

## SCHEDULE 15

Article 40(5)

### Special measures for the control of Potato ring rot

#### Interpretation

1. In this Schedule—

“certified seed potatoes” means pre-basic seed potatoes or basic seed potatoes as defined by regulation 2(1) of the Seed Potatoes Regulations;

“contaminated” means designated by an inspector as contaminated for the purposes of Article 5(1)(a) of Directive 93/85/EEC;

“first growing year”, in the case of measures to be taken in relation to a contaminated place of production, means the first growing year following the growing year in which the place of production is designated as contaminated for the purposes of Article 5(1)(a) of Directive 93/85/EEC;

“notice” means a notice under article 33;

“object” means any machinery, vehicle, vessel, store or other object, including packaging material;

“possibly contaminated” means determined by an inspector as possibly contaminated for the purposes of Article 5(1)(b) of Directive 93/85/EEC;

“susceptible material” means tubers or plants of *Solanum tuberosum* L.

#### Susceptible material or objects contaminated or possibly contaminated with Potato ring rot

2. No person may knowingly plant or knowingly cause or permit to be planted—

- (a) any contaminated susceptible material; or
- (b) any possibly contaminated susceptible material.

3. A notice may require that—

- (a) contaminated susceptible material be disposed of by destruction or by any other measure that complies with point 1 of Annex IV to Directive 93/85/EEC;
- (b) possibly contaminated susceptible material be used or disposed of in accordance with point 2 of Annex IV to Directive 93/85/EEC;
- (c) a contaminated object or a possibly contaminated object be—
  - (i) disposed of by destruction; or
  - (ii) cleansed and disinfected so that there is no identifiable risk of Potato ring rot spreading.

4. Anything cleansed and disinfected in accordance with paragraph 3(c)(ii) may no longer be treated as contaminated for the purposes of Directive 93/85/EEC.

#### Measures which may be required in relation to a contaminated place of production

5. An inspector may serve the following notices in relation to a contaminated place of production—

- (a) in the case of a contaminated field, a notice containing the first set of eradication measures or a notice containing the second set of eradication measures;
- (b) in the case of a field which is not contaminated, a notice containing the third set of eradication measures.

**Status:** Point in time view as at 01/09/2019.

**Changes to legislation:** There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked), SCHEDULE 15. (See end of Document for details)

6. The first set of eradication measures are—
  - (a) the measures to be taken in the field from the date of receipt of the notice and for at least three growing years from the start of the first growing year so as to eliminate volunteer potato plants, and other naturally-found host plants, of Potato ring rot;
  - (b) a prohibition on the planting of any of the following in the field during that period—
    - (i) potato tubers, plants or true seeds;
    - (ii) naturally-found host plants of Potato ring rot;
    - (iii) crops for which there is a risk of Potato ring rot surviving or spreading;
  - (c) a requirement that in the first potato cropping season following that period only potatoes for ware production be planted in the field, provided that the field has been found free from volunteer potato plants and other naturally-found host plants of Potato ring rot for at least two consecutive growing years prior to planting; and
  - (d) a requirement that in the next potato cropping season only potatoes for seed or ware production be planted in the field following an appropriate rotation cycle (which must be at least two years where the potatoes are to be planted for seed production).
7. The second set of eradication measures are—
  - (a) the measures to be taken in the field from the date of receipt of the notice and for four growing years from the start of the first growing year so as to eliminate volunteer potato plants, and other naturally-found host plants, of Potato ring rot;
  - (b) a requirement that, during that period, the field be maintained in bare fallow or in permanent pasture with frequent close cutting or intensive grazing; and
  - (c) a requirement that in the first potato cropping season following that period only potatoes for ware production be planted, provided that the field has been found free from volunteer potato plants and other naturally-found host plants of Potato ring rot for at least two consecutive growing years prior to planting.
8. The third set of eradication measures are—
  - (a) a prohibition on the planting of any of the following in the field from the date of receipt of the notice and for the first growing year—
    - (i) potato tubers, plants or true seeds;
    - (ii) naturally-found host plants of Potato ring rot; and
    - (iii) certified seed potatoes, unless they are for ware production only and an inspector is satisfied that the risk of volunteer potato plants and other naturally-found host plants of Potato ring rot has been eliminated;
  - (b) a requirement that in the subsequent growing year only the following potatoes be planted for seed or ware production—
    - (i) certified seed potatoes; and
    - (ii) seed potatoes officially tested for the absence of Potato ring rot and grown under official control at a place of production which is not a contaminated place of production;
    - (iii) a requirement that during at least the third growing year only certified seed potatoes or seed potatoes grown under official control from certified seed potatoes be planted for seed or ware production; and
    - (iv) the measures to be taken in the field from the date of receipt of the notice to the end of the third growing year so as to eliminate volunteer potato plants, and naturally-found host plants, of Potato ring rot.

9. A notice may in relation to a contaminated place of production specify that all machinery and storage facilities at the place of production which are used for potato production must be cleansed and disinfected so that there is no identifiable risk of Potato ring rot spreading throughout the period specified in the notice.

10. The measures which may be specified in a notice under paragraph 5 or 9 may be included in a notice with other appropriate measures.

#### **Additional measures applicable in relation to unit of protected crop production**

11. Where it is possible to replace all of the growing medium in a contaminated unit of protected crop production, no person may plant in the unit any potato tubers, plants or true seeds without the written authorisation of an inspector.

12. An inspector may not grant an authorisation under paragraph 11 unless measures are complied with in accordance with point 4.1(d) of Annex IV to Directive [93/85/EEC](#).

13. Where an authorisation is granted under paragraph 11, the authorisation may specify that only certified seed potatoes, mini-tubers or micro-plants derived from officially tested sources may be used in the production.

**Status:**

Point in time view as at 01/09/2019.

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked), SCHEDULE 15.