

except with the written permission of the Minister, and an Inspector may, by a Notice served on any person having in his possession or under his charge any such living specimen, require him to adopt such measures for the prevention of the spread of the insect or pest as are specified in the Notice.

Service of Notices, etc.

7. For the purpose of this Order a Notice shall be deemed to be served on any person if it is delivered to him personally or left for him at his last known place of abode or business or sent through the post in a letter addressed to him there; and a Notice purporting to be signed by an Inspector shall be *prima facie* evidence that it was signed by him.

Information to be given as to Diseased Plants or parts thereof.

8. Every person who has or has had in his possession or under his charge any plant which is attacked by any insect or pest mentioned in the Second Schedule to this Order, and every person who as auctioneer, salesman, or otherwise has sold or offered for sale any such plant shall, if so required in writing by the Minister or an Inspector, give to the Minister or Inspector all such information as he possesses as to the persons in whose possession or under whose charge the plant is or has been; provided that any information given under this Article shall not be available as evidence against the person giving the same in any prosecution under this Order, except in respect of an alleged failure, to comply with this Article.

Offences.

9.—(1) Every person shall be liable on conviction to a penalty not exceeding ten pounds, who does any act in contravention of this Order or the Regulations in the Third Schedule to this Order or any Notice served on him under this Order, or fails to do any act which he is required to do by this Order or the said Regulations or any such Notice.

(2) This Article does not apply to the landing or attempted landing of anything in contravention of this Order the penalty for which is provided by section one of the Destructive Insects Act, 1877 as amended by the Destructive Insects and Pests Act, 1907.

Revocation of Order.

10. The Destructive Insects and Pests Order of 1921 is hereby revoked; provided that such revocation shall not:—

(i) affect the previous operation of such Order or anything duly done or suffered under such Order; or

(ii) affect any right, privilege, obligation or liability acquired, accrued; or incurred under such Order; or

(iii) affect any penalty incurred in respect of any offence committed against such Order; or

(iv) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability or penalty as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued, or

enforced, and any such penalty may be imposed as if this Order had not been made.

Application of the Order.

11. This Order shall apply to England and Wales.

Short Title.

12. This Order may be cited as the DESTRUCTIVE INSECTS AND PESTS ORDER OF 1922.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this thirty-first day of May, nineteen hundred and twenty-two.



A. D. Hall,
Authorised by the Minister.

FIRST SCHEDULE.

(a) All living plants with a persistent woody stem above ground, and parts of the same, except seeds, when for use in propagation—such as fruit trees, stocks and stools, forest trees, and ornamental shrubs and grafts, layers and cuttings thereof.

(b) All potatoes; and all tubers, bulbs, rhizomes, corms, and hop stocks for planting.

(c) Seeds of onions and of leeks for sowing.

(d) Gooseberries.

SECOND SCHEDULE.

Fungi.

Black Knot of Plum and Cherry (*Plowrightia morbosa*, Sacc.).

Fire or Pear Blight (*Bacillus amylovorus*, Trev.).

Chestnut Canker (*Endothia parasitica*, (Murr.) Ander. & Ander.).

Wart Disease or Black Scab of Potatoes (*Synchytrium endobioticum*, Perc.).

Onion and Leek Smut (*Urocystis cepulae*, Frost).

Downy Mildew of Hops (*Peronospora para humuli*, Miy. et Taka.).

Insects.

Vine Louse (*Phylloxera vastatrix*, Planch.).

American Apple Capsids (*Heterocordylus malinus*, Reut. and *Lygidea mendax*, Reut.).

Pear Tingid (*Stephanitis pyri*, Fab.).

Colorado Beetle (*Leptinotarsa decemlineata*, Say.).

Plum Curculio (*Conotrachelus nanniphar*, Herbst.).

Potato Moth (*Phthorimaea operculella*, Zell.).

American Lackey Moths (*Malacosoma americana*, Fab. and *M. disstria*, Hubn.).

Oriental Fruit Moth (*Cydia molesta*, Busck.).

San José Scale (*Aspidiotus perniciosus*, Comst.).

Japanese Fruit Scale (*Diaspis pentagona*, Newst.).

Apple Fruit Fly (*Rhagoletis pomonella*, Welsh).

Cherry Fruit Flies (*Rhagoletis cerasi*, Linn., *R. cingulata*, Loew., and *R. fausta*, Osten Saken).

Gooseberry Fruit Fly (*Epochra canadensis*, Loew.).