

SCHEDULE 13

Article 39(3)

Special measures for the control of Potato wart disease

1. A plot is to be regarded as contaminated for the purposes of this Schedule if Potato wart disease is confirmed to be present on at least one plant from the plot as a result of an official test.
2. An inspector must demarcate a contaminated plot and a safety zone around that plot which is large enough to ensure the protection of the surrounding areas.
3. ^[F1]An inspector must serve a notice under article 32 requiring] any potato tubers or haulms which are present on a contaminated plot or which come from such a plot to be treated in such a way that the Potato wart disease present on them is destroyed.

Textual Amendments

- F1** Words in Sch. 13 para. 3 substituted (20.3.2019) by [The Plant Health \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/674\)](#), regs. 1(2)(a), 3

4. Where an inspector is satisfied that any potato tubers or haulms are contaminated with Potato wart disease and the inspector cannot determine whether those tubers or haulms have been present on a contaminated plot, the inspector may serve a notice under article 32 which requires the whole batch containing the affected tubers or haulms to be treated in such a way that there is no risk of Potato wart disease spreading.
5. Where a contaminated plot is demarcated under paragraph 2—
 - (a) no potatoes may be grown on it; and
 - (b) no plants intended for transplanting may be grown, stored or moved on it.
6. No potatoes may be grown in a safety zone demarcated under paragraph 2 unless an inspector is satisfied that they are of a variety which is resistant to the races of Potato wart disease found on the contaminated plot to which the safety zone relates.
7. A potato variety is to be considered resistant to a particular race of Potato wart disease for the purposes of paragraph 6 where that variety reacts to contamination by the pathogenic agent of that race in such a way that there is no danger of secondary infection.
8. Where an inspector is satisfied that Potato wart disease is no longer present on a plot demarcated under paragraph 2 or on its associated safety zone, the inspector must revoke that demarcation.

Status:

Point in time view as at 28/03/2019.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health (Wales) Order 2018 (revoked), SCHEDULE 13.