Revocation of earlier Orders

2. The Potatoes (Corky Scab) Order of 1914(**a**), and the Potatoes (Corky Scab) Suspension Order of 1918(**b**), are hereby revoked.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twenty-sixth day of February, nineteen hundred and fifty-seven.

(L.S.)

D. Heathcoat Amory,
Minister of Agriculture, Fisheries and Food.

1957 No. 752

The Progressive Verticillium Wilt of Hops Order, 1957

Made - - - -	*29th April,* 1957
Laid before Parliament	*2nd May,* 1957
Coming into Operation	*3rd May,* 1957

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(**c**), as amended by Section 1 of the Destructive Insects and Pests Act, 1907(**d**), and Section 1 of the Destructive Insects and Pests Act, 1927(**e**) respectively, and of every other power enabling him in this behalf, hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Progressive Verticillium Wilt of Hops Order, 1957 and shall come into operation on the 3rd day of May, 1957.

Revocation

2. The Progressive Verticillium Wilt of Hops Order, 1953(**f**), is hereby revoked, but without prejudice to any right, privilege, obligation or liability acquired, accrued or incurred before the date of the said revocation and in particular any notice or licence given or served under that Order shall not be affected by anything in this Order but any such notice or licence which is in force at the date of the commencement of this Order shall continue in force and shall have effect as if it had been given or made under the corresponding provision of this Order.

Interpretation

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

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

"progressive verticillium wilt" means the disease affecting hop plants which is caused by the fungus Verticillium albo-atrum and known as Verticillium Wilt of Hops, Progressive Type.

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

(a) S.R. & O. 1914/1034 (Rev. V, p. 765: 1914 I, p. 537).
(b) S.R. & O. 1918/390 (Rev. V, p. 768: 1918 I, p. 378).
(c) 40 & 41 Vict. c. 68. (d) 7 Edw. 7. c. 4. (e) 17 & 18 Geo. 5. c. 32.
(f) S.I. 1953/776 (1953 II, p. 1563). (g) 52 & 53 Vict. c. 63.

Notice of Existence or Suspected Existence of Disease

4. The occupier or other person in charge of any land who knows or suspects that progressive verticillium wilt exists thereon shall forthwith give to the Minister notice in writing of the existence or suspected existence of the disease.

Destruction of Diseased Bines and Leaves

5. The occupier or other person in charge of any land who knows that progressive verticillium wilt exists thereon shall with all practicable speed from time to time destroy by fire at the premises where the disease exists all dead and dying bines and leaves of hop plants.

Destruction of Bines, Leaves and Plants on Infected Land and Restriction on Re-planting

6.—(1) If the Minister is satisfied that progressive verticillium wilt exists on any land he may by notice in writing served on the occupier or other person in charge of the said land require him to take, within such time or times as may be specified in the notice, one or both of the following steps, namely,

(*a*) to destroy by fire or by such other means as may be specified, at the premises where the disease exists, the bines and leaves of all or such of the hop plants on the said land and on the land adjacent thereto as may be specified in the notice;

(*b*) to grub up and destroy by fire at the premises where the disease exists all or such of the hop plants growing within such an area of the said land and of the land adjacent thereto as may be specified in the notice.

(2) A notice served under paragraph (1) of this Article may at any time be amended, modified or withdrawn by the Minister by a further notice in writing served upon the occupier or other person in charge of the land therein referred to.

(3) If a notice shall have been served under paragraph (1) of this Article and in pursuance of sub-paragraph (*b*) thereof no person shall plant any hop plants within any area specified in the notice except under and in accordance with the conditions of a licence issued by the Minister.

Prohibition of Planting of certain Hop Plants

7. If at any time progressive verticillium wilt has existed on any farm or on any field, garden, enclosure or other land not being part of a farm no person shall plant elsewhere or move for planting elsewhere any hop plants or parts thereof grown on such farm, field, garden, enclosure or other land except under and in accordance with the conditions of a licence issued by the Minister.

Restriction of Planting of Hop Plants grown in Kent, Sussex or Surrey

8. No person shall plant elsewhere than in the counties of Kent, Sussex or Surrey or move for planting elsewhere than in those counties any hop plants or parts thereof which have been grown on land within any of those counties, except under and in accordance with the conditions of a licence issued by the Minister.

Powers of Entry

9. An officer authorised by the Minister for the purposes of this Order may, upon production if so required of his appointment or authority, enter

upon any land and examine any hop plants growing thereon and take such steps as he may deem necessary to ascertain whether the requirements of this Order or of a notice served in pursuance thereof are being or have been complied with.

Service of Notices

10. For the purpose of this Order a notice shall be deemed to be served on any person if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post in a letter addressed to him there.

Exemption for Purpose of Research

11. The Minister may by a licence in writing exempt from any of the provisions of this Order, in accordance with the conditions of such licence, the occupier or other person in charge of any land on which hop plants are grown for the purpose of experiment or research.

Offences

12. Any person who fails to comply with or who acts in contravention of this Order or of the terms or conditions of any notice or licence served or issued thereunder or who wilfully obstructs any person in the exercise of his powers under this Order shall be liable on conviction to a fine not exceeding ten pounds, or in respect of a second or subsequent offence to a fine not exceeding fifty pounds.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this twenty-ninth day of April, nineteen hundred and fifty-seven.

(L.S.) *D. Heathcoat Amory,*
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 re-enacts with amendments the Progressive Verticillium Wilt of Hops Order, 1953 which it revokes. It requires an occupier of land in England and Wales to give notice to the Minister of Agriculture, Fisheries and Food of a known or suspected outbreak of the disease on his land and where the disease is present to destroy all infected bines and leaves. The Minister may by notice require the occupier of infected land to destroy the bines and leaves of hop plants, or to grub up and destroy hop plants growing on that land or on land adjacent to it, specified in the notice, and land on which grubbing up and destruction of plants has been so required may not be replanted with hop plants except under the Minister's licence. Hop plants grown on any infected land may not be planted or moved for planting elsewhere except under the Minister's licence; hop plants grown within the counties of Kent, Sussex or Surrey may not be planted or moved for planting elsewhere than in those counties except under the Minister's licence. Officers authorised by the Minister are empowered to inspect growing hop plants and to ascertain whether the requirements of the Order have been complied with and licences relaxing the requirements of the Order may be given for the purpose of experiment or research. Penalties are imposed for infringement of the Order.

The principal amendments enable the Minister to perform certain formal functions previously given to County Agricultural Executive Committees.