

## SCHEDULE 14

Article 40(5)

### Special measures for the control of European populations of Potato cyst nematode

#### **Interpretation and application of Schedule 14**

1. This Schedule applies, where following an official investigation for the purposes of Article 4 of [Directive 2007/33/EC](#) or an official survey for the purposes of Article 6 of that Directive, the Department confirms that a field is infested with a European population of Potato cyst nematode.

2. In this Schedule, “demarcated field” means a field in respect of which a notice served under paragraph 3 is in force.

#### **Demarcation of the field**

3. An inspector must serve a notice in writing on the occupier or other person in charge of the field which—

- (a) specifies the field to which the notice applies; and
- (b) demarcates the boundaries of that field.

4. The notice may not be withdrawn until it is confirmed, pursuant to the re-sampling and testing measures set out in Section III(c) of Annex III to [Directive 2007/33/EC](#), that Potato cyst nematode is no longer present in the field.

#### **Prohibition on planting of potatoes**

5. Unless authorised to do so by an inspector, no person may—

- (a) plant any potatoes in a demarcated field; or
- (b) plant or store in a demarcated field any plant listed in Annex I to [Directive 2007/33/EC](#) which is intended for planting.

6. An inspector may authorise the planting in a demarcated field of any plant which is listed in point 2 of Annex I to [Directive 2007/33/EC](#).

7. An authorisation under paragraph 6 must be by notice and must contain the measures set out in Section III(A) of Annex III to [Directive 2007/33/EC](#).

#### **Controls on contaminated seed potatoes etc.**

8. No person may plant any seed potatoes or any plants listed in point 1 of Annex I to [Directive 2007/33/EC](#) which come from a demarcated field, or have been in contact with soil from a demarcated field, unless authorised to do so by an inspector.

9. An authorisation under paragraph 8 must be by notice and must contain the measures which the inspector considers necessary to decontaminate those seed potatoes or plants.

#### **Controls on contaminated bulbs etc.**

10. No person may plant any plants listed in point 2 of Annex I to [Directive 2007/33/EC](#) which come from a demarcated field, or have been in contact with soil from a demarcated field, unless authorised to do so by an inspector.

11. An authorisation under paragraph 11 must be by notice and must contain the measures set out in Section III(A) of Annex III to the Directive.