

SCHEDULE 15

Article 39(6)

Special measures for the control of Potato Cyst Nematode

1. If, as a result of an official test, Potato Cyst Nematode is recorded, an inspector shall demarcate the contaminated plot.
2. Subject to paragraph 5, no person shall distribute as seed potatoes any seed potatoes which an inspector is satisfied are contaminated with or likely to be contaminated with Potato Cyst Nematode, unless they have been treated in such a way that, to the satisfaction of an inspector, they are no longer contaminated.
3. Subject to paragraph 5, where contaminated land is demarcated under paragraph 1—
  - (a) no potatoes shall be grown on it; and
  - (b) no plants intended for transplanting shall be grown, stored or moved on it.
4. Where an inspector is satisfied that Potato Cyst Nematode is no longer present on a plot which is demarcated under paragraph 1, the inspector shall revoke that demarcation.
5. Provided there is no risk of the spread of Potato Cyst Nematode and the control of the pest is not prejudiced, an inspector may, by notice in writing, authorise—
  - (a) the growing on a contaminated plot of potatoes, other than seed potatoes, which are resistant to pathotypes of Potato Cyst Nematode found on that contaminated plot;
  - (b) the growing on a contaminated plot of potatoes, other than seed potatoes, provided that such potatoes are to be harvested before the cysts of Potato Cyst Nematode mature; or
  - (c) the growing on a contaminated plot of potatoes other than seed potatoes where the ground has been decontaminated by appropriate means.
6. A potato variety shall be regarded as being resistant to a particular pathotype of Potato Cyst Nematode for the purposes of paragraph 5(a) if, when that variety is grown, a natural and annual decrease in the population of that pathotype is found to occur.