

Regulations amending Regulations 17. March 2003 no. 341 on measures against *Phytophthora ramorum* (Werres et al., 2001).

Translation of **Forskrift om endring av forskrift 17. mars 2003 nr. 341 om tiltak mot *Phytophthora ramorum* (Werres et al., 2001).**

Laid down by the Norwegian Food Safety Authority 31.01.2008 pursuant to the "Regulations relating to plants and measures against pests" of 1 December 2000 no. 1333, § 6 and § 40.

I

In Regulations 17. March 2003 no. 341 on measures against *Phytophthora ramorum* (Werres et al., 2001) the following amendments are made:

§ 3 is replaced by the following:

Plants intended for planting (other than seeds) of *Camellia* spp. L., *Kalmia* spp. L., *Pieris* spp. D. Don, *Rhododendron* spp. L. (other than *Rhododendron simsii* Planch.) and *Viburnum* spp. L. originating in the Netherlands and Germany can only be imported if they are produced within an official certification system established to ensure that the plant material is free from *Phytophthora ramorum* (Werres et al., 2001.), including that necessary and appropriate measures are carried out to safeguard the plant material against infection throughout the production period and up to the time of export to Norway. The certification system shall before export can take place be submitted to and be approved by the Norwegian Food Safety Authority, Head Office.

Plants intended for planting (other than seeds) of *Camellia* spp. L., *Kalmia* spp. L., *Pieris* spp. D. Don, *Rhododendron* spp. L. (other than *Rhododendron simsii* Planch.) and *Viburnum* spp. L. originating in other European countries than those mentioned in the first subsection, can only be imported if they satisfy the requirements specified in Annex 3.

§ 4 is replaced by the following:

Wood of *Acer macrophyllum* Pursh., *Aesculus californica* Nutt., *Lithocarpus densiflorus* (H & A), *Quercus* L. and *Taxus brevifolia* Nutt originating in the United States of America, can only be imported if it satisfies the requirements specified in Annex 4.

§ 7 a new third section is added

Phytosanitary certificates issued before 15 February 2008 in accordance with the requirements that until this date were given in these regulations may be used for import until 28 February 2008. The time limit for the issuance of certificates is given in Regulations relating to plants and measures against pests" of 1 December 2000 no. 1333 § 20, section one, last sentence.

Annex 1 is replaced by the following:

Annex 1: Plant genera and species which in these regulations are regarded as being susceptible to *Phytophthora ramorum* (Werres et al., 2001)

Acer macrophyllum Pursh.

Acer pseudoplatanus L.

Adiantum aleuticum (Rupr.) Paris

Adiantum jordanii C. Muell.

Aesculus californica Nutt.

Aesculus hippocastanum L.

Arbutus menziesii Pursch.

Arbutus unedo L.

Arctostaphylos spp. Adans.

Calluna vulgaris (L.) Hull

Camellia spp. L.

Castanea sativa Mill.

Fagus sylvatica L.

Frangula californica (Eschsch.) Gray

Frangula purshiana (DC.) Cooper

Fraxinus excelsior L.

Griselinia littoralis (Raoul)

Hamamelis virginiana L.

Heteromeles arbutifolia (Lindley) M. Roemer.

Kalmia spp. L.

Laurus nobilis L

Leucothoe spp. D. Don

Lithocarpus densiflorus (H & A).

Lonicera hispidula (Dougl.)

Magnolia spp. L

Michelia doltsopa Buch.-Ham. ex DC

Nothofagus obliqua (Mirbel) Blume

Osmanthus heterophyllus (G. Don) P. S. Green
Parrotia persica (DC) C.A. Meyer
Photinia x fraseri Dress
Pieris spp. D. Don.
Pseudotsuga menziesii (Mirb.) Franco.
Quercus spp. L.
Rhamnus californica (Esch).
Rhododendron spp. L., unntatt *Rhododendron simsii* Planch.
Rosa gymnocarpa Nutt.
Salix caprea L
Sequoia sempervirens (D. Don) Endl.
Syringa vulgaris L.
Taxus spp. L.
Trientalis latifolia (Hook)
Umbellularia californica (Pursch.).
Vaccinium ovatum (Hook & Arn) Nutt.
Vaccinium vitus-idaea Britt.
Viburnum spp. L.

Annex 2 is replaced by the following:

Annex 2: Specific requirements for plants (other than fruit and seeds) of the genera/species listed in Annex 1 originating in non-European countries

Without prejudice to the provisions of the ‘Regulations relating to plants and measures against pests’, Annex 3, points 1.1, 2 and 6.1 and Annex 4A points 10, 28, 29.1, 29.2, 30, 31, 32:

The plants shall be accompanied by a phytosanitary certificate, which shall only be issued when the consignment has been officially inspected within 2 days before the issuance of the certificate. The consignment must have been found free from *Phytophthora ramorum* (Werres et al., 2001) in this inspection. The inspection shall also include laboratory testing of any suspicious symptoms. In addition it shall be officially stated that:

a) the plants originate in an area in which, in accordance with the relevant International Standard for Phytosanitary Measures, ISPM No. 4, there is an official statement that *Phytophthora ramorum* (Werres et al., 2001) does not occur. The name of the area shall be mentioned in the certificate under the heading “place of origin”, and under the heading “additional declaration” it shall be stated that the plants satisfy the requirements of Annex 2 point a) of these regulations

or

b) no signs of *Phytophthora ramorum* (Werres et al., 2001) have been observed on any susceptible plant at the place of production during official inspections, carried out at least twice at appropriate times when the plants are in active growth in the course of the last complete cycle of vegetation. The plants shall have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections and by laboratory testing of any suspicious symptoms. It shall be stated in the certificate under the heading “additional declaration” that the plants satisfy the requirements of Annex 2 point b) of these regulations.

In addition to the additional declarations to be given in the phytosanitary certificate according to point a) or b) above, the name of the place of production shall be stated under the heading “place of origin” in the certificate.

Annex 3 is replaced by the following:

Annex 3: Specific requirements for plants intended for planting (other than seeds) of *Camellia* spp. L., *Kalmia* spp. L., *Pieris* spp. D. Don, *Rhododendron* spp. L. (other than *Rhododendron simsii* Planch.) and *Viburnum* spp. L., originating in European countries, other than the Netherlands and Germany

Without prejudice to the provisions of the “Regulations relating to plants and measures against pests”, Annex 4 A, points 28, 29.2 and 30:

The plants shall be accompanied by a phytosanitary certificate, which shall only be issued when the consignment has been officially inspected within 2 days before the issuance of the certificate. The consignment must have been found free from *Phytophthora ramorum* (Werres et al., 2001) in this inspection. The inspection shall also include laboratory testing of any suspicious symptoms. In addition it shall be officially stated that:

a) the plants originate in an area in which, in accordance with the relevant International Standard for Phytosanitary Measures, ISPM No. 4, there is an official statement that

Phytophthora ramorum (Werres et al., 2001) does not occur. The name of the area shall be mentioned in the certificate under the heading “place of origin”, and under the heading “additional declaration” it shall be stated that the plants satisfy the requirements of Annex 3 point a) of these regulations

or

b) no signs of *Phytophthora ramorum* (Werres et al., 2001) have been observed on any susceptible plant at the place of production during official inspections, carried out at least twice at appropriate times when the plants are in active growth in the course of the last complete cycle of vegetation. The plants shall have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections and by laboratory testing of any suspicious symptoms. It shall be stated in the certificate under the heading “additional declaration” that the plants satisfy the requirements of Annex 2 point b) of these regulations

or

c) in cases where signs of *Phytophthora ramorum* (Werres et al., 2001) have been found on susceptible plants at the place of production, appropriate measures have been implemented to eradicate the harmful organism before consignments can be shipped to Norway. Such measures shall at least consist of:

- The destruction of all infected plants and all susceptible plants within 2 m of the infected plants, including plant debris from these and associated growing media, and
- for all susceptible plants within 10 m radius of the infected plants, any remaining plants from the affected lot and all other susceptible plants that have been in contact with the affected lot, the plants have been retained at the place of production and additional official inspections have been carried out at least twice in the three months following the finding while the plants are in active growth. During these three months the plants shall not have been subject to any treatments that may suppress symptoms of *Phytophthora ramorum* (Werres et al., 2001). The plants shall have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections; and
- for all other susceptible plants at the place of production, the plants have been subject to intensive official re-inspection carried out at least twice following the finding and have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections, and
- the growing surface, within a radius of 2 m from where the infected plants have been grown, has been subject to appropriate phytosanitary measures.

It shall be stated in the certificate under the heading “additional declaration” that the plants satisfy the requirements of Annex 3 point c) of these regulations.

In addition to the additional declarations to be given in the phytosanitary certificate according to point a), b) or c) above, the name of the place of production shall be stated under the heading “place of origin” in the certificate.

The heading of Annex 4 is replaced by:

Annex 4: Specific requirements for wood of *Acer macrophyllum* Pursh., *Aesculus californica* Nutt., *Lithocarpus densiflorus* (H & A), *Quercus* L. and *Taxus brevifolia* Nutt originating in the United States of America

Annex 4, first subsection is replaced by

Without prejudice to the provisions of the "Regulations relating to plants and measures against pests", Annex 3 points 1.1, 1.2 and 2 and Annex 4A points 1.1, 1.2, 1.3 and 2:

Annex 5 is replaced by the following:

Annex 5: Specific requirements for domestic production and sale of plants intended for planting (other than seeds) of *Camellia* spp. L., *Kalmia* spp. L., *Pieris* spp. D. Don, *Rhododendron* spp. L. (other than *Rhododendron simsii* Planch.) and *Viburnum* spp. L.:

Without prejudice to the provisions of the 'Regulations relating to plants and measures against pests', Annex 4 B, point 13:

There is an official statement that:

a) the plants originate in an area in which, in accordance with the relevant International Standard for Phytosanitary Measures, ISPM No. 4, there is an official statement that *Phytophthora ramorum* (Werres et al., 2001) does not occur

or

b) no signs of *Phytophthora ramorum* (Werres et al., 2001) have been observed on any susceptible plant at the place of production during official inspections, carried out at least twice at appropriate times when the plants are in active growth, in the course of the last complete cycle of vegetation, and at least once during the last month before sale and marketing, including laboratory testing of any suspicious symptoms. The plants shall have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections and by laboratory testing of any suspicious symptoms

or

c) in cases where signs of *Phytophthora ramorum* (Werres et al., 2001) have been found on susceptible plants at the place of production, appropriate measures have been implemented to eradicate the harmful organism before susceptible plants can be sold. Such measures shall at least consist of:

- The destruction of all infected plants and all susceptible plants within 2 m of the infected plants, including plant debris from these and associated growing media, and
- for all susceptible plants within 10 m radius of the infected plants, any remaining plants from the affected lot and all other susceptible plants that have been in contact with the affected lot, the plants have been retained at the place of production and additional official inspections have been carried out at least twice in the three months following the finding while the plants are in active growth. During these three months the plants shall not have been subject to any treatments that may suppress symptoms of *Phytophthora ramorum* (Werres et al., 2001). The plants shall have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections; and
- for all other susceptible plants at the place of production, the plants have been subject to intensive official re-inspection carried out at least twice following the finding and have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections

- the growing surface, within a radius of 2 m from where the infected plants have been grown, has been subject to appropriate phytosanitary measures.

Additionally the place of production shall have been subject to official inspections, including laboratory testing of any suspicious symptoms, carried out at least once during the last month before sale and marketing. The plants shall have been found free from *Phytophthora ramorum* (Werres et al., 2001) in these inspections.

II

In force

These regulations enter into force 15 February 2008.