

THE PLANT PROTECTION (TOBACCO) RULES, 1950

G.Ns.  
1948 No. 199  
1950 No. 168  
1952 No. 209  
1955 No. 290

1. These Rules may be cited as the Plant Protection (Tobacco) Rules, 1950, and shall apply to the areas of the Territory set out in the Schedule hereto.

[Subsidiary]

2. In these Rules—

“tobacco” means tobacco in any leaf form usually accepted by manufacturers of tobacco for conversion into forms suitable for consumption, and has been cured or dried by air, sun, or heat with or without smoke, or by heat conveyed through flues or by any other process or combination of processes;

“tobacco plant” means any plant or seed of the genus *Nicotiana*;

“Inspector” has the meaning ascribed to it in section 2 of the Plant Protection Ordinance;

“pest of tobacco” means the Tobacco Beetle (*Lasioderma serricorne*, F.), the Tobacco Moth (*Ephestia elutella*, Hb.) and such other insect organism or plant disease which the Governor by notice in the *Gazette* declare to be a pest of tobacco;

“tobacco premises” means any land, building, factory, erection, vehicle, article or receptacle whatsoever used for the purpose of growing, curing, sorting, bulking, grading, conditioning, baling, storing, manufacturing, transporting or in any way connected with the handling of tobacco plants, tobacco or other plants or products liable to be infected by a pest of tobacco.

3. No person shall sow or cultivate any tobacco plant prior to a date which the Commissioner for Agriculture shall specify annually by notice in the *Gazette*.

4. No person owning, occupying, or having control of any tobacco premises shall permit a pest of tobacco to be in or on such tobacco premises.

5.—(1) Any person owning, occupying, or having control of tobacco premises shall comply with any direction to take such measures as an Inspector may deem necessary for the eradication, reduction, or prevention of the spread of a pest of tobacco which such Inspector may by notice in writing order him to take, including the immediate destruction of tobacco plants, tobacco or other plants or products liable to be infected by a pest of tobacco whether in transit or otherwise and whether the same are infected with a pest of tobacco or not:

Provided that no direction for the destruction of any living plants shall be made by an Inspector under this paragraph without the approval in writing of the Senior Officer of the Department of Agriculture stationed in the Province.

(2) Where such person fails to take any of the measures which he is required to take under paragraph (1) the Inspector may, on giving not less than fourteen days notice in writing of his intention so to do, cause any such measures as aforesaid to be taken by himself, his agents or contractors and for the purpose of taking such measures may enter or cause his agents or contractors to enter upon tobacco premises as may be necessary for the said purpose; and thereupon such person shall, without prejudice to any penalty which he has incurred through such failure, be liable to pay all the costs of such undertaking, which shall be recoverable as a debt due to Her Majesty.

6. No person shall store tobacco except in weatherproof buildings of sound construction approved by the Commissioner for Agriculture as suitable for the purpose and which are kept in a clean condition and effectively treated with an insecticide approved by the Commissioner for Agriculture as suitable for the purpose.

7.—(1) All tobacco plants shall be uprooted before the 31st day of July in every year, and shall be burnt or otherwise disposed of to the satisfaction of an Inspector.

(2) All tobacco residues or tobacco refuse in or near premises or fields shall be collected and burnt before the 15th day of September in every year.

8. No person shall remove live tobacco plants or live plants of the plant family Solanaceae from any farm or locally declared by the Commissioner for Agriculture to be in quarantine by notice in the *Gazette*:

Provided that there shall be no restriction upon the removal of cured tobacco leaf or matured crops for sale.

SCHEDULE

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