
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 94

**The Potatoes Originating in Egypt
(Scotland) Amendment Regulations 2007**

Citation and commencement

1. These Regulations may be cited as the Potatoes Originating in Egypt (Scotland) Amendment Regulations 2007 and shall come into force on 17th March 2007.

Amendment of the Potatoes Originating in Egypt (Scotland) Regulations 2004

2.—(1) The Potatoes Originating in Egypt (Scotland) Regulations 2004(1) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2 (interpretation), in paragraph (1)–

(a) for the definition of “the Decision”, substitute–

““the Decision” means Commission Decision [2004/4/EC](#) authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards Egypt as amended from time to time;”;

(b) for the definition of “the Order”, substitute–

““the Order” means the Plant Health (Scotland) Order 2005(2);”;

(c) for the definition of “phytosanitary certificate”, substitute–

““phytosanitary certificate” means a certificate which complies with the relevant requirements of articles 7 and 15 of the Order;”.

(3) In regulation 2 (interpretation), in paragraph (2) for “article 22(1) or (2)”, substitute “article 32(1) to (3) or article 32(4)”.

(4) In regulation 3 (imports of potatoes originating in Egypt), in paragraph (2) for “point 25.8 of Section 1”, substitute “item 39”.

(5) In regulation 5 (powers of an inspector)–

(a) in paragraph (2)(a)–

(i) for “article 22(1)”, substitute “article 32(1) to (3)”;

(ii) for “article 24(1) to (3)”, substitute “article 34(1) and (2)”;

(iii) for “a plant”, substitute “relevant material”;

(b) in paragraph (2)(b)–

(i) for “article 22(2)”, substitute “article 32(4)”;

(ii) for “article 24(1) to (3)”, substitute “article 34(1) and (2)”;

(iii) for “a plant kept or moved in contravention of the Order”, substitute “relevant material suspected of being or likely to be present on any premises in contravention of the Order”;

(1) [S.S.I. 2004/111](#); amended by [S.S.I. 2005/39](#) and [2006/27](#).

(2) [S.S.I. 2005/613](#); amended by [S.S.I. 2006/474](#).

- (c) in paragraph (3)–
 - (i) for “article 22(2)”, substitute “article 32(4)”;
 - (ii) for “article 24(1) to (3)”, substitute “article 34(1) and (2)”;
 - (iii) for “a plant kept or moved in contravention of the Order”, substitute “relevant material suspected of being or likely to be present on any premises in contravention of the Order”;
 - (d) in paragraph (4)–
 - (i) for “article 22(1) or (2)”, in both places where it appears, substitute “article 32(1) to (3) or article 32(4)”;
 - (ii) for “articles 24(4) to (6), 26 to 28, 32 and 33(1), (2) and (6)”, substitute “articles 34(3) to (6), 35 to 38, 44 and 45(1)(a)(xii), (b) and (c), (2), (5) to (9) and 46”;
 - (e) in paragraph (5) for “article 25”, substitute “article 31”; and
 - (f) in paragraph (6)–
 - (i) for “article 25”, substitute “article 31”; and
 - (ii) for “articles 28 and 33(1)(a) and (c), (2) and (6)”, substitute “articles 38 and 45(1) (b) and (c), (2), (5) to (9) and 46”.
- (6) In regulation 6 (charges in respect of the sampling of imports of potatoes) for “article 25(1) (a)”, substitute “article 31(2)(b)”.

Revocation

3. The Potatoes Originating in Egypt (Scotland) Amendment Regulations 2005⁽³⁾ and the Potatoes Originating in Egypt (Scotland) Amendment Regulations 2006⁽⁴⁾ are revoked.

Pentland House,
Edinburgh
20th February 2007

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⁽³⁾ S.S.I. 2005/39.
⁽⁴⁾ S.S.I. 2006/27.