

2013 No. 7

PLANT HEALTH

The Plant Health (Amendment) Order (Northern Ireland) 2013

Made - - - - *16th January 2013*

Coming into operation - *16th January 2013*

The Department of Agriculture and Rural Development^(a) makes the following Order, in exercise of the powers conferred by sections 2(1) and (2)^(b), 3(1)^(c), 3B(1)^(d) and 4(1)^(e) of the Plant Health Act (Northern Ireland) 1967^(f).

Citation and commencement

1. This Order may be cited as The Plant Health (Amendment) Order (Northern Ireland) 2013 and comes into operation on 16th January 2013.

Amendment of the Plant Health Order (Northern Ireland) 2006

2.—(1) The Plant Health Order (Northern Ireland) 2006^(g) is amended as follows.

(2) For paragraphs (3) and (4) of Article 19 (prohibitions on landing plant pests and relevant material), substitute—

“(3) Paragraph (4) applies to—

- (a) seed potatoes or
- (b) potatoes, other than seed potatoes, grown or suspected to have been grown in Poland, Portugal, Romania or Spain.

(4) Subject to Article 22, a person shall not land in Northern Ireland any such potatoes unless written notification is provided to an inspector, at least two days prior to the intended date of introduction into Northern Ireland of the potatoes, of the intention to land the potatoes and of the matters contained in paragraph (5).

(5) The matters are—

- (a) the intended time, date and means of introduction of the potatoes;
- (b) their intended point of entry into Northern Ireland;
- (c) their intended use and destination;

(a) Formerly the Department of Agriculture for Northern Ireland; *see* S.I. 1999/283 (N.I. 1), Art. 3(4)
(b) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2, 1979 c. 2, s.177(1) and Sch. 4 Pt. II; and S.I. 1984/702 (N.I. 2) Art 15(2)
(c) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2
(d) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)
(e) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2 and S.I. 1984/702 (N.I. 2) Art. 15(2)
(f) 1967 c. 28 (N.I.)
(g) S.R.2006 No.82 as amended by S.R.2006 No.165; S.R.2006 No.435; S.R.2007 No.333; S.R. No.483; S.R.2008 No.205; S.R.2008 No.442; S.R.2008 No.493; S.R.2009 No.179; S.R.2010 No.197; S.R.2010 No.232; S.R.2011 No.22; S.R.2011 No.233; S.R.2011 No.352; S.R.2012 No.133;S.R.2012 No.241 and S.R.2012 No.392

- (d) their variety and quantity; and
- (e) the producer's identification number.”.

3. In Article 22, after “Article 19(1)(e),(f) and (g) and” for “(3)” substitute “(4)”.

4. In Part B (relevant material, from another part of the European Union, which may only be landed in or moved within Northern Ireland if special requirements are satisfied) of Schedule 4—

- (a) in the third column of item 15 of the table, for “item 16” substitute “items 16 and 19a”;
- (b) in the third column of item 19 of the table, for “There shall be evidence” substitute “Without prejudice to item 19a, there shall be evidence”; and
- (c) after item 19 of the table, insert—

“19A	Tubers of <i>Solanum tuberosum</i> L., other than those mentioned in column 2 of items 16 to 18, which originate in Poland	Without prejudice to item 19, the tubers shall be accompanied by a certificate issued by the responsible official body of Poland confirming that they have been found to be free from <i>Clavibacter michiganensis</i> ssp <i>sepedonicus</i> (Spieckermann and Kotthoff) Davis <i>et al.</i> in official laboratory tests”.
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Sealed with the Official Seal of the Department of Agriculture and Rural Development on 16th January 2013.



Keith Morrison
A senior officer of the Department of Agriculture and Rural Development

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Northern Ireland) Order 2006 (S.R. 2006/82).

Article 2(2) makes provision to prohibit a person from landing certain potatoes in Northern Ireland unless prior written notification has been given to an authorised inspector.

Article 2(3) makes provision to require certain potatoes which originate in Poland and are imported into Northern Ireland to be accompanied by an official certificate confirming that the potatoes have been found to be free from *Clavibacter michiganensis* ssp *sepedonicus* (Spieckermann and Kotthoff) Davis *et al.* in official laboratory tests.

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STATUTORY RULES OF NORTHERN IRELAND

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The Plant Health (Amendment) Order (Northern Ireland) 2013

£4.00

N5701 01/2013 435701T 19585

ISBN 978-0-337-99015-1



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