
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 7th March 2005, places certain notification requirements upon persons importing potatoes from the Netherlands which have been grown during 2004 or later.

Article 3 requires any person importing Dutch potatoes, grown during 2004 or later, into England in the course of business to give at least two days' notice in writing to a Plant Health inspector of the Department for Environment, Food and Rural Affairs, providing specified details as to, among other things, when and where the potatoes are to be introduced into England (article 3(1)). It also requires persons who imported Dutch seed potatoes into England after 1st September 2004 but before the coming into force of this Order to provide to an inspector, so far as is reasonably practicable, specified information of a similar nature no later than 21st March 2005 (article 3(2)).

Article 4 provides inspectors with powers, for the purpose of checking compliance with this Order or the Plant Health (Great Britain) Order 1993 ("the principal Order"), to require the movement of potatoes to any premises or to prohibit the movement, treatment or destruction of potatoes or any container or package. For the purposes of checking compliance with this Order, inspectors also have a power to enter premises in order to carry out examinations or inspections of certain items found there. These provisions are without prejudice to the circumstances in which an inspector may by virtue of the principal Order exercise the powers conferred by that Order.

Article 5 provides that a person shall be guilty of an offence if, without reasonable excuse, he contravenes or fails to comply with a requirement of article 3 or he intentionally obstructs an inspector or any person authorised by an inspector in exercise of his powers under article 4.

No Regulatory Impact Assessment has been prepared for this Order.