

L.N. 245 of 2006**PLANT QUARANTINE ACT
(CAP. 433)****Plant Quarantine (Harmful Organisms) (Amendment)
Regulations, 2006**

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

1. (1) The title of these regulations is the Plant Quarantine (Harmful Organisms) (Amendment) Regulations, 2006 and they shall be read and construed as one with the Plant Quarantine (Harmful Organisms) Regulations 2004, hereinafter referred to as “the principal regulations”. Title and scope.

(2) The scope of these regulations is to implement the amendments made by the European Union Commission in the following Directives:

(a) Directive 2005/77 amending Annex V of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community;

(b) Directive 2006/36 amending Directive 2001/32/EC recognizing protected zones exposed to particular plant health risks in the Community and repealing Directive 92/76/EC;

(c) Directive 2006/14 amending Annex IV of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community; and

(d) Directive 2006/35 amending Annexes I to IV to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.

2. The words “SCHEDULE V”, after Schedule VI, shall be substituted by the words “SCHEDULE VII”.

3. In paragraph (e) of the principal regulations, there shall be substituted the following:

“(e) The zones in the Community listed in Schedule V to these regulations are recognized as protected zones within the meaning of regulation 3 of the principal regulations, in respect of any harmful organism listed against their names in the said Schedule V to these regulations.”.

4. In Schedule I of the principal regulations, in Part B thereof, in point 1 of heading (a) for the words in the column headed “Protected Zone(s)”, there shall be substituted the words:

“Azores, Beira Interior, Beira Litoral, Entre Douro e Minho, Madeira, Ribatejo e Oeste (communes of Alcobaca, Alenquer, Bombarral, Cadaval, Caldas da Rainha, Lourinhã, Nazaré, Obidos, Peniche and Torres Vedras) and Trás-os-Montes”.

5. In the third column of point 2 in heading (b) in Part B of Schedule II to the principal regulations:

(a) after each of the words ‘Forli-Cesena’ and ‘Rimini’, there shall be added the words “(with exclusion of the provincial area situated to the North of the State road n. 9 – Via Emilia)”.

(b) the words “Trentino-Alto Adige: autonomous province of Trento;” shall be deleted; and

(c) immediately after the words “(Northern Ireland, Isle of Man and Channel Islands)”, shall be added the words “SI: (except the Gorenjska and Maribor regions” and “SK: (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kl’áany (Levice County), Vel’ké Ripňany (Topol’čany County), Málinec (Poltár County), Hrhov (Rožňava County), Kazimír, Luhýňa, Malý Horeš, Svätuse and Zátín (Trebíšov County)” .

6. In Schedule III to the principal regulations, in Part B thereof, in the second column of points 1 and 2:

(a) after each of the words ‘Forli-Cesena’ and ‘Rimini’ , there shall be added the words “(with exclusion of the provincial area situated to the North of the State road n. 9 – Via Emilia)”;

(b) the words “Trentino-Alto Adige: autonomous province of Trento;” shall be deleted.

7. Schedule IV to the principal regulations shall be amended as follows: Amends Schedule IV to the principal regulations.

(1) Section I of Part A thereof shall be amended as follows:

(a) In point 2 thereof, for paragraph (b) in the column ‘Special Requirements’, there shall be substituted the following:

“(b) the first indent, requiring wood packaging material to be made from debarked round wood, shall only apply from 1 January 2009. This paragraph shall be reviewed by 1 September 2007.”; and

(b) In point 8 thereof for paragraph (b) in the column ‘Special Requirements’, there shall be substituted

“(b) the first line of point (a), requiring wood packaging material to be made from debarked round wood, shall only apply from 1 January 2009. This paragraph shall be reviewed by 1 September 2007.”.

(2) Part B thereof shall be amended as follows:

(a) in the third column of point 20.1, the word “LT” shall be deleted;

(b) in the third column of point 20.2, the word “LT “ shall be deleted;

(c) in the third column of point 21, the words “Trentino-Alto Adige: autonomous province of Trento;” shall be deleted;

(d) in the third column of points 21 and 21.3:

(i) after each of the words ‘Forli-Cesena’ and ‘Rimini’, there shall be added the words “(with exclusion of the provincial area situated to the North of the State road n. 9 – Via Emilia)”.

(ii) immediately after the words “(Northern Ireland, Isle of Man and Channel Islands)”, shall be added the words “SI: (except the Gorenjska and Maribor

regions” and “SK: (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kl’áčany (Levice County), Vel’ké Ripňany (Topol’čany County), Málinec (Poltár County), Hrhov (Rožňava County), Kazimír, Luhyňa, Malý Horeš, Svätuš and Zatín (Trebíšov County))”.

(e) in the third column of point 22, the word “LT” shall be deleted;

(f) in the third column of point 23, the word “LT” shall be deleted;

(g) in the third column of points 24.1, 24.2 and 24.3; the words in the column headed “Protected Zone(s)”, there shall be substituted by the words

“Azores, Beira Interior, Beira Litoral, Entre Douro e Minho, Madeira, Ribatejo e Oeste (communes of Alcobaca, Alenquer, Bombarral, Cadaval, Caldas da Rainha, Lourinhã, Nazaré, Obidos, Peniche and Torres Vedras) and Trás-os-Montes”.

(h) in the third column of point 25, the words “LT” shall be deleted;

(i) in the third column of point 26, the word “LT” shall be deleted;

(j) in the third column of point 27.1, the word “LT” shall be deleted;

(k) in the third column of point 27.2, the word “LT” shall be deleted;

(l) in the third column of point 30, the word “LT” shall be deleted.

8. Part A, Section I of Schedule V of the principal regulations, point 2.4 thereof, for the words “Certified Seeds” to the words “Phaseolus L.”, there shall be substituted the following:

“Seeds of *Helianthus annuus* L., *Lycopersicon lycopersicum* (L.) Karsten ex Farw, and *Phaseolus* L.”.

9. Schedule VII of the principal regulations shall be amended as follows: Amends Schedule VII of the principal regulations.

(a) under heading (a) referring to Insects, mites and nematodes at all stages of their development, in point 2 thereof, for the words “Portugal” there shall be substituted the words, “Azores, Beira Interior, Beira Litoral, Entre Douro e Minho, Madeira, Ribatejo e Oeste (communes of Alcobaca, Alenquer, Bombarral, Cadaval, Caldas da Rainha, Lourinhã, Nazaré, Obidos, Peniche and Torres Vedras) and Trás-os-Montes”.

(b) under heading (b) referring to Bacteria, in point 2 thereof, for the words from “Spain” to “(Northern Ireland, Isle of Man and Channel Islands)”, there shall be substituted the following:

“Spain, Estonia, France (Corsica), Italy (Abruzzi; Basilicata; Calabria; Campania; Friuli-Venezia Giulia; Lazio; Liguria; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Umbria; Valle d’Aosta), Latvia, Portugal, Finland, United Kingdom (Northern Ireland, Isle of Man and Channel Islands),

and, until 31 March 2008, Ireland, Italy (Apúlia, Emilia-Romagna: provinces of Forlì-Cesena (excluding the provincial area situated to the North of the State road n.9 – Via Emilia), Parma, Piacenza, Rimini (excluding the provincial area situated to the North of the State road n.9 – Via Emilia), Lombardy, Veneto (except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castलगuglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d’Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all’Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), Lithuania, Austria (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Slovenia (except the Gorenjska and Maribor regions), Slovakia (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kl’áčany (Levice County), Vel’ké Ripňany (Topol’čany County), Málinec

(Poltár County), Hrhov (Rožňava County), Kazimír, Luhyňa, Malý Horeš, Svätúše and Zátin (Trebišov County))’.

(c) under the heading referring to Viruses and virus-like organisms, in point 3 thereof, for the word “Portugal”, there shall be substituted the words “Portugal, Malta, until 31 March 2008.”.