1989 No. 426

PLANT HEALTH

Plant Health (Amendment) Order (Northern Ireland) 1989

Made . . . . . *2nd November 1989*

Coming into operation . . *15th December 1989*

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

Citation and commencement

1. This Order may be cited as the Plant Health (Amendment) Order (Northern Ireland) 1989 and shall come into operation on 15th December 1989.

Amendment of Plant Health Order (Northern Ireland) 1988

2. The Plant Health Order (Northern Ireland) 1988(**e**) shall be amended as provided in Articles 3 to 25.

Interpretation

3. In Article 3(1) after the definition of "authorised officer" there shall be inserted the following definition:

" "Beet Rhizomania Disease" means the disease caused by Beet Necrotic Yellow Vein virus;".

Exception to prohibition on landing of seed potatoes

4. In Article 4 after paragraph (2) there shall be inserted the following paragraph—

"(3) Paragraph (1)(*d*) shall not apply to seed potatoes grown in the Republic of Ireland and consigned through Northern Ireland to a destination outside Northern Ireland if, without being unloaded in Northern Ireland, such seed potatoes are moved direct from their place of landing to their place of exit from Northern Ireland.".

(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) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)
(d) 1967 c. 28 (N.I.) as amended by S.I. 1975/1038 (N.I. 8) Art. 11(2) and S.I. 1984/702 (N.I. 2) Art. 15(2)
(e) S.R. 1988 No. 175

Beet Rhizomania Disease

5. After Article 34 there shall be inserted—

"*Beet Rhizomania Disease*

34A. A notice declaring any premises infected with Beet Rhizomania Disease may direct that the occupier shall display in prominent places on the infected premises such number of copies of it or of any other notice or sign indicating that the premises are infected, as the Department or an inspector shall supply for that purpose.

34B. A person other than the owner or occupier of premises declared infected with Beet Rhizomania Disease or the servants or agents of such owner or occupier shall not enter those premises without reasonable excuse except with the written authority of an inspector, and the owner or occupier of those premises shall take all reasonable steps to prevent any unauthorised person from entering.".

Pests which may not be landed or kept etc.

6. In Schedule 1 Part IA—

(*a*) there shall be deleted paragraph 21 (*Scolytus multistriatus* (Marsham)) and paragraph 22 (*Scolytus scolytus* (Fabricius)); and

(*b*) after paragraph 25 there shall be inserted the following paragraphs—

"26. *Acleris variana* (Fern) — Blackheaded Budworm (Tortrix Moth).

27. *Anomala orientalis* (Waterhouse) — Oriental Beetle.

28. *Enarmonia prunivora* (Walsh) — Lesser Appleworm.

29. *Naccobus aberrans* (Thorne) Thorne & Allen — False Root Knot Nematode.

30. *Opogona sacchari* (Bojer) — Sugarcane Borer.

31. *Premnotrypes* spp. (non-European) — Andean Potato Weevils.

32. *Xiphinema americanum* Cobb *sensu lato* (non-European populations) — a Dagger Nematode.

33. *Thrips palmi* Karny — Palm Thrips.".

7. In Schedule 1 Part IB—

(*a*) there shall be deleted paragraph 1 (*Aplanobacter populi* Ridé); and

(*b*) after paragraph 3 there shall be inserted the following paragraphs—

"4. *Xanthomonas populi* (Ridé) Ridé and Ridé, Bacterial Canker of Poplar.

5. *Xyella fastidiosa* (Wells *et al.*), Grapevine Pierce's disease bacterium.".

8. In Schedule 1 Part IC—

(*a*) there shall be deleted paragraph 3 (*Ceratocystis ulmi* (Buism.) C. Moreau), paragraph 5 (*Cronartium comptoniae* Arthur), paragraph 6 (*Cronartium fusiforme* Hedgc. and Hunt ex Cumm.), paragraph 8 (*Endocronartium harknessi* (J. P. Moore) Y. Hiratsuka) and paragraph 12 (*Hypoxylon pruinatum* (Klotzsche) Cke.);

(*b*) in paragraph 17 for "*Poria weirii* Murr." there shall be substituted "*Phellinus weirii* Murrill (syn. *Poria weirii* Murr.)"; and

(*c*) after paragraph 19 there shall be inserted the following paragraphs—

"20. *Cronartium* spp. (non-European), a cause of Conifer Rust.

21. *Endocronartium* spp. (non-European), a cause of Conifer Rust.

22. *Gymnosporangium* spp. (non-European), Fruit Tree/Juniper Rusts.

23. *Mycosphaerella larici-leptolepis* K. Ito *et al.*, the cause of Needle Cast of Larch.

24. *Peridermium* spp. (non-European), Branch and Stem Rusts of Pines.

25. *Sclerotinia fructicola* (Wint.) Rehm (syn. *Monilinia fructicola* (Wint.) Honey), Fruit Brown Rot.

26. *Phoma andina* Turkensteen, Black Potato Blight and Leaf Spot.

27. *Phyllosticta solitaria* Ell. and Ev., Apple Blotch and Canker.

28. *Septoria lycopersici* var *malaguttii* Ciccarone and Boerema, Annular Potato Leaf Spot.".

9. In Schedule 1 Part ID, in paragraph 1 for "genera *Cydonia* Mill." in both places where it occurs there shall be substituted "genera *Crataegus* L., *Cydonia* Mill.".

Plants which may not be landed or kept etc.

10. In Schedule 1 Part IIA—

(*a*) after Item 1 there shall be inserted the following Item—

"1A. *Aphelenchoides besseyi* Christie—Rice White Tip Nematode	Plants of strawberry (*Fragaria* L.) other than fruit and seeds";

(*b*) in column (3) of Item 7 (*Ditylenchus destructor* Thorne) for "Flower bulbs and potato tubers (*Solanum tuberosum* L.)" there shall be substituted "Tubers of potato (*Solanum tuberosum* L.) and flower bulbs of the genera *Crocus* L., *Gladiolus* L., *Hyacinthus* L., *Iris* L., *Tigridia* Juss. and *Tulipa* L."; and

(*c*) there shall be deleted Item 3 (*Caloptilia azaleella* (Brants)) and Item 16 (*Merodon equestris* (Fabricius)).

11. In Schedule 1 Part IIB—

(*a*) for Item 5 (*Pseudomonas gladioli* pv. *gladioli* Severini) there shall be substituted the following Item—

"5. *Pseudomonas syringae* pv. *persicae* (Prunier *et al.*)— Peach Canker	Plants of *Prunus* L. other than fruit and seeds"; and

(*b*) after Item 8 there shall be inserted the following Item—

"8A. *Xanthomonas ampelina* Panagopoulos — Canker of Grapevine	Plants of vines (*Vitis* L.) other than fruit and seeds.".

12. In Schedule 1 Part IIC—

(*a*) there shall be deleted Item 8 (*Ovulinia azaleae* Weiss), Item 15 (*Sclerotinia bulborum* (Wakk.) Rehm), Item 17 (*Septoria gladioli* Passer) and Item 18 (*Stromatinia gladioli* (Drayt.) Whet.);

(*b*) after Item 7 there shall be inserted the following Item—

"7A. *Hypoxylon pruinatum* (Klotszche) Cke. — Canker of Poplar	Plants of *Populus* L. other than seeds";

(*c*) after Item 12 there shall be inserted the following Item—

"12A. *Puccinia pitteriana* Hess — Potato Common Rust	Plants of *Solanum* spp.";

(*d*) in column (3) of Item 20 (*Urocystis cepulae* Frost) after "*Allium* spp." there shall be inserted ", other than seeds,"; and

(*e*) after Item 21 there shall be inserted the following Item—

"22. *Verticillium dahliae* Kleb — Hop Wilt	Plants of Hops (*Humulus lupulus* L.)".

13. In Schedule 1 Part IID in column (2) of Item 8 for "Little Cherry pathogen" there shall be substituted "Little Cherry Disease pathogen".

Pests which may be kept etc. and which need not be notified

14. In Schedule 1 Part IIIA there shall be deleted paragraph 2 (*Caloptilia azaleella* (Brants)) and paragraph 5 (*Merodon equestris* (Fabricius)).

15. In Schedule 1 Part IIIB—

(*a*) there shall be deleted paragraph 2 (*Ovulinia azaleae* Weiss) and paragraph 6 (*Stromatinia gladioli* (Drayt.) Whet.); and

(*b*) after paragraph 4 there shall be inserted the following paragraph—

"4A. *Puccinia horiana* P. Henn. — Chrysanthemum White Rust".

Plants which may not be landed if they originate in certain countries

16. In Schedule 2 Part I, in column (2) of Item 3 (Plants of trees and shrubs for planting) for "other than (1) seeds and (2) plants of the following families" there shall be substituted "other than (1) seeds, (2) plants of the genera *Ficus* L. and *Codiaeum* Juss and (3) plants of the following families".

17. In Schedule 2 Part III—

(*a*) in column (3) of Item 21 (New potatoes and ware potatoes) after "Austria;" there shall be inserted "Canary Islands;"; and

(*b*) after Item 22 there shall be inserted the following Item—

"22A.	Plants of *Juniperus* L. other than fruits and seeds	Countries outside Europe.".

Conditions subject to which plants may be landed

18. In Schedule 3 Part IIA—

(*a*) after Item 4 there shall be inserted the following Item—

"4A.	Plants for planting.	Where the plants originate in a country in which *Thrips palmi* Karny is known to occur an official statement shall have been made that: (*a*) the place of production has been found free from *Thrips palmi* Karny; and (*b*) the consignment has undergone appropriate treatment to ensure freedom from *Thysanoptera*."; and

(*b*) in column (2) of Item 8 (Plants of deciduous trees and shrubs) after "in tissue culture" there shall be inserted "and plants specified in column (2) of Item 23A".

19. In Schedule 3 Part IIB in column (2) of Item 12 (Plants of Gramineae consigned from New Zealand) after "*Dendrocalamus* Nees" there shall be inserted "*Hakonechloa* Mak. ex Honda".

20. In Schedule 3 Part IIC—

(*a*) in column (3) of Item 23—

(i) in sub-paragraph (*a*) there shall be deleted "(iii) Lesser Apple Worm (*E. prunivora* (Walsh));"; and

(ii) in sub-paragraph (*b*) after "is not known to occur" there shall be inserted "and that no symptoms of *Sclerotinia fructicola* have been observed at the place of production since the beginning of the last complete cycle of vegetation";

(*b*) after Item 23 there shall be inserted the following Item—