

Q&A – Updated October 2023

Details of planned amendments to GB retained legislation (Commission Implementing Regulation (EU) 2019/2072); PH044 pest measures

Q. What are the new measures?

- Deregulation of GB quarantine pests (QPs) which have been assessed as not meeting the criteria to be a QP.
- The addition of new GB (QPs) which have been assessed as meeting the criteria to be a QP.
- The addition of new GB provisional quarantine pests (PQPs) which have been assessed as meeting the criteria to be a QP based on a provisional assessment.
- Update of import requirements for potato plants to cover plants for planting, including micro plants.
- Amend Annex 7, Part A, Item 83A of GB retained legislation (Commission Implementing Regulation (EU) 2019/2072) to ensure that the commodities covered by this requirement will be subject to the same import requirements from all countries.
- Incorporate into GB legislation the requirements of retained EU derogations which are due to expire that GB intends to maintain.
- To formalise the current requirements for Tomato brown rugose fruit virus ("ToBRFV") testing requirements for seeds.

Q. Do the measures cover GB?

Yes, they apply to England, Wales and Scotland.

Q. When will the measures come into force?

The Statutory Instrument (SI) is to be laid in November 2023. Urgent measures will come into force on the 24 November 2023 with the remaining measures coming into force on the 02 May 2024

Q. Why are you introducing the measures?

| For introduction on 24 November 2023 | | |
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| Measure | Why is this measure needed? | Impact |
| <p>Deregulating pests:</p> <ul style="list-style-type: none"> • <i>Haplaxius crudus</i> • Coconut lethal yellowing phytoplasma • <i>Cowpea mild mottle virus</i> | <p>These pests no longer meet the criteria to be regulated as GB Quarantine Pests.</p> <p>They will be removed from the GB quarantine pest list to ensure that import requirements continue to be risk-based and are proportionate to the threats to GB plant health.</p> | <p>Host material from all countries exported to GB will no longer need to be free from these pests.</p> |
| <p>Pests that threaten tomato (<i>Solanum lycopersicum</i>) are added to the GB Quarantine Pest list:</p> <ul style="list-style-type: none"> • <i>Citrus exocortis viroid</i> • <i>Columnea latent viroid</i> • <i>Pepper chat fruit viroid</i> • <i>Tomato planta macho viroid</i> | <p>Our rolling horizon scanning, and risk analysis process has highlighted that these pests meet the criteria to be GB Quarantine Pests.</p> <p>They will be added to the GB quarantine pests list to maintain robust GB biosecurity.</p> | <p>Host material from all countries exported to GB will need to be free from these pests and compliant with all existing relevant import requirements as set out in Annex 7 of GB retained legislation (Commission Implementing Regulation (EU) 2019/2072). The pests are also subject to increased awareness raising, surveillance and action on detection within GB to protect biosecurity.</p> |
| <p>Pests that threaten peppers (<i>Capsicum annuum</i>) are added to the GB Quarantine Pest list:</p> <ul style="list-style-type: none"> • <i>Pepper chat fruit viroid</i> | <p>Our rolling horizon scanning, and risk analysis process has highlighted that this pest meet the criteria to be GB a Quarantine Pest.</p> <p>The pest will be added to the GB quarantine pests list to maintain robust GB biosecurity.</p> | <p>Host material from all countries exported to GB will need to be free from this pest and compliant with any relevant import requirements as set out in Annex 7 of GB retained legislation (Commission Implementing Regulation (EU) 2019/2072). The pest will also be subject to increased awareness raising, surveillance and action on detection within GB to protect biosecurity.</p> |

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| <p>Derogation of ash wood from Canada and the USA</p> <p>Note: This measure will incorporate into GB legislation the requirements of a retained EU derogation which is due to expire.</p> | <p>The retained EU derogations, Regulation (EU) 2020/918 and Regulation (EU) 2020/1002, for imported ash wood will expire soon. The import requirements in the derogations will be incorporated into GB legislation.</p> | <p>This amendment will ensure that trade in this commodity from Canada and the USA can continue.</p> |
| <p>Derogation of certain conifer species of bonsai trees from Japan</p> <p>Note: This measure will incorporate into GB legislation the requirements of a retained EU derogation which is due to expire.</p> | <p>The retained EU derogation, Regulation (EU) 2020/1217, for certain conifer species of bonsai tree will expire soon.</p> | <p>Certain types of conifer species of bonsai from Japan will continue to be subject to the existing import requirements. This amendment will ensure trade in this commodity from Japan can continue.</p> |
| <p>For introduction for 2 May 2024</p> | | |
| <p>Addition of the following pests to the list of provisional GB quarantine pests:</p> <ul style="list-style-type: none"> • <i>Raffaelea lauricola</i> • <i>Raffaelea quercivora</i> • <i>Platypus quercivorus</i> | <p>Our rolling horizon scanning, and risk analysis process has highlighted that these pests meet the criteria to be provisional GB Quarantine Pests.</p> <p>They will be added to provisional GB quarantine pest to protect biosecurity pending a full risk assessment.</p> | <p>Pests added to the provisional GB quarantine pest list will be subject to increased, awareness raising, surveillance and action on detection internally within the UK to protect biosecurity pending a full risk assessment.</p> |
| <p>Expansion of the current specific import requirements for tubers of <i>Solanum tuberosum</i> to cover plants for planting, including micro plants, of potato (other than seeds).</p> | <p>Trading data has shown that not all imported potato plants for planting arriving in Great Britain are tubers. Instead, imports also consist of other commodity types, such as micro plants, that are similarly associated with high-risk pests and diseases.</p> | <p>All potato plant commodity types, exported from the EU, Liechtenstein, and Switzerland to GB, will need to be compliant with specific import requirements.</p> |
| <p>Changes to testing requirements for <i>Tomato brown rugose fruit virus</i> (ToBRFV) on seeds of pepper and tomato produced</p> | <p>To turn the current temporary arrangement, where seeds of tomato and pepper produced before 15 August 2020 can be imported without the mother plants being inspected, into a permanent arrangement.</p> | <p>Imports of seeds of pepper (<i>C. annuum</i>) and tomato (<i>S. lycopersicum</i>) produced before 15 August 2020 can continue to be imported where the seed</p> |

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| <p>before 15 August 2020.</p> | | <p>lot has been tested and found free of ToBRFV in the exporting country.</p> |
| <p>Amend Annex 7, Part A, Item 83A of GB retained legislation (Commission Implementing Regulation (EU) 2019/2072).</p> | <p>A previous SI (2022/1120) made changes to ensure that EU member states, Liechtenstein and Switzerland comply with the same rules as third countries. This SI will correct a missed provision.</p> | <p>This specific import requirements will also apply to imports from EU member states, Liechtenstein and Switzerland. This change will ensure that imports of the commodities covered by this requirement from these countries will be subject to the same import requirement as the rest of the world.</p> |