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STATUTORY INSTRUMENTS

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**2005 No. 278**

**PLANT HEALTH, ENGLAND**

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

<i>Made</i>	- - - -	<i>9th February 2005</i>
<i>Laid before Parliament</i>		<i>11th February 2005</i>
<i>Coming into force</i>	- -	<i>7th March 2005</i>

The Secretary of State, being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community, in exercise of the powers conferred upon her by that section, makes the following Regulations:

**Title, commencement, extent and application**

1.—(1) These Regulations may be cited as the Potatoes Originating in the Netherlands (Revocation) (England) Regulations 2005 and shall come into force on 7th March 2005.

(2) These Regulations extend to England and Wales but apply only in relation to England.

**Revocation of Regulations**

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

- (a) the Potatoes Originating in the Netherlands Regulations 1997<sup>(3)</sup>; and
- (b) the Potatoes Originating in the Netherlands (Amendment) Regulations 1998<sup>(4)</sup>.

*Ben Bradshaw*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

9th February 2005

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(1) S.I. 1972/1811.  
(2) 1972 c. 68.  
(3) S.I. 1997/2441, as amended by S.I. 1998/3168.  
(4) S.I. 1998/3168.

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## EXPLANATORY NOTE

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

These Regulations, which come into force on 7th March 2005, revoke the Potatoes Originating in the Netherlands Regulations 1997 (“the 1997 Regulations”) ([S.I. 1997/2441](#)) and the Potatoes Originating in the Netherlands (Amendment) Regulations 1998 (“the 1998 Regulations”) ([S.I. 1998/3168](#)) insofar as they apply to England.

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 produced for this instrument as it has no impact on the costs of business.