



Department
for Environment
Food & Rural Affairs



Scottish Government
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An Agency within the Department of
Agriculture, Environment
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To: IPP contact points

25 March 2019

Dear Sir/Madam,

UK DEPARTURE FROM THE EUROPEAN UNION (EU): IMPORTS OF PLANTS AND PLANT PRODUCTS

I am writing to notify you of the arrangements which will apply to the import of regulated plants and plant products into the UK following the UK's departure from the EU, including certain notification requirements, in the event of a no deal situation. These requirements will apply from exit day, which is 11pm on 12 April, or from an alternative date, should this be agreed. We will write again once there is clarity on this point.

Leaving the EU with a deal remains the Government's top priority. This has not changed. However a responsible government must plan for every eventuality, including a no deal scenario. We are intensifying and accelerating no deal planning to ensure we are fully prepared.

Our plant health biosecurity arrangements protect the environment from pests and diseases and we will continue to protect the nation's plant health biosecurity during and after our exit from the EU. Our work to prepare for EU Exit will ensure that biosecurity standards will continue to be met in ways that support trade and the smooth flow of goods. In the event of a no deal scenario, from exit day Council Directive 2000/29 and associated EU legislation will no longer apply to the UK. From that date, the requirements specified in the Plant Health (EU Exit) Regulations 2019 (as amended) and the equivalent Regulations in Scotland will apply, including in relation to the import of regulated plants and plants.

The legislation can be accessed at:

https://www.legislation.gov.uk/ukdsi/2019/9780111177563/pdfs/ukdsi_9780111177563_en.pdf

<https://www.legislation.gov.uk/ukdsi/2019/9780111182390/contents>

<http://www.legislation.gov.uk/ukdsi/2019/9780111183601/contents>

<http://www.legislation.gov.uk/sdsi/2019/9780111041369/contents>

<http://www.legislation.gov.uk/sdsi/2019/9780111041376/contents>



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The key points to note are:

- Schedule 1 – a list of prohibited pests; those in part C are applicable just for certain Pest Free Areas in the UK*.
- Schedule 2 – a list of prohibited pests when associated with specified plants or plant products; those in part C are applicable just for certain Pest Free Areas in the UK*.
- Schedule 3 – a list of prohibited plants and plant products.
- Schedule 4, part A – a list of import requirements for specified plants and plant products.
- Schedule 4, part C – a list of import requirements for specified plants and plant products being imported into UK Pest Free Areas*.
- Schedule 5 – plants and plant products for which a phytosanitary certificate is required.
- Schedule 8 – plants and plant products subject to import derogations.

*UK Pest Free Area have been established in accordance with ISPM 4 for the following pests: Beet necrotic yellow vein virus, *Cephalcia lariciphila*, *Dendroctonus micans*, *Gilpinia hercyniae*, *Ips cembrae*, *Ips sexdentatus*, *Hypoxylon mammatum*, *Liriomyza bryoniae*, *Liriomyza huidobrensis*, *Liriomyza trifolii* and *Thaumetopoea processionea*. In all cases, the defined area is Northern Ireland, other than *Thaumetopoea processionea*, where the defined area is the whole of the UK other than prescribed local authority districts in England.

Although requirements are the same across the UK, references differ in the Scottish legislation.

Please note the Regulations include requirements for certain details to be notified to the UK NPPO prior to the import of particular plants and plant products. These can be found in the Plant Health (EU Exit) Regulations 2019 at:

- Schedule 4A points 8, 52, 53, 54, 56, 57, 61 and 64.
- Schedule 4D points 7, 8, 21 and 30.
- Schedule 8A points 2(b) and 4(e).

These notifications replicate those in Council Directive 2000/29 and where such notifications have already been made to the European Commission, we will accept them as applicable to the UK, provided they were made prior to exit day. Beyond that date, new or revised notifications in relation to these points should be made directly to the UK NPPO through the IPP contact point.

In relation to the notifications, although separate legislation applies in Scotland, a single notification for the whole of the UK is sufficient. In relation to Additional Declarations referred to for certain imports, these should be as required in the Plant Health (EU Exit) Regulations 2019 and the Plant Health, Animal Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019, unless exports are destined directly for a point of entry in Scotland, in which case the Additional Declarations referred to in Scottish legislation should be referred to.

Further information and guidance for businesses on changes to the UK's import requirements in a no deal scenario are available on our gov.uk pages, which can be found by searching on gov.uk for:

“Importing and exporting plants and plant products if there's no withdrawal deal”

For details on Plant Variety Rights and seed marketing under a no deal scenario please see our Technical Notice, which can be found by searching on gov.uk for:

“Plant variety rights and marketing of seed and propagating material if there's no Brexit deal”

Queries or questions should be directed to the UK's IPPC Official Contact Point as outlined on the UK country profile page on the International Phytosanitary Portal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Nicola Spence', written in a cursive style.

Professor Nicola Spence
UK Chief Plant Health Officer
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