STATUTORY INSTRUMENTS

1983 No. 1953

PLANT HEALTH

The Chrysanthemum (Temporary Prohibition on Landing) (Great Britain) Order 1983

Made - - - -	29*th December* 1983
Laid before Parliament	30*th December* 1983
Coming into Operation	31*st December* 1983

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred by sections 2 and 3(1) and (2) of the Plant Health Act 1967**(a)**, as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972**(b)**, and now vested in them**(c)**, and every other power enabling them in that behalf, hereby make the following order:—

Title, extent, commencement and duration

1. This order may be cited as the Chrysanthemum (Temporary Prohibition on Landing) (Great Britain) Order 1983, shall apply to Great Britain, shall come into operation on 31st December 1983 and shall cease to have effect on 31st March 1984.

Prohibition on landing

2. The landing in Great Britain of pot plants or cut flowers of florists' chrysanthemum (species, hybrids and cultivars of *Dendranthema* (DC) Desmoul.) grown in the Netherlands is hereby prohibited.

Application of the Import and Export (Plant Health) (Great Britain) Order 1980

3. The provisions of Articles 12 (examination, sampling and marking), 13 and 15 (procedure when plants are landed), 16 (powers of an officer of Customs and Excise), 17 (licences), and 19 (service of notices) of the Import and Export (Plant Health) (Great Britain) Order 1980**(d)** shall apply in relation to the prohibition contained in Article 2 of this order.

(a) 1967 c. 8; section 3(2) was amended by the European Communities Act 1972 (c. 68), section 4(1) and Schedule 4, paragraph 8.

(b) 1972 c. 62.

(c) In the case of the Secretary of State for Wales by virtue of S.I. 1978/272.

(d) S.I. 1980/420.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th December 1983.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

29th December 1983.

Nicholas Edwards,
Secretary of State for Wales.

29th December 1983.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prohibits for three months from 31st December 1983 the landing in Great Britain of pot plants and cut flowers of chrysanthemum grown in the Netherlands.

The following provisions of the Import and Export (Plant Health) (Great Britain) Order 1980 apply to the prohibition on landing contained in Article 2:—

(*a*) an officer of the appropriate Minister authorised for the purposes of that Order has powers of entry, examination and sampling and powers to enable remedial action to be taken when plants or flowers are landed or are likely to be landed in contravention of this Order (Articles 12 and 13 of that Order);

(*b*) Officers of Customs and Excise may detain plants and plant products for examination (Article 16 of that Order);

(*c*) the landing of a plant or flower which is prohibited by this Order may be authorised by licence (Article 17 of that Order).

Any person who lands a plant or flower in contravention of this Order with intent to evade the prohibition contained in it is guilty of an offence under section 50(2) of the Customs and Excise Management Act 1979 (c. 2) and may be detained. A person guilty of such offence is liable, on summary conviction, to a penalty of £1,000 or of three times the value of the goods, whichever is the greater, or to imprisonment for a term not exceeding 6 months, or to both, and, on conviction on indictment, to a penalty of any amount, or to imprisonment for a term not exceeding 2 years, or to both.

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