
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 110

PLANT HEALTH

Plant Health (Amendment) Order (Northern Ireland) 1997

Made - - - - 26th February 1997

Coming into operation 1st April 1997

The Department of Agriculture, in exercise of the powers conferred on it by sections 2(1), 3(1)(2), 3A(3), 3B(1)(4) and 4(1)(5) of the Plant Health Act (Northern Ireland) 1967(6) and of all powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Plant Health (Amendment) Order (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

Amendment of the Plant Health Order (Northern Ireland) 1993

2. The Plant Health Order (Northern Ireland) 1993(7) shall be amended in accordance with Articles 3 to 6.

3. In Schedule 1, (Pests prohibited) Part A, Section C, after Item 17 there shall be inserted the following new Item—

“(17.1) *Tilletia indica* Mitra”.

4. In Schedule 4, Part A, (Conditions to be met before certain plants, plant products and other objects may be landed or moved within the European Community) Section 1(8), after Item 67 there shall be inserted the following new Items—

“67A.	Seeds of the genera <i>Triticum</i> , Secale and X Triticosecale	Official statement that the seeds originate in an
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- (1) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2; 1979 c. 2, s. 177(1) and Sch. 4 Pt. II; and S.I. 1984/702 (N.I. 2) Art. 15(2)
- (2) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2
- (3) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(2)
- (4) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)
- (5) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)
- (6) 1967 c. 28 (N.I.)
- (7) S.R. 1993 No. 256; the relevant amending instruments are S.R. 1995 No. 250, S.R. 1995 No. 494, S.R. 1996 No. 204 and S.R. 1996 No. 249
- (8) See S.R. 1995 No. 250 regulation 13(a)

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	from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA where <i>Tilletia indica</i> Mitra is known to occur.	area where <i>Tilletia indica</i> Mitra is known not to occur. The name of the area shall be mentioned on the phytosanitary certificate.
67B.	Grain of the genera <i>Triticum</i> , <i>Secale</i> and <i>X Triticosecale</i> from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA where <i>Tilletia indica</i> Mitra is known to occur.	Official statement that either: (i) the grain originates in an area where <i>Tilletia indica</i> Mitra is known not to occur, the name of the area or areas being mentioned on the phytosanitary certificate under the rubric “place of origin”; or (ii) no symptoms of <i>Tilletia indica</i> Mitra have been observed on the plants at the place of production during their last complete cycle of vegetation and representative samples of the grain have been taken both at the time of harvest and before shipment and have been tested and found free from <i>Tilletia indica</i> Mitra in these tests, the latter shall be mentioned on the phytosanitary certificate, in the rubric “name of produce”, as “tested and found free from <i>Tilletia indica</i> Mitra”.”.

5. In Schedule 5, Part B, (Plants, plant products and other objects originating outside the European Community) Section 1—

(a) in paragraph 1 after the word “Uruguay”, there shall be inserted the following—

“genera *Triticum*, *Secale* and *X Triticosecale* from Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA,”; and

(b) after paragraph 5 there shall be added the following paragraph—

“6. Grain of the genera *Triticum*, *Secale* and *X Triticosecale* originating in Afghanistan, India, Iraq, Mexico, Nepal, Pakistan and the USA.”.

6. In Schedule 14 (Instruments amending and supplementing Council Directive [77/93/EEC](#))(9) at the end there shall be added the following—

“Commission Directive [96/78/EC](#) O.J. No. L.321, 12.12.96, p. 20.”.

Sealed with the Official Seal of the Department of Agriculture

L.S.

on 26th February 1997.

R. S. Johnston
Assistant Secretary

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EXPLANATORY NOTE

(This note is not part of the Order.)

This Order further amends the Plant Health Order (Northern Ireland) 1993. The Order implements as respects Northern Ireland, Commission Directive [96/78/EC](#) (O.J. No. L321, 12.12.96, p. 20) amending certain Annexes to Council Directive [77/93/EEC](#) on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.

The Order amends Schedules 1, 4 and 5 to the Plant Health Order (Northern Ireland) 1993 to insert provisions concerning the plant pest *Tilletia indica* Mitra. It also makes a consequential amendment to Schedule 14, to include a reference to the Commission Directive [96/78/EC](#).