1993 No. 256

PLANT HEALTH

Plant Health Order (Northern Ireland) 1993

Made . . . . . *27th May 1993*
Coming into operation . . *1st June 1993*

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   SECTION I: of relevance for the entire European Community

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   SECTION I: of relevance for the entire European Community

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The Department of Agriculture, in exercise of the powers conferred on it by sections 2(**a**), 3(1)(**b**), 3A(**c**), 3B(1)(**d**) and 4(1)(**e**) of the Plant Health Act (Northern Ireland) 1967(**f**) and of all powers enabling it in that behalf, hereby makes the following Order:

PART I

INTRODUCTORY

Citation and commencement

1. This Order may be cited as the Plant Health Order (Northern Ireland) 1993 and shall come into operation on 1st June 1993.

Revocation

2. The Orders listed in column (1) of Schedule 15 are hereby revoked.

(**a**) 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)
(**b**) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2
(**c**) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(2)
(**d**) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**e**) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)
(**f**) 1967 c. 28 (N.I.)

Interpretation

3.—(1) In this Order—

"approved immune variety" means a variety of potatoes approved for the time being by the Department as being immune from wart disease;

"authorised officer" means in relation to a plant health inspection carried out or certificate or translation or copy of a certificate issued in—

(*a*) Northern Ireland, an inspector; and

(*b*) a place other than Northern Ireland, a representative of the Plant Protection Organisation of the country in which such inspection was carried out or certificate, translation or copy was issued;

"Central America" means the geographical area comprising Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama and the islands commonly known as the West Indies;

"Customs Act" means the Customs and Excise Management Act 1979(**a**);

"Directive 77/93/EEC" means Council Directive of 21st December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community(**b**) as amended and supplemented by the instruments listed in Schedule 14;

"early potatoes" means potatoes which have been harvested before they are completely mature, marketed for eating immediately after their harvesting and whose skins can easily be removed without peeling;

"Euro-Mediterranean area" means the geographical area comprising Europe, Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Libya, Malta, Morocco, Syria, Tunisia and Turkey;

"Europe" includes the Canary Islands and Belarus, Estonia, Latvia, Lithuania, Moldova, the Ukraine and Russia (except the regions of Buryat, Yakut and Tuva, the Altai, Khabarovsk, Drasnoyarsk and Maritime Krais and the Amur, Chita, Irkutsk, Kamchatka, Kemerovo, Kurgan, Magadan, Novosibirsk, Omsk, Sakhalin, Tomsk and Tyumen Oblasts) but does not include Cyprus or Turkey;

"European Community" means the European Economic Community including the Isle of Man and the Channel Islands but excluding the Canary Islands, Ceuta, Melilla and the French Overseas Departments;

"fruit" means fruit in the botanical sense but does not include dried, dehydrated, lacquered or deep frozen fruit;

"genetically modified pest" means a pest, the genetic complement of which has been modified, and includes—

(*a*) organisms and material which contain such a pest or parts thereof; and

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(**a**) 1979 c. 2

(**b**) O.J. No. L.26, 31.1.77, p. 20 as corrected by the Corrigenda published in O.J. No. L.130, 29.5.79, p. 32