

San Jose Scale Control Regulations

made under Sections 113 and 114 of the
Agriculture and Marketing Act
[R.S.N.S. 1989, c. 6](#)
N.S. Reg. 3/60, September 20, 1960

1 In these regulations

(a) "occupant" includes the owner or the person in charge of any land or building or the person having care of or exercising control or authority over the same;

(b) "orchard" includes any land on which any apple, plum, pear, peach or other fruit tree is growing;

(c) "quarantine area" means any orchard in the Province designated a quarantine area pursuant to these regulations for the purpose of controlling San Jose Scale and "quarantined area" has a corresponding meaning.

2 Part XII of the [Agriculture and Marketing Act](#) shall apply to the insect *Quadraspidiotus perniciosus* commonly known and referred to in these regulations as San Jose Scale.

3 The Provincial Entomologist may from time to time declare any orchard in the Province, which in his opinion is infected with San Jose Scale, a quarantine area.

4 The Provincial Entomologist shall cause a copy of such declaration to be personally served on the occupant of any orchard by an inspector or by sending a copy of such notice to such occupant by registered post and by posting a notice in the orchard so infected.

5 No person shall remove any vegetable from a quarantined area or orchard without first having obtained the written consent of the Provincial Entomologist or an inspector.

6 (1) The occupant of any quarantined area shall destroy or spray all or part of such vegetation therein or carry out such other control measures at such times and with such materials and in such manner as the Provincial Entomologist or an inspector may from time to time prescribe.

(2) Where the occupant of any quarantined area fails to carry out any control measure in accordance with subsection (1) of this regulation, the Provincial Entomologist or an inspector may cause such control measures to be carried out by any other person.

(3) Any expenses incurred by the Provincial Entomologist or an inspector pursuant to subsection (2) of this regulation may be recovered with costs from the occupant

of any such quarantined area or orchard in any Court of competent jurisdiction by action on behalf of Her Majesty.

7 The Provincial Entomologist or any inspector may enter any orchard or place and examine any vegetation and take samples of the same for the purpose of determining whether any area or orchard is infected with San Jose Scale.