

An Act to protect Canada against the introduction of the insect pest known as the San Jose Scale.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The San Jose Scale Act*. Short title.
- 5 2. The importation of any trees, shrubs, plants, vines, grafts, cuttings or buds, commonly called nursery stock, from any country or place to which this Act applies is prohibited. Importation of nursery stock from certain places prohibited.
3. Any nursery stock so imported shall be forfeited to the Crown and may be destroyed, and any person importing nursery stock from any such country or place, or causing or permitting it to be so imported, shall be deemed to be guilty of an offence under section 6 of *The Customs Tariff, 1897*, and shall be liable to the penalty prescribed by that section. Penalty.
- 10 4. The Governor in Council may from time to time declare that this Act applies to any country or place as to which it has been made to appear that San Jose Scale exists therein; and, when satisfied that the importation of nursery stock from any country or place to which this Act has been applied may safely be permitted, he may in like manner declare that this Act no longer applies to such country or place. Application of Act to be regulated by Governor in Council.
- 15 5. The Governor in Council, upon its being made to appear to his satisfaction that any class of plants is not liable to the attack of the San Jose scale, may exempt plants of such class, and grafts, cuttings or buds thereof from the operation of this Act. Exemption of plants which are not liable to San Jose Scale.
- 20 6. The Governor in Council may from time to time, notwithstanding anything contained in this Act, permit the importation from any country or place to which this Act applies of such nursery stock as is required for scientific purposes. Importation for scientific purposes.
- 30 7. All Orders in Council made under sections 4 and 5 of this Act shall be published in the *Canada Gazette*. Publication of Orders in Council.