



Plant passport requirements for the ornamental aquatic plant sector

**Ornamental Aquatic Trade Association
March 2020**



OATA update on plant passport requirements

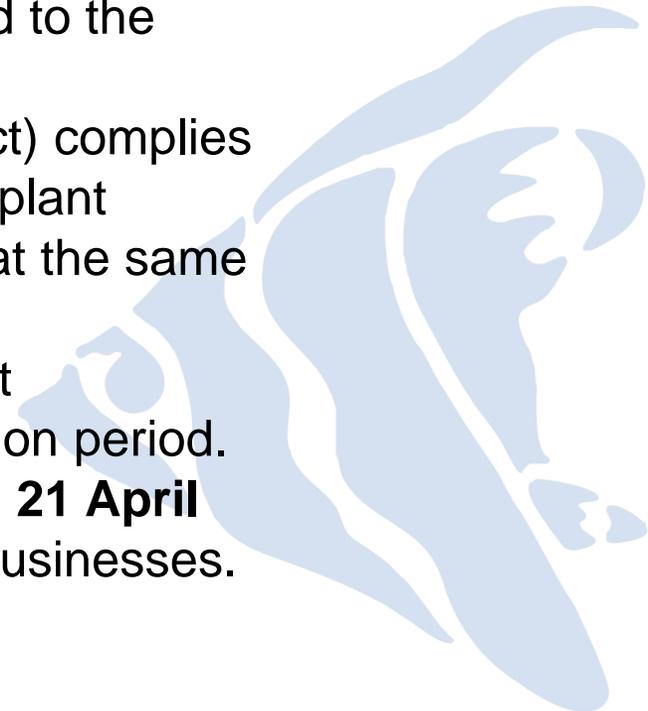


- This guidance is an update from that previously issued in December 2019. We recommend that it is read in conjunction with updated guidance produced by Defra i.e. Defra presentation PHR – (EU) 2016/2031: Plant passporting under the new plant health regulations. Defra: Smarter Rules for Safer Food – combined questions and answers – Plant Health Regulations and Official Control Regulations (both available via OATA’s Members Area).
- Our updated guidance aims to provide guidance on industry specific scenarios as to how plant passport requirements need to be met following advice received from Defra.
- Further guidance will be issued in relation to marine algae occurring as ‘accidental passengers’ on imports of live rock and corals in due course. For now, we advise that suppliers should be requested to remove as much as is feasibly possible.
- **Key to abbreviations used: PC = Phytosanitary Certificate, PP = Plant Passport, PO = Professional Operator, AO = Authorised Operator, TC = Traceability code, PEACH = Procedure for Electronic Application for Certificates from the Horticultural Marketing Inspectorate.**

Background to the plant passport introduction



- The Smarter Rules for Safer Food (SRSF) Regulations are a package of EU regulations that relate to animal health*, plant health and official controls. EU Plant Health Regulation 2016/2031 came into force across the EU on 14 December 2019. As well as setting out requirements for plant passports, it also widens out the scope of plants requiring phytosanitary certificates and lists of plant pests.
- Plant consignments entering the UK and EU and moving between Member States or within a Member State/the UK now need to carry an official label, physically attached to the consignment. This official label is known as a **plant passport**.
- A plant passport is intended to be an assurance that the plant (or plant product) complies with plant health requirements. It will also maintain biosecurity as plants (and plant products) will be able to be traced throughout the supply chain and ensure that the same minimum standards are applied throughout the EU.
- As the UK was still a member of the EU on 14 December 2019, plant passport requirements apply in the UK and will continue to apply throughout the transition period.
- * The EU Animal Health Law (2016/429) will enter into force across the EU on **21 April 2021**. We are preparing separate guidance on how this will impact on to EU businesses.





What's the difference between phytosanitary certificates and plant passports?

Phytosanitary Certificate (PC)*	Plant Passport (PP)
Required for import/export of plants into/from the EU/UK from/to a non-EU country i.e. a third country	Required for internal movements within the EU and within an individual Member State e.g. the UK
Are issued by a Competent Authority	Are issued by an Authorised Operator i.e. a registered Professional Operator who has been inspected by and subsequently authorised to issue plant passports by the Competent Authority (e.g. for England & Wales, the Competent Authority is the Animal & Plant Health Agency).

* Please note that aquatic plants which are produced via *in vitro* methods for commercial purposes are **NOT** exempt from the requirement to be accompanied by a phytosanitary certificate. Such requirements also extend to algae and fungi e.g. marine algae/seaweed. Under the new requirements, the only plant imports from third countries exempt from phytosanitary requirements are fruits of pineapple, coconut, durian, banana (*Musa* species) and dates.



What's the difference between a Professional Operator and an Authorised Operator?

Professional Operator	Authorised Operator
<p>Anyone who is legally responsible for the professional movement of plants e.g. planting, breeding, making available for sale etc. In terms of the ornamental aquatic plant sector, importers, consolidators, wholesalers, growers, retailers, pond/aquarium contractors and water garden landscapers would fall within the scope of being considered a Professional Operator and would therefore need to be registered. A Professional Operator is not necessarily an Authorised Operator so these two terms are not interchangeable.</p>	<p>A registered Professional Operator who has been inspected and subsequently authorised by the Competent Authority to issue plant passports. Authorised Operators will be expected to conduct physical checks on plants before a PP is issued, and also have procedures to identify and deal with plant pests. They will also be subject to audits by their Competent Authority. Therefore, a Professional Operator is not necessarily an Authorised Operator, as a business can be registered but is not issuing plant passports.</p>





Aquatic plants & plant passports

- EU Plant Health Regulation 2016/2031 has widened out the scope of plants which are subject to phytosanitary certificates and introduced plant passports for EU/UK movements.
- All plants intended for planting are subject to phytosanitary certificate and plant passport requirements. Therefore, ALL live aquatic plants fall within scope. Anyone professionally moving plants within the EU and within the UK, needs to register as a Professional Operator.
- **All pond plants** and **all aquarium plants** (be they rooted or non-rooted (i.e. cuttings) require a plant passport for movement within the EU and UK.
- In addition, all plants imported from a third country i.e. non-EU country will require a phytosanitary certificate. There will also be a list of 'high risk' plants whose entry will be prohibited subject to a full risk assessment by the European Food Safety Authority.
- To issue plant passports as an Authorised Operator, you must be registered as a Professional Operator and to then apply to be inspected, authorised and audited by the Competent Authority. The Competent Authorities are: England & Wales – Animal & Plant Health Agency, Scotland – Scottish government Horticulture & Marketing Unit, Northern Ireland – DAERA.

Why do aquatic plants fall into scope of plant passports and does this include marine algae/seaweed?

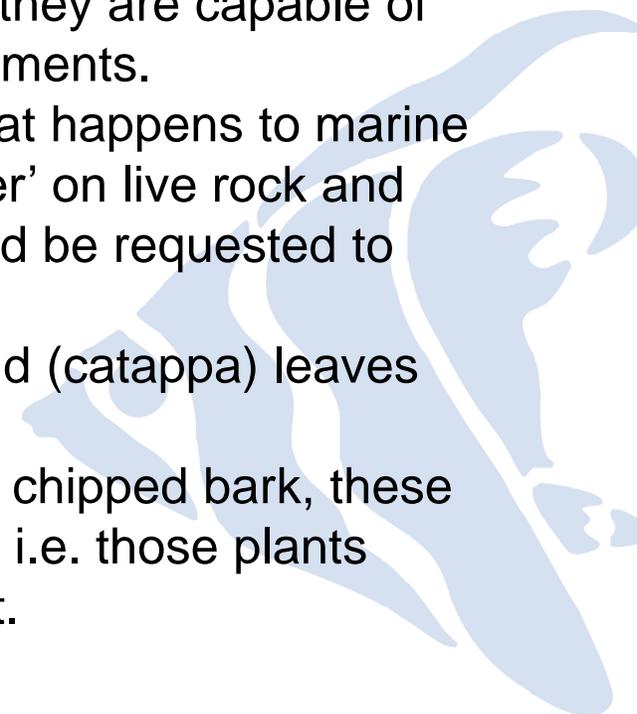


- The World Trade Organisation (WTO) has an agreement known as the Sanitary & Phytosanitary Agreement, permitting countries to introduce trade restrictions in order to protect human, animal and plant health.
- The WTO recognises three international standard setting bodies. For plant health, this is the International Plant Protection Convention (IPPC).
- The IPPC produces a list of phytosanitary definitions (known as ISPM5 No. 5). Whilst the IPPC recognise that algae and fungi are of different taxonomic Kingdoms to plants, it considers that due to certain species of algae and fungi being commercially exploited, these need to be brought under the protection of the IPPC. It is for this reason that the IPPC (which is recognised by the EU and UK) include algae and fungi under their definition of 'plants' – therefore marine algae/seaweed falls into scope of plant passport requirements.
- The IPPC's definition of 'plants for planting' describes planting as “*subsequent growth, reproduction or propagation*”. As this would occur in an aquatic environment, hence all aquatic plants fall into scope of plant passport requirements. It also includes seeds, tubers, bulbs and *in vitro* plants.

What about moss balls and mangrove seed pods – are these included?



- **Yes.** These requirements would include aquarium plants such as *Cladophora* moss balls, marine algae e.g. *Caulerpa* and mangrove seed pods (if such pods can root and produce a new plant).
- Plants used in the aquarium for aquascaping purposes, aquarium planting, or in plant-based filtration systems (if they are capable of growing) are also within scope of these requirements.
- We will issue further guidance in relation to what happens to marine algae which occurs as an ‘accidental passenger’ on live rock and corals. For now, we advise that suppliers should be requested to remove as much as is feasibly possible.
- Non-live plant products e.g. dried Indian Almond (catappa) leaves are NOT subject to these requirements.
- For those additionally selling pet substrate e.g. chipped bark, these requirements are for certain types of such bark i.e. those plants listed in the Regulation such as sweet chestnut.



Plant passports – the six elements they must contain



Plant passport	
A	[Insert botanical name]
B	[Insert country code and registration number, separated by a hyphen e.g. GB-12345]
C	[Insert traceability code]
D	[Insert two letter country code, full name of country of origin]

- Detailed information on model templates for plant passports can be found via the EU regulation [here](#).
- A standard plant passport **MUST** contain the following:
- The **EU flag** – either in colour or black and white but **ALWAYS** in the top left-hand corner (*this requirement remains even though the UK has now left the EU*).
- The words ‘**Plant Passport**’ in English. It can also be accompanied by one other official EU language e.g. Dutch, German etc.
- The letter ‘A’ followed by the plant(s) **botanical name**
- The letter ‘B’ followed by the **two-digit ISO Country code** of the issuer e.g. the code for the UK is **GB**, and then the **Registration number of the Authorised Operator issuing the passport** separated by a hyphen.
- The letter ‘C’ followed by a **traceability code**
- The letter ‘D’ followed by the **two-digit ISO country of origin code** is inserted e.g. either the EU Member State or third country of origin or the country’s name in full.

Example of what a completed plant passport may look like



EU flag – this must always appear in the top left-hand corner (even for UK movements). It can be in colour or black and white.

The letter ‘A’ with the botanical name of the plant(s) species or taxon(s). In this example, we use the botanical name for the White water lily.

The letter ‘C’ and the Traceability code – this code must be able to trace the passport back to the Authorised Operator who issued it. This code can be an existing code used to trace a consignment.

◆ **Supplementary information to the traceability code** – such as a barcode or QR code etc. This can supplement the traceability code but cannot replace it and should appear under the actual traceability code.

	Plant passport
A	<i>Nymphaea ‘Virginalis’</i>
B	GB-12345
C	ABC12
◆	 
D	NL

The words “**Plant passport**” must always appear in English. It could also be accompanied by one other official language of the EU e.g. **Plant Passport/Plantenpaspoort**

The letter ‘B’ and the two letter Member State Code followed by the authorisation number. Both of these relate to the Authorised Operator who issues the passport. For a UK AO, the code for the UK is **GB** followed by that AO’s national registration number. The country code and registration number must be separated with a hyphen. All country (ISO) codes are available [here](#).

The letter ‘D’ and the two letter code for the Member State or third country of the plant’s country of origin or its name in full. For example, if the plant’s country of origin was the Netherlands, the two letter code is NL. If it was a third country e.g. Singapore, the country for that country is SG. All country (ISO) codes are available [here](#).

Plant passports – requirements for completion of Parts A & C

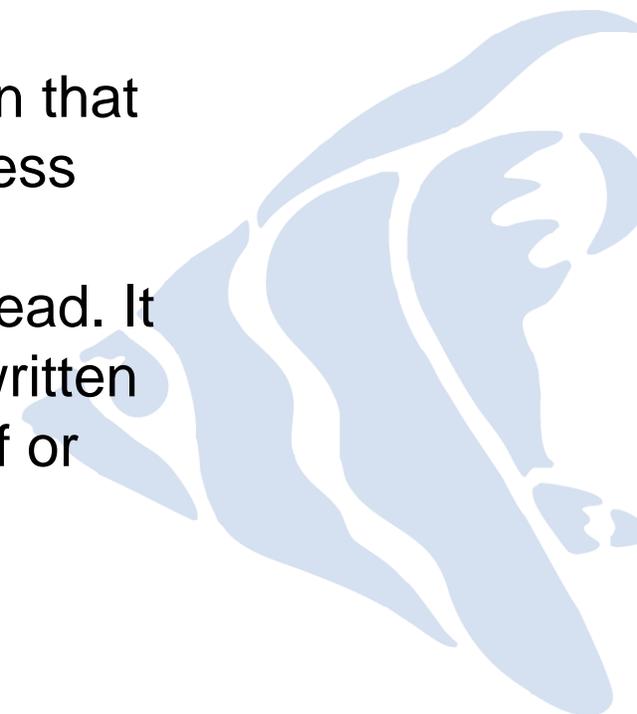


- For completion of Part A i.e. the botanical name, the full name is required i.e. genus and species. Use of the genus name alone is acceptable either where the species name is not available or is impossible to determine.
- For completion of Part C i.e. the traceability code (TC), the requirements are the same for both terrestrial and aquatic plants. Part C **must** be completed for any plant consignment where the plants are **NOT** in their 'finished state' and require further preparation before sale to the final user e.g. re-potting, mixing plants in a new pot, aquatic plants being mixed in a tank with other plants. Any such further preparation stage alters the nature of the phytosanitary risk and possibility of exposure to new pests or diseases and therefore a TC is required.
- The only current instance in which completion of Part C i.e. the traceability code is **NOT** required is when plants are being moved in the 'finished state' i.e. they are ready for sale to the final user and require no further preparation. This is regardless of where in the supply chain the consignment is.
- Certain plant species require a TC for all stages. This presently does not include any aquatic plants but the present list is currently being revised by the European Commission.

Plant passports



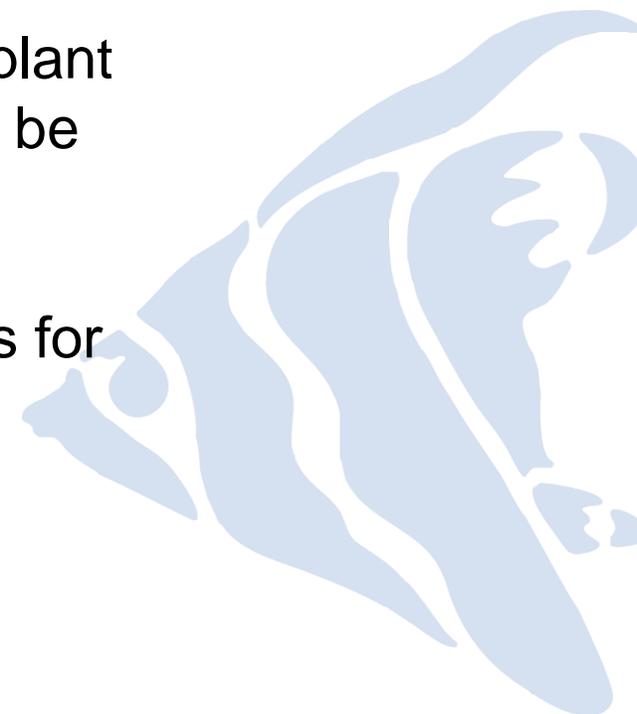
- Whilst the six key elements are fixed, the size of the passport, whether it has a border, the font size used etc is at the discretion of the Authorised Operator.
- Note that there are three different formats: **Standard** (example given), **Protected Zone** (this format is required if you trade in a plant for which an individual Member State/the UK has Protected Zone status) and a format merged with a **certification label** (e.g. if trading in certified seed).
- Plant passports **must** be separate and distinct from other information that may accompany consignments e.g. care information, public awareness campaigns e.g. 'Be Plant Wise', 'No Release' messages etc.
- The information on the passport must be clear enough to be easily read. It is permitted for passports to be handwritten but if so, they must be written in capitals and in a way so that the information cannot be washed off or changed.



What is meant by 'Protected Zone' and 'Final User'?



- Certain areas within the UK/an EU Member State are free from listed plant pests/diseases and such areas are known as 'Protected Zones'
- The UK has more of these Protected Zones (PZs) than any country within the EU (Defra, 2020a)
- Therefore, to maintain this status, there is a requirement for certain plant species, which if they are moving into a Protected Zone, will need to be accompanied using the Protected Zone plant passport format.
- The term 'final user' means the final end user who is acquiring plants for their own personal use.

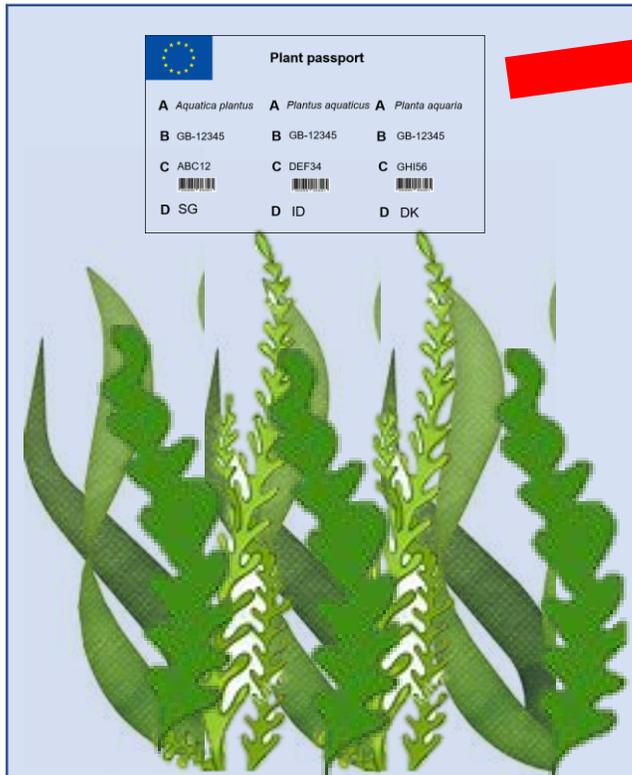


Issuing plant passports, how they are attached and record keeping requirements



- Anyone professionally moving plants, **MUST** register as a Professional Operator.
- A Professional Operator who is the First Place of Destination and/or who physically alters the nature of a plant consignment i.e. breaks the consignment down into smaller trading units or re-pots, grows on those plants **MUST** be authorised by their Competent Authority to issue plant passports i.e. be an Authorised Operator. Such operators must physically inspect the plants and have procedures in place to identify and deal with plant pests/diseases.
- There is no fee to register but there are fees to become an Authorised Operator.
- Plant passports must be physically attached to the **smallest trade unit** and prior to movement. If the same commodity (that is the same species from the same source and same batch etc) is being sold on pallets, trays, boxes, bags etc. then each individual pallet, box etc can carry a single plant passport. A single plant passport can cover the last movement in the supply chain to a retailer, even if there are a mix of plants in that trade unit being moved (see example in next slide). However, if there are multiple commodities (different species, different source countries etc) on the same pallet, tray etc, the passport must be attached to individual units e.g. pots, bags, bundles etc.
- Businesses will be required to keep records of all plant passports that they have received/issued for **three years**. We therefore recommend that as the HMRC require invoices to be kept for seven years it would be prudent to keep plant passport records with the invoice. Such records can be kept as either hard copy or digital format.

Example of plant passports for a bag of assorted aquatic plants



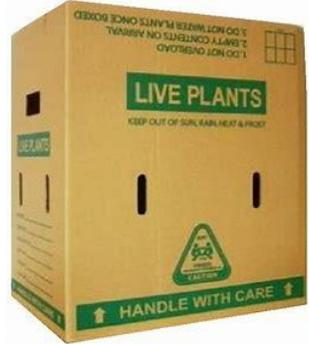


Plant passport

A <i>Aquatica plantus</i> B GB-12345 C ABC12 D SG	A <i>Plantus aquaticus</i> B GB-12345 C DEF34 D ID	A <i>Planta aquaria</i> B GB-12345 C GHI56 D DK
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In this example, a bag of assorted aquatic plants (different species, different countries of origin) has been passported. The plant passport can contain multiple species/countries of origin, provided it is set out as per the above example. If the bag is subsequently split for onward movement, each new trade unit would need to be issued with its own plant passport before onward movement to the next operator in the chain. Note that an actual traceability code must be provided for C, the use of barcodes etc. can supplement such information but cannot replace the actual code and must appear underneath it.

When does a Plant Passport need to be issued or replaced?



Are you a registered Professional Operator who is the 'First Place of Destination' on entry to the UK?

YES

You will need to issue a plant passport for onward movement i.e. be an Authorised Operator. For those requiring to issue plant passports due to 'recycling for profit' the passport is required for movement between the client's home and the contractor's premises.

NO



Are you altering the nature of the consignment i.e. breaking it down into smaller trade units or physically altering the consignment e.g. re-potting, growing on etc before it moves to the next operator in the supply chain?

YES

You can move the consignment to the next Operator in the chain **using the current passport** but keeping the necessary records.

NO

YES



Is there any information missing off the current plant passport which can trace it back along its supply chain?

YES

You will need to replace the existing plant passport. In Part D, add the registration number of the Operator who initially issued the passport

Do you 'recycle for profit' i.e. collect excess aquatic plants from a client's home and take it back to your premises to re-pot, grow on to sell on to another customer?

NO

Replacement plant passport not required.

What traceability records do I need to keep?



Authorised Operators issuing a plant passport – for each passported unit you receive, you must keep records of the plant passport you received, which must be able to identify the Operator who supplied the unit to you, together with a record of the plant passport you have subsequently issued for each unit and the Operator you have issued it to.



Professional Operators moving a consignment 'as is' i.e. it is not being split nor being altered – for each passported unit you receive, you must keep records of the plant passport received, which must be able to identify the Operator who supplied the unit to you, together with a record of the Operator you are passing that plant passported unit on to.

What traceability records do I need to keep?



Professional Operators at the end of the supply chain i.e. retailers who are selling DIRECT to the final domestic consumer i.e. members of the public coming to their stores - Retailers who sell direct to the public have an exemption under Article 81 of the EU Plant Health Regulation 2016/2031 in that they do not have to passport down to the final domestic consumer. However, they must keep records of plant passports received, which must be able to identify for each passported unit they receive, the Operator who supplied that unit. This will also apply to pond/aquarium contractors, water garden landscapers who deal solely with the general public. This exemption does **NOT** apply to any retailer who sells via any distance selling methods or via online facilitating platforms e.g. eBay, Amazon etc. The exemption also does not apply for any plant species which is moving into a Protected Zone.

3 Years

ALL OPERATORS must keep records for three years of plant passport information received/issued and which must be able to identify for each passported unit who supplied/was supplied that unit. Such records may be kept in either hard copy or digital format. It is permitted for the previous operator in the chain to email ahead to the next operator a copy of the plant passport that has been issued. REMEMBER that the plant passport itself **MUST** be physically attached to the consignment. The three year requirement is due to this being the estimated latency period for some plant pests and their subsequent detection.

Plant passport requirements: Aquatic plant importers/consolidators



Check your supplier is aware of the new plant phytosanitary certificate and plant passport requirements.

Is the plant consignment from a third country i.e. outside the EU?

YES



You must issue a PP on entry into the UK as the 'First Place of Destination' i.e. you will need to be a registered AO and physically inspect the plants.

NO

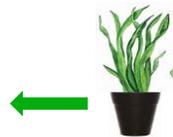


Has the plant consignment arrived from the EU with a PP?

YES ↓

NO ↓

You must issue a PP for each new trade unit as the 'First Place of Destination' in the UK i.e. you will need to be a registered AO and physically inspect the plants.



YES

Will you be breaking down the consignment into smaller trading units for onward movement?

The (UK) Competent Authority will notify the relevant Member State.

The consignment can be passed to the next Operator in the chain using the existing PP



NO

Where a (UK) Competent Authority holds part or an entire plant consignment following inspection, a statutory notice will be served to the inspection premises. A copy of this notice will be sent to the responsible agent making the PEACH application. Where a consignment is destined for a number of outlets, it is the responsibility of that agent (as the First Place of Destination) to cascade the information to affected businesses.

Remember!

Keep records of the information contained on PPs that are issued/received for 3 YEARS.

Plant passport requirements: Aquatic plant growers/wholesalers



Will you be breaking down the consignment into smaller trading units or physically altering the nature of the consignment e.g. re-potting, growing on etc, before onward movement to the next Operator in the chain?



You must issue a new PP for each new smallest trading unit before onward movement to the next Operator i.e. you will need to be a registered AO and physically inspect the plants. If the plants are not in their 'finished state' for retail and you physically alter the consignment e.g. re-potting, mixing plants in a new tank, you must provide a traceability code on Part C of the PP

The consignment can pass to the next Operator in the chain using the existing passport

In instances where the next PO is a retailer who will be breaking down the consignment into smaller trading units, they will be required to issue a PP to each new unit. If they do not wish to do this i.e. because they sell direct to the public and therefore meet the exemption for such retailers, wholesalers may passport each unit if they so wish. If the wholesaler wishes to recover such costs for passporting to the retailer, this is an internal matter between the wholesaler and retailer.

Remember!

Keep records of the information contained on PPs that are issued/received for 3 YEARS.

Plant passport requirements: Retailers who only sell direct i.e. no distance selling methods



Check your supplier is aware of the new plant phytosanitary certificate and plant passport requirements.

Will you be breaking down the consignment into smaller trading units e.g. from a pallet, tray, box, bag etc to pots, bunches, individual plants AND/OR do you need to replace PPs received at your retail distribution centre due to physically altering the nature of the consignment e.g. re-potting or wish to hide your supplier?



You will need to issue a new PP to each new trade unit before retail i.e. be an authorised AO and physically inspect the plants. **However**, retailers who sell direct to the public i.e. a 'bricks and mortar' premises who the final domestic user has to go to, have an **exemption** under Article 81 of the EU Plant Health Regulation 2016/2031 in that they do NOT have to pass the PP on to the final domestic user. If such retailers do not wish to become an AO, it is permitted for them to ask their supplier i.e. an AO grower/wholesaler to PP individual units for them. Note that this is at the discretion of the AO grower/wholesaler as they are under no legal requirement to do so. Should they seek to recover their costs for doing so, such matters are internal between the wholesaler and retailer.

If the plants are ready for retail and have been passported, you do not need to passport down to the final domestic end user.

Remember!

All retailers MUST be registered as Professional Operators. For retail chains, it is permitted for the Head Office to register as the PO/AO on behalf of all the stores in its chain. Keep records of the information contained on PPs that are issued/received for 3 YEARS.

Plant passport requirements: Retailers who sell via distance selling methods



Check your supplier is aware of the new plant phytosanitary certificate and plant passport requirements.



Are you a retailer who sells aquatic plants to the public via distance selling methods i.e. over the telephone, mail order, online sales, via online facilitating platforms such as eBay, Amazon or Facebook etc?

YES

You MUST pass the plant passport down to the final domestic user

All retailers who sell via any distance selling method (including those selling via eBay, Amazon, Facebook etc) **DO NOT** qualify for the exemption as per the EU Plant Health Regulation 2016/2031. Distance selling retailers must therefore pass the plant passport on to the final end user and keep the necessary records. For retail chains, it is acceptable for the Head Office to register on behalf of the stores in their chain.

All retailers MUST be registered as Professional Operators. For retail chains, it is permitted for the Head Office to register on behalf of all the stores in its chain. Keep records of the information contained on PPs that are issued/received for 3 YEARS.

Remember!



Plant passport requirements: Retailers & Drop shipping



Check your supplier is aware of the new plant phytosanitary certificate and plant passport requirements.



Are you a retailer who sells aquatic plants to the public via distance selling methods, receives payment but does not keep plants in stock and the order is fulfilled by a third party i.e. a drop shipper?

YES

You MUST pass the plant passport down to the final domestic user. If PPs need to be issued, it is the Drop shipper who needs to be the Authorised Operator

All retailers who sell via any distance selling method **DO NOT** qualify for the exemption as per the EU Plant Health Regulation 2016/2031. Distance selling retailers must therefore pass the plant passport on to the final end user and keep the necessary records. For retailers who fulfil orders via a Drop shipper, if a PP is required to be issued, it is the supplier who has physical sight of the plants who needs to check and if necessary, issue a PP to fulfil the requirements for distance selling retailers, as they will need to carry out the necessary checks. The onus is therefore on the drop shipper rather than the retailer (who doesn't see the plants) to ensure that PP requirements are met.



Remember!

All retailers MUST be registered as Professional Operators. For retail chains, it is permitted for the Head Office to register on behalf of all the stores in its chain. Keep records of the information contained on PPs that are issued/received for 3 YEARS.

Plant passport requirements: Aquarium/Pond contractors, Water garden landscapers



Check your supplier is aware of the new plant phytosanitary certificate and plant passport requirements.

Are your clients solely members of the public i.e. you do not supply plants, carry out work for professional clients such as councils etc?



Do you 'recycle for profit' i.e. you remove excess plants from a client, move them to your premises for re-potting, growing on and then sell them on to another client?



NO



You must pass the PP on to the Professional Operator – councils are deemed as being Professional Operators and so you must pass the PP on to them. If you alter the nature of a plant consignment, you must issue a new PP i.e. be an AO.

YES



Yes, my clients are members of the public and I 'recycle for profit' – if you 'recycle for profit' you must passport the movement of plants from the client's home to your premises i.e. you will need to be an AO to issue the PP, so that this movement is recorded.

NO

No, I do not 'recycle for profit' and my clients are solely members of the public
You will **not** need to pass the PP down to the final end user but will need to keep records on PP information received for 3 years.

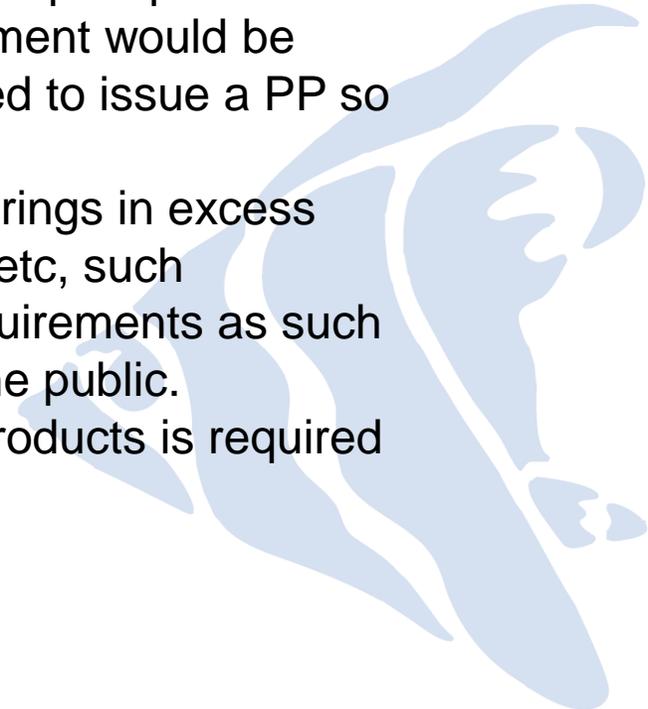
Remember!

Keep records of the information contained on PPs that are issued/received for 3 YEARS.



Plant passport requirements: Recycling plants for profit/Moving plants & plant products from one premises to another

- Aquarium/pond contractors, water garden landscapers who recycle plants for profit i.e. remove excess plants from one client, then re-pot or grow on before supplying those plants to another client are required to issue a plant passport for the movement from the client's home to their premises. This is because, like any landscaper or gardener, they should be supplied with plant passports and these would typically come from the previous Operator in the chain as such movement would be recorded. In these instances, the onus is therefore on the business to be authorised to issue a PP so that such movement is recorded.
- For retailers who have an arrangement with their customers in that the customer brings in excess aquatic plants from their aquarium to the retail premises in exchange for fish food etc, such movement is **currently** considered by Defra to be outside the scope of the PP requirements as such movement would be considered to be undertaken by an amateur i.e. member of the public.
- For businesses with more than one premises, the movement of plants and plant products is required to be passported if they are **more than 10 miles apart** from each other.





Plant passport requirements: Trade shows

Exhibitor at show: Plants supplied to that exhibitor's business by a PO

In this case, the PP requirement is in relation to the supplier PO to the exhibitor's premises. The onward movement by the exhibitor to the trade show does not require to be passported.

Exhibitor at show: Plants supplied direct to the show by a PO

In this case, a PP is requirement for the movement of those plants from the supplier directly to the show.

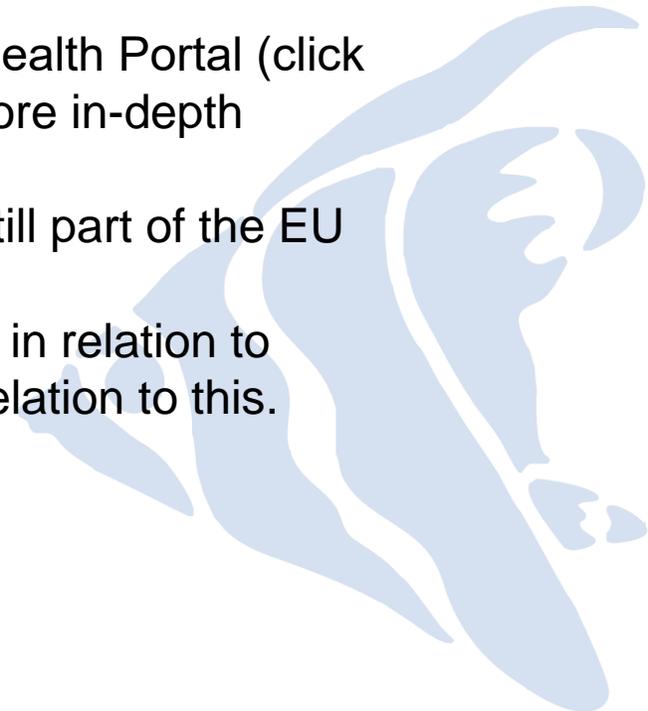
Exhibitors at show: Selling plants to businesses at show

In this case, a PO who sells to another PO whilst at a show would be required to passport the movement of those plants.



Further Information

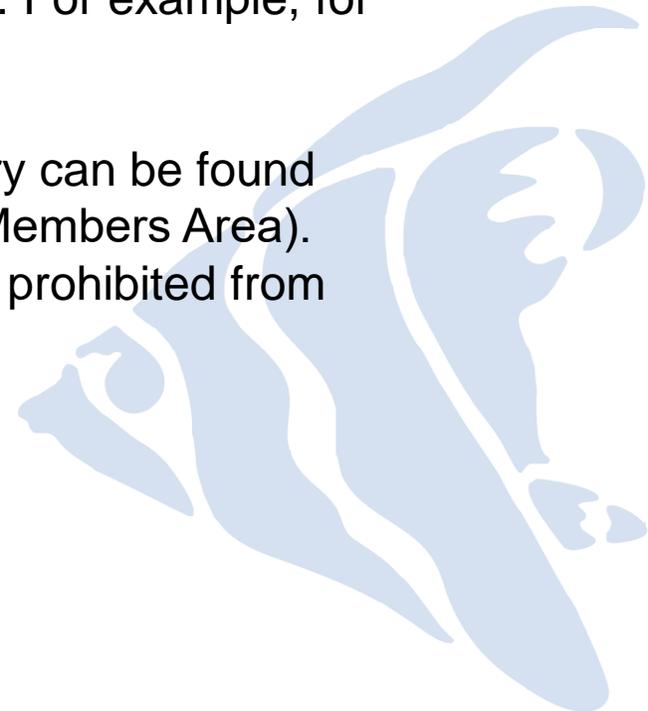
- For England and Wales, the Competent Authority is the Animal & Plant Health Agency (APHA), contact details are available [here](#).
- For Scotland, the Competent Authority is the Scottish government Horticulture and Marketing Unit (SASA), email: hort.marketing@gov.scot
- For Northern Ireland, the Competent Authority is DAERA (Department of Agriculture, Environment and Rural Affairs), email: planthealth@daera-ni.gov.uk
- For further information on plant passport requirements, please visit Defra's Plant Health Portal (click on the Smarter Rules for Safer Food (SRSF) section [here](#)). This will take you to more in-depth advice on PC and PP requirements.
- These requirements came into force as from 14 December 2019. As the UK was still part of the EU at the time, these requirements will remain throughout the transition period.
- For businesses which additionally trade in seeds, there are now also requirements in relation to seeds and other propagating material. Defra has produced separate guidance in relation to this.





Non-Compliance with plant health requirements

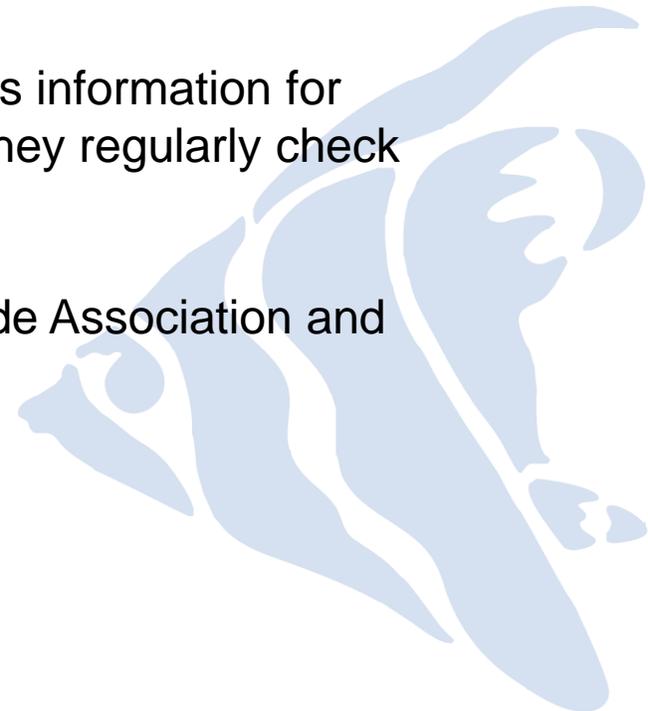
- The Competent Authorities for England & Wales, Scotland and Northern Ireland are aware of the additional burdens on industry whilst it adjusts to these new requirements
- They will therefore take a pragmatic and proportionate approach in terms of enforcement, commencing with compliance notices, corrective action advice and a given time period to return to compliance
- Concerns about non-compliance can be made to the relevant Competent Authority. For example, for England and Wales via the Plant Health helpline, tel: 0300 1000 313 or email: planthealth.info@apha.gov.uk
- A list of plant species which are prohibited from entering the EU from a third country can be found under Annex VI of EU Implementing Regulation 2019/2072 (available via OATA's Members Area). Annex IX of the same Implementing Regulation lists those plant species which are prohibited from entering certain Protected Zones.





Acknowledgements

- The information contained in this presentation is based upon that available via Gov.UK and the Plant Health Portal, together with that as per EU Plant Health Regulation 2016/2031.
- Whilst OATA has made every possible effort to ensure that the information in this presentation is correct, OATA cannot be held responsible for any errors or omissions.
- OATA wishes to acknowledge the assistance received from Defra in compiling this information for the ornamental aquatic plant sector. OATA members are advised to ensure that they regularly check the Gov.UK website for the latest available information.
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References

- Secretariat of the International Plant Protection Convention (2016). *Explanatory document on ISPM 5 Glossary of Phytosanitary Terms*. [Online]. Available at: https://www.ippc.int/static/media/files/publication/en/2016/03/ISPM5_AnnotatedGlossary_2016_2016-03-14.pdf
- Defra (2020a). *Smarter Rules for Safer Foods – Combined Questions and Answers – Plant Health Regulations and Official Control Regulations* (Available via OATA Members Area)
- Defra (2020b). *Smarter Rules for Safer Foods – Plant Passports and the Seed Marketing Sector* (Available via OATA Members Area).
- Defra (2020c). *PHR (EU) 2016/2031 – Plant Passporting Under the New Plant Health Regulations* (Available via OATA Members Area ONLY).
- COMMISSION IMPLEMENTING REGULATION (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019
- *Recommended reading*: Training modules on plant health biosecurity are available via the Plant Healthy training resource available at: <https://planthealthportal.defra.gov.uk/latest-news/plant-healthy-training-resource-now-available/>