

1964. No. 71

[NC]

DESTRUCTIVE INSECTS AND PESTS**Importation of Strawberry Plants**

ORDER, DATED 8TH MAY, 1964, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE DESTRUCTIVE INSECTS AND PESTS ACTS (NORTHERN IRELAND) 1877 TO 1934.

The Ministry of Agriculture in exercise of the powers conferred on it by Section 1 of the Destructive Insects Act 1877(a), as amended by Section 1 of the Destructive Insects and Pests Act 1907(b) and Section 1 of the Destructive Insects and Pests Act (Northern Ireland) 1934(c) respectively, and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Importation of Strawberry Plants Order (Northern Ireland) 1964 and shall come into operation on the 1st June, 1964.

Revocation

2. The Importation of Blackcurrant Bushes and Strawberry Plants (Northern Ireland) Order 1953(d) is hereby revoked.

Interpretation

3. In this Order:—

“authorised officer” means an officer of the Ministry of Agriculture for Northern Ireland authorised for the purposes of this Order;

“importer” includes any person who, whether as owner, consignee or agent or broker, is for the time being in possession of or in any way entitled to the custody or control of the strawberry plants;

“landing” includes importation into Northern Ireland by any method whatsoever;

“Ministry” means the Ministry of Agriculture for Northern Ireland;

“plant” means a strawberry plant and includes runners.

Restriction on Importation

4.—(1) The landing in Northern Ireland from Great Britain, the Isle of Man, the Channel Islands or the Irish Republic of any plants is hereby prohibited, except under and in accordance with the conditions of a licence issued by the Ministry or by an authorised officer.

(2) The aforementioned licence shall require that the plants are accompanied by a certificate issued by the Plant Protection Service of the country of origin to the effect that the soil in which the plants were grown has been tested and found free from Potato Root Eelworm (*Heterodera rostochiensis* Wollenweber).

(3) Notwithstanding paragraph (2) the Ministry may at its discretion license the importation of plants without such certificate provided the roots of the plants have been thoroughly washed and are free from soil.

(a) 40 & 41 Vict. c. 68.

(b) 7 Edw. 7. c. 4.

(c) 24 & 25 Geo. 5. c. 4 (N.I.).

(d) S.R. & O. (N.I.) 1953, No. 11.

(4) The licence shall be produced if required by an Officer of Customs or an authorised officer when the plants are landed and shall be returned to the Ministry when the plants have been imported.

Procedure when plants are landed in contravention of this Order or are unhealthy

5. If any plants are landed in Northern Ireland in contravention of this Order or are found on inspection to be infected with Potato Root Eelworm they shall forthwith be destroyed or re-exported by and at the expense of the importer, unless they are disposed of in accordance with the terms of a licence issued by the Ministry or by an authorised officer.

Provisions as to Licences

6. A licence granted under Article 4 or Article 5 of this Order shall be in force only during such times and subject to such conditions as may be specified in the licence.

Powers of Entry

7. An authorised officer may enter on any land or premises on which he has reason to believe that there are plants landed in contravention of this Order and examine any plant on such land or premises.

Penalties

8. If any person:—

- (a) lands or attempts to land in Northern Ireland any plant brought from any place mentioned in Article 4(1) of this Order without a licence issued by the Ministry or an authorised officer; or
- (b) without the written consent of the Ministry sells or exposes for sale or plants in Northern Ireland any plant which has been landed in contravention of this Order knowing the same to have been so landed; or
- (c) contravenes or fails to comply with the conditions of any licence granted under Article 4 or Article 5 of this Order; or
- (d) wilfully obstructs or impedes an authorised officer in the course of his duties under this Order;

he shall be liable on conviction to a penalty not exceeding ten pounds or, in respect of a second or subsequent offence, to a penalty not exceeding fifty pounds.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 8th day of May, 1964.

(L.S.)

(Signed) *J. A. Young*,
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order revokes the Importation of Blackcurrant Bushes and Strawberry Plants (Northern Ireland) Order 1953, but retains certain restrictions on the importation of strawberry plants designed to prevent the introduction of Potato Root Eelworm.