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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 74**

**PLANT HEALTH**

**The Potatoes Originating in the Netherlands  
(Scotland) Revocation Regulations 2005**

*Made* - - - - 17th February 2005  
*Laid before the Scottish  
Parliament* - - - - 18th February 2005  
*Coming into force* - - 14th March 2005

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Potatoes Originating in the Netherlands (Scotland) Revocation Regulations 2005 and shall come into force on 14th March 2005.

(2) These Regulations extend to Scotland only.

**Revocation**

2. The following Regulations are revoked insofar as they apply to Scotland—

- (a) the Potatoes Originating in the Netherlands Regulations 1997<sup>(2)</sup>; and
- (b) the Potatoes Originating in the Netherlands (Amendment) Regulations 1998<sup>(3)</sup>.

St Andrew's House, Edinburgh  
17th February 2005

*ROSS FINNIE*  
A member of the Scottish Executive

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(1) 1972 c. 68; section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred on a Minister of the Crown by section 2(2), insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.  
(2) S.I.1997/2441.  
(3) S.I. 1998/3168.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

These Regulations, which apply only to Scotland, revoke the Potatoes Originating in The Netherlands Regulations 1997 and the Potatoes Originating in The Netherlands (Amendment) Regulations 1998 insofar as they apply to Scotland (article 2).

The 1997 Regulations required any person intending to import potatoes originating in the Netherlands and grown in 1997 to give notification of that intention, to include specified information, and provided plant health inspectors with powers to check compliance with and enforce the Regulations. They also prescribed a fee where a sample of seed potatoes was taken in exercise of those powers for the purpose of ascertaining whether the potatoes were infected with *Pseudomonas solanacearum* (Smith) Smith. The 1998 Regulations amended the earlier Regulations to apply them to potatoes grown in 1998 and amended the fee for sampling potatoes. These Regulations are now of no practical effect as potatoes originating in the Netherlands and grown in 1998 are no longer traded.

No Regulatory Impact Assessment has been prepared in respect of these Regulations.