

S.I. No. 346/1993 - European Communities (Potato Ring Rot) Regulations, 1993.

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EUROPEAN COMMUNITIES (POTATO RING ROT) REGULATIONS, 1993.

I, JOE WALSH, Minister for Agriculture, Food and Forestry, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive No. 93/85/EEC of 4 October 1993⁽¹⁾, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Potato Ring Rot) Regulations, 1993.

2. In these Regulations—

"the organism" means *Clavibacter michiganensis* (Smith) Davis et al. ssp. *sepedonicus* (Spieckermann et Kotthoff) Davis et al., the cause of potato ring rot;

"infected potatoes" means potatoes infected with the organism;

"inspector" means a person appointed by the Minister to be an inspector for the purpose of these Regulations;

"the Minister" means the Minister for Agriculture, Food and Forestry.

3. These Regulations apply to the owner or occupier of any land on which potatoes are grown, the owner or occupier of any place where potatoes are stored, or the owner or occupier of any place where potatoes are sold.

4. A person to whom these Regulations apply shall, if he finds infected potatoes or potatoes suspected to be so infected growing on any land, or harvested, or stored in any store, or placed on the market for sale, forthwith notify the Minister of the fact.

5. No person shall sell, or place on the market for sale, infected potatoes or potatoes suspected to be so infected.

⁽¹⁾O.J. No. L.259 of 18.10.1993.

6. An inspector may, upon production, if so required, of his warrant of appointment or authority, enter on any land where potatoes are grown, or into any place where potatoes are stored or sold, for the purpose of ascertaining if any infected potatoes are to be found on that land or in that place and the inspector may make such enquiries and examinations (including the taking of samples) as are necessary for such purpose.

7. An inspector shall forthwith notify the Minister of the presence, or suspected presence of infected potatoes on any land or in any place.

8. Whenever the Minister has reason to believe, whether by means of a report from an inspector or otherwise, that infected potatoes or potatoes suspected to be so infected are to be found on any land or in any place, he may serve on any person to whom these Regulations apply a notice (in these Regulations referred to as a ring rot prevention notice).

9. A ring rot prevention notice may require the person on whom it is served to do all or any of the following things:

(a) handle all potatoes specified in the notice in such manner as the notice may direct including the collection of all such potatoes and their storage in such place as may be specified:

(b) abstain from planting, selling, exchanging, making a gift of or otherwise parting with any potatoes otherwise than in accordance with a direction from the Minister;

(c) abstain from growing potatoes on any land specified in the notice for such period as the Minister may direct;

(d) thoroughly cleanse and disinfect, or if necessary destroy, any buildings, containers, packaging materials, vehicles, appliances or any other object which may have come into contact with the infected potatoes during the proceeding six months;

(e) give any available information on the source of the potatoes that are infected or suspected of being infected, which could be of assistance in tracing the origin of the infection or the suspected infection;