
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 5

The Plant Health (Scotland) Amendment Order 2013

Citation and commencement

1. This Order may be cited as the Plant Health (Scotland) Amendment Order 2013 and comes into force on 9th February 2013.

Amendments to the Plant Health (Scotland) Order 2005

2. The Plant Health (Scotland) Order 2005⁽¹⁾ is amended in accordance with articles 3 and 4.

Substitution of article 19A

3. For article 19A (introduction of seed potatoes into Scotland)⁽²⁾ substitute—

“Landing of potatoes in Scotland

19A.—(1) No person shall land potatoes to which this article applies unless that person has given written notification to an inspector at least forty eight hours prior to their intended landing.

(2) This article applies to—

- (a) seed potatoes grown outside Scotland; or
- (b) potatoes, other than seed potatoes, grown in Poland, Portugal, Romania or Spain.

(3) The notification shall contain—

- (a) the proposed time, date and means of landing;
- (b) the proposed point of entry;
- (c) the proposed destination and use;
- (d) the variety;
- (e) the quantity; and
- (f) the producer’s identification number or the reference number of the lot.

(4) Where an inspector is satisfied that no notification has been given under paragraph (1) in relation to potatoes to which this article applies, the inspector may serve a notice requiring the person landing the potatoes to provide information about any of the matters specified in paragraph (3) within such period as is specified in the notice.”.

⁽¹⁾ S.S.I.2005/613, amended by S.S.I.2006/474, 2007/415 and 498, 2008/300 and 350, 2009/153, 2010/206 and 342, S.I.2011/1043, S.S.I. 2012/266 and 2012/326.

⁽²⁾ Article 19A was inserted by S.S.I. 2008/300.

Amendment of Schedule 4

4. In Schedule 4 (restrictions on the landing in and movement within Scotland of relevant material), in Part B (relevant material, from another part of the European Union, which may only be landed in or moved within Scotland if special requirements are satisfied)—

- (a) in item 15 (tubers of *Solanum tuberosum* L.), in the third column, for “item 16” substitute “items 16, 19a(3) and 19b”;
- (b) in item 19 (tubers of *Solanum tuberosum* L.), in the third column, for “There shall be evidence” substitute “Without prejudice to items 19a and 19b, there shall be evidence”; and
- (c) after item 19a insert—

“19b.	Tubers of <i>Solanum tuberosum</i> L. which originate in Poland, other than those mentioned in column 2 of items 16 to 18	Without prejudice to the requirements of items 19 and 19a, the tubers shall be accompanied by a certificate issued by the responsible official body in Poland confirming that they have been found to be free from <i>Clavibacter michiganensis</i> ssp. <i>sepedonicus</i> (Spieckerman and Kotthoff) Davis <i>et al.</i> in official laboratory tests.”.
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Revocations

5. The Potatoes Originating in Poland (Notification) (Scotland) Order 2004(4), the Potatoes Originating in Poland (Notification) (Scotland) Amendment Order 2008(5) and article 4(2) of the Plant Health (Scotland) Amendment Order 2008(6) are revoked.

St Andrew’s House,
Edinburgh
9th January 2013

RICHARD LOCHHEAD
A member of the Scottish Government

(3) Item 19a was inserted by S.S.I. 2012/266.
(4) S.S.I. 2004/255, amended by S.S.I. 2008/299.
(5) S.S.I. 2008/299.
(6) S.S.I. 2008/300.