
PART II
REGULATIONS

EC1999-66

PLANT HEALTH ACT
POTATOES REGULATIONS
AMENDMENT

(Approved by His Honour the Lieutenant Governor in Council dated 16 February 1999.)

Pursuant to section 6 of the *Plant Health Act* R.S.P.E.I. 1988, Cap. P-9.1, Council made the following regulations:

1. Subsection 11.1(1) of the Plant Health Act Potatoes Regulations (EC138/95) is amended by the deletion of the words “subsection 11(1), (2), or 14(2)” and the substitution of the words “subsection 11(1), (2), 14(2), (2.1), (2.2) or (2.3)”.

2. Section 14 of the said regulations is amended

(a) by the revocation of subsection (1) and the substitution of the following:

14. (1) For the purposes of this section, “post-harvest test” means a laboratory test carried out on a single sample of potato tubers from an entire lot of seed potatoes, which sample is deemed to be representative of the entire lot of seed potatoes and which is sampled

(a) at or after harvest; or

(b) in the field after complete vine desiccation

for the purpose of determining the levels of PLRV and PVY or their respective causal pathogens, Potato Leaf Roll Virus and all strains of Potato Virus Y.

(b) in subsection (2)

(i) by the deletion of the words “Subject to subsections (4) and (5)” and the substitution of the words “Subject to subsections (4), (4.1) and (5)”; and

(ii) by the deletion of the words “for the purpose of determining the levels of PLRV and PVY or their respective causal pathogens, Potato Leaf Roll Virus and all strains of Potato Virus Y”.

(c) by the addition of the following:

(2.1) Subject to subsections (4) and (4.1), where a person grows more than 0.1 hectares of potatoes in 1999 for which application is to be made

Post-harvest test
Planting for
inspection - 1999

to the Canadian Food Inspection Agency to enter the potatoes for inspection as seed potatoes pursuant to section 47 of the Seed Potato Regulations, the person shall plant seed potatoes for which the sum of the post-harvest test levels on the potatoes to be entered for inspection does not exceed 6.0%.

Planting for
inspection - 2000

(2.2) Subject to subsections (4) and (4.1), where a person grows more than 0.1 hectares of potatoes in 2000 for which application is to be made to the Canadian Food Inspection Agency to enter the potatoes for inspection as seed potatoes pursuant to section 47 of the Seed Potato Regulations, the person shall plant seed potatoes for which the sum of the post-harvest test levels on the potatoes to be entered for inspection does not exceed 5.0%.

Non-seed uses -
2000

(2.3) Subject to subsections (4), (4.1) and (5), where a person grows more than 0.1 hectares of potatoes in 2000 for which application is not to be made to the Canadian Food Inspection Agency to enter the potatoes for inspection as seed potatoes pursuant to section 47 of the Seed Potato Regulations, the person shall plant seed potatoes for which the sum of the post-harvest test levels does not exceed 10.0%.

(d) by the revocation of subsection (4) and the substitution and addition of the following:

Exception -
Pre-Elite, Elite 1

(4) Seed potatoes of the Pre-Elite or Elite 1 class shall not require a post-harvest test prior to planting
(a) in 1999; or
(b) in 2000, if the seed potatoes are planted on the farm unit on which they were produced.

Idem, Nuclear class

(4.1) Seed potatoes of the Nuclear class shall not require a post-harvest test prior to planting in 1999 or 2000.

3. These regulations come into force on February 27, 1999.

EXPLANATORY NOTES

These regulations establish limits for post-harvest test virus levels above which seed potatoes entered for federal seed inspection cannot be planted in 1999 and 2000, and establishes limits for other potatoes planted in 2000.

Certified a true copy,

Lynn E. Ellsworth
Clerk of the Executive Council

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Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
P-9.1	Plant Health Act Potatoes Regulations	EC138/95	s.11.1(1) s.14(1) [R&S] s.14(2) s.14(2.1) [added] s.14(2.2) [added] s.14(2.3) [added] s.14(4) [R&S] s.14(4.1) [added] [eff] Feb. 27/99	EC1999-66 (16.02.99)	7-8