
WELSH STATUTORY INSTRUMENTS

2018 No. 1064

The Plant Health (Wales) Order 2018

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.