



Statutory Document No. 195/05

**THE PLANT HEALTH ACT 1983**

**THE PLANT HEALTH (*PHYTOPHTHORA RAMORUM*)  
(AMENDMENT) ORDER 2005**

*Coming into operation*

*21st March 2005*

In exercise of the powers conferred on the Department of Agriculture, Fisheries and Forestry by section 2(1), 3(1) and 6 of the Plant Health Act 1983<sup>1</sup> and of all other enabling powers, the following Order is hereby made:—

**1. Citation and commencement**

This Order may be cited as the Plant Health (*Phytophthora ramorum*) (Amendment) Order 2005 and shall come into operation on the 21st March 2005.

**2. Amendment of SD 605/03**

In the Plant Health (*Phytophthora Ramorum*) Order 2003<sup>2</sup> —

(a) for Schedule 1 substitute —

---

<sup>1</sup> 1983 c.19

<sup>2</sup> SD 605/03

<i>Susceptible material</i>	<i>Requirements to be met in respect of the issue of any phytosanitary certificate accompanying the susceptible material (“the certificate”)</i>
<p><b><i>I. Susceptible material, other than susceptible wood</i></b></p> <p><i>Acer macrophyllum</i> Pursch.</p> <p><i>Aesculus californica</i> Nutt.</p> <p><i>Arbutus menziesii</i> Pursch.</p> <p><i>Aesculus hippocastanum</i> L.</p> <p><i>Arbutus menziesii</i> Pursh.</p> <p><i>Arbutus unedo</i> L.</p> <p><i>Arctostaphylos</i> spp. Adans</p> <p><i>Camellia</i> spp.</p> <p><i>Castanea sativa</i> Mill.</p> <p><i>Fagus sylvatica</i> L.</p> <p><i>Hamamelis virginiana</i> L.</p> <p><i>Heteromeles arbutifolia</i> (Lindley) M. Roemer</p> <p><i>Kalmia latifolia</i> L.</p> <p><i>Leucothoe fontanesiana</i> (Steudel) Sleumer</p> <p><i>Lithocarpus densiflorus</i> (H &amp;A)</p> <p><i>Lonicera hispidula</i> (Dougl.)</p> <p><i>Pieris</i> spp.</p> <p><i>Pseudotsuga menziesii</i> (Mirbel) Franco</p> <p><i>Quercus</i> spp. L.</p> <p><i>Rhamnus californica</i> Esch.</p>	<p>Either –</p> <p>(a) the certificate shall contain an additional declaration that the material originates in an area as being free from non-European isolates of <i>Phytophthora ramorum</i> are known not to occur, in which case the name of the area from where the material originates shall be specified under “place of origin”; or</p> <p>(b) the certificate shall be issued only after official verification by the official plant health service of the country from which the material originates (“the relevant plant health service”) that –</p> <p>(i) upon official inspections carried out during the last complete cycle of vegetation of the susceptible material the subject of the certificate, or upon laboratory testing of apparent symptoms of non-European isolates of <i>Phytophthora ramorum</i>, no signs of non-European isolates of <i>Phytophthora ramorum</i> have been found on susceptible material or susceptible plant material at the place of production; and</p> <p>(ii) representative samples of the susceptible material have been taken before shipment, and have been tested and found free from non-European isolates of <i>Phytophthora ramorum</i> in these tests, in which case the certificate shall be endorsed by the relevant plant health service under the heading “additional declaration” with the statement “tested and found free from non-European isolates of <i>Phytophthora ramorum</i>”.</p>

<p><i>Rhododendron</i> spp. L., other than <i>Rhododendron simsii</i> Planch.</p> <p><i>Sequoia sempervirens</i> (D. Don) Endl.</p> <p><i>Syringa vulgaris</i> L.</p> <p><i>Taxus</i> spp.</p> <p><i>Trientalis latifolia</i> (Hook)</p> <p><i>Umbellularia californica</i> (Pursch.)</p> <p><i>Vaccinium vitis-idaea</i> Britt.</p> <p><i>Vaccinium ovatum</i> (Hook &amp; Arn) Nutt.</p> <p><i>Viburnum</i> spp. L.</p>	
<p><b>II. Susceptible wood</b></p> <p>Wood of –</p> <p>– <i>Acer macrophyllum</i> Pursch.</p> <p>– <i>Aesculus californica</i> Nutt.</p> <p>– <i>Lithocarpus densiflorus</i> (H. &amp; A.)</p> <p>– <i>Quercus</i> L.</p>	<p>One of the following alternatives is satisfied –</p> <p>(a) The certificate shall contain an additional declaration that the material originates in an area in which non-European isolates of <i>Phytophthora ramorum</i> are known not to occur, in which case the name of the area from where the material originates shall be specified under “place of origin”;</p> <p>(b) the certificate shall be issued only after official verification by the relevant plant health service that the wood has been stripped of its bark, and that at least one of the following applies –</p> <p>(i) that it has been squared so as to remove entirely the rounded surface;</p> <p>(ii) that the moisture content of the wood does not exceed 20% (expressed as a percentage of the dry matter); or</p> <p>(iii) that the wood has been disinfected by an appropriate hot-air or hot-water treatment;</p> <p>or</p> <p>(c) in addition to the issue of a certificate, in the case of sawn wood with or without residual bark attached, there is evidence by a mark “Kiln-dried”, “KD” or another internationally</p>

	<p>recognised mark put on the wood or on its packaging in accordance with current commercial usage, that it has undergone kiln-drying to below 20% moisture content (expressed as a percentage of dry matter) at the time of manufacture, achieved through an appropriate time/temperature schedule.</p>
--	--

”;

(b) in Schedule 2, before the entry for “*Rhododendron* spp. L., other than *Rhododendron simsii* Planch.” insert “*Camellia* spp.”.

MADE 21st March 2005

*R.W. Henderson*

Minister for Agriculture, Fisheries and Forestry

---

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Schedules to the Plant Health (*Phytophthora ramorum*) Order 2003 by extending the lists of susceptible materials and the way with which they are to be dealt.