
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health Order (Northern Ireland) 2006 ([S.R. 2006/82](#)) (“the principal Order”) to implement Council Directive [2007/33/EC](#) on the control of potato cyst nematodes and repealing Directive [69/465/EEC](#) (OJ No L 156, 16.6.2007, p12). Directive [2007/33/EC](#) introduces measures to detect and control European populations of Potato Cyst Nematode.

The Schedule to this Order replaces Schedule 15 to the principal Order to implement the control measures in that Directive. Paragraph 2 provides for the demarcation of fields infested with Potato Cyst Nematode. Paragraph 3 prohibits the planting in the demarcated field of potatoes intended for the production of seed potatoes. It also controls the planting in the demarcated field of specified plants intended for replanting. Paragraph 4 prohibits the planting in the demarcated field of potatoes not intended for the production of seed potatoes unless all reasonable steps are taken to suppress Potato Cyst Nematode in that field. Paragraphs 5 and 6 impose controls on the planting of potatoes and other plants that come from a demarcated field.

Article 4 of the Order amends the powers of entry in article 31 of the principal Order to provide powers of entry to determine if plant pest is present on any premises.

An impact assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen. A transposition note is available from the Department of Agriculture and Rural Development, Farm Policy Branch, Room 910, Dundonald House, Ballymiscaw, Belfast BT4 3SB and it is annexed to the Explanatory Memorandum that is available alongside the Order on the OPSI website.