

B.C. Reg. 294/59
O.C. 2765/55

Plant Protection Act

TREE FRUIT NURSERY STOCK CONTROL REGULATION

Contents

- 1 Regulation title
- 2 Definitions
- 3 Inspection may be done any time
- 4 Inspection before sale
- 5 Destruction of injured or diseased trees
- 6 Offence

Regulation title

- 1 This regulation may be cited as the "Tree Fruit Nursery Stock Control Regulation".

Definitions

- 2 In this regulation, unless the context otherwise requires:

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

"tree fruit nurseryman" means the owner, occupier or caretaker of land on which apple, apricot, cherry, pear, plum, peach, prune, quince or other fruit trees are grown for sale.

Inspection may be done any time

- 3 An inspector may inspect any fruit tree grown for sale at any time, and direct such control measures as he deems necessary to carry out the provisions of this regulation.

Inspection before sale

- 4 Before any fruit tree is offered for sale, it shall be inspected and passed by an inspector. The nurseryman or his agent shall notify the inspector in sufficient time to enable the inspector to properly carry out the provisions of the Plant Protection Act and this regulation.

Destruction of injured or diseased trees

- 5 Trees having mechanical injuries and (or) infested with any of the following diseases or pests shall be destroyed or marked in a manner prescribed by the inspector:

(a) mechanical injuries caused by digging, rodent injury, rough handling or any other injury that damages the tree to the extent of interfering with the possibility of the tree growing in a normal way;

(b) crown gall and hairy root (*Bacterium tumifaciens*);

(c) all trees found infested with scale insects shall be destroyed or treated in a manner prescribed by the inspector;

(d) peach tree borer (*Sanninoidea exitiosa*);

(e) flat headed borer (*Chrysobothris femorata*);

- (f) woolly aphids (root form) (*Eriosoma lanigerum*);
- (g) collar rot (*Phytophthora cactorum*);
- (h) black peach aphid (*Anuraphis persica nigra*);
- (i) Anthracnose (*Neofabraea malicorticis*);
- (j) black knot (*Dibotryon morbosum*);
- (k) pear root aphid (*Eriosoma lanuginosa*);
- (l) physiological injury such as caused by low temperatures, excess soil moisture, root desiccation.

Offence

6 A nurseryman who contravenes any of the provisions of this regulation is guilty of an offence and, upon summary conviction, is liable to a penalty of not more than \$100 nor less than \$25 or to imprisonment for not more than one month, or to both fine and imprisonment.

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

Copyright (c) Queen's Printer, Victoria, British Columbia, Canada