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Plant Protection Act

TRELLIS RUST OF PEAR CONTROL REGULATION

Contents

Division 1 — Interpretation

1 Definitions

Division 2 — Instructions

2 Inspection may be done any time

3 Notification of plant pathologist

4 Destruction of diseased plants or portions

5 Cost of removal against grower

6 Grower must obey order

Division 3 —Penalty

7 Offence

Division 1 — Interpretation

Definitions

1 In this regulation, unless the context otherwise requires:

"affected plant" means

(a) a pear tree affected by trellis rust, or

(b) a juniper affected by trellis rust;

"grower" means any person

(a) occupying land for the purpose of producing pears,

(b) growing junipers for ornamental purposes, or

(c) occupying land for the purpose of producing pears and growing junipers;

"inspector" means an inspector appointed under the Plant Protection Act;

"minister" means the Minister of Agriculture and Food;

"plant pathologist" means any plant pathologist of the Ministry of Agriculture and Food or any pathologist of the Agriculture and Agri-Food Canada authorized by the minister.

Division 2 — Instructions

Inspection may be done any time

2 Any inspector may inspect any grower's crop at any time.

Notification of plant pathologist

3 An inspector who discovers or suspects the presence of trellis rust in a crop shall promptly notify the plant pathologist.

Destruction of diseased plants or portions

4 The plant pathologist shall examine all pear trees and junipers in the crop that are suspected of being affected by trellis rust, and, if the presence of trellis rust is found

- (a) cut out or order the affected portions of the affected plants to be cut out and destroyed, or
- (b) order the grower to remove and destroy affected plants.

Cost of removal against grower

5 If any grower fails to allow the cutting out of affected portions, or fails to cut out and destroy the affected portion so ordered, or fails to remove and destroy affected plants so ordered to be removed, within the period of time set out in the order of the plant pathologist, the same may be removed by any person acting under the direction of the minister, and the cost of removal shall be charged against the grower.

Grower must obey order

6 Every grower to whom an order is issued, or who is required to do anything by or pursuant to this regulation, shall obey such order to do such things as required.

Division 3 —Penalty

Offence

7 Every person who contravenes any of the provisions of this regulation is guilty of an offence and liable, on summary conviction, to a fine not exceeding \$250 and not less than \$50.

[Provisions of the Plant Protection Act, R.S.B.C. 1996, c. 365, relevant to the enactment of this regulation: section 8]

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