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STATUTORY INSTRUMENTS

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**1988 No. 736**

**PLANT HEALTH**

**The Parsley (Temporary Prohibition on Landing) (Great Britain) Order 1988**

<i>Made</i>	- - - -	<i>15th April 1988</i>
<i>Laid before Parliament</i>		<i>18th April 1988</i>
<i>Coming into force</i>	- -	<i>19th April 1988</i>

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by sections 1(2)(b), 2, 3(1), (2) and (4) of the Plant Health Act 1967(1), as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972(2), and now vested in them(3), and of all other powers enabling them in that behalf, hereby make the following Order:

**Title, extent, commencement and duration**

1. This Order may be cited as the Parsley (Temporary Prohibition on Landing) (Great Britain) Order 1988, shall apply to Great Britain, shall come into force on 19th April 1988 and shall cease to have effect on 19th June 1988.

**Prohibition on landing**

2. The landing in Great Britain of parsley (*Petroselinum crispum* Nym) grown in Italy is hereby prohibited.

**Application of the Plant Health (Great Britain) Order 1987**

3. The provisions of articles 15 (actions which may be taken by an inspector), 16 (miscellaneous provisions as to notices), 18 (information as to compliance with notices), 19 (failure to comply with a notice), 42 (licences), 44 (powers of an officer of Customs and Excise), 45 (information to be given), 46 and 47 (offences) of the Plant Health (Great Britain) Order 1987(4), shall apply in relation to the prohibition set out in article 2 of this Order.

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(1) 1967 c. 8; sections 2(1), 3(1) and (2) were amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48) and is to be read with S.I.1984/447, 526.  
(2) 1972 c. 62.  
(3) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.  
(4) S.I. 1987/1758.

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**Status:** This is the original version (as it was originally made).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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In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 14th April 1988.

L.S.

*John MacGregor*  
Minister of Agriculture, Fisheries and Food

14th April 1988

*Sanderson of Bowden*  
Minister of State, Scottish Office

15th April 1988

*Peter Walker*  
Secretary of State for Wales

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## EXPLANATORY NOTE

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

This Order prohibits until 19th June 1988 the landing in Great Britain of parsley grown in Italy, on account of recent findings of Colorado Beetle.

The following provisions of the Plant Health (Great Britain) Order 1987 apply in relation to the prohibition on landing set out in article 2 —

- (a) a person appointed to be an inspector for the purposes of that Order (plant health inspector) may take, or require certain other persons to take, remedial action when parsley is landed or is likely to be landed in contravention of this Order (articles 15, 16, 18 and 19 of that Order);
- (b) the landing of parsley which is prohibited by this Order may be authorised by licence (article 42 of that Order);
- (c) an officer of Customs and Excise may, if so requested by a plant health inspector, prohibit the removal of parsley landed in contravention of this Order (article 44 of that Order);
- (d) certain persons may be required to give information in relation to parsley landed in contravention of this Order (article 45 of that Order);
- (e) offences and penalties (articles 46 and 47 of that Order).

Any person who lands parsley in contravention of the prohibition imposed by this Order with intent to evade such prohibition is guilty of an offence under section 50(2) of the Customs and Excise Management Act 1979 (c. 2) and may be detained. A person guilty of such offence is liable, on summary conviction, to a penalty of £2,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both, and, on conviction on indictment, to a penalty of any amount, or to imprisonment for a term not exceeding 2 years, or to both.