

REGULATION
On the Control of Raw Materials
and Products of Vegetable Origin

Promulgated State Gazette No. 60/13.07.1993

Section I
General

Article 1

This regulation shall regulate the procedure for performing inspection, in case of imports and exports of raw materials and products of vegetable origin, for the presence of hazardous for human health chemical and biological substances exceeding the maximum admissible quantities.

Article 2

Hazardous for human health substances means the presence of pesticides, heavy metals, nitrates, nitrites, mycotoxins exceeding the maximum admissible quantities.

Article 3

Subject to inspection pursuant to Article 1 are the following raw materials and products of vegetable origin:

1. fresh, dried, frozen and preserved fruit and vegetables;
2. food grain, rice and products, made of them;
3. coffee - raw, nuts;
4. tobacco and tobacco products, mushrooms.

Article 4

Raw materials and products of vegetable origin, not accompanied by a sanitary certificate on the presence of hazardous chemical and biological substances, issued by authorized entities of the exporter country, are not admitted into the Republic of Bulgaria.

Article 5

The document-based inspection pursuant to Article 4 shall be implemented at:

1. the border checkpoints determined by the Ministry of Agriculture in coordination with the Ministry of Internal Affairs, Ministry of Transport and the General Customs Directorate;
2. customs bureaux in the country;
3. the centres for receipt, storage, distribution and processing;
4. the trade network in the country.

Article 6

The sanitary state of the raw materials and products of vegetable origin shall be determined by means of a chemical analysis and expertise according to unified methods for the country in laboratories authorized by the Ministry of Agriculture.

Section II

Rights and Obligations of the Authorities for Quarantine and Inspection of Raw Materials and Products of Vegetable Origin

Article 7

The instructions of the inspection authorities of the Ministry of Agriculture pursuant to this regulation are mandatory for all natural and legal persons.

Article 8

The authorities for quarantine and inspection of raw materials and products of vegetable origin have the following rights and obligations:

1. to require for each consignment of imported goods a sanitary certificate proving that it does not contain hazardous substances in excess of the maximum admissible quantities under Article 2, and in case of export - compliance with the requirements declared by the importer country;
2. to open the transport unity carrying raw materials and products of vegetable origin at the border checkpoints and customs bureaux for taking average inspection samples for chemical analysis, for which a statement shall be drawn up;
3. not to allow imports or exports of the consignment of goods in case of discovering hazardous substances in excess of the maximum admissible quantities under Article 2;

4. to scrap and destroy exported or imported raw materials and products of vegetable origin with hazardous chemical and biological substances in excess of the maximum admissible quantities.
5. to make, when necessary, chemical analysis of the goods under Article 3, according to the method and procedure of Article 6.

Section III

Import of Raw Materials and Products of Vegetable Origin

Article 9

All imported goods under Article 3 are subject to inspection performed at border points, internal customs bureaux, processing enterprises, storage and distribution facilities and the trade network in the country.

Article 10

- (1) Imports of raw materials and products of vegetable origin are admitted when the consignments of goods are accompanied by a sanitary certificate issued by authorized entities of the exporter country which guarantees the absence of chemical and biological contaminating agents according to the maximum admissible quantities adopted in our country.
- (2) Under the discretion of the inspection authorities some types and consignments of goods shall be subjected to tests in the laboratories of the Ministry of Agriculture regardless of the data in the certificate.
- (3) The costs for the inspection chemical analysis of imported goods shall be paid by the owner.

Section IV

Exports of Raw Materials and Products of Vegetable Origin

Article 11

When exporting raw materials and products of vegetable origin exporters shall be obliged to present to the regional authority for vegetable protection, quarantine and agrochemistry the requirements of the importer country (if such exist) with respect to the maximum admissible quantities of hazardous chemical and biological substances under Article 2.

Article 12

The exporter shall supply to an authorized laboratory an average sample, taken, sealed and addressed by the authorities for quarantine and inspection of raw materials and products of vegetable origin. On the basis of the data from the laboratory analysis a certificate shall be issued to accompany the goods. The costs for the chemical analysis of the samples shall be paid by the owner of the goods.

Article 13

The responsibility for the reliability (representative character) of the sample shall lie with the official, who has taken it.

Section V

Administrative Penal Provisions

Article 14

- (1) For a violation of the provisions of this regulation a fine of 500 to 800 leva shall be imposed, if not subject to a larger penalty.
- (2) In case of a second violation under paragraph 1 within a period of one year the fine shall be 800 to 1000 leva, if not subject to a larger penalty.

Article 15

- (1) The violations shall be established by acts prepared by the authorities for quarantine and inspection of raw materials and products of vegetable origin.
- (2) The Minister of Agriculture or persons authorized by him shall issue penalty ordinances on the basis of the acts prepared.
- (3) The establishment of the violations, the determination of the persons liable for penal responsibility, the issue, claim and execution of the penalty ordinances shall be done according to the procedure of the Law on Administrative Violations and Penalties.

CONCLUDING PROVISIONS

- _ 1. This regulation is issued pursuant to Article 2, item 10 of the Annex to Article 1, paragraph 1 of Decree 131 of 1992 of the Council of Ministers (State Gazette No 59/1992).
- _ 2. The implementation of the regulation is assigned to the National Authority for Vegetable Protection, Quarantine and Agrochemistry under the Ministry of Agriculture.
- _ 3. The regulation shall enter into force as of its promulgation in the State Gazette.

Minister: **G. Tanev**