# Draft Regulations amending regulations relating to plants and measures against pests

Laid down by the Ministry of Agriculture and Food, [date] pursuant to section 12, 15 and 18, of Act no. 124 of 19 December 2003 relating to food production and food safety, etc. (the Food Safety Act), cf. Delegated Decision no. 1790 of 19 December 2003.

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The following amendments shall be implemented into the regulations relating to plants and measures against pests:

## § 23 section 1 is replaced by

The importer shall notify the Norwegian Food Safety Authority in advance of any import of certain plants and other regulated articles requiring phytosanitary certification. The duty of notification applies to the goods specified in Section 19, cf. Annex 5A points 1, 2, 3.1, 3.2, 4.3, 4.4, 7, 8, 9 and 10 and in § 4 of the Regulations on measures against *Phytophthora ramorum*. The notification of import shall be submitted to the Norwegian Food Safety Authority at the point of control. The point of control is where reception control of the consignment or of the first part-consignment to arrive is carried out.

# § 23d section 1 is replaced by

The importer shall notify the Norwegian Food Safety Authority of reception control of import consignments containing goods that fall under the scope of Section 19, cf. Annex 5A points 1, 2, 3.1, 3.2, 4.3, 4.4, 7, 8, 9 and 10 or of § 4 of the Regulations on measures against *Phytophthora ramorum*, regardless of the outcome of the control. When a consignment consists of several part-consignments, the importer that first receives its part-consignment shall give notification of reception control regardless of the outcome. If it is found during reception control of the remaining part-consignments that the consignment is not in compliance with the regulations, the importer shall give notification of this. Such notification shall also be given in cases where the Norwegian food Safety Authority has released the first part-consignment.

## § 23e letter a) is replaced by

For split consignments that include goods that fall under the scope of Section 19, cf. Annex 5A points 1, 2, 3.1, 3.2, 4.3, **4.4**, 7, 8, 9 and **10** or of § 4 of the Regulations on measures against *Phytophthora ramorum*, the Norwegian Food Safety Authority must have released the first part-consignment and no deficiencies must have been found during the reception control of the individual part-consignments.

In Annex 1, Pests which are prohibited to introduce and spread in Norway, the following rows are added to the table under INSECTS, MITES, NEMATODES:

# Under row No. 2 Acleris gloverana (Walsingham) the following rows are added:

2.1.	Agrilus anxius (Gory)	
2.2.	Agrilus planipennis (Fairmaire)	

# Under row No. 3 *Amauromyza maculosa* (Malloch) the following rows are added:

3.1	Anoplophora chinensis (Forster)	
3.2	Anoplophora glabripennis (Motschulsky)	

In Annex 3, Plants and other regulated articles which are prohibited to import if they originate in the following areas, the following row is added at the end of the table:

## New row No. 11:

11	Betula L.	Plants (except seeds) and chips, shavings and wood waste obtained in whole or in part from Betula L.	Canada, USA

In Annex 4A, Specific requirements for the import of certain plants and other regulated articles, the following rows are added at the end of the table:

## New row No. 39:

00	M/s and the shoulder source and could be	There is an efficient element that
39	Wood, including wood which	There is an official statement that
	has not kept its natural, rounded surface, of <i>Fraxinus</i> L., other than in the form of	a) the wood originates in an area recognized as being free from <i>Agrilus planipennis</i> (Fairmaire) by the national plant inspection
	<ul> <li>chips, shavings and</li> </ul>	service in accordance with the relevant
	wood waste, obtained in	International Standards for Phytosanitary
	whole or part from	Measures, the name of the area shall be
	Fraxinus L.	mentioned on the phytosanitary certificate
	<ul> <li>wood packaging material in accordance with ISPM</li> </ul>	under the rubric «additional declarations»,
	15, in use or previously used, except dunnage	and in case of wood with bark,
	supporting consignments	storage and transport of the wood has
	of wood which is constructed from wood	taken place
	of the same type and	- in an area recognized as being free from
	quality as the wood of	Agrilus planipennis (Fairmaire)

Fraxinus L. in the consignment and which meets the same phytosanitary requirements as the wood in the consignment

originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA or

- outside the flight period of *Agrilus* planipennis (Fairmaire)

or

- closed

or

 the bark and at least 3,5 cm of the outer sapwood are removed in a facility authorised and supervised by the national plant inspection service

or

 the wood has undergone ionizing irradiation to achieve a minimum absorbed dose of 1 kGy throughout the wood.

## New row No. 40

Wood in the form of chips, shavings and wood waste obtained in whole or in part from *Fraxinus* L. originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

There is an official statement that the wood originates in an area recognised as being free from *Agrilus planipennis* (Fairmaire) by the national plant inspection service in accordance with relevant International Standards for Phytosanitary Measures, the name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations»,

and

storage and transport of the wood has taken place

- in an area recognised as being free from *Agrilus planipennis (*Fairmaire)

or

- outside the flight period of *Agrilus* planipennis (Fairmaire)

or

- closed

#### New row No. 41:

41 Isolated bark of Fraxinus L. originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

There is an official statement that

a) the bark originate from an area recognised as being free from Agrilus planipennis (Fairmaire) by the national plant inspection service in accordance with relevant International Standards For Phytosanitary Measures, the name of the area shall be mentioned in the phytosanitary certificate under the rubric «additional declarations».

or

b) the bark is free from wood

## New row No. 42

Plants of *Fraxinus* L. other than fruit and seed, but including cut branches with or without foliage originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

Without prejudice to requirements in Annex 4A points 28, 29.1, 29.2, 30, 31, 32:

There is an official statement that the plants originates in an area recognized as being free from *Agrilus planipennis* (Fairmaire) by the national plant inspection service in accordance with the relevant International Standards for Phytosanitary Measures and the name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations.

## New row No. 43

- Wood, including wood which has not kept its natural rounded surface, of *Betula* L. other than in the form of
  - chips, shavings and wood waste, obtained in whole or part from Betula L.
  - wood packaging material in accordance with ISPM 15, in use or previously used, except dunnage supporting consignments of

There is an official statement that

 a) the bark and at least 2,5 cm of the outer sapwood are removed in a facility authorised and supervised by the national plant inspection service

or

 b) the wood has undergone ionizing irradiation to achieve a minimum absorbed dose of 1 kGy throughout the wood. wood, which is constructed from wood of the same type and quality as the wood of *Betula* L. in the consignment, and which meets the same phytosanitary requirements as the wood in the consignment

originating in Canada and USA

## New row No. 44:

44	Isolated bark of <i>Betula</i> L. originating in Canada and USA	There is an official statement that the bark is free from wood.

## New row No. 45:

45	Plants intended for planting (other than seed) of <i>Betula</i> L.	Without prejudice to the provisions and requirements applicable to Annex 3 point and Annex 4A points 10, 28, 29.1, 29.2, 30, 31 and 32:
		There is an official statement that the plant material originates in a country known to be free from <i>Agrilus anxius</i> (Gory).

# New row No. 46:

Wood, including wood which has not kept its natural, rounded surface, of

Acer L., Aesculus L., Albizia
Durazz, Alnus Mill., Betula L.,
Carpinus L., Cercidiphyllum
Siebold et Zucc., Corylus L.,
Elaeagnus L., Fagus L.,
Fraxinus L., Koelreuteria Laxm.,
Morus L., Platanus L., Populus
L., Prunus L., Pyrus L., Salix L.,
Tilia L. and Ulmus L.

other than in the form of

 chips, shavings and wood waste, obtained in whole or part from these wood species Without prejudice to requirements in Annex 4A points 39 and 43:

There is an official statement that

 a) the wood originates in an area recognized as being free from Anoplophora glabripennis (Motschulsky) by the national plant inspection service in accordance with the relevant International Standards for Phytosanitary Measures, the name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations»,

and

storage and transport of the wood has taken place

- wood packaging material in accordance with ISPM 15, in use or previously used, except dunnage supporting consignments of wood, which is constructed from wood of the same type and quality as the wood in the consignment and which meets the same phytosanitary requirements as the wood in the consignment

originating in China, Democratic People's Republic of Korea, Republic of Korea and USA - in an area recognized as being free from Anoplophora glabripennis (Motschulsky)

or

- outside the flight period of *Anoplophora glabripennis* (Motschulsky)

or

- closed

or

 b) the wood is debarked and has undergone an appropriate heat treatment to achieve a temperature of minimum 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core). In case letter
 b) is applicable the wood or any wrapping shall be marked "HT" in accordance with current usage

## New row No. 47:

47 Wood in the form of chips, shavings and wood waste of Acer L., Aesculus L., Albizia Durazz, Alnus Mill., Betula L., Carpinus L., Cercidiphyllum Siebold et Zucc., Corylus L., Elaeagnus L., Fagus L., Fraxinus L., Koelreuteria Laxm., Morus L., Platanus L., Populus L., Prunus L., Pyrus L, Salix L,

Tilia L. and Ulmus L.

originating in China, Democratic People's Republic of Korea, Republic of Korea and USA Without prejudice to the provisions and requirements applicable to Annex 3, point 11 and Annex 4A point 40:

There is an official statement that

 a) the wood originates in an area recognized as being free from Anoplophora glabripennis (Motschulsky) by the national plant inspection service in accordance with the relevant International Standards for Phytosanitary Measures, the name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations»,

and

storage and transport of the wood has taken place

- in an area recognized as being free from Anoplophora glabripennis (Motschulsky)

or

- outside the flight period of *Anoplophora* glabripennis (Motschulsky)

or

- closed

or

b) the wood is debarked and has undergone an appropriate heat treatment to achieve a temperature of minimum 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core). In case letter b) is applicable the wood or any wrapping shall be marked "HT" in accordance with current usage.

or

 the wood is processed to pieces of not more than 2,5 cm in thickness, width and length

#### New row No. 48:

Wood, including wood which has not kept its natural rounded surface, of

Acer L., Aesculus L., Alnus Mill., Betula L., Carpinus L., Castanea Mill., Casuarina L., Citrus L., Cornus L., Corylus L., Cotoneaster Medik., Crataegus L., Cryptomeria D. Don., Fagus L., Ficus L., Hibiscus L., Juglans L., Lagerstroemia L., Litchi Sonn., Malus Mill., Mallotus Lour., Melia L., Morus L, Platanus L., Populus L., Prunus L., Pyrus L., Rosa L., Salix L., Ulmus L., Vaccinium L. og Zanthoxylum L.,

other than in the form of

 chips, shavings and wood waste, obtained in whole or part from these wood species Without prejudice to requirements in Annex 4A points 43 and 46:

There is an official statement that

 a) the wood originates in an area recognized as being free from Anoplophora chinensis (Forster) by the national plant inspection service in accordance with the relevant International Standards for Phytosanitary Measures, the name of the area shall be mentioned in the phytosanitary certificate under the rubric «additional declarations»,

and

storage and transport of the wood has taken place

- in an area recognized as being free from *Anoplophora chinensis* (Forster)

or

- outside of the flight period of

 wood packaging material in accordance with ISPM 15, in use or previously used, except dunnage supporting consignments of wood, which is constructed from wood of the same type and quality as the wood in the consignment, and which meets the same phytosanitary requirements as the wood in the consignment

originating in China, Democratic People's Republic of Korea, Indonesia, Italy, Japan, Malaysia, Myanmar, Republic of Korea, Taiwan, The Philippines and Vietnam Anoplophora chinensis (Forster)

or

- closed

or

b) the wood is debarked and has undergone an appropriate heat treatment to achieve a temperature of minimum 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core). In case letter b) is applicable the wood or any wrapping shall be marked "HT" in accordance with current usage.

## New row No. 49:

Wood in the form of chips, shavings and wood waste, of

Acer L., Aesculus L., Alnus Mill., Betula L., Carpinus L., Castanea Mill., Casuarina L., Citrus L., Cornus L., Corylus L., Cotoneaster Medik., Crataegus L., Cryptomeria D. Don., Fagus L., Ficus L., Hibiscus L., Juglans L., Lagerstroemia L., Litchi Sonn., Malus Mill., Mallotus Lour., Melia L., Morus L, Platanus L., Populus L., Prunus L., Pyrus L., Rosa L., Salix L., Ulmus L., Vaccinium L. and Zanthoxylum L.

originating in China, Democratic People's Republic of Korea, Indonesia, Italy, Japan, Malaysia, Myanmar, Republic of Korea, Taiwan, The Philippines and Vietnam Without prejudice to requirements in Annex 4A points 43 and 46:

There is an official statement that

 a) the wood originates in an area recognized as being free from Anoplophora chinensis (Forster) by the national plant inspection service in accordance with the relevant International Standards for Phytosanitary Measures, the name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations»,

and

storage and transport of the wood has taken place

- in an area recognized as being free from *Anoplophora chinensis* (Forster)

or

- outside the flight period of *Anoplophora chinensis* (Forster)

or

- closed

or

b) the wood is debarked and has undergone an appropriate heat treatment to achieve a temperature of minimum 56°C for a minimum duration of 30 continuous minutes throughout the entire profile of the wood (including at its core). In case letter b) is applicable the wood or any wrapping shall be marked "HT" in accordance with current usage.

or

 the wood is processed to pieces of maximum thickness, width and length of 2,5 cm

## New row No. 50:

Plants intended for planting (other than seed) with a stem diameter of 1 cm or more at the thickest part of the stem of

Acer L., Aesculus L., Alnus Mill., Betula L., Carpinus L., Castanea Mill., Casuarina L., Citrus L., Cornus L., Corylus L., Cotoneaster Medik., Crataegus L., Cryptomeria D. Don., Fagus L., Ficus L., Hibiscus L., Juglans L., Lagerstroemia L., Litchi Sonn., Malus Mill., Mallotus Lour., Melia L., Morus L, Platanus L., Populus L., Prunus L., Pyrus L., Rosa L., Salix L., Ulmus L., Vaccinium L. and Zanthoxylum L.

originating in countries in which Anoplophora chinensis (Forster) is known to occur Without prejudice to requirements in Annex 4A points 10, 28, 29.1, 29.2, 30, 31, 32 and 45:

There is an official statement that the plants have been grown throughout their life or at least the 3 years prior to export, in a place of production which is registered and supervised by the national plant inspection service in the country of origin and situated in an area recognized as being free from *Anoplophora chinensis* (Forster) by the national plant inspection service in accordance with relevant International Standards for Phytosanitary Measures, the name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations».

## New row No. 51:

Plants intended for planting (other than seed) with a stem diameter of 1 cm or more at the thickest part of the stem of

Acer L., Aesculus L., Albizia
Durazz, Alnus Mill., Betula L.,
Carpinus L., Cercidiphyllum
Siebold et Zucc., Corylus L.,
Elaeagnus L., Fagus L.,
Fraxinus L., Koelreuteria Laxm.,
Morus L., Platanus L., Populus
L., Prunus L., Pyrus L., Salix L.,
Tilia L. and Ulmus L.

originating in countries in which Anoplophora glabripennis (Motschulsky) is known to occur Without prejudice to the provisions and requirements applicable to Annex 3, point 11 and Annex 4A points 28, 29.1, 29.2, 30, 31, 32, 45 and 50:

There is an official statement that the plants have been grown throughout their life or at least the 2 years prior to export, in a place of production which is registered and supervised by the national plant inspection service in the country of origin and situated in an area recognized as being free from *Anoplophora glabripennis* (Motschulsky) by the national plant inspection service in accordance with the relevant International Standards for Phytosanitary Measures. The name of the area shall be mentioned on the phytosanitary certificate under the rubric «additional declarations».

Annex 5A Plants and other regulated articles which must be accompanied by a phytosanitary certificate on import is amended as follows:

## Under row No. 4.3 the following row is added:

4.4 Cut branches of *Fraxinus* L., with or without foliage, originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

## Annex 5A No. 8 is replaced by

8	Wood, including wood which has not kept its natural rounded surface (other than wood packaging material covered by requirements in Annex 4A, point 1.2) in the following cases:
	a) the wood has been obtained in whole or part from one of the following genera or order:
	Castanea Mill., originating in non-European countries and Italy
	Coniferales, originating in non-European countries and Portugal
	Populus L., originating in non-European countries and Italy
	Quercus L. (eik), originating in non-European countries

# Fraxinus L. originating in

Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

## Betula L. originating in

Canada, China, Democratic People's Republic of Korea, Indonesia, Italy, Japan, Malaysia, Myanmar, Republic of Korea, Taiwan, The Philippines, USA and Vietnam

Acer L., Aesculus L., Alnus Mill., Carpinus L., Corylus L., Fagus L., Morus L., Platanus L., Prunus L., Pyrus L., Salix L, and Ulmus L. originating in China, Democratic People's Republic of Korea, Indonesia, Italy, Japan, Malaysia, Myanmar, Republic of Korea, Taiwan, The Philippines, USA and Vietna

Albizia Durazz, Cercidiphyllum Siebold et Zucc., Elaeagnus L., Koelreuteria Laxm. and Tilia L. originating in

China, Democratic People's Republic of Korea, Republic of Korea and USA

Casuarina L., Citrus L., Cornus L., Cotoneaster Medik., Crataegus L., Cryptomeria D. Don., Ficus L., Hibiscus L., Juglans L., Lagerstroemia L., Litchi Sonn., Malus Mill., Mallotus Lour., Melia L., Rosa L., Vaccinium L. and Zanthoxylum L. originating in

China, Democratic People's Republic of Korea, Indonesia, Italy, Japan, Malaysia, Myanmar, Republic of Korea, Taiwan, The Philippines and Vietnam

## And

b): the wood corresponds with one of the following item numbers in the customs tariff

schedule:	
44.01.11	Fuel wood in logs, in billets, in twigs, in faggots or in similar forms, of coniferous wood
44.01.12	Fuel wood in logs, in billets, in twigs, in faggots or in similar forms, of non-coniferous wood
44.01.21	Coniferous wood, in chips or particles
44.01.22	Non-coniferous wood, in chips or particles
44.01.40	Sawdust and wood waste and scrap, not agglomerated
44.03.21	Coniferous wood, in the rough, whether or not stripped of
44.03.22	bark or sapwood or squared
44.03.23	
44.03.24	
44.03.25	
44.03.26	

44.03.91	Wood of <i>Quercus</i> spp. in the rough, whether or not stripped of bark or sapwood or squared
44.03.93	Wood of Fagus spp. in the rough, whether or not stripped of
44.03.94	bark or sapwood or squared
44.03.95 44.03.96	Wood of <i>Betula</i> spp. in the rough, whether or not stripped of bark or sapwood or squared
44.03.97	Wood of <i>Populus</i> spp. in the rough, whether or not stripped of bark or sapwood or squared
44.03.99	Non-coniferous wood other than tropical wood, Quercus spp., Fagus spp., Betula L., Populus spp. and Eucalyptus spp. in the rough, whether or not stripped of bark or sapwood or squared
44.04.10	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise of coniferous wood.
44.04.20	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise of non-coniferous wood
44.06.11	Railway or tramway sleepers (cross-ties) of wood, not
44.06.12	impregnated
44.07.11	Coniferous wood, sawn or chipped lengthwise, sliced or peeled
44.07.12	whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.07.19	Choosening o min
44.07.91	Wood of <i>Quercus</i> spp., sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.07.92	Wood of <i>Fagus</i> spp., sawn or chipped lengthwise, sliced o peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.07.93	Wood of <i>Acer</i> spp., sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm.
44.07.94	Wood of <i>Prunus</i> spp., sawn or chipped lengthwise, sliced of peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm.
44.07.95	Wood of <i>Fraxinus</i> spp., sawn or chipped lengthwise, sliced peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.07.96	Wood of <i>Betula</i> spp., sawn or chipped lengthwise, sliced o peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.07.97	Wood of <i>Populus</i> spp., sawn or chipped lengthwise, sliced peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.07.99	Non-coniferous wood other than tropical wood, <i>Acer</i> spp., <i>Quercus</i> spp., <i>Fagus</i> spp., <i>Fraxinus</i> spp., <i>Betula</i> spp., <i>Populus</i> spp., <i>Prunus</i> spp. and <i>Eucalyptus</i> spp., sawn or

	chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
44.15.10	Cases, boxes, crates, drums and similar packings; cable-drums
44.15.20	Pallets, box pallets and other load boards; pallet collars
44.16.0010	Casks, barrels, vats, tubs and other coopers' products and parts thereof, or wood, including staves of <i>Quercus</i> spp
94.06.10	Prefabricated buildings of wood

# New row No. 10 is added:

10	Isolated bark, if it is not included in No. 9, of
	Fraxinus L. originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA
	Betula L. originating in Canada and USA

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These amendments enter into force on [xx]