

SCHEDULE 13

Article 40(5)

Special measures for the control of Potato wart disease

1. A plot is to be regarded as contaminated for the purposes of this Schedule if Potato wart disease is confirmed to be present on at least one plant from the plot as a result of an official test.
2. An inspector must demarcate a contaminated plot and a safety zone around that plot which is large enough to ensure the protection of the surrounding areas.
3. A notice under article 33 may require any potato tubers or haulms which are present on a contaminated plot or which come from such a plot to be treated in such a way that the Potato wart disease present on them is destroyed.
4. Where an inspector is satisfied that any potato tubers or haulms are contaminated with Potato wart disease and the inspector cannot determine whether those tubers or haulms have been present on a contaminated plot, the inspector may serve a notice under article 33 which requires the whole batch containing the affected tubers or haulms to be treated in such a way that there is no risk of Potato wart disease spreading.
5. Where a contaminated plot is demarcated under paragraph 2—
 - (a) no potatoes may be grown on it; and
 - (b) no plants intended for transplanting may be grown, stored or moved on it.
6. No potatoes may be grown in a safety zone demarcated under paragraph 2 unless an inspector is satisfied that they are of a variety which meets the requirements of Article 5 of [Directive 69/464/EEC](#).
7. Where an inspector is satisfied that Potato wart disease is no longer present on a plot demarcated under paragraph 2 or on its associated safety zone, the inspector must revoke that demarcation.