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# TRANSVAAL

## Department of Agriculture



# REGULATIONS

FRAMED UNDER

Section One of Ordinance No. 16 of 1904,

FOR

F. # 746

Preventing the Introduction and Spread  
of Insect Pests and Plant Diseases  
in this Colony.

[Published in Government Gazette of 15th February, 1907.]

PRETORIA :

GOVERNMENT PRINTING AND STATIONERY OFFICE.

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GOVERNMENT NOTICE No. 180 OF 1907.

IT IS HEREBY NOTIFIED for general information that His Excellency the Governor has, under the powers in him vested by section *one* of Ordinance No. 16 of 1904, been pleased to make the following Regulations for preventing the introduction and spread of insect pests and plant diseases in this Colony.

ADAM JAMESON,  
Commissioner of Lands.

Office of the Commissioner of Lands,  
Pretoria, 9th February, 1907.

**Regulations.**

1. The Regulations published under Government Notice 1197 of 1904 shall be and are hereby withdrawn.

2. In these Regulations the following terms shall have the meaning respectively assigned to them:—

“South Africa” shall mean that portion of Africa including the British South African Colonies or Territories, and that portion of Portuguese Territory lying south of the Zambesi River.

“Inspector” shall mean any person appointed by the Commissioner of Lands for the purpose of carrying out the provisions of these Regulations.

“Plant” shall mean any tree, shrub, or vegetation, and the fruit, leaves, cuttings, bark, or any part thereof whatsoever, whether severed or attached.

“Stock” shall mean any young rooted plant intended for budding or grafting.

“Nursery Stock” shall mean trees or plants of any kind, not being vegetables, grown or cultivated for purposes of trade, and with the intention of their being sold or distributed for the purpose of their being grown elsewhere than on the premises where they stand.

“Insect Pest” shall mean any insect or other invertebrate animal which may be injurious to agricultural or horticultural products.

“Plant Disease” shall mean any fungus, bacterial or other disease, which may be injurious to agricultural or horticultural products.

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“Nursery” shall mean any land or premises ordinarily used for the purpose of growing or cultivation of any nursery stock, and includes any piece of ground adjoining such land or premises and held by the same owner or occupier on which is grown fruit trees, plants and shrubs, not intended for sale.

“Orchard” shall mean any land or premises ordinarily used for the purpose of growing or cultivation of fruit bearing plants or trees, and includes any piece of ground adjoining such land or premises and held by the same occupier or owner, on which is grown fruit trees, plants and shrubs, not intended for sale.

“Plantation” shall mean any piece of land, other than an orchard or nursery, ordinarily used for the growing or cultivation of plants.

“Nurseryman” shall mean the owner or the occupier of or any other person having the control or management of a nursery.

3. If an Inspector at any time shall find any plant or portion thereof imported into this Colony in contravention of any of these Regulations he shall order such plants, or portions thereof, to be immediately removed from the Colony, or the Commissioner of Lands may order that such plants, or portions thereof, be destroyed without delay. Neither the Commissioner of Lands nor any Inspector shall be responsible for any loss or damage that may result from the destruction of any article under these Regulations or from any process or detention that may be considered necessary to cleanse or disinfect any article or to discover the existence of any pest or plant disease or to obtain any information as to the origin or destination of such article.

4. Any person who shall contravene any of these Regulations shall be liable on conviction to a fine not exceeding fifty pounds, or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

#### PART I.—OVERSEA REGULATIONS.

5. No person shall introduce any plant from places beyond South Africa except by post or through the following sea ports:—Beira, Lourenço Marques, Durban, East London, Port Elizabeth, Mossel Bay and Cape Town.

6. No person shall introduce into this Colony from places beyond South Africa any live insect except by special permission of the Commissioner of Lands under such precautionary measures as he may deem necessary.

7. No person shall introduce into this Colony from any place beyond South Africa:—

- (a) Any eucalyptus, acacia, or coniferous plant, nor any portion thereof, with the exception of seed.
- (b) Any coffee plant, or any portions thereof, with the exception of seed free from pulp.
- (c) Any stone fruit tree, or any living portion thereof which was grown or produced in any part of North America, or any other country to be from time to time notified in the *Government Gazette* as a country in which either of the diseases known as Peach Yellows or Peach Rosette exists.
- (d) Any peach stones and peach stocks.
- (e) Any stocks, excepting apple stocks, grown upon Northern Spy roots, or other roots, which are accepted by the Commissioner of Lands as being resistant to the attack of Woolly Aphis (*Schizoneura lanigera*), and pear, plum, apricot, cherry, mango, rose, persimmon stocks, and such others as may be from time to time notified in the *Gazette*, which may be imported in bulk.
- (f) Timber with the bark on, except scaffolding poles from the Baltic Sea or from Canada, and except piles of the turpentine tree (*Syncarpia laurifolia*).

8. No person shall introduce from beyond South Africa the following plants or any portion thereof (other than seed or fruit of the same), except under such precautionary measures as the Commissioner of Lands may deem necessary:—

- (a) Grape vines or other plants of the family *Vitaceae*.
- (b) Sugar cane.
- (c) Plants cultivated for the production of rubber.

9. No tree or fruit-bearing plant or cutting thereof other than is mentioned in last preceding regulation may be introduced, unless a special permit authorising any such introduction has been obtained from the Commissioner of Lands. The issue of such permit shall be in the absolute discretion of the Commissioner of Lands, and not more than ten trees or one hundred cuttings of any one variety may be introduced under it. Permits shall not be issued to any one person in one year from first of July to 30th of June authorizing the introduction of more than one hundred trees or one thousand cuttings in all. No permit shall be

transferred except by the special permission of the Commissioner of Lands. For the purpose of this section the term "tree" shall include any plant of the nature of a tree. In case of dispute as to whether any plant falls under this restriction, the decision of the Commissioner of Lands shall be final.

10. Notwithstanding any restrictions imposed upon the importation of plants in Regulations 7 and 9, any plant or portion thereof may be introduced from beyond South Africa upon a special permit being obtained from the Commissioner of Lands. Such permit shall only be granted under the following circumstances:—

- (a) That the plants for which permission to introduce is desired cannot be secured in South Africa or cannot be produced from seed.
- (b) That the plants are essential for the development of an industry new to the Transvaal.
- (c) And it shall be the condition of the use of such a permit that the importation under it shall be carried out in accordance with such precautionary measures as the Commissioner of Lands may deem necessary.

11. All plants or portions thereof, such as cuttings, roots, tubers, bulbs, seeds, and fruit, and all packages, cases, pots, or other coverings of the same, shall, before being delivered to the consignee, undergo an examination by an Inspector, to determine as far as possible whether or not any insect pest or plant disease is present, and it shall be the duty of the consignee to open the coverings and to afford every facility to the Inspector during such examination.

12. All trees and woody plants, cuttings, buds or scions thereof, together with their coverings or packing material, shall, as a precautionary measure against the introduction of insect pests, be fumigated at the expense of the consignee in the manner prescribed by and to the satisfaction of the Inspector, and if the Inspector deems the treatment expedient he may extend it to all other plants and all parts thereof.

13. If any article in the examination provided for in Regulation 11, or any other article whatsoever, shall be found to be infected in whole or in part with any insect pest or plant disease, the Inspector may order or cause that it, together with all other articles in the same receptacle, together with all packing material, be cleansed or disinfected by the consignee or at his expense in the manner prescribed by and to the satisfaction of such Inspector, and if not so cleansed and

disinfected or if any treatment then possible shall be found or deemed by the Commissioner of Lands insufficient for the absolute eradication of the insect pest or plant disease, or if the Commissioner of Lands considers the insect pest or plant disease to be of a specially dangerous character, the Inspector may cause the article to be destroyed without delay.

14. The consignee shall, when requested to do so by the Inspector, furnish a certificate with respect to any consignment, showing the name and address of the shipper and the number and kind of packages and any and all particulars of name, quantity, variety, grade marks and place of origin, of the articles contained in such consignment.

15. Any article, subject to examination under these Regulations, which is introduced into this Colony by post may be intercepted and examined by an Inspector, and if found infested with any insect pest or plant disease shall be cleansed or destroyed as provided for in Regulations 12 and 13 of these Regulations.

16. The inspection and other treatment of consignments prescribed by these Regulations shall, save as herein excepted, take place on the premises provided by the Commissioner of Lands for the purpose, but special arrangements may be made with the Commissioner of Lands for the execution of all the provisions of Regulations 11, 12, 13 and 15, on the premises of the consignee or other place when approved facilities are provided.

17. On the Inspector being satisfied with respect to a consignment that all the Regulations and conditions herein set forth have been fully complied with he shall issue a certificate to that effect to the consignee, and before the issue of such certificate the consignment shall be under the Inspector's control for the purpose of these Regulations.

#### PART II.—INTER-COLONIAL REGULATIONS.

18. No person shall introduce into this Colony from any other part of South Africa:—

- (a) Any grape vine cutting or any grape vine unless the same is resistant or grown upon roots resistant to the attack of grape phylloxera (*Phylloxera vastatrix*).
- (b) Any apple stock or tree, unless grown upon northern spy roots or other roots which are accepted by the Commissioner of Lands as being resistant to the attack of woolly aphis (*Schizoneura lanigera*).

- (c) Any tree or plant that was propagated beyond South Africa unless the introduction of the same into the Transvaal would have been permitted under Regulations 8, 9 and 10 of these Regulations.

19. No person shall introduce any nursery stock into this Colony from any part of South Africa except under the following conditions:—

- (a) That the nurseryman from whom the stock is obtained holds a permit from the Commissioner of Lands for the introduction of such stock into the Transvaal. Such permit shall be granted if the Commissioner of Lands is satisfied from the report of the Chief Nursery Inspector of the Colony in which such nurseryman's premises are situated that no restrictions on the removal of the stock would be imposed were the premises situated in this Colony. Any such permit may at any time be cancelled by the Commissioner of Lands, and shall expire twelve months from the date of the inspection on which it is based.
- (b) That any fruit tree, fruit bearing plant, and any portion thereof, other than fruit and seed, has been fumigated immediately prior to shipment with hydrocyanic acid gas in a chamber and by a method approved by the Chief Nursery Inspector of the Colony in which the nursery is situated.
- (c) That every consignment be accompanied by a certificate in the form "A" annexed to these Regulations, specifying the number and kind of plants contained in the consignment and showing that the provisions of Regulations 18 and 19 have been observed.

20. Save as otherwise provided in Regulation 19 no person shall introduce into this Colony from any other part of South Africa any plant or portion thereof, with the exception of:—

- (a) Vegetables or vegetable transplants.
- (b) Cut flowers.
- (c) Fruit.
- (d) Seeds.
- (e) Plants or portions of plants not to be grown; unless the following conditions are complied with, that is to say—
- (a) That no consignment shall consist of more than ten plants or cuttings of any one variety without special permission from the Commissioner of Lands, which permission may be granted at his discretion.

- (b) When any fruit tree, fruit bearing plant, rose plant, or portion thereof, is included in a consignment, such consignment shall, in transit, be delivered to the Inspector at Johannesburg or Pretoria for purposes of inspection or treatment.
- (c) If accompanied by a certificate from the Chief Nursery Inspector of the Colony in which the plant was grown to the effect that the plant is apparently free from insect pests and plant diseases, the consignment may be received at any place in this Colony.
- (d) That such consignment is accompanied by a certificate in the form "B" annexed to these Regulations, specifying the number and kinds of plants contained in the consignment, and showing that the plants were not grown in a nursery, and further that the provisions of Regulations 18 and 20 have been observed.

21. All plants or portions thereof, such as cuttings, roots, tubers, bulbs, fruit, and seed, and all packages, cases, pots, or other coverings of the same may, before being delivered to the consignee, be detained and examined by an Inspector, so as to determine as far as possible whether or not any insect pest or plant disease is present, and it shall be the duty of the consignee or his agent to open the coverings and to afford every facility to the Inspector during such examination. Such articles shall, when deemed necessary by the Inspector as a precautionary measure against the introduction of any insect pest or plant disease, be treated by or at the expense of the consignee in the manner prescribed by or to the satisfaction of the Inspector, and if not so treated or if such treatment be deemed ineffectual, the Commissioner of Lands may cause such consignment to be destroyed.

22. The inspection and other treatment of consignments imposed by these Regulations shall, save as herein excepted, take place on premises appointed by the Commissioner of Lands for the purpose, but special arrangements may be made by the Commissioner of Lands for the execution of all the provisions of Regulation 21 on the premises of the consignee, or other place, when approved facilities are provided.

23. Any article subject to examination under these Regulations which is introduced into the Colony by post may be intercepted and examined by an Inspector, and if found infected with any insect pest or plant disease shall be cleansed or destroyed as provided for in Regulation 21.

## PART III.—NURSERY REGULATIONS.

24. Every nursery shall be registered by the nurseryman at the office of the Director of Agriculture on or before the first day of September each year. Applications for registration will be received by the Resident Magistrate in the District wherein the nursery is situated, and such Magistrate shall forward it to the office of the Director of Agriculture, and every nurseryman shall obtain a written acknowledgment of his registration as proof that he has complied with this requirement.

25. Every nursery shall be inspected at least once a year by an Inspector. Other inspections may be made if deemed necessary. It shall be lawful for any Inspector to enter upon any land and to do thereon such acts, matters and things as are necessary or reasonably required for carrying out these Regulations, and any person obstructing, resisting or interfering with any such Inspector in the lawful execution of his duty shall be guilty of a contravention of these Regulations:

26. If an Inspector finds in any nursery, orchard, or plantation, any insect pest or plant disease he shall give to the nurseryman or to the owner or occupier of the orchard or plantation, as the case may be, a written notice that such insect pest or plant disease is present, together with recommendations for the eradication of the same, to be carried out within such time as the Inspector may deem necessary. After the service of such notice no person shall remove or cause to be removed from the nursery, orchard or plantation, any such plant or portion thereof which the Inspector has designated as liable to carry such insect pest or plant disease without the written permission of the Inspector. In all such cases the Inspector shall at once report the matter to the Commissioner of Lands.

27. If the measures recommended have not been applied and the insect pest or plant disease destroyed at the end of the time specified, the Commissioner of Lands may order that no plant or portion of plant which is designated by the Inspector as liable to disseminate the insect pest or plant disease shall be removed from the nursery. During such periods of restriction no person shall remove or cause to be removed from the nursery, orchard or plantation which is under restriction, any tree, plant, or portion thereof, without the written permission of the Commissioner of Lands.

28. All restrictions placed upon a nursery, orchard or plantation, under Regulation 27, shall remain in force until the Inspector, at a subsequent regular inspection or at a special inspection, finds the trees or plants in the nursery, orchard or plantation, free from insect pest or plant disease. He shall then recommend to the Commissioner of Lands that a written certificate to that effect be given to the owner or occupier of the nursery, orchard or plantation concerned.

29. At each regular inspection the Inspector shall, if he does not find any insect pest or plant disease in the nursery inspected, recommend to the Commissioner of Lands that the nurseryman be given a certificate to that effect. If at any special inspection the Inspector finds any insect pest or plant disease in the nursery the Commissioner of Lands may cancel the certificate. It shall be unlawful for any person to sell or dispose of in any way any trees, plants, or portion thereof, from a nursery without having obtained this certificate.

30. Nothing in the preceding Regulations contained shall prevent the Commissioner of Lands from ordering and causing to be carried into effect the immediate destruction of any plant, tree, or portion thereof, which is found infested by any insect pest or plant disease which is specially dangerous to the agricultural or horticultural interests of this Colony.

31. The Commissioner of Lands may, at his discretion, order any nurseryman to fumigate all or any plants, trees, or portions thereof, with hydrocyanic acid gas before they are allowed to be removed from the nursery. The fumigation chamber and method of fumigation shall be approved by a duly qualified officer appointed by the Commissioner of Lands. All packages or parcels, cases, or other receptacle containing plants, trees, or portions thereof, which are sold or delivered from the nursery in which fumigation has been ordered, shall bear a label stating that the contents have been fumigated in accordance with these Regulations.

32. If an Inspector shall at any time find a tree, plant, or portion thereof, such as cuttings, fruit, or any other article whatsoever exposed or offered for sale which is infested with any insect pest or plant disease he may order such article, tree, plant, or portion thereof, together with all other articles in the same receptacle, with all covering and packing material, to be cleansed or disinfected by the owner or his agent, or at his expense, in the manner prescribed by and to the satisfaction of the Inspector, and if not so cleansed and disinfected, or if any treatment shall be

deemed by the Commissioner of Lands to be insufficient for the absolute eradication of the insect pest or plant disease, or if the Commissioner of Lands shall consider the insect pest or plant disease to be of a specially dangerous character, he may order that such articles be immediately destroyed.

**Form A.**

**SOUTH AFRICAN INTER-COLONIAL PLANT IMPORT REGULATIONS.**

Certificate required with every consignment of nursery stock exported from Cape Colony, Rhodesia, Orange River Colony, Transvaal, or Natal to any other of these Colonies.

Consignee's Name .....

Consignee's P.O. Address .....

For despatch by { Post P.O. P.O.  
 { Rail From.....to.....  
 { Station. Station.

Number and description of packages.	Kinds of trees or plants.	Number of each kind.
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I hereby certify that the particulars given above of the consignment herewith despatched are true and complete, that I hold an official permit for the introduction into..... of the nursery stock described, and that I have complied with all the requirements of the Plant Import Regulations of the said Colony which apply to said stock.

(Signed) .....  
 Registered Nurseryman.

The consignment above described was this day delivered by me.

.....  
 Inspector or Examining  
 Officer at destination.

Place.....

Date .....

[OVER

**(Reverse of Form A.)**

Apple trees from one Colony to another must be on Northern Spy roots or other roots officially accepted as resistant to the attacks of Woolly Aphis in the Colony to which the trees are sent.

Grape Vines must be on roots resistant to the Phylloxera, and all cuttings of grape vines must be of resistant kinds.

All fruit trees, fruit bearing plants, and portions thereof, must be fumigated immediately prior to shipment with hydrocyanic acid gas in a chamber and by a method approved by the Government Entomologist of the Colony in which they were grown.

It is required that a certificate in this form be presented with and accompany every consignment of nursery stock from any Colony for any other Colony, whether to go by post or railway, and that the Inspector or Examiner at the delivering post office or railway station sign the form and despatch it at the end of the current month to the Government Entomologist of his Colony.

The consignor is recommended to send a duplicate of the certificate by post to the consignee so that delay may be avoided should the original certificate go astray. The Inspector or Examining Officer is authorised to accept the duplicate.

**Form B.**

**SOUTH AFRICAN INTER-COLONIAL IMPORT REGULATIONS.**

Certificate required with every consignment of plants, not nursery stock, and not specially excepted, exported from Cape Colony, Rhodesia, Orange River Colony, Transvaal, or Natal, to any other of these Colonies.

Consignee's Name .....

Consignee's P.O. Address .....

For despatch by { Post P.O. P.O.  
From.... to.....  
Rail Station. Station.

Number and description of packages.	Kinds of trees or plants.	Number of each kind.
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I hereby certify that the particulars given above of the consignment herewith despatched are true and complete, that none of the said plants are from any nursery, and that no apple tree, grape vine, or grape vine cutting, in violation of the Regulations, has been included.

(Signed), .....

Date.....

The consignment above described was this day delivered by me.

.....  
 Inspector or Examining  
 Officer at destination.

Place.....

Date .....

[OVER.

**(Reverse of Form B.)**

Apple trees despatched from one Colony to another must be on Northern Spy roots or other roots officially accepted as resistant to the attacks of Woolly Aphis in the Colony to which the trees are sent.

Grape vines must be on roots resistant to Phylloxera, and all cuttings of grape vines must be of resistant kinds.

No certificate is required with (a) vegetables or vegetable transplants, (b) cut flowers, (c) fruit, (d) seeds, and (e) plants or portions of plants not to be grown.

With the exception of nursery stock which is subject to special restrictions and must be accompanied by another form of certificate, all other plants are subject to the conditions noted hereunder and must be accompanied, whether sent by rail or post, by a certificate in this form. The Inspector or Examining Officer at the delivering post office or railway station is to sign the form and despatch it at the end of the current month to the Government Entomologist of his Colony. The consignor is recommended to send a *duplicate certificate* under separate cover to the consignee so that delay in delivering the consignment may be voided should the original have gone astray; the delivering official is authorised to accept the duplicate.

Ten plants or cuttings of any one variety is the limit that may be sent in a single consignment unless special permission to send more has been obtained from the Commissioner of Lands; ordinarily such special permission will be endorsed on this form.

Any fruit tree, fruit bearing plant, rose plant, or any part thereof, for the Transvaal, Orange River Colony, Natal, or Rhodesia, must, unless certified by the official in charge of nursery inspection of the Colony in which it was grown to be apparently free of insect pests and plant disease, be sent in transit to an Inspector for the receiving Colony for the purpose of inspection and any required treatment. Inspectors for the Transvaal are located at Johannesburg and Pretoria; for the Orange River Colony, at Bloemfontein; for Natal, at Pietermaritzburg; for Rhodesia, at Bulawayo, Salisbury, and Umtali; and for Cape Colony, at Capetown and Grahamstown.

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