Roemer, *Juglans regia* L., *Malus* Mill., *Pickeringiamontana* Torrey & A. Gray, *Platanus* L., *Populus* L., *Prunus* L., *Pyrus communis* L., *Quercus* L., *Ribes* L., *Rosa* L., *Salix* L., *Sorbus aucuparia* L., *Ulmus* L., and *Vaccinium* L.
- Canada and the USA
- The plants must be accompanied by:
- (a) an official statement that:
 - (i) they have been grown during a period of at least three years prior to export, or, in the case of plants younger than three years, throughout their entire life, in an area* which has been established by the national plant protection organisation in accordance with ISPM4 as an area that is free from *Chrysobothris mali* (Horn), and that no part of that area lies within 100km of a known outbreak of *Chrysobothris mali* (Horn), and
 - (ii) they have been packed in such a manner as to prevent infestation during transport and storage, or
 - (b) an official statement that:
 - (i) they have been grown during a period of at least three years prior to export, or, in the case of plants younger than three years, throughout their entire life, in a place of production:
 - (aa) which has been established by the national plant protection organisation in accordance with ISPM10 as a place of production that is free from *Chrysobothris mali* (Horn),
 - (bb) which is registered and supervised by the national plant protection organisation in the country of origin,
 - (cc) which has been subjected annually to two official

- inspections for any signs of *Chrysobothris mali* (Horn) carried out at appropriate times, and
- (dd) within which they have been grown in a site with complete physical protection against the introduction of *Chrysobothris mali* (Horn),
- (ii) immediately prior to export, the plants, and in particular their stems and branches, have been subjected to a meticulous inspection for the presence of *Chrysobothris mali* (Horn), which has included destructive sampling, where appropriate, and
- (iii) they have been packed in such a manner as to prevent infestation during transport and storage.

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

"

(d) after entry 138, insert -

"

138A.	Wood of <i>Acer</i> L., <i>Betula</i> L., <i>Carpinus</i> L., <i>Carya illinoensis</i> (Wangenheim) Koch, <i>Crataegus</i> L., <i>Juglans</i> L., <i>Malus</i> Mill., <i>Platanus</i> <i>occidentalis</i> L., <i>Populus</i> L., <i>Prunus</i> L., <i>Pyrus</i> L., <i>Salix</i> L., <i>Tilia</i> L., and <i>Ulmus</i>	Canada and USA	the	The wood must be accompanied by an official statement that:
				(a) it has:
				(i) undergone an appropriate heat treatment to achieve a minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core),
				(ii) undergone ionizing irradiation to achieve a minimum absorbed

L., other than in the form of:

- sawn wood less than 6mm thick,
- chips, particles, sawdust, shavings, wood waste and scrap,
- wood packaging material, including associated dunnage,

but including wood which has not kept its natural round surface

dose of 1kGy throughout the wood, or

- (iii) been subjected to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate, and
- (b) it has been packed in such a manner as to prevent infestation with *Chrysobothris femorata* (Olivier) during transport and storage.

For the purpose of point (a)(i), there must also be evidence of the heat treatment by a mark "HT" put on the wood or any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purpose of point (a)(iii), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of the fumigation.

- 138B. Wood of *Acer* L., *Aesculus* L., *Corylus* L., *Fagus sylvatica* L., *Juglans regia* L., *Malus* Mill., *Platanus* L., *Populus* L., *Prunus* L., *Pyrus communis* L., *Quercus* L., *Salix* L., *Sorbus aucuparia* L., and *Ulmus* L., other than:
- in the form of:
 - sawn wood less

Canada and the USA
The wood must be accompanied by an official statement:

- (a) that it:
 - (i) originates in an area* which has been established by the national plant protection organisation in accordance with ISPM4 as an area that is free from *Chrysobothris mali* (Horn), and that no part of the area lies within 100km of a known outbreak of *Chrysobothris mali* (Horn),
 - (ii) has undergone an appropriate heat treatment to achieve a

- than 6mm thick,
 - chips, particles, sawdust, shavings, wood waste and scrap,
 - wood packaging material, including associated dunnage,
- in the case of *Quercus* L., in the form of casks, barrels, vats, tubs and other coopers' products and parts thereof, including staves, where there is documented evidence that the wood has been produced or manufactured using heat treatment to achieve a minimum temperature of 176°C for 20 minutes,

but including wood which has not kept

- minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core),
 - (iii) has undergone ionizing irradiation to achieve a minimum absorbed dose of 1kGy throughout the wood, or
 - (iv) has been subjected to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate, and
- (b) that it has been packed in such a manner as to prevent infestation with *Chrysobothris mali* (Horn) during transport and storage.

For the purpose of point (a)(ii), there must also be evidence of the heat treatment by a mark "HT" put on the wood or any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purpose of point (a)(iv), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of the fumigation.

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

its natural round
surface

”

(e) after entry 139, insert -

”

- 139A. Wood in the form of chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or in part from *Acer* L., *Betula* L., *Carpinus* L., *Carya illinoensis* (Wangenheim) Koch, *Crataegus* L., *Juglans* L., *Malus* Mill., *Platanus occidentalis* L., *Populus* L., *Prunus* L., *Pyrus* L., *Salix* L., *Tilia* L., and *Ulmus* L.
- Canada and the USA
- The wood must be accompanied by an official statement that:
- (a) it has:
- (i) undergone an appropriate heat treatment to achieve a minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood, or
- (ii) been subjected to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate, and
- (b) it has been packed in such a manner as to prevent infestation with *Chrysobothris femorata* (Olivier) during transport and storage.

For the purpose of point (a)(i), there must also be evidence of the heat treatment by a mark “HT” put on the wood or any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purpose of point (a)(ii), the national plant protection organisation of the country of origin must have previously provided the national plant

- protection organisation of the United Kingdom with written details of the fumigation.
- 139B. Wood in the form of chips, particles, sawdust, shavings, wood waste and scrap obtained in whole or in part from *Acer* L., *Aesculus* L., *Corylus* L., *Fagus sylvatica* L., *Juglans regia* L., *Malus* Mill., *Platanus* L., *Populus* L., *Prunus* L., *Pyrus communis* L., *Quercus* L., *Salix* L., *Sorbus aucuparia* L., and *Ulmus* L.
- Canada and the USA
- The wood must be accompanied by an official statement:
- (a) that it:
- (i) originates in an area* which has been established by the national plant protection organisation in accordance with ISPM4 as an area that is free from *Chrysobothris mali* (Horn), and that no part of the area lies within 100km of a known outbreak of *Chrysobothris mali* (Horn),
 - (ii) has undergone an appropriate heat treatment to achieve a minimum temperature of 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood, or
 - (iii) has been subjected to fumigation, the active ingredient, the minimum wood temperature, the rate (g/m³) and the exposure time of which are indicated on the phytosanitary certificate, and
- (b) that it has been packed in a manner as to prevent infestation during transport and storage.

For the purpose of point (a)(ii), there must also be evidence of the heat treatment by a mark "HT" put on the wood or any wrapping in accordance with current usage and on the phytosanitary certificate.

For the purpose of point (a)(iii), the national plant protection organisation of the country of origin must have previously provided the national plant protection organisation of the United Kingdom with written details of the fumigation.

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

..

(7) In Annex 11 (List of plants, plant products and other objects and the respective third countries of origin or dispatch in respect of which phytosanitary certificates are required), 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), after entry 54, insert -

"

55.	<i>Acer</i> L., <i>Aesculus</i> L., <i>Carpinus</i> L., <i>Carya</i> <i>illinoensis</i> (Wangenheim) Koch., <i>Corylus</i> L., <i>Crataegus</i> L., <i>Fagus</i> <i>sylvatica</i> L., <i>Malus</i> <i>Mill.</i> , <i>Pyrus</i> L., <i>Salix</i> L., <i>Sorbus aucuparia</i> L., <i>Tilia</i> L., and <i>Ulmus</i> L., other than wood packaging material, but including wood which has not kept	Fuel wood in logs, billets, twigs, faggots, or in similar forms; wood in chips or particles; sawdust, wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms: — Fuel wood in logs, billets, twigs, faggots, or in similar forms: — Non-coniferous: ex 4401 12 00 — Wood in chips or particles: — Non-coniferous: ex 4401 22 00	Canada and the USA
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its natural round
surface

– Sawdust, wood waste, and
scrap, not agglomerated:

– Sawdust:

ex 4401 40 10

– Wood waste and scrap (other
than sawdust):

ex 4401 40 90

Wood in the rough, whether or
not stripped of bark or sapwood,
or roughly squared,

– Treated with paint, stains,
creosote or other preservatives:

– Non-coniferous:

ex 4403 12 00

Wood in the rough, whether or
not stripped of bark or sapwood,
or roughly squared,

– Other than treated with paint,
stains, creosote or other
preservatives:

ex 4403 9900

Split poles; piles, pickets and
stakes of wood, pointed but not
sawn lengthwise:

– Non-coniferous:

ex 4404 20 00

Non-coniferous railway or
tramway sleepers (cross-ties) of
wood:

– Not impregnated

ex 4406 12 00

– Other (than not impregnated)

ex 4406 92 00

Wood sawn or chipped
lengthwise, sliced or peeled,
whether or not planed, sanded or
end-jointed, of a thickness
exceeding 6mm:

ex 4407 99 27

ex 4407 99 40

ex 4407 99 90

		Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves: ex 4416 00 00	
		Prefabricated buildings of wood: ex 9406 10 00	
56.	<i>Platanus</i> L. other than wood packaging material, but including wood which has not kept its natural round surface	Fuel wood in logs, billets, twigs, faggots, or in similar forms; wood in chips or particles; sawdust, wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms: – Fuel wood in logs, billets, twigs, faggots, or in similar forms: – Non-coniferous: ex 4401 12 00 – Wood in chips or particles: – Non-coniferous: ex 4401 22 00 – Sawdust, wood waste, and scrap, not agglomerated: – Sawdust: ex 4401 40 10 – Wood waste and scrap (other than sawdust): ex 4401 40 90 Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, – Treated with paint, stains, creosote or other preservatives: – Non-coniferous: ex 4403 12 00 Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, – Other than treated with paint, stains, creosote or other preservatives: ex 4403 9900	Canada

Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise:

– Non-coniferous:

ex 4404 20 00

Non-coniferous railway or tramway sleepers (cross-ties) of wood:

– Not impregnated

ex 4406 12 00

– Other (than not impregnated)

ex 4406 92 00

Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm:

ex 4407 99 27

ex 4407 99 40

ex 4407 99 90

Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves:

ex 4416 00 00

Prefabricated buildings of wood:

ex 9406 10 00

".

PART II

NON URGENT PEST MEASURES

Amendments to the Preserved Phytosanitary Conditions Regulation.

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

(2) In Annex 2A (list of provisional Guernsey quarantine pests) in the table -

(a) under the heading "**B. Insects and mites**" -

(i) after entry 1A, insert "1AA. *Agrilus mali* Matsumura [AGRLMA]",

(ii) after entry 6B, insert "6BA. *Orgyia leucostigma* (Smith) [HEMELE]",

(b) under the heading "**D. Bacteria**", after entry 1, insert "1A. *Lonsdalea populi* Li, Xue, Guo, Koltay, Palacio-Bielsa, Chang, Xie & Yang [LNSDQP]".

(3) In Annex 4 (List of Guernsey regulated non- quarantine pests and their respective plants for planting) -

(a) in the Table of Contents, at the end, insert "Part L: RNQPs concerning seed of *Solanum sisymbriifolium* Lamarck",

(b) after Part K, insert -

"PART L

RNQPs concerning seed of *Solanum sisymbriifolium* Lamarck

Viruses, viroids, virus-like diseases and phytoplasmas		
(1) RNQP	(2) Plants for planting	(3) Threshold for seed
Potato spindle tuber viroid [PSTVD0]	<i>Solanum sisymbriifolium</i> Lamarck	0%

".

(4) In Annex 5 (measures to prevent the presence of RNQPs on specific plants for planting) -

(a) in the Table of contents, at the end insert "Part K: Measures to prevent the presence of RNQPs on seed of *Solanum sisymbriifolium* Lamarck",

(b) after Part J, insert -

"PART K

Measures to prevent the presence of RNQPs on seed of *Solanum sisymbriifolium*
Lamarck

The competent authority, or the professional operator under the official supervision of the competent authority, must carry out checks and take any other action which is necessary or appropriate to ensure that the requirements specified in the following table in relation to the respective RNQPs and plants for planting are satisfied:

Viruses, viroids, virus-like diseases and phytoplasmas		
(1) RNQPs or symptoms caused by RNQPs	(2) Plants for planting (genus or species)	(3) Requirements
Potato spindle tuber viroid [PSTVD0]	Seed of <i>Solanum sisymbriifolium</i> Lamarck	The seeds have been subjected to official testing for Potato spindle tuber viroid, on a representative sample and using appropriate methods, and have been found in those tests to be free from that pest.

(5) In Annex 11 (List of plants, plant products and other objects and the respective third countries of origin or dispatch in respect of which phytosanitary certificates are required), 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), after entry 27, insert -

"

27A.	<i>Solanum</i> spp.	Other seeds, for sowing: ex 1209 99 99	Any third country
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".

PART III
GENERAL PROVISIONS

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.

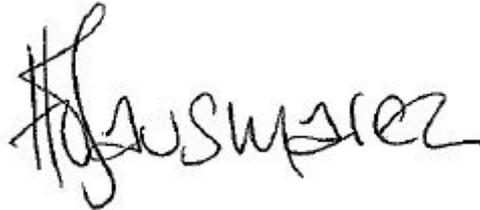
5. These Regulations may be cited as the Plant Health (Preserved Phytosanitary Conditions Regulation) (Amendment) (Guernsey) (No. 2) Regulations, 2024.

Commencement.

6. (1) Parts I and III come into force on 7th October, 2024.

(2) Part II comes into force on 9th November 2024.

Dated this 7th day of October, 2024

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

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 Preserved Phytosanitary Conditions Regulation which has 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.

Part I of the Regulations amends the Preserved Phytosanitary Conditions Regulation to include pest measures which require urgent implementation and are therefore subject to an earlier commencement date of 7th October, 2024.

Regulation 1(2) amends Annex 2 to add the following pests to the list of Guernsey quarantine pests: Chilli veinal mottle virus [CHIVMV], *Chrysobothris femorata* (Olivier)

[CHRBFE], *Chrysobothris mali* (Horn) [CHRBMA] and *Lycorma delicatula* (White) [LYCMDE].

Regulation 1(3) amends Annex 2A to remove certain pests from the list of provisional Guernsey quarantine pests, as these have been added to Annex 2 by regulation 1(2).

Regulation 1(4) corrects a typographical error.

Regulation 1(5) amends Annex 6 in respect of certain naturally or artificially dwarfed plants which are excluded from the list of plants, plant products and other objects which may not be introduced into Guernsey if originating in or dispatched from certain third countries.

Regulation 1(6) amends Annex 7 in respect of certain plants, plant products and other objects originating in certain third countries that may only be imported into Guernsey if special requirements are met; this includes requirements in respect of certain plants originating in Norway, and plants and wood of certain species originating in Canada or the USA.

Regulation 1(7) adds wood of certain species originating in Canada or the USA to the list of plants, plant products and other objects in respect of which phytosanitary certificates are required, in Annex 11.

Part II of the Regulations amend the Phytosanitary Conditions Regulation to include additional pest measures which do not require urgent implementation and are subject to a later commencement date of 9th November 2024.

Regulation 2(2) adds the following pests to the list of provisional Guernsey quarantine pests, in Annex 2A: *Agrilus mali* Matsumura [AGRLMA], *Orgyia leucostigma* (Smith)

[HEMELE] and *Lonsdalea populi* Li, Xue, Guo, Koltay, Palacio-Bielsa, Chang, Xie & Yang [LNSDQP].

Regulations 3(3) and 3(4) amend Annex 4 and Annex 5 to add Potato spindle tuber viroid [PSTVD0] as a regulated non-quarantine pest of *Solanum sisymbriifolium* Lamarck, and measures to prevent its presence on seed of *Solanum sisymbriifolium* Lamarck.

Regulation 3(5) adds *Solanum* spp. originating in any third country to the list of plants, plant products and other objects in respect of which phytosanitary certificates are required, in Annex 11.

Parts I and III of these Regulations come into force on 7th October 2024, and Part II on 9th November, 2024.