



Jersey

**STEM AND BULB EELWORM (JERSEY)
ORDER 1971**

Revised Edition

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STEM AND BULB EELWORM (JERSEY) ORDER 1971

Arrangement

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STEM AND BULB EELWORM (JERSEY) ORDER 1971¹

THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Article 2 of the Destructive Insects and Pests (Jersey) Law 1960,² orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

(1) In this Order –

“authorized officer” means an officer in an administration of the States for which the Minister is assigned responsibility, being an officer authorized for the purposes of this Order;

“forced production under glass” means growth in natural and artificial heat under glass, or other translucent material having a durability and transparency similar to glass, for the purpose of flower production;

“holding” means an area of land owned or occupied by a narcissus grower;

“occupier” means, in relation to any land, the person having the use of the land and “occupied” shall be construed accordingly;

“stem and bulb eelworm” means *Ditylenchus dipsaci*.

(2) This Order shall apply to bulbs of all species and hybrids of the genus *Narcissus* L and in this Order the word “bulbs” shall be construed accordingly.

2 Registration

(1) The occupier of any land which is, or during the 12 month period next after the date of application will be, planted with bulbs for commercial production shall register each year with the Minister.

- (2) Applications for registration shall be submitted during the month of October in such form as the Minister may determine and shall expire on 30th September next following the date of application.
- (3) On receipt of an application under this Article, the Minister shall cause the applicant's stock of bulbs, whether growing or in store, to be inspected by an authorized officer.

3 Establishment and maintenance of land register³

- (1) The Minister may establish and maintain a register of information about land which is, or will be, planted with bulbs for commercial production (in this Article referred to as the "land register").
- (2) The land register shall be in such form as the Minister may determine and shall include the particulars specified in paragraph (3) and such other particulars as the Minister may from time to time determine.
- (3) The particulars referred to in paragraph (2) are –
 - (a) field numbers in which bulbs are, or are to be planted, by an occupier registered under Article 2;
 - (b) the year, if any, in which bulbs were last planted in those fields;
 - (c) the extent, if any, to which stem and bulb eelworm was present in bulbs planted in those fields during the 4 years prior to the date of application for registration under Article 2.
- (4) The land register shall be open for inspection by members of the public at all reasonable times.

4 Movement of bulbs

- (1) Except under and in accordance with the provisions of a licence granted by or on behalf of the Minister no person shall move or cause to be moved from one holding to another any bulbs:

Provided that this paragraph shall not prevent the movement of bulbs to or from any plant for treatment against stem and bulb eelworm.
- (2) No licence may be issued except –
 - (a) to a person registered under Article 2; and
 - (b) in respect of bulbs which have been inspected whilst growing and whilst in store by an authorized officer.

5 Application for licence

- (1) Application for the grant or renewal of a licence shall be in such form as the Minister may determine.
- (2) On receipt of an application under this Article for the grant of a licence, the Minister shall cause the applicant's stock of bulbs, or a sample thereof, to be inspected by an authorized officer and, on receiving the report of that officer, shall issue to the applicant a licence of the appropriate category determined as follows –

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- (a) where stem and bulb eelworm is not present in the bulbs inspected, a licence of category 'A' shall be issued;
 - (b) where stem and bulb eelworm is present in 5% or less of the bulbs inspected, a licence of category 'B' shall be issued;
 - (c) in all other cases a licence of category 'C' shall be issued.
 - (3) Paragraph (2) shall apply in relation to an application for renewal of a licence, as it applies in relation to the grant of a licence, except that a person may, in respect of bulbs which have –
 - (a) for a continuous period of at least 2 years prior to the present application been licensed in category 'C' or category 'B' respectively; and
 - (b) been treated against stem and bulb eelworm in a manner which, to the satisfaction of the inspecting officer, has been effective in controlling the infestation,apply for the bulbs to be licensed in category 'B' or category 'A' respectively.
 - (4) The Minister may revoke or vary any licence granted under this Article.

6 Provisions of licence

- (1) All licensed bulbs may be moved from any holding for the purposes of treatment against stem and bulb eelworm or destruction or for packing for export on land approved for that purpose by the Minister.
- (2) Subject to paragraph (1), the provisions of the respective categories of licence shall be as follows –
 - (a) the movement of bulbs in category 'A' shall be unrestricted;
 - (b) the movement of bulbs in category 'B' shall be permitted for the purpose of forced production under glass and, after they have undergone such treatment against stem and bulb eelworm as the Minister may from time to time determine, the movement of bulbs in this category shall be unrestricted;
 - (c) the movement of bulbs in category 'C' shall be prohibited.

7 Inspection of bulbs

- (1) For the purposes of the enforcement of this Order, an authorized officer may, subject to the production by the officer if so required of evidence of his or her authority, enter on any land occupied by the holder of a licence issued under this Order for the purpose of inspecting and taking samples of any bulb growing in or in store on the land.
- (2) The occupier of any land and any person in the occupier's employment shall render to an authorized officer all such reasonable assistance and, if authorized so to do, furnish the officer with such information as may be required for the purposes of this Order.

8 Seizure and treatment of bulbs

- (1) An authorized officer may seize any bulbs which are being moved in contravention of Article 4 and the Minister shall hold such bulbs and shall not return them to the owner until they have undergone such treatment against stem and bulb eelworm as the Minister may consider necessary.
- (2) Any bulbs which are returned to Jersey following rejection in the country to which they were to be exported on the grounds of stem and bulb eelworm infestation shall, on being unloaded in Jersey, be given into the custody of the Minister and shall not be returned to the grower until they have undergone such treatment against stem and bulb eelworm as the Minister may consider necessary.

9 Citation

This Order may be cited as the Stem and Bulb Eelworm (Jersey) Order 1971.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement
Stem and Bulb Eelworm (Jersey) Order 1971	R&O.5589	15 November 1971
Stem and Bulb Eelworm (Amendment) (Jersey) Order 1986	R&O.7552	1 November 1986
States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005	R&O.132/2005	9 December 2005

Table of Renumbered Provisions

Original	Current
1(2)	spent, omitted from this revised edition
(3)	1(2)
2A	3
3	4
4	5
5	6
6	7
7	8
8	9

Table of Endnote References

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- ¹ *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 3) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *chapter 01.640*
- ³ *Article 3 inserted by R&O.7552*