4. The Importation of Plants (Northern Ireland) (Amendment) Order of 1940 (Statutory Rules and Orders of Northern Ireland, 1940, No. 47) is hereby revoked.

Commencement

5. This Order shall come into operation on the first day of June, 1945.

Short Title and Construction

6. This Order may be cited as the Importation of Plants (Northern Ireland) (Amendment) Order of 1945 and shall be read as one with the principal Order.

In witness whereof the Official Seal of the Ministry of Agriculture for Northern Ireland is hereunto affixed this thirtieth day of May, Nineteen Hundred and Forty-five.

(L.S.) (Signed) *J. Pimlott*,
Assistant Secretary.

Potato Root Eelworm

ORDER, DATED 23RD AUGUST, 1945, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS, 1877-1934.

1945. No. 103

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, 1877, 1907 and 1934 and of every other power enabling it in that behalf, orders and it is hereby ordered as follows :—

Definitions :

1. In this Order—

"Authorised" means authorised by the Ministry.

"Inspector" means an Inspector of the Ministry.

"Land" includes buildings and premises in which tomatoes 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, on a farm or in a garden in Northern Ireland, or obtained from any person or district outside Northern Ireland, 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, on a farm or in a garden, building or premises in Northern Ireland or obtained from any person or district outside Northern Ireland.

Commencement and Short Title

2. This Order shall come into operation on the first day of September, 1945, and may be cited as " The Potato Root Eelworm (Northern Ireland) Order, 1945."

Notification of Infection

3. Every person who grows 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 of the Ministry or other authorised officer on receiving in any manner notification of the existence or supposed existence or having 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 inquiry into the existence of Potato Root Eelworm in any land may enter upon any land and take such steps as may be necessary to determine whether Potato Root Eelworm exists, the area over which it exists and the area to which it is likely to spread. If the Inspector or other authorised officer suspects that Potato Root Eelworm exists in the land he shall immediately report the fact to the Ministry and shall take and send to the Ministry, for testing or other examination, a sample or samples of the soil in which the potatoes or tomato plants are growing or have been grown. 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 be also served upon such person.

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

(i) That potatoes or tomato plants shall not again be planted or permitted to be planted on such land as may be 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