

1982 No. 599

PLANT HEALTH

The Vegetable Produce (Temporary Prohibition on Landing) (Great Britain) Order 1982

<i>Made</i>	- - - - -	28th April 1982
<i>Laid before Parliament</i>		29th April 1982
<i>Coming into Operation</i>		30th April 1982

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by sections 2 and 3(1) and (2) of the Plant Health Act 1967^(a), as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972^(b), and now vested in them^(c), and every other power enabling them in that behalf hereby make the following order:—

Title, extent, commencement and duration

1. This order may be cited as the Vegetable Produce (Temporary Prohibition on Landing) (Great Britain) Order 1982, shall apply to Great Britain, shall come into operation on 30th April 1982 and shall cease to have effect on 30th June 1982.

Prohibition on landing

2. The landing in Great Britain of the vegetable produce listed in the Schedule to this order grown in Italy is hereby prohibited.

Application of the Import and Export (Plant Health) (Great Britain) Order 1980

3. The provisions of Articles 12 (examination, sampling and marking), 13 and 15 (procedure when plants are landed), 16 (powers of an officer of Customs and Excise), 17 (licences), and 19 (service of notices) of the Import and Export (Plant Health) (Great Britain) Order 1980^(d), shall apply in relation to the prohibition set out in Article 2 of this order.

^(a) 1967 c. 8; section 3(2) was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8.

^(b) 1972 c. 62.

^(c) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.

^(d) S.I. 1980/420.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th April 1982.



Peter Walker,
Minister of Agriculture, Fisheries and Food.

28th April 1982.

George Younger,
Secretary of State for Scotland.

28th April 1982.

Nicholas Edwards,
Secretary of State for Wales.

SCHEDULE

(List of vegetable produce the landing of which is prohibited by this order.)

Common name	Proper name
Spinach	<i>Spinacia oleracea</i> L.
Beet, including beetroot	<i>Beta vulgaris</i> L.
Lettuce	<i>Lactuca sativa</i> L.
Cabbage	<i>Brassica oleracea</i> L.
Brussel sprouts	<i>Brassica oleracea</i> L.
Kales	<i>Brassica oleracea</i> L.
Calabrese	<i>Brassica oleracea</i> L.
Cauliflower	<i>Brassica oleracea</i> L.
Broccoli	<i>Brassica oleracea</i> L.
Sprouting broccoli	<i>Brassica oleracea</i> L.
Kohl rabi	<i>Brassica oleracea</i> L.
Chinese cabbage	<i>Brassica chinensis</i> L.
Chinese or leaf mustard	<i>Brassica juncea</i> Coss
Chicory	<i>Cichorium intybus</i> L.
Endive	<i>Cichorium endivia</i> L.
Parsley	<i>Petroselinum crispum</i> Nym
Celery and celeriac	<i>Apium graveolens</i> L.
Fennel	<i>Foeniculum vulgare</i> Mill
Asparagus	<i>Asparagus officinalis</i> L.
Artichoke	<i>Cynara scolymus</i> L.
Water cress	<i>Nasturtium officinale</i> R. Br.
Artichoke-cardoon	<i>Cynara cardunculus</i> L.
Onion	<i>Allium</i> Spp.
Aubergine	<i>Solanum melongera</i> L.
Carrot	<i>Daucus carota</i> L.
Corn salad	<i>Valerianella olitoria</i> Poll
Dandelion	<i>Taraxacum officinale</i> L.
Rocket salad	<i>Eruca sativa</i> Lam
Purslane	<i>Portulaca oleracea</i> L.
Radish, inc. mouli	<i>Raphanus</i> Spp.
Malva	<i>Malva sylvestris</i> L.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prohibits for two months from 30th April 1982 the landing in Great Britain of the vegetable produce listed in the Schedule grown in Italy, on account of recent findings of Colorado Beetle.

The following provisions of the Import and Export (Plant Health) (Great Britain) Order 1980 apply to the prohibition on landing set out in Article 2:—

- (a) an officer of the appropriate Minister authorised for the purposes of that order has powers of entry, examination and sampling and powers to enable remedial action to be taken when plants or plant products are landed or are likely to be landed in contravention of this Order (Articles 12 and 13 of that Order);
- (b) Officers of Customs and Excise may detain plants and plant products for examination (Article 16 of that Order);
- (c) the landing of a plant or plant product which is prohibited by this Order may be authorised by licence (Article 17 of that Order).

Any person who lands a plant or plant product in contravention of this Order with intent to evade the prohibition contained in it is guilty of an offence under section 50(2) of the Customs and Excise Management Act 1979 (c. 2) and may be detained. A person guilty of such offence is liable to, on summary conviction, a penalty of £1,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both, and, on conviction on indictment, to a penalty of any amount, or to imprisonment for a term not exceeding 2 years, or to both.

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