

This Note sets out the obligations which apply to port authorities and others responsible for the points of entry in Great Britain where wood, wood products or other goods which are accompanied by wooden packaging are landed. It offers guidance on what needs to be done in order to meet them.

Introduction

The Plant Health (Forestry) Order 2005 (the 'Order') reflects at Article 12(8) the implementation of Commission Directive 98/22/EC. This Directive lays down, amongst other things, the minimum facilities which must be provided by Port Authorities to allow plant health inspections to be carried out effectively and safely.

As inspections have been taking place for many years, adequate facilities and safe inspection conditions have evolved over time and the requirements of the Directive are being met already at most locations. The Directive and the Order have, however, changed the status of the requirements expected of the Port Authority into statutory obligations, which must be met before an inspection can be carried out.

This leaflet gives advice on the facilities needed, not only to meet the requirements of the Order, but also those which are necessary to enable inspectors to perform their work. These facilities include ones which allow the appropriate action to be taken when consignments do not meet the landing requirements prescribed in the Order and steps to prevent the introduction or spread of pests become necessary.

Obligations under the Directive

Each Point of Entry must provide 'Suitable Areas of Inspection' [article 12(8)(a)]

For sawn timber and logs a 'suitable area for inspection' is, generally, the dockside. Timber must be stacked safely with adequate space between stacks for the inspector to pass between them easily. Facilities must be readily available for the removal of packs to ground level, with adequate space and assistance on hand to open packs for closer examination where the inspector deems this necessary. For containers and lorries a 'suitable area for inspection'

is an area away from moving traffic where inspections can be carried out from ground level. There must also be an operative present to open container doors and to ensure the container/lorry is not moved while the inspection is being carried out.

Each Point of Entry must provide 'Adequate Lighting' [article 12(8)(b)]

Where consignments are stored in sheds there must be adequate lighting for inspectors to be able to move around without putting themselves in any danger. Where inspections take place, for example, at a time when the light quality is poor, the port must have adequate lighting on the dockside for the inspector to be able to work effectively and safely. The inspector will carry a torch, or other equipment, to supplement the available lighting for close up work.

Obligations on port authorities

Article 13(c.) 7 of Council Directive 2000/29/EC (the 'Plant Health Directive') prescribes the actions which an inspector must take where they find that the landing requirements have not been met. These are implemented by article 31 of the Order. The article sets out the actions, which may be required by an inspector where there are reasonable grounds for suspecting that material has been or is likely to be landed in Great Britain in contravention of the requirements. The inspector may:

- prohibit the landing;
- specify the manner in which the landing is to be carried out and any precautions to be taken during or after the landing;
- require the consignment, or any part of it or its packaging, to be treated in a specified way, or to be re-exported, destroyed or otherwise disposed of in

such a manner and within such reasonable time as may be specified in the notice;

- put a 'hold' on the consignment, or part of it, while samples are taken for laboratory analysis.

If destruction is ordered by the inspector the Port Authority must be able to provide:

- facilities for the destruction of relevant material. In order to prevent the spread of quarantine pests the destruction facility must be on or near to the dock and must not be separated from the dock by or close to any area of woodland. Since the only practical means of destruction is burning, the facility must either be an incinerator or an area of the dock where timber can be burnt, away from other hazards. This is without prejudice to the requirements of the Waste Management Licensing Regulations 1994.

If it is necessary to place material under quarantine detention the Port Authority must be able to provide:

- a safe suitable area in which material can be held separate from all other wood and wood products.

Safety

In all cases the Port Authority must take adequate precautions to ensure the safety of the inspector. Inspectors have been given instructions in health and safety at work and each inspector has been issued with all appropriate safety clothing and equipment and a copy of Plant Health Guidance *Health and safety at work*. Copies are available, free, from any of the contacts listed below.

Further information

For further information and advice, please contact one of the members of the Forestry Commission Plant Health team:

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