

This is not the official version.

Copyright © 2003: Queen's Printer,
St. John's, Newfoundland and Labrador, Canada

CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 23/96

Plant Quarantine Regulations under the *Plant Protection Act* (O.C. 96-218)

Under the authority of section 14 of the *Plant Protection Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

Analysis

1. Short title
2. Definitions
3. Area defined
4. Prohibition
5. Power of inspector
6. Transportation into area prohibited
7. Entry of machinery into disease free area
8. Exemptions

9. Movement of peat and peat products

10. Repeal

Schedule

Short title

1. These regulations may be cited as the *Plant Quarantine Regulations*.

74/83 s1

Definitions

2. In these regulations

(a) "disease free area" means an area referred to in section 3;

(b) "golden nematode" means potato cyst nematode *Globodera rostochiensis* (Wall) and *Globodera pallida* (Stone);

(c) "peat and processed peat products" means harvested peat moss and peat moss to which synthetic media have been added;

(d) "potato wart disease" means potato wart *Synchytricum endobioticum* (Schilb.); and

(e) "safety zone area" means an area of 2 kilometres surrounding the boundary of the disease free area.

74/83 s2

Area defined

3. The area described in the Schedule is designated as a disease free area.

74/83 s3

Prohibition

4. A person shall not plant or cultivate potatoes of any variety within the disease free area or the safety zone area.

74/83 s4

Power of inspector

5. Where an inspector finds that potatoes have been planted within the disease free area or the safety zone area, the inspector shall order the immediate destruction of the potatoes.

74/83 s5

Transportation into area prohibited

6. The transportation or movement of the following into the disease free area is prohibited:

- (a) golden nematode including cysts, eggs or larvae;
- (b) potato wart disease including soil borne sporangia at any stage of development;
- (c) soil, sand, earth, media containing soil or sand, humus, compost, hay, straw, plant litter and manure;
- (d) plants and parts of them with soil or with roots including nursery stock, greenhouse plants, bedding plants, vegetable transplants and sod;
- (e) root crop and vegetables such as potatoes, turnip, carrots, parsnips, radish, onion sets and other material of this nature in a raw or unprocessed state;
- (f) used containers or receptacles in which peat or peat product may be placed, stored, transported, offered for sale or sold, sacks or other packing material containing soil or sand or to which soil or sand adheres or which may have been employed in the harvesting, storage or transportation of those above named plant commodities;
- (g) used machinery, implements or related equipment including tractors, rotovators, earth moving equipment, trailers, gardening tools, footwear and another article or vehicle determined to present a hazard to the spreading of golden nematode and potato wart.

74/83 s6

Entry of machinery into disease free area

7. Machinery, implements and vehicles may be moved into the disease free area provided that

- (a) " prior notice is given to an inspector;
- (b) " where required by an inspector, they are cleaned outside the disease free area to that inspector's satisfaction; and
- (c) " all plant debris and soil has been removed, before movement, by high pressure steam or water under pressure to such an extent that no plant debris or soil will be transported.

74/83 s7

Exemptions

8. The following are exempt from the requirements of these regulations:

- (a) synthetic media such as expanded mica, perlite, baystrat and other material which
 - (i) has been rendered free of pest organisms,
 - (ii) has not been used for propagation purposes, and
 - (iii) has not been exposed to contamination following treatment or contaminated with sand, soil or earth;
- (b) containers or receptacles that are new and free of soil contamination;
- (c) machinery or equipment that is new and is free of soil contamination; and
- (d) edible plant material providing it has been processed before movement in a manner that impedes the spread of golden nematode or potato wart disease.

74/83 s8

Movement of peat and peat products

9. Peat and processed peat products may be conveyed from the disease free area, provided that

- (a) products are packaged and sealed in new containers;
- (b) shipments are transported directly to consignee without storage or repacking outside the disease free area; and
- (c) authorization for shipment is provided by an inspector.

74/83 s9

Repeal

10. The Plant Quarantine Regulations, 1983, Newfoundland Regulation 74/83, are repealed.

Schedule

The designated disease free area is described by the following boundaries:

Beginning at that point where the Gander Bay Road (Route 40) intersects the northeast boundary of Jonathan's Pond Provincial Park;

Then running northeasterly along the Gander Bay Road for 6,100 metres to where it intersects with Bowater's private property line;

Then running easterly along the property line for 8,750 metres to the point where it intersects Abitibi Price leasehold property line;

Then in a southeasterly direction along the Abitibi Price leasehold line for 8,450 metres where it intersects the Bowater leasehold boundary;

Then in a southwesterly direction along the Abitibi Price leasehold boundary for 5,550 metres;

Then from this point in a northerly direction for 6,200 metres to the original point at Jonathan's Park boundary on Route 40.

74/83 Sch A