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DRAFT STATUTORY INSTRUMENTS

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**2003 No.**

**The Horticultural Development  
Council (Amendment) Order 2003**

**Amendment of the principal Order**

3. In article 2 (interpretation), in paragraph (1)—
- (a) there shall be inserted before the definition of “compost” the following definitions—
    - ““apple” and “pear” mean respectively any apple other than the varieties listed in Part I of Schedule I and any pear other than the varieties listed in Part II of that Schedule;
    - “apple or pear grower” means a person who carries on the trade or business of growing apples or pears for sale or for processing into an apple or pear product with a view to its sale, and occupies land of at least two hectares planted with at least 50 trees (whether apple or pear or both);”;
  - (b) there shall be substituted for the definition of “grower” the following definition—
    - ““grower” means—
      - (a) a person, other than an apple or pear grower, who grows horticultural produce (excluding mushrooms) for sale, whose sales of such produce (excluding Value Added Tax and the cost of haulage and packing materials and, in those cases where the produce is prepared for market in rateable packhouses, any rates levied in respect of such packhouses) were not less than £25,000 during his relevant accounting year;
      - (b) a mushroom grower; and
      - (c) an apple or pear grower;”;
- (c) in the definition of “horticultural produce”, there shall be inserted before the words “Schedule 1” the words “Part III of”