STATUTORY INSTRUMENTS

1963 No. 1615 (S. 77)

PESTS

DESTRUCTIVE INSECTS AND PESTS

The Uncertified Redskin Potatoes (Scotland) Order 1963

Made - - - -	*23rd September* 1963
Laid before Parliament	*2nd October* 1963
Coming into Operation	*3rd October* 1963

In exercise of the powers conferred upon me by section 2 of the Destructive Insects Act 1877(a), as extended by the Destructive Insects and Pests Act 1907(b) and amended by the Destructive Insects and Pests Act 1927(c), and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation, application, commencement and expiry

1. This order may be cited as the Uncertified Redskin Potatoes (Scotland) Order 1963, shall apply to Scotland only, shall come into operation on 3rd October 1963, and shall remain in force until 1st September 1964.

Interpretation

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

"certified" in relation to seed potatoes, means potatoes obtained from crops grown in Scotland being crops which were certified under a scheme for the time being in force for the inspection of growing crops of potatoes and authorised by the Secretary of State for Scotland;

"disease" means being affected with any insect, fungus, pest, bacteria or other vegetable or animal organisms destructive to agricultural or horticultural crops or to trees or bushes or any agent causative of a transmissible crop disease;

"inspector" means an inspector authorised by the Secretary of State for the purposes of this order;

"Redskin" in relation to potatoes, means potatoes of the variety known as "Redskin";

"uncertified" in relation to potatoes, means potatoes grown from crops grown in Scotland and not being certified seed potatoes.

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

Restriction on Planting of Uncertified Redskin Potatoes

3.—(1) No person shall plant or cause or permit to be planted any uncertified Redskin potatoes unless he is in possession of a notice from an inspector to the effect that such potatoes have been inspected and found free from disease.

(2) Application for a notice under this Article may be made to the Secretary of State or to an inspector.

(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.

Information regarding Uncertified Redskin Potatoes

4. Every person who has or has had in his possession or under his charge any uncertified Redskin potatoes or any crop therefrom and every person who as auctioneer, salesman or otherwise has sold or offered for sale any such potatoes or crop shall if so required in writing by the Secretary of State or by an inspector, give to the Secretary of State or inspector, as the case may be, such information as he possesses as to the persons who have, or have had the said potatoes or crop in their possession or under their charge:

Provided that any information given by virtue of the provisions of this Article shall not be available as evidence against the person giving the same in any proceedings under this order, except in respect of an alleged failure to comply with this Article.

Powers of Entry and Inspection

5. An inspector, upon production, if so required, of his authority, may for the purposes of this order, enter any land and examine and take samples of any potatoes thereon.

Evidence and form of applications and notices

6.—(1) In any proceedings under this order, no proof shall be required of the appointment or handwriting of an inspector.

(2) Every application or notice under this order shall be in writing.

Offences and Penalties

7.—(1) Every person who wilfully obstructs or impedes an inspector in the exercise of his powers under this order or who does any act in contravention of this order or who fails to give information as required by Article 4 of this order shall be guilty of an offence against this order.

(2) A person guilty of an offence against this order shall be liable on conviction to a penalty not exceeding £10 or in respect of a second or subsequent offence to a penalty not exceeding £50.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
23rd September 1963.

EXPLANATORY NOTE

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

This order makes it an offence to plant for the 1964 crop any uncertified seed potatoes of the variety Redskin unless they have first been examined by an Inspector and found free from a virus disease at present prevalent in that variety.