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## EXPLANATORY NOTE

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

The Plant Health (Potatoes) (Scotland) Order 2006 (“this Order”), which extends to Scotland only, makes provision for the notification of potato crops and for the destruction of the haulm of infected crops and for the treatment of areas where waste potato material is kept. This Order comes into force on 1st July 2006 save for article 3 which comes into force on 1st January 2007.

Article 3 imposes requirements on potato growers who have planted a crop to notify the Scottish Ministers with a list of prescribed information to identify the location, size and variety of potato crop being grown.

Article 4 contains provisions for an inspection of a crop and requiring certain action to be carried out by the potato grower if the crop has not been notified or is affected by any aphid-borne virus.

Article 5 contains provisions for an inspection of waste potato material and requiring certain action to be carried out where waste potato material is affected by potato blight.

Articles 6 to 8 contain provisions as to issue of notices, compliance with notices and the consequences of failure to comply with notices.

Article 9 contains provisions entitling an inspector to apply for a warrant to enter onto premises where admission has been refused or is likely to be refused.

Article 10 contains offences for non-compliance with this Order. A person found guilty of an offence under this Order is liable on summary conviction to a fine of up to level 5 on the standard scale (Article 11).

Article 12 provides for the possible use of electronic communication.

No Regulatory Impact Assessment has been prepared in relation to this Order.