



The Association of  
**Professional  
Landscapers**

# PLANT PASSPORTS

## Landscaper/Designer Guidance

How to implement the new regulations coming in to force on 14 December 2019

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# Plant Passports

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*“What’s key is that both traceability and assurance are provided for by the plant passport”*

For the purposes of this document, it assumed we will Exit the EU on 31 October 2019 with a deal or there will be in an extension period.

In the event of a no deal, it is likely these regulations will still be adopted, albeit with some adjustments.

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## Table of Contents

1.	What’s changing? .....	2
2.	When? .....	2
3.	Why? .....	2
4.	Who does it affect? .....	2
5.	What do I need to know? .....	3
5.1	Key essentials .....	3
5.2	Becoming a Professional Operator .....	3
5.3	Plant Passport Authorisation Fees .....	4
6.	Legislation .....	4
7.	Definitions .....	5
7.1	Plant passport .....	5
7.2	Plants for planting .....	5
7.3	Plant products .....	5
7.4	Professional Operator .....	5
8.	When to Passport .....	6
8.1	Important .....	6
8.2	Landscapers, Designers and Professional Gardeners .....	6
8.3	Show gardens and exhibitions .....	6
8.4	Interior landscapers / plant rental companies .....	6
8.5	Charity give-aways .....	7
8.6	Buying from garden centres .....	7
8.7	Re-passporting (replacing a passport) .....	7
8.8	Between premises of the same company / legal entity .....	7
9.	Record keeping .....	7
10.	Contacts for advice and information .....	8
	In England and Wales .....	8
	In Scotland .....	8
	In Northern Ireland .....	8
	All HTA Members across the UK .....	8
11.	Summary of actions .....	9

## 1. What's changing?

The use and application of the plant passport (PP) system in the UK is changing significantly.

This will affect all businesses professionally involved with plants and plant products, both domestically and within the EU.

The implementing legislation 2016/2031 can be [viewed online](#).

## 2. When?

### 14 December 2019

- All plants for planting and some plant products will require the physical attachment of a plant passport (PP) which contains information conforming to a pre-determined set of requirements.
- All business or person involved professionally in activities plants and plant products will be required to register as a Professional Operator with the Animal and Plant Health Agency (APHA) to may also need to become an Authorised Professional Operator in order to issue plant passports.

### 14 December 2020

All Professional Operators will further be required to ensure compliance with enhanced competencies published by DEFRA/APHA. The competencies will be published shortly.

See [definitions section](#) for further information on Professional Operators

## 3. Why?

To ensure full traceability of all plants in trade from producer to end user and to provide assurance that plants have gone through the necessary plant health checks.

Traceability enhances the biosecurity of all our plants and trees by protecting the environment from harmful pests and diseases. The new system is essential for plant health in the UK and the plant passport is a conformity document designed to ensure traceability within the supply chain while also going some way to providing assurance that a consignment has undergone the necessary checks to ensure it is pest free.

## 4. Who does it affect?

The new law will affect **all horticultural businesses professionally involved with plants** or plant products.

Either you will need be authorised to issue plant passports or you will be required to keep plant passports (for three years) that you receive, or a combination of both.

This is regardless of whether you trade solely within the UK or import and export from other countries.

It is also unrelated to Brexit, in so far as this is not a law about imports / exports but it is about plant health, biosecurity and traceability.

However, if the UK leaves the EU without a deal before 14 December then the regulations, which are EU wide regulations, may be implemented in a different manner. The decision is still to be made on the scope and timing of implementation in a no deal scenario.

So, if the UK is still under EU law or is in a transition period with a deal then these regulations will be implemented.

Therefore, it is **essential that businesses prepare for full implementation**.

## 5. What do I need to know?

### 5.1 Key essentials

(see the [Definitions](#) section for further explanations of terms used)

As a landscaper or a garden designer, there are several important areas that you should address; -

- As a business that is professionally involved in “activities relating to plants or plant products” you should be registered as a Professional Operator with the Animal & Plant Health Agency (APHA.)
- You may need to become authorised to issue plant passports, if required.
- Plant passports will be issued with all plants for planting and some plant products in trade
- Plant passports will be physically attached to the trade unit
- Plant passports will conform to a set of guidelines that contain a certain set of data
- A business must keep records for all PPs sent and/or received for three years

Each business is authorised by APHA, a DEFRA agency, to be a Professional Operator and, if necessary, issue their own plant passports.

### 5.2 Becoming a Professional Operator

All businesses deemed to be a Professional Operator must register with APHA as soon as possible.

A Professional Operator is defined as “any person, governed by public or private law, involved professionally in, or legally responsible for, one or more of the following activities concerning plants, plant products; -

- Planting
- Breeding
- Production (including growing, multiplying and maintaining)
- Introduction into, and movement within and out of, the Union territory
- Making available on the market (i.e. retailing, selling or trading)
- Storage, collection, dispatching or processing”

Basically, this covers every horticultural business, whether sole trader or large business.

So, everyone must register with APHA for the purposes of being a registered Professional Operator.

 **If you aren't registered yet, then you must register ASAP and no later than 14 December 2019 for issuing Plant Passports.**

You can do this by contacting your local PHSI (Plant Health and Seeds) inspector who will give you a Client ID (Plant Health number). This is your unique plant health number identification number. Details of PHSI offices are available online at: - <https://www.gov.uk/government/organisations/animal-and-plant-health-agency/about/access-and-opening>.

For advice and help you can email [planthealth.info@apha.gov.uk](mailto:planthealth.info@apha.gov.uk) or telephone the Plant Health Helpline on 01904 405 138 for advice. They can help you obtain your Client ID.

In addition, you may also need to be authorised to issue Plant Passports. Once you have your Client ID, you can do this online via e-Domero, the governments plant health online service. You will also need a Government Gateway account for this.

Being a Professional Operator does not mean you have to issue Plant Passports, but it does mean there are some plant health criteria you will need to comply with. The exact process for registering and the compliance required to be successfully registered is being devised at this moment.

Until that process is finalised, its best to contact your local Plant Health and Seeds inspector for PO registration and advice and ensure you keep up to date with HTA guidance.

### 5.3 Plant Passport Authorisation Fees

If you do need to become authorised to issue plant passports as a Professional Operator, then a fee will be charged for your inspection.

From 1 October 2019, the fee reduced to £61.58 for each 15 minutes (or part thereof) with a minimum fee of £123.16. Renewal fees are the same as the first inspection.

The fees are charged for every quarter of an hour or part of that time that an inspection and associated activities takes, including the time it takes inspectors to travel to your site.

If you apply by paper an additional £20.66 is charged – so cheaper to apply online.

## 6. Legislation

The legislation that will be coming into force is part of a wider set of EU Regulations called “**Smarter Rules for Safer Food**”. The legislation implementation was fully supported by the UK, and indeed the UK shaped and led many of the important parts of the decision making process and resulting regulations.

You can read about the whole package on the UK Government’s [Smarter Rules for Safer Food webpage](#) on Gov.uk

The plant passport legislation is mostly set out in the [Plant Health Controls legislation 2016/2031](#), which you can find a link to on the above web page.

The legislation contains ‘Articles’ (sections) that are all relevant to the ornamental horticulture industry and the trade in plants, however there are three Articles that contain information directly affecting businesses; -

- The Definitions (Article 2) - covered in part by the explanations below
- The Physical Attachment of the PP (Article 89)
- The Registration of Professional Operators (Article 65)

There is also separate legislation that defines the format and content of the plant passport (see [plant passport designs and content section](#) below). You can see this [legislation 2017/2313 here](#).

It’s worth bearing in mind that there is still further legislation due to be published relating to the original legislation that will be providing further detail.

## 7. Definitions

### 7.1 Plant passport

#### **CURRENT SITUATION up to 14 December 2019**

A plant passport (PP) is currently issued when a variety from a specific list of plant species is traded. Currently the information required to issue a PP can be stated with paperwork that travels with the plants, such as an invoice, packing note or delivery note, and does not need to adhere to any guidelines for design nor physically attached to the trade unit.

**NOTE: The current plant passport is not a certificate of health, it is a conformity document designed for traceability within the system for certain species posing a risk.**

#### **NEW SITUATION after 14 December 2019**

The plant passport is a **traceability** document applied to **all plants** for planting and plant products.

It is defined as **an official label** for movement of plants and plant products within the Union Territory and where applicable, into and within protected zones (PZ), which attests **compliance** with all requirements set out (in the relevant legislation) and has the **content and format** set out (in the relevant legislation).

The **new plant passport** is in a way a certificate of health in so much as it provides assurance that the issuer is obliged to check consignments to ensure they are pest free and meet the substantive requirements set out in Articles 85 and 86 in the legislation.

### 7.2 Plants for planting

All plants for planting must be passported.

All plants for planting means living plants intended to remain planted, to be planted or to be replanted. There is a full definition in the regulations at Article 2.

e.g. pot plants, bulbs, grubbed up Christmas trees, bare root plants, seedlings, cuttings, young plants, liners, houseplants, trees, hedging, large specimens, bulbs and tubers, amongst many others.

Some seed varieties are included, these are listed in the Annexes XIII and XIV, which are currently under consultation. These will be available on the HTA website.

### 7.3 Plant products

Plant products means unmanufactured material of plant origin, or any other manufactured products that might create a risk of the spread of quarantine pests. There is a full definition in the regulations at Article 2.

e.g. wood packaging material, wood material that hasn't undergone processing (chips, wood waste, shavings etc) or wood that retains its natural round surface (with or without bark).

### 7.4 Professional Operator

A Professional Operator is any person involved professionally in and legally responsible for activities concerning plants or plant products. There is a full definition in section 5.3.

e.g. activities such as planting, production, marketing, storing, dispatch, breeding or maintaining – amongst many others. Therefore, this includes most horticultural businesses.

## 8. When to Passport

All plants for planting must be plant passported at every stage in the supply chain, apart from to the end user / consumer. There are exceptions to this rule, e.g. [online retailers](#) who must plant passport down to the end user.

### 8.1 Important

If you receive product that is already plant passported, and you are not further preparing that product (e.g. it's a plant already prepared for the end user) and/or you are not breaking down the trade unit that is plant passported, then you do not need to re-passport the product.

You will need to record the information you receive, and if providing or selling those plants onto another business you will need to pass the information on to that business.

So, you must ensure full traceability – i.e. know where the plant came from and where it is going to – and keep and record the plant passport information you receive (for three years) – and pass that plant passporting information on to the next professional operator in the supply chain, but you will not need to 're-label' it with your own plant passport.

If you change the plant in any way, e.g. plant it in a mixed container, pot it on etc. then you must plant passport it from your own business to the next business in the chain.

If you break a trade unit down, e.g. you've received a shelf of eight plants that have been passported together and sell two to one Professional Operator and the others to another Professional Operator, then you must plant passport it from your own business.

Some examples; -

### 8.2 Landscapers, Designers and Professional Gardeners

If you are providing plants to another business, trader or organisation then all the plants must be plant passported to the next stage in the supply chain.

This may mean if the plants you receive are already passported you just need to keep the information you receive and pass the passport information on to the next business or organisation you are doing the work for.

This is regardless of whether they are a Professional Operator or not.

The information needs to pass down the organisational chain.

If you are planting in or providing plants to private gardens, then you do not need to plant passport.

However, you must keep records for three years of all plant passports received (See [record keeping section](#)).

### 8.3 Show gardens and exhibitions

If you are providing plants for a show garden or an exhibition, then you need to provide plant passporting information about who and where you are sending plants to.

Rule of thumb, if the plants are moving then they need to travel with a plant passport. If they have arrived to you with a passport on, then record the information and ensure it passes down the chain of supply. (See [record keeping section](#)).

### 8.4 Interior landscapers / plant rental companies

If your company rents plants out, but retains legal responsibility for them, then you must ensure you issue a plant passport for the rental, in order to retain traceability of where the plants you are responsible for are located.

However, you do not need to pass that information on to the company who is renting them as they have no legal obligation under the legislation for those plants.

## 8.5 Charity give-aways

If you give plants away to another organisation, then you need to pass the plant passport information down the chain.

If it's to an individual, you do not need to plant passport on.

## 8.6 Buying from garden centres

If you ever need to buy plants from a garden centre then you need to identify yourself as a Professional Operator and the garden centre will need to provide you with plant passport information for all the plants you buy and ensure they plant passports are attached.

This may mean they need to issue plant passports, depending on whether they are breaking down the original trade unit they received the passported plants in.

It is your legal responsibility as a Professional Operator to identify yourself to the business you are purchasing from in order to maintain chain of custody for traceability / plant passport information.

## 8.7 Re-passporting (replacing a passport)

A general rule; -

If you receive products into your business and send or sell them on **in the same trade unit**, you do not need to re-passport onwards down the supply chain.

However, you **must keep a record** of this to ensure full traceability and compliance. (See [record keeping section](#)).

If you receive products in and at any point the trade unit is broken down or split up or changed in anyway, when those items are then despatched out of your premises, you must plant passport them.

If you receive products in and further prepare them in any way, then you must plant passport them yourself.

## 8.8 Between premises of the same company / legal entity

If you are moving plants between premises of the same company, you do not need to plant passport between the locations **unless those locations are 10 miles or more apart**.

However, at all stages **you must keep records** of those plant movements to ensure full compliance and traceability.

# 9. Record keeping

If you receive a plant passport, you must keep it for **three** years.

You do not have to keep the physical plant passport that was attached to the trade unit, if you have received a copy via an alternative method.

You can keep it in paper or electronic form.

Good practice would be to ask all your suppliers if they can provide the plant passport information on the plants you receive in an easy to store manner, applicable to your business practices.

E.g. if you like to keep paper records, ask for printed copies of the plant passports, perhaps on a despatch note. If you prefer to store the information electronically ask for a spreadsheet with the data in, or electronic images of the plant passports to be emailed to you.

Electronic copies need only include the data content of the plant passport, not a facsimile of the passport itself.

The legislation itself states that 'relevant information relating to the plant passport' should be recorded, so this would be the data contained on the plant passport; -



PZ code (if applicable)  
Section A Botanical name  
Section B Country code of PP issuer and Registration number of the operator  
Section C Traceability code  
Section D Country of origin

Also information on who you bought the plants from, maybe include quantity and format also for clarity.

Defra advice states; -

“Regarding traceability and what documents to keep, Article 69 states that the following information should be kept for **three** years:

- (a) where applicable, the professional operator who supplied the trade unit concerned;
- (b) the professional operator to whom the trade unit concerned was supplied; and
- (c) relevant information relating to the plant passport.

Invoices and delivery documents could include some of that information and therefore could be considered part of the paper chain to be recorded for **three** years.”

Basically, if a Plant Health Inspector (PHSI) request you to provide this information then you are legally obliged to provide it to them within a “reasonable time frame”. Normal practice would be for you to be able to locate this information from your own business records promptly.

## 10. Contacts for advice and information

### In England and Wales

**DEFRA (Department of Environment Food and Rural Affairs)**

**APHA (Animal and Plant Health agency) a part of Defra**

**PHSI (Plant Health and Seeds Inspector) a representative of APHA**

For further information contact your local PHSI inspector. Offices can be found on the gov.uk website.

<https://www.gov.uk/government/organisations/animal-and-plant-health-agency/about/access-and-opening>.

For advice and help you can email [planthealth.info@apha.gov.uk](mailto:planthealth.info@apha.gov.uk)

Telephone the Plant Health Helpline on 01904 405 138 for advice.

### In Scotland

**SASA (Science and Advice for Scottish Agriculture – Scotland’s Plant health service)**

E-mail [hort.marketing@gov.scot](mailto:hort.marketing@gov.scot)

Telephone 0131 244 8923

### In Northern Ireland

**DAERA (Department for Agriculture, Environment and Rural Affairs – Northern Ireland)**

E-mail [planthealth@daeri-ni.gov.uk](mailto:planthealth@daeri-ni.gov.uk)

Telephone 0300 200 7847

### All HTA Members across the UK

**The HTA**

E-mail [policy@hta.org.uk](mailto:policy@hta.org.uk)

Check back on the [HTA Plant Passporting pages](#) and sign up to the regular updates.

The decision on the scope of implementation for these regulations in the event of a no deal is still to be made, so please keep checking back on the [HTA Plant Passporting pages](#).

## 11. Summary of actions

- Register to be authorised to issue plant passports, if you haven't done so already.
- Ensure you have full traceability systems in place for every plant that enters and leaves your business.
- Ensure you have plant health policies in place (perhaps take the Plant Healthy self-assessment online - <https://planthealthy.org.uk/>)
- Contact your suppliers and ensure they have procedures in place for giving you the plant passport information on the plants you buy for your records.
- Ensure your customers are aware of the new regulations.
- Decide how to furnish your customers with a record of the PP, if required.
- Check the [HTA Plant Passporting pages](#) regularly for updates.

If you require more information, please contact the HTA via [policy@hta.org.uk](mailto:policy@hta.org.uk) or check back on the [HTA Plant Passporting pages](#).