1988 No. 175

PLANT HEALTH

Plant Health Order (Northern Ireland) 1988

Made	*12th May 1988*
Coming into operation . .	*24th June 1988*

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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) 1988 and shall come into operation on 24th June 1988.

Revocation

2. The Orders listed in column 1 of Schedule 11 are hereby revoked.

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;

(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.)

"authorised officer" means —

(*a*) in relation to a certificate or a translation or copy of a certificate issued in Northern Ireland, an inspector; and

(*b*) in relation to a certificate or a translation or copy of a certificate issued in a place other than Northern Ireland, a representative of the Plant Protection Service of the country in which such certificate, translation or copy is 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;

"Chrysanthemum" means plants (other than seeds) of those species, cultivars and hybrids of the genus *Dendranthema* (DC.) Des Moulins commonly known as florists' chrysanthemum;

"Colorado Beetle" means the insect *Leptinotarsa decemlineata* (Say);

"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 Member States of organisms harmful to plants or plant products(**b**) as amended by the instruments listed in Schedule 5;

"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 but does not include Cyprus, Turkey or the following regions of the Union of Soviet Socialist Republics namely Kazakh, Kirghiz, Tadzhik, Turkmen and Uzbek Soviet Socialist Republics and the following regions of the Russian Soviet Federal Socialist Republic, namely the Buryat, Yakut and Tuva Autonomous Soviet Socialist Republics, the Altai, Khabarovsk, Krasnoyarsk and Maritime Krais and the Amur, Chita, Irkutsk, Kamchatka, Kemerovo, Kurgan, Magadan, Novosibirsk, Omsk, Sakhalin, Tomsk and Tyumen Oblasts;

"genetically manipulated material" means material derived from any activity which has involved genetic manipulation and which has resulted or which, in the opinion of the Department, is likely to result in the production of a pest or any activity which has involved genetic manipulation of a pest and includes any material which contains a pest which has been genetically manipulated;

"genetic manipulation" means the formation of new combinations of heritable material by the insertion of nucleic acid molecules produced by whatever means outside the cell, into any virus, bacterial plasmid, or other vector system so as to allow their incorporation into a host organism in which they do not naturally occur but in which they are capable of continued propagation;

"growing medium" means material, intended to sustain the life of plants, which consists wholly or partly of soil or peat (whether used or unused) or of any other solid substance;

(**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.130/32, 29.5.79