

SCHEDULE 2

Specific measures relating to certain solanaceous species

PART 7

Measures for the control of *Ralstonia solanacearum* (Smith) Yabuuchi *et al.*

Contaminated place of production – notice in relation to fields other than those referred to in paragraph 42

44. Where a place of production is designated by a plant health inspector as contaminated in accordance with paragraph 39(2)(c) of this schedule and with regard to any fields at that place other than those referred to in paragraph 42 of this schedule the plant health inspector is satisfied that the risk of volunteer potato and tomato plants and other naturally found host plants of *R. solanacearum* has been eliminated, the notice referred to in paragraph 41 of this schedule must require that with regard to such fields—

- (a) from the date of receipt of the notice and for one growing year following the start of the next growing year—
 - (i) potato tubers, potato plants and true seeds and other host plants of *R. solanacearum* must not be planted save that potato tubers, basic seed potatoes or pre-basic seed potatoes may be planted for ware production only,
 - (ii) tomato plants grown from seed which meets the requirements of the ^{F1}... Plant Health Regulation may be planted, for fruit production only,
- (b) in the first growing year following that specified in sub-paragraph (a)—
 - (i) if potatoes are to be planted, only basic seed potatoes or pre-basic seed potatoes officially tested for the absence of *R. solanacearum* and grown under official control at a place of production which is not designated by a plant health inspector as contaminated in accordance with paragraph 39(2)(c) of this schedule may be planted, for seed or ware production,
 - (ii) in the case of tomatoes, only tomato plants grown from seed which meets the requirements of the EU Plant Health Regulation or, if vegetatively propagated, from tomato plants produced from such seed and grown under official control at a place of production which is not designated by a plant health inspector as contaminated in accordance with paragraph 39(2)(c) of this schedule may be planted, for plant or fruit production,
- (c) in the second growing year following that specified in sub-paragraph (a) and, where appropriate, in any subsequent growing year which may be specified in the notice—
 - (i) if potatoes are to be planted, only basic seed potatoes or pre-basic seed potatoes grown under official control from certified seed potatoes may be planted, for seed or ware production,
 - (ii) if tomatoes are to be planted, only tomato plants grown from seed which meets the requirements of the ^{F2}... Plant Health Regulation or tomato plants grown from such plants under official control may be planted, for plant or fruit production,
- (d) from the date of the receipt of the notice and in each of the growing years referred to in this paragraph, measures must be taken to eliminate volunteer potato plants and other naturally found host plants of *R. solanacearum* as appropriate, and

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the *The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019, Paragraph 44.* (See end of Document for details)

- (e) official inspections of growing crops at appropriate times and official testing of harvested potatoes are carried out in accordance with the method set out in [F3EPPO PM 7/21].

Textual Amendments

- F1** Word in sch. 2 para. 44(a)(ii) omitted (31.12.2020) by virtue of *The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466)*, regs. 1(1)(c), **27(e)(i)** (with reg. 32)
- F2** Word in sch. 2 para. 44(c)(ii) omitted (31.12.2020) by virtue of *The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466)*, regs. 1(1)(c), **27(e)(ii)** (with reg. 32)
- F3** Words in sch. 2 para. 44(e) substituted (31.12.2020) by *The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466)*, regs. 1(1)(c), **27(e)(iii)** (with reg. 32)
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Commencement Information

- I1** Sch. 2 para. 44 in force at 14.12.2019, see reg. 1(1)

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019, Paragraph 44.