



Department
for Environment
Food & Rural Affairs



Llywodraeth Cymru
Welsh Government

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www.gov.uk/defra

Date December 2025

Dear Sir/Madam,

Stakeholder Engagement on Draft Plant Health Civil Sanctions Guidance

This consultation, issued by the Secretary of State and the Welsh Ministers, invites your comments on the proposed guidance document setting out how the Animal and Plant Health Agency (APHA) intend to use civil sanctions. We plan to publish this early next year.

Civil sanctions for plant health were introduced into legislation in 2020 but have not yet been operationalised by APHA. The guidance, once published, will allow the use of civil sanctions within England and Wales, in relation to plant health offences that APHA have an enforcement role for.

Civil sanctions provide a wider range of enforcement options that can be used in addition to existing tools. This will allow APHA to be more proportional in their enforcement of plant health regulations and allows them to better fit any sanction or enforcement action to the offence.

The vast majority of operators are in compliance with the regulations and will not be affected by civil sanctions. APHA will continue to **primarily use advice and guidance** to encourage compliance where possible.

The legislation relating to civil sanctions can be found in schedule 4A of the following:

[The Official Controls \(Plant Health and Genetically Modified Organisms\) \(England\) Regulations 2019 \(legislation.gov.uk\)](#)

and

[The Official Controls \(Plant Health and Genetically Modified Organisms\) \(Wales\) Regulations 2020 \(legislation.gov.uk\)](#)



You are invited to review the draft guidance so we can ensure this is clear before publication. Please consider the following questions:

1. Do you find the guidance clear and easy to understand? If not, which parts are not clear?
2. Do you understand the different types of civil sanctions, and in which circumstances they may be imposed?
3. Do you understand your rights to appeal, or to make representations and objections against a civil sanction?
4. Any other comments?

Any comments should be sent to Defra @ planthealth@defra.gov.uk by 6th February 2026, with the subject **CIVIL SANCTIONS**.

Comments provided in response to this letter, including personal information, may be made available to the public on request, in accordance with the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIRs).

If you do not wish your response, including your name, contact details and any other personal information, to be publicly available, please say so clearly in writing when you send your comments. Please note that if your computer automatically includes a confidentiality disclaimer, this will not count as a confidentiality request. Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for the information under freedom of information legislation. However, we cannot guarantee that we will always be able to keep those details confidential.

Yours Faithfully

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