L.N. 121 of 2004

PLANT QUARANTINE ACT, 2001
(ACT NO. XVIII OF 2001)

Control of Potato Wart Disease Regulations, 2004

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, 2001, the Minister for Rural Affairs and the Environment has made the following regulations:-

Title and commencement.

1. (1) The title of these regulations is the Control of Potato Wart Disease Regulations, 2004.

(2) These regulations shall come into force on the 1st April, 2004.

Scope.

2. These regulations concern the minimum measures to be taken to control Potato Wart Disease and to prevent this cryptogrammic disease from spreading.

Interpretation.

3. In these regulations, unless the context otherwise requires:

"the Act" means the Plant Quarantine Act;

"the Commission" means the Commission of the European Community;

"the Department" means the Plant Health Department;

"the Director" means the Director of the Plant Health Department.

Contaminated plot.

4. (1) When an occurrence of Synchytrium endobioticum (Schilb.) Persc., the pathogenic agent of Potato Wart Disease is recorded, the Department shall demarcate the contaminated plot and a safety zone large enough to ensure the plot and a safety zone large enough to ensure the protection of surrounding areas.

(2) A plot shall be regarded as being contaminated when symptoms of Potato Wart Disease have been found on at least one plant from that plot.

(3) Potato tubers and haulms which came from contaminated plots shall be treated in such manner, to the satisfaction of the Director, that the harmful organism is destroyed. If it is no longer possible to determine the place from which contaminated tubers and haulms came, the whole of the batch in which the contaminated tubers or haulms have been found must be treated.

(4) On contaminate plots:

(a) no potatoes may be grown;

(b) no plant intended for transplanting may be grown, stored in the ground or otherwise.

Safety zone.

5. (1) Potatoes may be grown in the safety zone only if they are of a variety which is resistant to the races of Synchytrium endobioticum found on the contaminated plot.

(2) A potato variety shall be regarded as being resistant to a particular race of Synchytrium endobioticum when it reacts to contamination by the pathogenic agent of that race in such a way that there is no danger of secondary infection.

Revocation of measures.

6. The measures taken to control Potato Wart Disease or to prevent it from spreading shall be revoked only if Synchytrium endobioticum is no longer found to be present.

Prohibition.

7. No person shall hold cultures of Synchytrium endobioticum.

Enforcement by Director.

8. The Director shall have access to any premises where an activity regulated by these regulations is being carried out and shall have access to all relevant information and records. He may also collect samples of plants, plant products and other objects and carry out any relevant checks thereon.

Duty to communicate to the Commission.

9. The Director shall communicate to the Commission before 1st January of each year a list of all the varieties of potato accepted to be marketed locally and which were found, by official investigation, to be resistant to Synchytrium endobioticum. The races to which the varieties are resistant shall also be forwarded to the Commission.

Miscellaneous.

10. (1) The Director may authorise exemptions from the measures referred to in these regulations for scientific purposes, tests and selection work provided that such derogations do not prejudice

the control of Potato Wart Disease and create no risk of the spread of this disease, and as long as the requirements laid down under the Act are met. Act XVIII of 2001.

(2) Without prejudice to the provisions of these regulations the Director may adopt such additional or stricter provisions as may be required to control Potato Wart Disease or to prevent it from spreading.

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