L.N. 307 of 2005

PLANT QUARANTINE ACT, 2001
(ACT NO. XVIII OF 2001)

Plant Quarantine (Amendment) (No. 3) Regulations, 2005

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, 2001, the Minister for Rural Affairs and the Environment has made the following regulations:-

Title and scope.

1. (1) The title of these regulations is the Plant Quarantine (Harmful Organisms) (Amendments) Regulations, 2005 and they shall be read and construed as one with the Plant Quarantine (Harmful Organisms) Regulations, 2004, hereinafter referred to as "the principal regulations".

L.N. 97 of 2004.

(2) The scope of these regulations is to transpose the provisions found in Directive 2005/16/EC, amending Directive 2000/29, which has been transposed as the principal regulations.

Amends Schedule I to the principal regulations.

2. In Part B of Schedule I to the principal regulations:-

(a) under heading (a), point 3, for Protected Zone(s) in the third column there shall be substituted the following:

"E (Ibiza and Menorca), IRL, CY, M, P (Azores and Madeira), UK, S (Blekinge, Gotland, Halland, Kalmar, Skåne), FI (the districts of Åland, Turku, Uusimaa, Kymi, Häme, Pirkanmaa, Satakunta)";

(b) Under heading (b), point 1, "DK" shall be deleted.

Amends Schedule II to the principal regulations.

3. Schedule II, Part B, of the principal regulations shall be amended as follows:

(a) Under heading (a), point 3, the third column shall be substituted by the following:

"EL, IRL, UK (Northern Ireland, Isle of Man and Jersey)";

(b) Under heading (b), point 2, "EE" is inserted before "F (Corsica)" in the third column;

(c) Under heading (d), point 1, in the third column, "I" is deleted.

Amends Schedule III to the principal regulations.

4. In Schedule III, Part B of the principal regulations, in points 1 and 2, in the second column, "EE" shall be inserted before "F (Corsica)".

Amends Schedule IV to the principal regulations.

5. Schedule IV, Part B of the principal regulations, is amended as follows:

(a) In point 1, the third column is being substituted by the following:

"EL, IRL, UK (Northern Ireland, Isle of Man and Jersey)".

(b) In point 7, the third column is being substituted by the following:

"EL, IRL, UK (Northern Ireland, Isle of Man and Jersey)".

(c) In point 14.1, the third column is being substituted by the following:

"EL, IRL, UK (Northern Ireland, Isle of Man and Jersey)".

(d) In the third column of point 20.1, "DK" shall be deleted;

(e) In the third column of point 20.2, "DK" shall be deleted;

(f) Point 21 is amended as follows:

(i) in the second column, under point (c), "Ticino" shall be deleted;

(ii) in the third column, "EE" shall be inserted before "F (Corsica)".

(g) The following point 21.1 shall be inserted:

"21.1.Plants of Vitis L., other than fruit and seeds	Without prejudice to the prohibition in Annex III Part A pint 15. on introducing plants of Vitis L. other than fruits from third countires (except Switzerland) into the Community, official statement that the plants: (a) originate in an area known to be free from Daktulosphaira vitifoliae (Fitch); or (b) have been grown at a place of production which has been found free from Daktulosphaira vitifoliae (Fitch) on official inspections carried out during the last two complete cycles of vegetation; or (c) have been subject to fumigation or other appropriate treatment against Daktulosphaira vitifoliae (Fitch). other than fruit and seeds	CY"

(h) Point 21.3 is amended as follows:

(i) in the second column, in point (b), "Ticino" is deleted;

(ii) in the third column "EE" is inserted before "F (Corsica)"

(i) in the column of point 22, "DK" is deleted;

(j) in the third column of point 23, "DK" is deleted;

(k) in the third column of point 25, "DK" is deleted;

(l) in the third column of point 26, "DK" is deleted;

(m) in the third column of point 27.1, "DK" is deleted;

(n) in the third column of point 27.2, "DK" is deleted;

(o) in the third column of point 30, "DK" shall be deleted; and

(p) for point 31 there shall be substituted the following:

"31. Fruits of Citrus L., Fortunella Swingle, Poncirus Raf., and their Hybrids originating in E,F (except Corsica), CY and I	Without prejudice to the requirement in Annex IV Part A Section II Point 30.1 that Packaging should bear an origin mark: (a) the fruits shall be free from leaves and peduncles; or (b) in the case of fruits with leaves or peduncles, official statement that the fruits are packed in closed containers which have been officially sealed during their transport through a protected zone, recognised for these fruits, and shall bear a distinguishing mark to be reported on the passport.	EL, F (Corsica), M, P"

Amends Schedule V to the principal regulations.

6. In Schedule V, Part A of the principal regulations, for the text in point 2.4 is being substituted by the following:

"2.4. Seeds and bulbs of *Allium ascalonicum* L., *Allium cepa* L. and *Allium schoenoprasum* L. intended for planting and plants of *Allium porrum* L. intended for planting.

Seeds of *Medicago sativa* L.,

Certified seeds of *Helianthus annuus* L., *Lycopersicon lycopersicum* (L.) *Karsten ex* Farw. and *Phaseolus* L."

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