

# CHAPTER 242 PLANT PROTECTION ACT

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• Subsidiary Legislation •

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## *List of Subsidiary Legislation*

1. Cotton Plant Protection Order
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11. Plant Protection (Mango Seed Weevil) Order
12. Plant Protection (Prescribed Fees) Regulations

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## **Cotton Plant Protection Order**

### ARRANGEMENT OF ORDERS

1. Citation.
2. Carriacou a cotton district.
3. Date fixed for cutting and burning.

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## **COTTON PLANT PROTECTION ORDER**

[Section 12.]

[20th July, 1940.]

### **1. Citation**

This Order may be cited as the Cotton Plant Protection Order.

### **2. Carriacou a cotton district**

The Island of Carriacou shall be a cotton district for the purposes of the Act.

### **3. Date fixed for cutting and burning**

The 15th day of July is hereby declared to be the date before which the occupier of any land shall annually cut back all cotton plants growing thereon to a height not exceeding 12 inches from the ground and shall completely burn all the parts so cut off together with all fallen cotton bolls and scattered seed cotton on such land.

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## **Cotton (Prevention of Disease) Regulations**

### ARRANGEMENT OF REGULATIONS

1. Citation.

2. Destruction of residual bolls and seed cotton.

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## **COTTON (PREVENTION OF DISEASE) REGULATIONS**

[Section 18.]

[2nd August, 1941.]

### **1. Citation**

These Regulations may be cited as the Cotton (Prevention of Disease) Regulations.

### **2. Destruction of residual bolls and seed cotton**

The occupier of any land planted in cotton shall completely destroy by fire, not later than the thirty-first day of May in each year, all such remnants of cotton bolls and seed cotton as may be left on the plants, together with such as may have fallen or be scattered on the land.

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## **Moko Disease Order**

SRO 17 of 1981

### **ARRANGEMENT OF ORDERS**

1. Citation.
2. Order regarding Moko Disease.
3. Destruction of plants.
4. Transportation of plants prohibited.
5. Planting and cultivation prohibited.
6. Declaration of infected areas.
7. Certificate of approval.

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## **MOKO DISEASE ORDER**

[SRO 17 of 1981. Section 3.]

[11th September, 1981.]

### **1. Citation**

This Order may be cited as the Moko Disease Order.

### **2. Order regarding Moko Disease**

It is hereby ordered that Moko Disease of the Banana family, *Musa* species, caused by the bacterium *Pseudomonas Solanacearum* is a notifiable disease within the meaning of the Plant Protection Act.

### **3. Destruction of plants**

The Chief Plant Protection Officer is hereby authorised to destroy immediately, without compensation, any plant of the Banana family which on inspection appears to be infected with the said Moko Disease.

#### **4. Transportation of plants prohibited**

No person, unless duly authorised in writing to the contrary by the Chief Plant Protection Officer, may transport or cause to be transported from the land whereon it is growing any plant or part thereof of the Banana family which appears to be infected with Moko disease; or anything whatever, whether of a nature similar to a plant or not, likely to infect any plant with Moko Disease.

#### **5. Planting and cultivation prohibited**

The planting and cultivation of plants of the Banana family within twenty feet of areas from which Banana plants infected with Moko Disease have been eradicated is prohibited for a period of two years from the date of eradication:

Provided that no planting and cultivation of plants of the Banana family may take place after the expiry of that period without the written authorisation of the Chief Plant Protection Officer.

#### **6. Declaration of infected areas**

(1) Notwithstanding the provisions of section 12 of the enabling Act, the Chief Plant Protection Officer may from time to time determine that certain areas are infected with Moko Disease and declare such areas to be Moko infected areas.

(2) No person may sell, remove or distribute planting material of the Banana family from a Moko infected area whether such planting material is diseased or not.

(3) No person may plant suckers of the Banana family in Moko infected areas unless an application is made to the Chief Plant Protection Officer stating the number of plants required, the place from which such plants are to be obtained and the holdings whereon such plants are proposed to be planted and the application has been approved by the Chief Plant Protection Officer.

#### **7. Certificate of approval**

The Chief Plant Protection Officer shall, if he or she approves the application, issue a certificate of approval to the applicant specifying the number of plants approved, the place from which such plants are to be obtained and the holdings whereon such plants are to be planted.

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### **Plant Protection (Cotton Seed) Regulations**

#### ARRANGEMENT OF REGULATIONS

1. Citation.
2. Definitions.
3. Master responsible for seed to be fumigated in vessel.
4. Port Officer to clear vessel only after fumigation.
5. Vessel not to carry seed on deck nor other cargo.
6. Fumigation by Carbon Bisulphide or other fumigant.
7. Dose of Carbon Bisulphide.
8. Fumigation for not less than twelve hours.

9. Vessel to be approved by Plant Protection Officer as air tight.
10. Closing of hatches.
11. No person allowed in hold and no fire on vessel after fumigation.
12. Fumigation of seed on vessels.
13. Certificate of fumigation.
14. Fumigation to be paid for by owner or agent of vessel.
15. Fumigation fee.
16. Seed to be kept in fumigation tank.
17. Cost to be borne by ginnery.
18. Bags and packages to be fumigated.

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## **PLANT PROTECTION (COTTON SEED) REGULATIONS**

[Section 18.]

[4th April, 1942.]

### **1. Citation**

These Regulations may be cited as the Plant Protection (Cotton Seed) Regulations.

### **2. Definitions**

In these Regulations, "seed" means cotton seed.

### **3. Master responsible for seed to be fumigated in vessel**

The Master of a vessel shall be responsible that no seed is exported therein until such seed has been fumigated in that vessel.

### **4. Port Officer to clear vessel only after fumigation**

The Port Officer shall not clear any vessel laden with seed until all seed therein has been fumigated in accordance with these Regulations.

### **5. Vessel not to carry seed on deck nor other cargo**

The Master of a vessel shall not allow that vessel, if laden with seed, to carry any seed as deck cargo nor to carry any other cargo.

### **6. Fumigation by Carbon Bisulphide or other fumigant**

Fumigation shall be effected by means of carbon bisulphide or any other fumigant approved for the purpose.

### **7. Dose of Carbon Bisulphide**

The dose of carbon bisulphide shall be at the rate of one pound avoirdupois to every 120 cubic feet of space of the vessel's hold irrespective of the quantity of seed in the hold.

### **8. Fumigation for not less than twelve hours**

The fumigation shall continue for not less than twelve hours.

### **9. Vessel to be approved by Plant Protection Officer as air tight**

The Master of a vessel shall not allow any seed to be placed in the vessel until such vessel shall have been approved by the Plant Protection Officer as capable of being air tight for the purpose of efficient fumigation.

**10. Closing of hatches**

In fumigating, the carbon bisulphide shall be poured into a shallow dish or pan not over 1½ inches in depth placed on top of the seed and the hatches immediately closed and made air tight by pasting paper over the seams.

**11. No person allowed in hold and no fire on vessel after fumigation**

The Master of a vessel shall not allow any person to be in the hold or any fire to be made or any cooking to be done in the vessel during the period of fumigation of such vessel.

**12. Fumigation of seed on vessels**

Fumigation of seed on vessels shall be carried out by a Plant Protection Officer.

**13. Certificate of fumigation**

After fumigation has been effected the Plant Protection Officer shall issue a certificate of fumigation to the Master of the vessel.

**14. Fumigation to be paid for by owner or agent of vessel**

The owner or agent of the vessel shall pay the cost of the carbon bisulphide or other fumigant required for fumigation and shall also supply paper and paste for making the vessel air tight.

**15. Fumigation fee**

The owner or agent of the vessel shall pay a fumigation fee of one dollar and twenty-five cents for every fumigation.

**16. Seed to be kept in fumigation tank**

The Plant Protection Officer shall require all seed kept for planting purposes to be deposited in the fumigation tank attached to each ginnery until the end of the ginning season when he or she shall have the seed fumigated.

**17. Cost to be borne by ginnery**

The cost of fumigating seed for planting shall be paid by the ginnery.

**18. Bags and packages to be fumigated**

All bags and packages which have contained seed or seed cotton shall be fumigated by the direction, and to the satisfaction, of the Plant Protection Officer.

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**Plant Protection (Love Vine – Precautions for Control) Order**

ARRANGEMENT OF ORDERS

1. Citation.
2. Precautions to be taken.
3. Prohibition.

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**PLANT PROTECTION (LOVE VINE – PRECAUTIONS FOR CONTROL)  
ORDER**

[Section 3.]

[6th October, 1953.]

**1. Citation**

This Order may be cited as the Plant Protection (Love Vine – Precautions for Control) Order.

**2. Precautions to be taken**

The owner or occupier of any land upon which Love Vine is found growing shall take the following precautions for the control of Love Vine (*Cuscuta Americana* and *Cassytha Filiformis*) throughout the land upon which it is grown—

- (a) clear all plants infested with Love Vine by lopping, pruning or completely destroying the said plants as the case may need; and
- (b) heap up and burn such infested material; or
- (c) employ such other means of destruction as may be ordered by the Plant Protection Officer.

**3. Prohibition**

No person shall remove Love Vine from the land on which it is found growing to any other land.

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**Plant Protection (Love Vine) Order**

ARRANGEMENT OF ORDERS

1. Citation.
2. Declaration.

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**PLANT PROTECTION (LOVE VINE) ORDER**

[Section 3.]

[6th October, 1953.]

**1. Citation**

This Order may be cited as the Plant Protection (Love Vine) Order.

**2. Declaration**

The vine known as “Love Vine” (*Cuscuta Americana* and *Cassytha Filiformis*) is hereby declared to be a notifiable pest within the meaning of the Plant Protection Act.

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**Plant Protection (Witches' Broom Destruction) Order**

ARRANGEMENT OF ORDERS

1. Citation.
  2. Order.
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**PLANT PROTECTION (WITCHES' BROOM DESTRUCTION) ORDER**

[Section 3.]

[27th October, 1948.]

**1. Citation**

This Order may be cited as the Plant Protection (Witches' Broom Destruction) Order.

**2. Order**

It is hereby ordered as follows—

- (a) The Island of Grenada is declared to be an area infected with "Witches' Broom" disease of cocoa (*Marasmius Perniciosus Stahel*).
  - (b) The removal of any diseased material or of material suspected of being diseased from the land on which it is growing is hereby prohibited.
  - (c) The immediate destruction by the Chief Plant Protection Officer or any person authorised by him or her, without compensation of any plant infected with "Witches' Broom" disease of cocoa (*Marasmius Perniciosus Stahel*) is hereby authorised.
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**Plant Protection (Witches' Broom—Precautions For Control) Order**

ARRANGEMENT OF ORDERS

1. Citation.
  2. Precautions to be taken.
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**PLANT PROTECTION (WITCHES' BROOM—PRECAUTIONS FOR CONTROL)  
ORDER**



[Section 3.]

[4th October, 1950.]

**1. Citation**

This Order may be cited as the Plant Protection (Witches' Broom – Precautions for Control) Order.

**2. Precautions to be taken**

The owner or occupier of any land upon which cocoa trees are growing shall take the following precautions for the control of "Witches' Broom" disease of cocoa (*Marasmius Perniciosus Stahel*) throughout the land on which the cocoa trees are grown, namely—

- (a) fell or pollard all cocoa trees with a density of infection of five or more brooms and destroy, by burning, all infected material found thereon;
- (b) fell or pollard all cocoa trees having cushion or pod infection and destroy, by burning, all infected material found thereon;
- (c) cut off and destroy all brooms found on cocoa trees with a density of infection of less than five brooms;
- (d) fell all infected trees growing above the 1,200 foot contour and destroy, by burning, all infected material found thereon.

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**Plant Protection (Witches' Broom) Order**

ARRANGEMENT OF ORDERS

- 1. Citation.
- 2. Declaration.

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**PLANT PROTECTION (WITCHES' BROOM) ORDER**

[Section 3.]

[27th October, 1948.]

**1. Citation**

This Order may be cited as the Plant Protection (Witches' Broom) Order.

**2. Declaration**

Witches' Broom disease of cocoa (*Marasmius Perniciosus Stahel*) is hereby declared to be a notifiable disease within the meaning of the Plant Protection Act.

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**Plant Protection (Mango Seed Weevil) Order**

SRO 28 of 2001

## ARRANGEMENT OF ORDERS

1. Citation and definition.
  2. Declaration of pest.
  3. Declaration of area.
  4. Prohibition of movement.
  5. Action to be taken.
- Schedule Mango Seed Weevil Infested Areas
- 

### PLANT PROTECTION (MANGO SEED WEEVIL) ORDER

[SRO 28 of 2001.]

[15th June, 2001.]

#### 1. Citation and definition

- (1) This Order may be cited as the Plant Protection (Mango Seed Weevil) Order.
- (2) In this Order, “the Act” means the Plant Protection Act.

#### 2. Declaration of pest

(1) The Mango Seed Weevil (*Sternochetus mangiferae* (F)) is declared to be a notifiable plant pest for purposes of the Act.

(2) Any plant, plant product, soil or article which is or is suspected to be a host to any life stage of the Mango Seed Weevil is declared to be prohibited or restricted material for purposes of the Act.

#### 3. Declaration of area

The areas specified in the Schedule are declared to be land where the Mango Seed Weevil has been found and to be Mango Seed Weevil Infested Areas.

#### 4. Prohibition of movement

No person may harvest, move, sell, transport or export, or cause to be harvested, moved, sold, transported or exported, any stage of the mango fruit from an area specified in the Schedule, whether such fruit is infested or not.

#### 5. Action to be taken

A designated officer may require the owner or occupier of land on which the Mango Seed Weevil is found to take any action which the designated officer considers necessary to control and prevent the spread of the pest, as if such action were specified in this Order.

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### Schedule

#### PLANT PROTECTION ACT

#### PLANT PROTECTION (MANGO SEED WEEVIL) ORDER

[Paragraph 3.]

*Mango Seed Weevil Infested Areas*

All areas between and including St. John's in the north and Belmont in the south, including New Hampshire and Boca.

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**Plant Protection (Prescribed Fees) Regulations**

SRO 8 of 2010

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Prescribed fees.
- Schedule Prescribed Fees for the Provision of Services Provided by the Plant Protection and Quarantine Services

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**PLANT PROTECTION (PRESCRIBED FEES) REGULATIONS**

**The Minister in exercise of the powers conferred on him by section 18 of the Plant Protection Act, Chapter 242, makes the following Regulations.**

[SRO 8 of 2010.]

[Gazetted 14th May, 1978.]

**1. Citation**

These Regulations may be cited as the Plant Protection (Prescribed Fees) Regulations.

**2. Prescribed fees**

The fees specified in the Schedule hereto are the prescribed fees for the provision of selected services by the Plant Protection and Quarantine Services.

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**Schedule**

**PLANT PROTECTION ACT**

*Prescribed Fees for the Provision of Services Provided by the Plant Protection and Quarantine Services*

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|--|------------------------------|
| (a) For the issue of Phytosanitary Certificates—                 |                              |
| (i) Non Commercial items (Less than 50 lbs) .....                | \$5.00                       |
| (ii) Commercial items  |                              |
| (aa) Commercial items (Between 50-500 lbs) .....                 | \$20.00                      |
| (bb) Commercial items (Greater than 500 lbs) .....               | \$50.00                      |
| (b) For Inspection of Imports outside of regular working hours . | \$50.00/hour or part thereof |
| (c) For Import Permits—  |                              |
| (i) Planting material .....                                      | \$100.00                     |
| (ii) Food items (Less than 50 lbs) .....                         | \$0.5                        |
| (iii) Food items (Between 51-500 lbs) .....                      | \$20.00                      |

(iv) Food items (Greater than 500 lbs) .....	\$50.00
(d) For Garbage Inspection .....	\$200.00/hour or part thereof

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