STATUTORY INSTRUMENTS

1964 No. 1047

PESTS

DESTRUCTIVE INSECTS AND PESTS

The Seed Potatoes (Redskin Variety) Order 1964

Made - - - -	*7th July* 1964
Laid before Parliament	14*th July* 1964
Coming into Operation	1*st August* 1964

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 all other powers enabling him in that behalf, hereby makes the following Order :—

Citation and Period of Operation

1. This Order, which may be cited as the Seed Potatoes (Redskin Variety) Order 1964, shall come into operation on 1st August 1964 and shall cease to have effect on 1st August 1965.

Revocation

2. The Movement of Potatoes (Redskin Variety) Order 1963(**d**) is hereby revoked.

Interpretation

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

" certified " means certified under a scheme for the inspection of growing crops of potatoes authorised by the Minister, the Secretary of State for Scotland, the Ministry of Agriculture for Northern Ireland, the Isle of Man Board of Agriculture and Fisheries or the Minister for Agriculture for the Republic of Ireland, and " uncertified " means not so certified ;

" container " includes a bag, sack, chitting tray, slatted box and slatted crate ;

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

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

" Redskin seed potatoes " means seed potatoes of the variety commonly known as Redskin.

(2) The Interpretation Act 1889(**e**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Order hereby revoked were Acts of Parliament.

(**a**) 40 & 41 Vict. c. 68. (**b**) 7 Edw. 7. c. 4. (**c**) 17 & 18 Geo. 5. c. 32.
(**d**) S.I. 1963/1295 (1963 II, p. 2244). (**e**) 52 & 53 Vict. c. 63.

Restriction on Sale and Movement of Uncertified Redskin Seed Potatoes

4.—(1) Subject to Article 5 of this Order no person shall sell, offer or expose for sale, or cause to be sold, offered or exposed for sale, or having sold, shall deliver or cause to be delivered any uncertified Redskin seed potatoes.

(2) Subject to Article 5 of this Order no person shall bring or cause to be brought into England or Wales any uncertified Redskin seed potatoes.

Licences

5. Any uncertified Redskin seed potatoes may be sold or delivered or may be brought into England or Wales in accordance with and subject to any conditions or restrictions imposed by a licence granted by the Minister or an inspector.

Particulars to be Given on Delivery of Uncertified Redskin Seed Potatoes

6.—(1) Upon the delivery in pursuance of a sale of any uncertified Redskin seed potatoes which are the subject of a licence granted in accordance with Article 5 of this Order each of their containers shall either have attached to it a label legibly and indelibly marked with the word "Licence" followed immediately by the reference letters and number of the aforesaid licence or itself be legibly and indelibly marked with the word "Licence" followed immediately by such reference letters and number.

(2) Any sale note, delivery note, invoice or other document delivered to a purchaser by the seller in pursuance of a sale of any Redskin seed potatoes which are the subject of a licence granted in accordance with Article 5 of this Order shall include the word "Licence" followed immediately by the reference letters and number of the aforesaid licence.

Particulars to be Given on Delivery of Certain Certified Redskin Seed Potatoes

7.—(1) Upon the delivery in pursuance of a sale of any certified Redskin seed potatoes which are the subject of a certificate known as an "A" or an "H" certificate issued under a scheme for the inspection of growing crops of potatoes authorised by the Secretary of State for Scotland each of their containers shall either have attached to it a label legibly and indelibly marked with the words "Tuber Inspected" followed immediately by the reference letters and number of a statement or other document issued by the certifying authority that the potatoes therein referred to (being potatoes which comprised or included the potatoes which are the subject of the aforesaid sale) were inspected by an officer of that authority after harvesting but before riddling and dressing and that the disease commonly known as Redskin abnormality was not found or itself be legibly and indelibly marked with the words "Tuber Inspected" followed immediately by such reference letters and number.

(2) Any sale note, delivery note, invoice or other document delivered to a purchaser by the seller in pursuance of a sale of any Redskin seed potatoes which are the subject of a certificate of one of the kinds referred to in the last preceding paragraph shall include the words "Tuber Inspected" followed immediately by the reference letters and number of a statement or other document as mentioned in the last preceding paragraph.

Examination and Sampling

8. An inspector, 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.

Information to be Given

9. Every person who has or has had in his possession or under his charge any Redskin seed potatoes and every person who as auctioneer, salesman or otherwise, has sold or offered for sale any such potatoes shall if so required by the Minister or an inspector, give to the Minister or inspector such information as he possesses as to the persons who have or have had such potatoes in their possession or under their charge. Provided that any information given under this Article shall not be available as evidence against the person giving the same in any prosecution under this Order, except in respect of an alleged failure to comply with this Article.

Offences

10. Any person who fails to comply with or who acts in contravention of the requirements of this Order or of the terms, conditions or restrictions of any licence granted thereunder, or who wilfully obstructs an inspector 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 7th July 1964.

(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 prohibits the sale and delivery, and the bringing into England or Wales, of uncertified seed potatoes of the Redskin variety except under licence. It also requires a seller of seed potatoes of the Redskin variety to label or mark the containers with the number of any such licence or, in the case of certain certified potatoes from Scotland, with the number of an official declaration that the potatoes have been inspected for freedom from Redskin abnormality.

Inspectors of the Ministry of Agriculture, Fisheries and Food are given power to examine and take samples of potatoes and to require information. Penalties are provided for breach of the requirements of the Order.