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WELSH STATUTORY INSTRUMENTS

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**2018 No. 1064**

**The Plant Health (Wales) Order 2018 (revoked)**

**PART 7**

Certain solanaceous species: planting and control of relevant plant pests

**Miscellaneous provisions for certain solanaceous species**

**39.**—(1) No person may knowingly plant, or knowingly cause or permit to be planted, any potatoes or any potatoes produced from those potatoes, which have been grown in a third country, other than Switzerland.

(2) No person may knowingly plant or knowingly cause or permit to be planted any potatoes unless—

- (a) they derive in direct line from potato material which has been obtained under an officially approved programme in the European Union or Switzerland;
  - (b) they have been found to be free from Potato brown rot in official tests using the methods set out in Annex II to Directive [98/57/EC](#); and
  - (c) they have been found to be free from Potato ring rot in official tests using the methods set out in Annex I to Directive [93/85/EEC](#).
- (3) The following have effect in relation to the control of certain plant pests—
- (a) Schedule 13 (special measures for the control of Potato wart disease);
  - (b) Schedule 14 (special measures for the control of Potato cyst nematode);
  - (c) Schedule 15 (special measures for the control of Potato ring rot); and
  - (d) Schedule 16 (special measures for the control of Potato brown rot).

(4) Where the presence of Potato brown rot is confirmed to be present on a sample taken in accordance with Articles 2 and 5 of Directive [98/57/EC](#), an inspector may demarcate a zone in accordance with Article 5(1)(a)(iv) or 5(1)(c)(iii) of that Directive to prevent the spread of that plant pest.

**Status:**

Point in time view as at 02/11/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Wales) Order 2018 (revoked), PART 7.