



Forestry Commission

Plant Health

Consultation on a proposal to revoke and replace the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996 (as amended)¹ with new regulations charging for plant health inspections

Note

¹ As amended by the Plant Health (Fees) (Forestry) (Great Britain) (Amendment) Regulations 1997 and the Plant Health (Fees) (Forestry) (Great Britain) (Amendment) Regulations 1999

Summary

1. European Community Council Directive 2002/89/EC¹, which introduces new elements to Plant Health Directive 2000/29/EC² (“the Plant Health Directive”) came into effect on 1st January 2005.

2. One of the changes introduced is to make it obligatory for member States to recover the costs associated with certain Plant Health inspections. The Plant Health Directive, as amended, prescribes the level of phytosanitary fee that member States may set, which may either be the ‘standard’ fee set out in Annex VIIIa to the Plant Health Directive or ‘actual’ costs incurred by the relevant Plant Health Service.

3. The Forestry Commission’s Plant Health Service already makes charges for most of its inspections. These charges are based on general Treasury policy on cost recovery for the fixing of fees for statutory services. We have made no changes in inspection fee legislation since 1999 due to savings achieved through re-organisations within the Plant Health Service. Our current fees have been fixed to recover the three components of inspection: documentary, identity and physical check of the goods. The Plant Health Directive now specifies that separate rates be set for each of these components. The Plant Health Directive, as amended, also changes the scope of wood and wood products subject to charges. We have now reviewed the 1999 fee structure and level of charges in line with the amendments to the Plant Health Directive and we propose to introduce a new fee structure as soon as possible after the 12 week consultation period ends on 21st July 2006.

4. This paper proposes a new structure covering checks and materials not previously charged and increases in charges for items within the 1999 charging regime. For clarity, we have also identified those commodities no longer subject to checks. The changes to what is subject to check arise out of the requirement to charge for inspecting imports of material listed in Annex VB to the Plant Health Directive (the list in Annex VB was substantially amended by Commission Directive 2004/102/EC³). The increases chiefly derive from enlargement of the EU, which has meant that the Forestry Commission has 2 million m³ of timber less to inspect per year but needs to maintain the same level of inspectorate to provide an effective service to importers throughout Great Britain.

¹ Council Directive 2002/89/EC of 28th November 2002 amending Directive 2000/29/EC – see footnote 2 below. This Directive can be found at <http://europa.eu.int/eur-lex/en/search/index.html>

² Council Directive 2000/29 of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community. This Directive can be found at <http://europa.eu.int/eur-lex/en/search/index.html>

³ Commission Directive 2004/102/EC of 5th October 2004 amending Annexes II, III, IV and V of Directive 2000/29/EC. This Directive can be found at <http://europa.eu.int/eur-lex/en/search/index.html>

5. This paper also proposes increases to fees in respect of examinations in connection with the giving, variation or suspension of authorities. The most important is Registered Forestry Traders Inspection fees. For ease of reference, the Registered Forestry Traders who are not involved with importation of relevant material may wish to restrict their review of this paper to paragraphs 37-38.

6. You are invited to comment on these proposals which only apply to Great Britain.

INTRODUCTION AND BACKGROUND

7. The Forestry Commission Plant Health Service's main role is to protect the nation's trees, woodlands and timber from pests and diseases. At an operational level this is achieved by the implementation of import controls on wood, wood products, wood packaging material (such as pallets, boxes and crates) and dunnage (loose wood used to wedge or support a cargo).

8. The responsibilities of all the UK's Plant Health services derive from a range of EU legislation of which the main instrument is Council Directive 2000/29/EC, "the Plant Health Directive". This has been amended several times and this consultation arises from 2 such amendments:

- a) Council Directive 2002/89/EC, which came into effect from 1st January 2005, identifies separately three types of plant health inspection, which replaces our single 'all inclusive' format for inspections. It requires member States to charge separately for each type of inspection and to recover the costs associated with such inspections. This change in structure is necessary because it is now possible for consignments to be subjected to a documentary check, only, in the member State of first entry into the Community, with the identity and physical check being carried out in the member State of destination. Each member State can recover the cost of those parts of the check which it undertakes (see paragraphs 14, 15 and 23). The Directive also prescribes the level of phytosanitary fee that member States may set, which may either be the 'standard' fee set out in Annex VIIIa of the Plant Health Directive or 'actual' costs incurred (taking account of certain criteria in the Directive).
- b) The fees now chargeable apply to checks on the full range of controlled material (ie material which must be accompanied with a phytosanitary certificate, or approved alternative, and which is subject to inspection when landed) listed in Annex VB of the Plant Health Directive. The list itself was amended by Council Directive 2004/102/EC on 1st March 2005. Material described in Annex VB, for which the Forestry Commissioners are the competent inspection authority, are listed in Schedule 5 to the Plant Health (Forestry) Order 2005, which came into force on 1st October 2005. A web link to The Order can be found at <http://www.forestry.gov.uk/forestry/infd-5azlca> . Where the Forestry Commission has reasonable grounds to suspect that Annex VB material has not been declared as Annex VB material, and initial examinations reveal either that it is Annex VB material or that it is not possible to conclude that it is not, it will be treated as Annex VB material. The checks which apply to such material shall be performed and the fees for the plant health check described in paragraph 20 shall be charged.

9. We are consulting on a charging regime that will cover the full range of controlled material, except for “wood packaging material actually in use in the transport of objects of any kind”, which is excluded from the present consultation because we are still discussing with stakeholders how best to charge and collect the fees for this work. We intend to undertake a separate consultation on the introduction of this fee in the future.

10. Forest trees intended for planting, parts of plants (of *Castanea*, *Populus*, *Quercus*, Coniferales, *Acer saccharum*), soil and growing medium, while among the controlled products listed in Annex VB to the Plant Health Directive, do not form part of this consultation. This is because under inter departmental arrangements this work is carried out by Defra (England and Wales) and SEERAD (Scotland) and is included in the respective Fees legislation.

11. We already charge phytosanitary inspection fees for many regulated wood and wood products, and have done so since 1997. The current fee structure has not been changed since 1999 and is set out in the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996 (SI 1996/2291) and its amendments of 1997 (SI 1997/655) and 1999 (SI 1999/783). Our charges now need to be reviewed to bring them into line with the changed requirements. In doing this we have followed the requirements of the amended Plant Health Directive, in particular Article 13d.

12. To accommodate these complicated changes, our proposals fall into 4 categories

- fees for procedures (“documentary checks”, “identity checks” and “plant health checks”) that were previously not subject to separate charges (paragraphs 14 - 22)
- bringing certain new categories of wood and wood products not previously regulated into the charging regime. In amending the categories of wood subject to charging, we are aligning these with Annex VB to the Plant Health Directive and Schedule 5 to the Plant Health (Forestry) Order 2005. As a result of these changes there are some instances where some categories of wood from certain countries are no longer regulated and will no longer be subject to either inspection or charge (paragraphs 27 – 32).
- Increasing existing fees for remedial measures and apply them to controlled material (paragraphs 34-36)
- changes to the level of charging for plant health inspections, and examinations in connection with the giving, variation or suspension of authorities, that are already subject to fees under the 1996 regulations (paragraphs 37-38).

THE PROPOSALS

13. The proposals, in terms of charging, are summarised in the table at **Appendix 3**. The table also gives the current fees for those items that are currently subject to charge.

Documentary, Identity and Plant Health Checks

14. The amendments to the Plant Health Directive introduced by Council Directive 2002/89/EC include separate charges for documentary, identity and plant health checks. This separation is necessary because in certain circumstances a documentary check may be carried out and charged for in one member State (the first point of entry into the Community) while the identity and plant health checks may be carried out and charged for in the member State of destination.

15. The definitions of documentary, identity and plant health checks are as provided in Article 13a (1)(b)(i), (ii) and (iii) of the amended Plant Health Directive. These articles provide that the inspections will determine whether:

- the consignment or lot is accompanied by the required certificates or alternative documents and that these are properly completed **(Documentary check)**;
- in its entirety or on one or more representative samples, the consignment or lot consists of, or contains the plants, plant products or other objects, as declared on the required documents **(Identity check)**; and
- in its entirety or on one or more representative samples, including the packaging and, where appropriate, the transport vehicles, the consignment or lot or their wood packaging material comply with the requirements laid down in the Plant Health Directive **(Plant health check)**.

16. We propose to charge a fee of £5.29 for each documentary and identity check because it will recover actual costs for the Forestry Commission. This is the same fee that the other Departments in Great Britain responsible for plant health inspections have set following consultation.

17. A **documentary check** would therefore cost £5.29 per consignment. Where there is more than one certificate in a single consignment, we will only make one charge. This arrangement will be kept under review.

18. For **identity checks**, other than for bulk shipments, we propose to charge

£5.29 where the consignment is a load of up to one container, railway wagon or truck. We propose to define a load as 30m³, based on our records of the average volume of wood shipped per container or truck. We propose a further £5.29 for each additional 30m³ (or part thereof), per container, wagon or truck in the consignment. This is in line with the principle set out in Annex VIIIa, item (b) of the Plant Health Directive.

19. For bulk-shipments we propose an **identity check** charge of £5.29 for consignments less than 100m³ and £10.58 for consignments of 100m³ or more.

20. For **plant health checks** at the point of entry into the Community the fees outlined in paragraph 21 below cover the majority of cases where material and documentation complies with the provisions of the Plant Health Directive. The fees are inclusive of routine laboratory examinations undertaken by Forest Research. Where material does not comply, or is suspected of not complying, other fees for remedial treatment may be triggered as listed in paragraphs 34-36. The Forestry Commission proposes to maintain the standard fees for plant health checks, as outlined in Appendix VIIIa, item (c) of Council Directive 2002/89/EC, where they recover actual costs for the inspection service. This is in accordance with general Treasury policy on cost recovery for the fixing of fees for statutory services. The fees for plant health checks at an agreed place other than the point of entry are dealt with in paragraphs 23-25.

21. The only case where standard fees do not recover our actual costs is the fee for each additional cubic metre of timber over 100m³ when bulk timber is inspected. The Standard fee in Council Directive 2002/89/EC is €0.175/m³ (£0.12/m³); the Forestry Commission's charge has been £0.14/m³ since 1999. We propose an increase to £0.20 /m³ to recover our actual costs. Additionally, we propose the standard fee of £12.25 (£11.50 since 1999) for a plant health check per consignment up to and including 100m³.

22. We have experienced a reduction in annual volumes of timber imported from third countries of approximately 2 million m³ (or approximately 60%). This is because of EU enlargement whereby imports from the Baltic States, the Czech Republic and other new member States are no longer subject to inspection when they arrive in Great Britain. This has had the effect of increasing the unit cost of carrying out the remaining inspections and this will remain the case unless we significantly reduce our resource and thus response time. However, it must also be recognised that for a large proportion of importers of timber from third countries, the proposed increase in the cost of inspection should be offset by the removal of all import inspection fees for wood originating in the new member States, or which is no longer subject to control. Details of these commodities are detailed at **Appendix 4**. As the Forestry Commission's proposed level of phytosanitary fee for the cost for each additional cubic metre greater than 100m³ is higher than the standard fee, the inspection service actual cost recovery figure is provided at **Appendix 1**.

Inspection charges at a place other than the point of entry or at a place close by

23. Commission Directive 2004/103/EC amended the Plant Health Directive by making it possible for identity and plant health checks of material listed in Part B of Annex V to be carried out at a place other than the point of entry into the Community, or at a place close by. The amendment also specified the conditions related to these checks. The provisions came into force on 1st January 2005.

24. The Forestry Commission proposes to charge an additional fee of £30 (based on an average 1.5 hours additional travel required to perform an inland inspection) to the proposed documentary, identity and plant health check fees detailed in the table at **Appendix 3**.

25. Currently there are no timber importers that have had their premises approved by the Forestry Commission and Her Majesty's Revenue and Customs to permit plant health inspections to take place at a place other than at the point of entry. Consequently any such additional charge will be kept under review and adjusted should it be considered that the £30 fee does not recover actual costs.

Level of Inspection

26. The Directive requires that all consignments of controlled wood, wood products and bark be physically inspected. There are, however, provisions under which the European Commission can set a reduced level of physical inspection based on risk i.e. on a random sample of consignments rather than each one. We are not proposing at this stage to make any applications for reduced levels of inspection for any of the products that we are responsible for regulating. It should be noted that there are a number of provisos which govern what is eligible for a reduced frequency of inspection, one of which is that any commodity subject to either a derogation or emergency measures cannot be considered. Wood of oak is currently subject to emergency measures while wood of conifers from North America is subject to a number of derogations permitting alternative documents to the more usual phytosanitary certificate e.g. certificates of heat treatment etc.

Changes in the scope of wood and wood products subject to charges

27. Council Directive 2004/102/EC¹, which came into effect on 1st March 2005, implements a number of changes to the Plant Health Directive in the range of wood and wood products that are listed in Annex VB and therefore are subject to documentary, identity and plant health checks. In a number of cases the

¹ Council Directive 2004/102/EC of 5th October 2004 amending Directive 2000/29/EC. This Directive can be found at <http://europa.eu.int/eur-lex/en/search/index.html>

changes mean a removal of control. The changes have been reflected in the Schedule 5 to the Plant Health (Forestry) Order 2005, which came into force on 1st October 2005.

28. The changes are complicated as they reflect changes in the commodities and species subject to control as well as changes to the countries of origin from which both species and commodities are controlled. In **Appendix 4**, we have listed those items in Annex VB of the Plant Health Directive for which the Forestry Commission provides the control regime and have noted the changes, if any, they represent.

29. We have not in the past aligned our charging regime completely with Annex VB of the Plant Health Directive, as we are now obliged to. For this reason, it is important to look carefully through the 'Species Description' and 'Commodity Description' columns in the table at **Appendix 4**.

30. Recognising the complicated nature of the changes proposed, we have indicated in the 'Inspection Charges' column in the tables at **Appendix 4** those changes that in our judgement will have the greatest impact across the trade in terms of newly-controlled and chargeable material. This is not to say that other changes in **Appendix 4** will not have an impact on individual organisations.

31. By way of an example - planed wood of *Acer* (Maple), *Platanus* (Plane) and *Populus* (Poplar) in CN Code 4407 99 was not previously controlled and was not subject to inspection or charge. Recognising that planing, as a process, does not reduce phytosanitary risk, this material along with other planed material is now subject to inspection and will fall to be charged as part of the proposals. Additionally, wood shavings, impregnated railway and tramway sleepers, wood of Poplar, which has not kept its natural round surface, and previously prohibited conifer bark from non-European countries are newly-controlled and chargeable commodities.

32. On reviewing the list of controlled Customs CN Codes within Chapter 44 'Wood' of the Tariff Classifications - importers may wish to check the correct classifications of their products by referring to the Tariff Classification Guidance for Miscellaneous Products by visiting HMRC's website at <http://www.uktradeinfo.com/codes/classguides/wood.pdf> or by contacting the Helpline on Tel: 01702 36077 and by selecting option 4.

Predictability of Charge

33. One of the critical factors that came out of our consultation with industry in 1996, when the introduction of import inspection fees was first proposed, was the need for importers to be able to accurately predict the actual cost of the inspection to which any particular consignment would be liable. In formulating

the current proposals we have tried to meet this need and believe that it still applies to the majority of inspections, that is, where the material complies with landing requirement or minor infringements occur that can be dealt with quickly on the spot.

Extra fees for third country import inspections contingent on non-compliance

34. Where remedial measures are required, these generally will need to be monitored by an inspector or inspectors to ensure that they are properly carried out and effective. It is proposed to increase the fee in respect of the above inspections from £27 for the first hour and £10 for each 30 minutes or part thereof thereafter to £37 for the first hour and £9.25 for each 15 minutes or part of thereafter for each inspector. The detail of the charge calculation is provided at Appendix 2.

35. These remedial measure fees will apply in respect of an inspector's or inspectors' involvement in terms of time (including travel and office time) in dealing directly with or instructing others to deal with the following official measures, which are prescribed in article 13.7 (c) of the Plant Health Directive -

- (i) refusal of entry into the Community of all or part of the consignment;
- (ii) the movement under official supervision, in accordance with the appropriate customs procedure, during their movement within the Community, to a destination outside the Community;
- (iii) removal of infected/infested produce from the consignment
- (iv) destruction;
- (v) imposition of a quarantine period until the results of the examination or official tests are available;
- (vi) exceptionally and only in specific circumstances, appropriate treatment where it is considered by the Forestry Commission that as a result of treatment the landing requirements will be fulfilled and the risk of spreading harmful organisms is obviated.

36. It is proposed to apply the above charges, which are in line with article 13d of the Plant Health Directive, in respect of the interception of non-compliant material listed in Annex VB of the Directive.

Fees for inspections in connection with giving, variation or suspension of "authorities" (licences and registration of premises)

37. The term "Authorities" is used to cover both licences (authority to import material that is normally prohibited) and registration for plant passporting purposes (authority to issue plant passports for material exported to other member States of the EU).

38. In order to recover actual costs it is proposed to increase the fee for these examinations and inspections from £27 for the first hour and £10 for each 30 minutes or part thereof thereafter to £37 for the first hour and £9.25 for each 15 minutes or part of thereafter. The detail of the charge calculation is provided at Appendix 2.

Fees for granting and extending licences

39. There are no proposals to increase the current fees in the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996 in respect of -

- applications for licences (£305);
- application for extension or variation of a licence with changes requiring scientific or technical assessment (£100);
- application for extension of a licence when there are no changes requiring scientific or technical assessment (£12).

Effective Date for Implementation

40. We propose to implement the new rate structure as soon as possible after the 12- week consultation period ends on 21st July 2006 and apply them in respect of all consignments inspected on or after the date of implementation, regardless of the actual date of landing.

Timing

41. This consultation will commence on 21st April and any response should be returned by 21st July 2006.

Who is being consulted?

42. We are consulting those importers of controlled wood, wood products and bark who are registered with us. We are also consulting the Timber Trades Federation, UK Forest Products Association, the British International Freight Association and all other Registered Forestry Traders who are not also importers.

43. Copies of these consultation documents are also available on our website at www.forestry.gov.uk/planthealth.

Purpose of the consultation

44. The consultation aims to give individuals and groups the opportunity to comment on the proposals and to make us aware of particular circumstances that may need further consideration. We will consider all information before reaching our conclusions on the appropriate amount of inspection fees and details will be published in a Plant Health Newsletter, which will be sent to all our clients and which will also be posted on our website.

Comments

45. You are invited to make comments on the proposed fees set out above and on the attached partial regulatory impact assessment.

Commitment to consultation in accordance with Cabinet Office Guidelines

46. We are committed to following the Cabinet Office guidelines on written consultation that can be found at: www.cabinet-office.gov.uk/regulation/Consultation/Code

47. This requires government departments to publish the criteria prescribed by the guidance that are:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the time-scale for responses.
3. Ensure that your consultation is clear, concise and widely accessible
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Regulatory impact assessment

48. A partial regulatory impact assessment, which gives information on the financial effects the increase in charges and physical inspection levels may have on importers of wood, wood products and bark, is attached.

Responses to this consultation

49. If you wish to respond to this consultation, would you please do so in writing, by fax or by email, to Ian Brownlee at the following address by 21st July 2006.

Forestry Commission
Plant Health Service
Silvan House
231 Corstorphine Road
Edinburgh
EH12 7AT

Telephone: 0131-314-6480
Fax: 0131-314-6148
Email: ian.brownlee@forestry.gsi.gov.uk

50. In line with the Forestry Commission's policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available through the Forestry Commission, Plant Health Service, Silvan House, 231 Corstorphine Road, Edinburgh, EH12 7AT. The information they contain will also be published in a summary response.

Appendix 1

ANALYSIS OF PROPOSED INSPECTION FEE INCREASES FOR FY2006/07

These recovery cost calculations are based on an inspection expenditure budget amount of £265,787 (staff, contractor and overhead costs) and an estimated timber import volume for FY2006/07 based on post EU Enlargement volumes ie over a 12 month period ie 1st Dec 04 to 30th Nov 05 = 983,772m³

£0.20/m³ for consignments over 100m³

£ **265,787** (total recoverable income)

£ 86,069 [3770¹ inspections (30m³ average x 3770 = 113,100m³) containerised timber: £5.29 + £5.29 + £12.25 = £22.83² [Documentary, Identity (or £5.29 for each container in a consignment) and PH Checks]

£ 6,187 [271 inspections of bulk shipments and Lorries < 100m³ x £22.83 total volume 13,799m³: £5.29 + £5.29 + 12.25 = £22.83]

£176,067 [597 inspections of bulk shipments [$\geq 100\text{m}^3$] total volume = 856,093m³ (597 insp x 100m³ = 59,700m³ @ 597 x (£5.29 + £10.58 + 12.25) £28.12 = **£16,788**) plus 856,093m³ less 59,700m³ = 796,393m³ x £0.20 for each additional m³ in excess of 100m³ = **£159,279**)

£268,323 (amount recovered via the above fees)

Total Volume of timber from above 113,880 + 13,799 + 856,093 = 983,772m³

Notes

1. 4491 containers cleared via the issue of 3770 PHF28's (1/12/04 – 30/11/05) = 1.2 containers/consignment
2. The charge for a consignment of 3 containers with up to 100m³ referred to on one phytosanitary certificate will be £5.29 (documentary check) + £5.29 + £5.29 + £5.29 (i.e. 3 identity checks) + £12.25 (plant health check) = £33.41

Appendix 2

SPECIAL INSPECTION CHARGE (PREVIOUSLY REFERRED TO AS REMEDIAL TREATMENT OR SURVEILLANCE CHARGE)

CALCULATION OF REMEDIAL TREATMENT HOURLY CHARGE RATE

Operational Staff Costs	£151,224
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Plus 52% Overheads	£78,636
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Total Recoverable Cost	£229,860
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Divided by 4 Operational Staff Ave Sals	£57,466
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Divided by 1554 estimated annual hours	£36.98
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**Estimate of
£37.00/hour**

APPENDIX 3

Summary of charges

Item	Quantity	Current Fee (£)	Proposed Fee (£)	EU Directive Standard Price (€)
Documentary Checks	Per consignment	not separately charged	5.29	7
Identity Check where the consignment is a container, truck load, or railway wagon load	Per Consignment,	not separately charged	5.29	7
Identity check for bulk loads	Less than 100m ³	not separately charged	5.29	7
“ “ “ “ “	100m ³ or more	not separately charged	10.58	14
Plant Health Check: Per consignment of Wood (including wood chips etc) -	Up to 82m ³	11.50	N/A	N/A
	Up to 100m ³		12.25	17.5
	Each additional m ³	0.14	0.20	0.175
Plant Health Check: Per consignment of Isolated bark (other than that which forms part of a component of growing medium, containing soil etc)	Up to 25,000kg	not charged	12.25	17.5
	Up to 82m ³	11.50	N/A	N/A
	Greater than 82m ³ (each additional m ³)	0.14	N/A	N/A
	Up to 25,000kg	N/A	12.25	17.5
	Each additional 1,000kg	N/A	0.49	0.7
	Maximum price	N/A	98	140

Other Fees (not prescribed by Directive 2000/29/EC)

Item	Unit	Current Fee £	Proposed Fee (£)
Inspections not at Point of Entry	Per Inspection visit	Not charged	30
Examinations in connection with the giving, variation or suspension of authorities and inspections in connection with licences. Contingent remedial measures on non-compliant third country imports.	Per Inspection visit	27	37
	For first hour (including travelling time and office time) For each 15 minutes or part thereof	10 (for each 30 minutes or part thereof)	9.25 (for each 15 minutes or part thereof)

Appendix 4

List of materials regulated by the Forestry Commission as in Annex VB of the Plant Health Directive 2002/29/EC - Plants, plant products and other objects originating outside the Community

Introduction

Controlled materials are divided into 2 groups:

- Plants, plant products and other objects which are potential carriers of harmful organisms of relevance for the entire Community. (See Table 2)
- Plants, plant products and other objects, which are potential carriers of harmful organisms of relevance for certain, protected zones (see Table 3)

These groups are subject to different levels of control and the changes relevant to this consultation are detailed in tables 2 and 3 below. Table 1 is a quick look-up table directing you to table 2 or 3 depending on the species of wood and country of origin being imported.

Table 1

Commodity – note these are simplified descriptions	refer to table 2 or 3 for more detailed information
Isolated bark of: conifers (Conferrals), originating in non-European countries	2
Isolated bark of: sugar maple (<i>Acer saccharum</i> Marsh), poplar (<i>Populus</i> L), and oak (<i>Quercus</i> L). other than cork oak (<i>Quercus suber</i> L) from all third countries (except where prohibited)	2
Wood (excluding wood packaging material actually in use) of	
Oak (<i>Quercus</i> L) originating in USA	2
Plane (<i>Platanus</i>) originating in USA or Armenia,	2
Poplar (<i>Populus</i> L) originating in USA, Canada or Mexico,	2
Sugar maple (<i>Acer saccharum</i> Marsh) originating in USA or Canada	2
Conifers (Conferrals), originating in non-European countries, including those parts of Kazakhstan, Russia and Turkey in which certain non-European pests occur,	2

Isolated bark of conifers (Conferrals) originating in European third countries	3
Wood, (excluding wood packaging material actually in use and excluding bark-free wood) of	
Conifers (Conferrals), originating in European third countries.	3
Sweet chestnut (<i>Castanea Mill</i>) originating in non European and European third countries	3

The proposals in detail - tables 2 and 3

The rows in these tables have been colour-coded for ease of reference

Explanatory Notes For Tables 2 & 3:

1. By using the colour coding key below, the 'Inspection Charges' column describes whether wood and bark material in listed 'Species Description' and 'Commodity Description' columns is subject to inspection and charge or not –

Yellow for Controlled and Chargeable Commodities

This is material already subject to charges for plant health checks under the Plant Health (Fees) (Forestry) (Great Britain) Regulations 1996 (as amended) ('the 1996 Regulations') and the charges are to be included in the new regulations. Current and proposed new rates are given in appendix 3. Note that in addition to an increase in inspection charge there will also be a charge for documentary and identity checks that have not previously been levied separately.

Pink for Newly Controlled and Chargeable Commodities

Charges for plant health checks (and documentary and identity checks) to be introduced for the first time in the new Regulations including: **sawdust, wood shavings, impregnated railway and tramway sleepers, Poplar wood which has not kept its natural round surface, previously prohibited conifer bark from non European countries**

Green for Non Controlled and Non Chargeable Commodities

This is material previously subject to inspection charges under the 1996 Regulations and are now non-controlled and are not subject to inspection charge; refer to appendix 3 for the charges that will be saved as a result of the change.

Table 2

Item	<p align="center"><u>Species Description</u></p> <p align="center">(Importers should cross refer the controlled species of wood listed in items 3 – 7 to the relevant Customs Tariff Classification CN Code Rows A – Q below for guidance on specific commodities)</p>	Inspection Details
1	<p>Isolated bark of: conifers (Coniferales), originating in non-European countries</p>	<p>Conifer bark from non-European countries previously prohibited; now allowed but subject to inspection and charge.</p>
2	<p>Isolated bark of: sugar maple (<i>Acer saccharum</i> Marsh), poplar (<i>Populus</i> L), and oak (<i>Quercus</i> L). other than cork oak (<i>Quercus suber</i> L)</p>	<p>Bark of <i>Acer saccharum</i>, <i>Populus</i>, <i>Quercus</i> L other than <i>Quercus suber</i> from third countries other than the American continent (see following note) is subject to inspection and charge. NB <i>Acer saccharum</i> and <i>Quercus</i> bark from North America and <i>Populus</i> bark from all American continents is prohibited.</p>
	<p>Wood (*except wood packaging material actually in use) obtained in whole or part from the trees specified below in rows (6l-6v) and meeting the descriptions in rows listed below</p>	<p>NB *Charges for wood packaging material actually in use are not part of this consultation</p>
3	<p>Oak (<i>Quercus</i> L.), including wood which has not kept its natural round surface, originating in the USA except* wood which meets the description referred to in row x (CN code 4416 00 00 certain cooperage material) where there is documented evidence that the wood has been processed or manufactured using a heat treatment to achieve a minimum temperature of 176 °C for 20 minutes,</p>	<p>Wood of <i>Quercus</i> from Canada and Mexico now no longer subject to inspection and charge; cooperage material CN 4416 00 00 from Canada and Mexico is no longer subject to inspection and charge. *Additionally cooperage material from the USA is now no longer subject to inspection and charge where the non controlled material conditions listed in column *2 are met. Other wood of <i>Quercus</i>, other than <i>Quercus suber</i> (Cork oak) originating in the USA is subject to inspection and charge</p>
4	<p>Plane (<i>Platanus</i>), including wood which has not kept its natural round surface, originating in the USA or Armenia],</p>	<p>Subject to inspection and charge</p>
5	<p>Poplar (<i>Populus</i> L.), including wood which has not kept its natural round surface, originating in countries of the American continent,</p>	<p>Wood of <i>Populus</i>, which has kept its natural round surface continues to be subject to inspection and charge The inclusion of wood of <i>Populus</i>, which has NOT kept its natural round surface is new and this material is now subject to inspection and</p>

			charge
6	Sugar maple (<i>Acer saccharum</i> Marsh)., including wood which has not kept its natural round surface, originating in the USA and Canada,		Previously regulated from all North American countries but now wood of <i>Acer saccharum</i> from Mexico is no longer regulated. Only wood originating in Canada and USA now subject to inspection and charge
7	— Conifers (Coniferales) , including wood which has not kept its natural round surface, originating in non-European countries (Non European countries include Kazakhstan, Russia and Turkey)		Wood of Conifers, including wood which has not kept its natural round surface, originating in non-European countries (see note opposite in column 2) , is subject to inspection and charge
Descriptions for wood (Items 3-7) commodities as laid down in Annex I, Part two to Council Regulation (EEC) No 2658/87			
Row	CN code	Commodity Description (Importers should cross refer the relevant specific commodities listed in Customs Tariff Classification CN Codes Rows A –Q to the species of wood listed in the items 3 – 7 above for guidance on the species of wood that are controlled from specific countries of origin)	Inspection Charges
A	4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms (includes isolated bark)	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column NB for isolated bark see Directive changes at Items 1 and 2 above
B	4401 21 00	Coniferous wood, in chips or particles	Subject to inspection and charge depending country of origin – see 'Species Description' column
C	4401 22 00	Non-coniferous wood, in chips or particles	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
D	4401 30 10	Sawdust	Sawdust not formerly controlled; now subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
E	ex 4401 30 90	Other wood waste and scrap, not agglomerated in logs, briquettes, pellets or similar forms	Shavings not formerly controlled; now subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
F	4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared	Not formerly controlled; now subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column

G	4403 20	Coniferous wood in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared	Subject to inspection and charge depending on country of origin – see 'Species Description' column
H	4403 91	Oak wood (<i>Quercus</i> spp.) in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark of sapwood, or roughly squared	Subject to inspection and charge depending on country of origin – see 'Species Description' column. NB for non controlled commodities of oak wood see item 3 above
I	ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives	Previously regulated from all North American countries but wood of <i>Quercus</i> and <i>Acer saccharu</i>-from Mexico is no longer subject to inspection and charge. Subject to inspection and charge depending on country of origin – see 'Species Description' column
J	ex 4404	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
K	4406	Railway or tramway sleepers (cross-ties) of wood	Non impregnated Railway or Tram sleepers subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column Impregnated Railway or Tramway sleeper wood not formerly controlled; now controlled and subject to charge depending on species of wood and country of origin – see 'Species Description' column
L	4407 10	Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm	Wood not planed, sanded or end-jointed wood subject to inspection and charge depending on country of origin – see 'Species Description' column Planed, sanded or end-jointed wood not formerly controlled now subject to inspection and charge; depending on country of origin – see 'Species Description' column

M	4407 91	Oak wood (<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	Wood not planed, sanded or end-jointed wood Subject to inspection and charge depending on country of origin – see 'Species Description' column Planed, sanded or end-jointed wood not formerly controlled; now controlled and subject to charge depending on country of origin – see 'Species Description' column.
N	ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm	Wood not planed, sanded or end-jointed wood Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column Planed, sanded or end-jointed wood not formerly controlled; now controlled and subject to charge; depending on species of wood and country of origin – see 'Species Description' column
O	4415	Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column Charging applies to wood packaging material not in use
P	4416 00 00	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column unless no longer controlled ie Certain oak cooperage products now no longer controlled and not subject to inspection and charge – see item 3 above
Q	9406 00 20	Prefabricated buildings of wood.	Not formerly controlled; now controlled and subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column

Table3

Explanatory Notes

1. European Third Countries include Albania, Belarus, Bosnia, Bulgaria, Croatia, Georgia, Iceland, FYR Macedonia, Moldova, Norway, Ukraine, Romania, and Yugoslavia but does not include Kazakhstan, Russia and Turkey
2. Bark-Free Wood means – wood from which all bark excluding the vascular cambium, ingrown bark around knots, and bark pockets between rings of annual growth has been removed
3. The four CN Codes 4401 30 10 (sawdust), 4403 91 (oak wood in the rough), 4407 91 (sawn oak wood), 4416 00 00 (casks, barrels, vats, tubs and other cooperage products) do not apply in table 3 below.

Item	<p align="center"><u>Species Description</u></p> <p>(Importers should cross refer the controlled species of wood listed in the Items 9 and 10 to the relevant Customs Tariff Classification CN Code Rows A - M below for guidance on specific commodities)</p>	Inspection Charges
8	<p>Isolated bark of conifers (Coniferales) originating in European third countries.</p>	<p>Conifer bark from European Third Countries (see Note 1 above) is subject to inspection and charge</p>
	<p>Wood, excluding wood which is bark-free obtained in whole or part from the trees specified below (8-9) and meeting the descriptions listed below</p>	<p>Definition used here excludes wood as dunnage, pallets and packaging in use for the transport of goods of all kinds which are not subject to charge</p>
9	<p>Conifers (Coniferales), excluding wood which is bark-free, originating in European third countries.</p>	<p>Wood of Conifers originating in European third countries (see Explanatory Note 2 above) is subject to inspection and charge.</p> <p>Wood of Conifers originating in European third countries (see Explanatory Note 1 above) which is bark-free (see Explanatory Note 2 above) is no longer subject to inspection or charge.</p>

10	Castanea Mill.(Sweet chestnut), excluding wood which is bark free, originating in non European and European countries		Wood of <i>Castanea</i> retaining bark is subject to inspection and charge Wood of <i>Castanea</i> , which is bark-free (see Explanatory Note 2 above) including bark-free wood from N. America (an area of origin from which wood of <i>Castanea</i> was previously controlled) is no longer not subject to inspection and charge.
Descriptions for items 8 and 9 as laid down in Annex I, Part two to Council Regulation (EEC) No 2658/87			
Row	CN code	Commodity Description (Importers should cross refer the relevant specific commodities listed in Customs Tariff Classification CN Code Rows A – M and to the species listed in the Items 9 & 10 above for guidance on the species of wood that are controlled from specific countries of origin)	Inspection Charges
A	4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms (includes isolated bark)	Subject to inspection and charge depending on species of wood and country of origin – see ‘Species Description’ column
B	4401 21 00	Coniferous wood, in chips or particles	Subject to inspection and charge depending on country of origin – see ‘Species Description’ column
C	4401 22 00	Non-coniferous wood, in chips or particles	Subject to inspection and charge depending on species of wood and country of origin – see ‘Species Description’ column
D	ex 4401 30	Wood waste and scrap (other than sawdust), not agglomerated in logs, briquettes, pellets or similar forms	Shavings not formerly controlled; now subject to inspection and charge depending on species of wood and country of origin – see ‘Species Description’ column
E	ex 4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared	Not formerly controlled ; now subject to inspection and charge depending on species of wood and country of origin – see ‘Species Description’ column
F	ex 4403 20	Coniferous wood in the rough, other than treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood or roughly squared	Subject to inspection and charge depending on country of origin – see ‘Species Description’ column
G	ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives	Subject to inspection and charge depending on species of wood and country of origin – see ‘Species Description’ column

H	ex 4404	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
I	4406	Railway or tramway sleepers (cross-ties) of wood	Non-impregnated Railway or Tram sleepers subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column Impregnated wood not formerly controlled; now controlled and subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
J	4407 10	Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm	Non-planed, sanded or end-jointed wood subject to inspection and charge depending on country of origin – see 'Species Description' column Planed, sanded or end-jointed wood not formerly controlled; now controlled and subject to inspection and charge depending country of origin – see 'Species Description' column
K	ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm	Not planed, sanded or end-jointed wood subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column Planed, sanded or end-jointed wood not formerly controlled; now controlled and subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
L	4415	Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood	Subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column
M	9406 00 20	Prefabricated buildings of wood.	Not formerly controlled; now controlled and subject to inspection and charge depending on species of wood and country of origin – see 'Species Description' column

