The Importation of Vegetables

ORDER DATED 16TH DAY OF MARCH, 1955, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND), 1877 TO 1934.

1955. No. 39 [NC]

This Order permitting the importation of certain vegetables during the period April to October, 1955 was of temporary effect and is not printed at length in this Volume.

Potato Root Eelworm

ORDER, DATED 22ND DAY OF JULY, 1955, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS, 1877-1934.

1955. No. 121 [NC]

The Ministry of Agriculture (hereinafter referred to as "the Ministry") by virtue and in exercise of the powers vested in it under The Destructive Insects and Pests Acts (Northern Ireland), 1877 to 1934(a), and of every other power enabling it in that behalf, orders, and it is hereby ordered as follows:—

Definitions

1. In this Order—

"Authorised Officer" means a person authorised by the Ministry.

"Inspector" means an Inspector of the Ministry.

"Land" includes buildings and premises in which tomato plants are or have been grown.

"Occupier" means the person rated or liable to be rated to the Poor Rate in respect of the land or who would be so rated or liable to be rated but for the provisions of Section 1 of the Local Government (Rating and Finance) Act (Northern Ireland), 1929, and includes in relation to any land, the occupier of which is absent from Northern Ireland, any agent or other person entrusted with the management of the land on his behalf.

"Packages" includes boxes, sacks, baskets and other containers.

"Potatoes" includes tubers growing or grown, as well as the haulms of such tubers.

"Potato Root Eelworm" means the Nematode, Heterodera rostochiensis Wollenweber.

"Tomato Plants" includes roots, stems and leaves of any species of tomato growing or grown.

Commencement and Short Title

2. This Order shall come into operation on the first day of August, 1955, and may be cited as "The Potato Root Eelworm (Northern Ireland) Order, 1955".

(a) 40 and 41 Vict. c. 68. 7 Edw. 7 c. 4 and 24 and 25 Geo. 5 c. 4.

Notification of Infection

3. Every person who plants, grows or permits the planting or growing of potatoes or tomato plants on land which is infected or suspected to be infected with Potato Root Eelworm shall forthwith notify the fact to the Ministry.

Measures for the Prevention of the Spread of Infection

4.—(1) An Inspector or an authorised officer on receiving in any manner notification of the existence or suspected existence or having himself reason to suspect the existence of Potato Root Eelworm in any land on which potatoes or tomato plants are growing or have been grown, or for the purpose of ascertaining whether Potato Root Eelworm exists in any land, may enter upon any land, and take such steps as may be necessary, and take a sample or samples of soil for testing or examination by the Ministry in order to determine whether Potato Root Eelworm exists therein. If, as a result of such examination of the soil, the Ministry is satisfied of the existence of Potato Root Eelworm therein, the Ministry shall cause a Notice to be served upon the occupier of the land requiring him to adopt such measures for the prevention of the spread of Potato Root Eelworm as are authorised by this Order. Where the person using the land at the time of the discovery of Potato Root Eelworm therein is not also the occupier a Notice shall also be served upon such person.

(2) The Notice under this Article may require:—

(i) That potatoes or tomato plants shall not again during the currency of the Notice be planted or grown on or moved on to, or be permitted to be planted or grown on or moved on to the land specified in the Notice.

(ii) That potatoes or tomato plants which have been grown on the land specified in the Notice (*a*) shall not be planted or be permitted to be planted or grown elsewhere (*b*) shall not be sold or otherwise disposed of for the purpose of being planted or grown and (*c*) shall not be moved or be permitted to be moved from the said land otherwise than in accordance with the conditions of a Licence granted by an Inspector or an authorised officer.

(iii) That soil from the infected area, whether loose or adhering to the roots of plants or to implements or to other objects, shall not be moved from one part of a farm or garden or allotment or building or premises either to another part of the same farm or garden or allotment or building or premises or to another farm or garden or allotment or other building or premises whether within or without the infected area, otherwise than in accordance with the conditions of a Licence granted by an Inspector or an authorised officer.

(iv) That infected soil in which tomato plants have been grown shall be subjected to such treatment and within such period of time as may be specified in the Notice.

(v) That the Ministry shall be notified immediately of any sale or other transfer or letting of the land specified in the Notice or any part thereof and shall at the same time be furnished with the name and address of the new owner, occupier or tenant.