1963 No. 1295

PESTS

DESTRUCTIVE INSECTS AND PESTS

The Movement of Potatoes (Redskin Variety) Order 1963

Made - - - -	26*th July* 1963
Laid before Parliament	31*st July* 1963
Coming into Operation	1*st August* 1963

The Minister of Agriculture, Fisheries and Food by virtue and in exercise of the powers vested in him by section 2 of the Destructive Insects Act 1877(**a**), as amended by section 1 of the Destructive Insects and Pests Act 1907(**b**) and section 1 of the Destructive Insects and Pests Act 1927(**c**) respectively, and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Movement of Potatoes (Redskin Variety) Order 1963 and shall come into operation on the 1st August 1963.

Interpretation

2.—(1) In this Order, unless the context otherwise requires,

" authorised officer " means an officer authorised by the Minister of Agriculture, Fisheries and Food for the purposes of this Order;

" Minister " means the Minister of Agriculture, Fisheries and Food.

(2) The Interpretation Act 1889(**d**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Restriction of Movement of Redskin Potatoes

3.—(1) No person shall move or cause to be moved from any farm or agricultural holding in England and Wales any potatoes of the variety commonly known as Redskin.

(2) No person shall plant or cause to be planted on any farm or agricultural holding in England and Wales any potatoes of the variety commonly known as Redskin which have been grown on that farm or agricultural holding.

(3) No person shall bring or cause to be brought into England and Wales any potatoes of the variety commonly known as Redskin which were grown in Scotland, Northern Ireland, the Republic of Ireland or the Isle of Man unless those potatoes were obtained from crops which were certified under a scheme for the inspection of growing crops of potatoes authorised by the Secretary of State for Scotland, the Ministry of Agriculture for Northern Ireland, the Minister of Agriculture for the Republic of Ireland or the Isle of Man Board of Agriculture and Fisheries as the case may be.

(**a**) 40 & 41 Vict. c. 68.
(**b**) 7 Edw. 7. c. 4.
(**c**) 17 & 18 Geo. 5. c. 32.
(**d**) 52 & 53 Vict. c. 63.

(4) The prohibition imposed by paragraph (1) of this Article shall not apply in respect of potatoes grown on an area of, or areas together not exceeding, 1 acre and forming part of an allotment garden or private garden where such potatoes are moved solely with a view to their consumption by their owner or members of his household.

Examination and Sampling

4. An authorised officer, upon production if so required of his authority, may, for the purposes of this Order, enter any land or premises and examine and take samples of any potatoes found there.

Licences

5. Notwithstanding the prohibitions imposed by Article 3 of this Order, the Minister or an authorised officer may grant a licence permitting the movement, planting, or bringing into England and Wales of any potatoes subject to such conditions or restrictions as may be included in the licence.

Offences

6. Any person who fails to comply with the requirements of this Order or with the conditions or restrictions contained in a licence granted thereunder or who wilfully obstructs an authorised officer in the exercise of his powers under this Order shall be liable on conviction to a penalty not exceeding ten pounds or, in respect of a second or subsequent offence, to a penalty not exceeding fifty pounds.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th July 1963.

(L.S.) *Christopher Soames,*
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order requires that potatoes of the variety Redskin grown in England and Wales shall not be moved from the farm where they were grown or be planted on that farm except under and in accordance with a licence from the Ministry of Agriculture, Fisheries and Food. A licence will also be required to bring into England and Wales any uncertified crop of the same variety from Scotland, Northern Ireland, the Republic of Ireland or the Isle of Man. For the purposes of the Order an authorised officer may enter any land or premises and take samples of potatoes there.