

TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

M.D. of 17 April 1998
(1)

General provisions for the control of Mal secco of citrus «*Phoma tracheiphila*»

(1) Published in the Italian Official Journal of 2 June 1998, No 126.

THE MINISTER OF AGRICULTURE

Having regard to Law No 987 of 18 June 1931, as subsequently amended, laying down provisions for the protection of cultivated plants and agricultural produce against harmful organisms, and the management of associated services;

Having regard to the implementing regulation of the aforesaid Law, approved by Royal Decree N. 1700 of 12 October 1933 and amended by Royal Decree No 2504 of 2 December 1937;

Having regard to Council Directive 77/93/EEC of 21 December 1976, as subsequently amended, on protective measures against the introduction into the Member States of organisms harmful to plants or plant products;

Having regard to Presidential Decree No 616 of 24 July 1977, confirming that it is up to the State to establish mandatory plant protection actions (art. 71, subparagraph 1, letter c);

Having regard to Legislative Decree No 536 of 30 December 1992, implementing Council Directive 91/683/ECC, on the establishment of the national plant protection service;

Having regard to the Ministerial Decree of 31 January 1996, published in Regular Supplement No 41 to the Italian Official Journal of 19 February 1996, as subsequently amended, on protective measures against the introduction into the territory of the Italian Republic of organisms harmful to plants or plant products and against their spread within the Country;

Having regard to Legislative Decree No 143 of 4 June 1997 on the «Attribution of administrative functions to regions in the areas of agriculture and fisheries and the reorganisation of the central administrative unit»;

Having regard to the Ministerial Decree of 11 March 1950 laying down general provisions for the mandatory control of Mal secco of citrus *Phoma tracheiphila* (Petri) Kanchaveli et Gikashvili;

Having established that the fungus *Phoma tracheiphila* (Petri) Kanchaveli et Gikashvili is reported in Italy;

Whereas the occurrence of severely infected plants, either isolated or in abandoned citrus orchards, carries the risk of spreading the disease to healthy plants, in particular to nursery stock;

Having identified the need for suitable inspection measures solely whenever uncontrolled spreading is likely to occur;

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Having heard the opinion of the National Council for Agriculture and Forestry, during the meeting held on the 13th of February 1998, with regard to the draft ministerial decree on the mandatory control of Mal Secco of citrus *Phoma tracheiphila* (Petri) Kanchaveli et Gikashvili;

Orders:

Art. 1

Control of Mal secco of citrus «*Phoma tracheiphila*» shall be mandatory across Italy.

Art. 2

Regional plant protection services shall carry out periodic inspections in the relevant territory in order to identify any affected citrus orchards.

Art. 3

Without prejudice to the prohibition to market Mal secco-affected citrus plants, pursuant to the provisions of the aforesaid Ministerial Decree of 31 January 1996, as amended, owners or farmers of land where diseased plants are reported shall be required to remove and burn infected plant material or uproot and burn the whole plant, should the same be irreparably damaged, as per instructions from the relevant regional plant protection service.

Art. 4

Regional plant protection services shall promote the dissemination of control methods, in particular the use of resistant varieties.

Art. 5

The aforesaid Ministerial Decree of 11 March 1950 shall be repealed.

Art. 6

Without prejudice to the application of Article 500 of the Criminal Code, regions shall be entitled to establish administrative sanctions for failure to comply with the provisions herein set forth.

Art. 7

This decree shall be sent to the Court of Auditors for registration and shall enter into force the day after its publication in the Italian Official Journal.

Rome 17 april 1998

MINISTRO PINTO