

2013

**PLANT PROTECTION
AND QUARANTINE**

S.R.O. 9

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDER NO. 9 OF 2013

ORDER

MADE by the Minister under section 8 of the Plant Protection and Quarantine Act, Chapter 58:40.

(Gazetted 25th April, 2013).

1. This Order may be cited as the –

Short title.

**PLANT PROTECTION AND QUARANTINE
(CITRUS PESTS) ORDER, 2013.**

2. In this Order –

Interpretation.

“Act means the Plant Protection and Quarantine Act;

Chap. 58:40.

“affected area” means any land or nursery on which a citrus pest is suspected or found;

“asian citrus psyllid” means the *diaphorina citri* kuwayama vector of citrus greening disease (huanglongbing);

“authorised officer” means an officer or person authorised in writing by the Chief Plant Protection Officer;

“citrus pest” means a pest identified in section 3;

“citrus greening disease” means the citrus greening disease (huanglongbing);

“officer” means a person employed with the Plant Protection and Quarantine Service; and

“restricted article” means the articles specified in the schedule or determined to be restricted articles under section 4(2).

Notifiable plant pest.

3. The asian citrus psyllid, citrus greening disease, citrus tristeza virus and citrus canker are declared notifiable plant pests.

Restricted article.

4. (1) Subject to subsection (2) and for the purposes of this Order the items specified in the schedule are restricted articles.

(2) An authorised officer may determine that any other article, product or means of conveyance is a restricted article if the authorised officer determines that the article, product or means of conveyance presents a risk of spreading a citrus pest.

(3) Where an authorised officer makes a determination under subsection (2) he shall notify the person in possession of the article, product or means of conveyance that it is subject to the restrictions of this Order.

Restriction on movement of restricted article.

5. A person shall not remove or dispatch a restricted article from or move a restricted article into, any area of Dominica without written permission from the Plant Protection Service.

Owner or occupier responsibility.

6. (1) The owner or occupier of an affected area shall, in addition to advising the Plant Protection and Quarantine Service under section 14 of the Act, notify the agricultural office for the region in which he operates.

(2) A plant protection officer may, by request in writing, require further information from the owner or occupier of an area referred to in subsection (1).

(3) Where a request is made in accordance with subsection

(2) the owner or occupier shall supply the information requested within the time specified in the request.

7. (1) A person shall not move a restricted article from an affected area to any place outside the affected area unless there has been issued in relation to the restricted article a certificate of inspection and a plant protection officer has given written permission to move the restricted article.

Restriction on movement of restricted article from affected area.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of one thousand dollars and one month imprisonment.

8. A person shall not operate a citrus nursery unless it is certified, registered and meets the nursery guidelines and conforms to the citrus regulations.

Restriction on operation of citrus nursery.

9. (1) A person shall not distribute a citrus murraya plant without written permission from the Plant Protection Service.

Restriction on distribution and planting.

(2) A person shall not plant a citrus murraya plant within one mile of a commercial citrus operation.

10. A person shall not sell any restricted article without the written permission of the Plant Protection and Quarantine Service

Restriction on selling.

11. The owner or occupier of land within an affected area shall, at his own expense, take the measures recommended by an authorised officer or required to prevent the further spread of, to control or eradicate a citrus pest.

Owner or Occupier to assist.

12. (1) Subject to subsection (2), an authorised officer may enter any land or nursery within the quarantined area to destroy, remove, uproot, dispose of, prune or treat restricted articles.

Authorised officer may enter land.

(2) An authorised officer shall, before taking action under

subsection (1), give reasonable notice to the owner or occupier of the action intended under subsection (1).

SCHEDULE
Restricted Articles

1. Citrus plant
2. Citrus seedling
3. Citrus cutting
4. Citrus fruits
5. Citrus plant product
6. Citrus plant related article
7. Citrus plant related material
8. Citrus host plants (murraya)

Made this 5th day of April, 2013.

MATTHEW WALTER
Minister for Agriculture

DOMINICA

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