
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2019 No.

**The Plant Health (EU Exit) (Scotland)
(Amendment etc.) Regulations 2019**

PART 3

Amendment of the Plant Health (Scotland) Order 2005: exiting the European Union

CHAPTER 7

Amendment of Part 7

- 54.** In article 39 (miscellaneous provisions for certain solanaceous species)(1)—
- (a) in paragraph (1)(2) for “country outside the European Union other than” substitute “third country, other than a country or territory in the European Union or”,
 - (b) in paragraph (2)—
 - (i) in sub-paragraph (a) after “programme in” insert “the United Kingdom, a CD territory,”,
 - (ii) in sub-paragraph (b)—
 - (aa) for “*Ralstonia solanacearum* (Smith) Yabuuchi *et al.*” substitute “Potato brown rot”,
 - (bb) for “Annex II to [Directive 98/57/EC](#)” substitute “EPPO PM 7/21”,
 - (iii) in sub-paragraph (c) for “Annex I to [Directive 93/85/EEC](#)” substitute “EPPO PM 7/59”,
 - (c) in paragraph (6) for “*Ralstonia solanacearum* (Smith) Yabuuchi *et al.*” substitute “Potato brown rot”,
 - (d) for paragraph 39(8)(3) substitute —

“(8) Subject to paragraph (10), seed potatoes and the plants listed in Schedule 15A must not be planted unless they were grown in a sampling unit which has undergone an official investigation pursuant to paragraph 3(a) of schedule 15 and no Potato Cyst Nematode was found”,
 - (e) omit paragraphs (11) and (12).

(1) Article 39 is amended by Part 2 of these Regulations.
(2) Paragraph (1) was amended by [S.I. 2011/1043](#).
(3) Paragraph (8) was inserted by [S.S.I. 2010/206](#)