

PLANT PROTECTION LAW ENFORCEMENT REGULATION (Selection)

- (Ministerial Ordinance No. 125, April 16, 1963)
- (Ministerial Ordinance No. 180, Amended on May 6, 1965)
- (Ministerial Ordinance No. 476, Amended on Feb. 22, 1972)
- (Ministerial Ordinance No. 502, Amended on Sep. 27, 1972)
- (Ministerial Ordinance No. 549, Amended on Oct. 20, 1973)
- (Ministerial Ordinance No. 565, Amended on Mar. 21, 1974)
- (Ministerial Ordinance No. 658, Amended on Dec. 20, 1976)
- (Ministerial Ordinance No. 754, Amended on Mar. 29, 1979)

PLANT PROTECTION LAW ENFORCEMENT REGULATION

Article 1. (Designation of places for import)

The port of entry and air-ports under Article 6, Paragraph 2 of the Plant Protection Law (herein-after referred to as "the Law") shall be designated as follow ;

(1) Port of entry

Inchon, Pusan, Mokpo, Yosu, Kunsan, Masan, Muckho, Pohang, Cheju, Chungmu.

(2) Air-port

Kimpo air-port, Kimhae air-port, Cheju air-port.

Article 2. (Import permit of prohibited articles)

- (1) Any person who intend to obtain the permit under the provision of Article 7 Paragraph 1 of the Law shall submit an application (annexed Form No. 1) to the Minister of Agriculture and Fisheries through the Plant Protection Official.
- (2) The Minister of Agriculture and Fisheries shall, in case he has given the permit for an application of Paragraph 1, issue a certificate (annexed form No.2) to the applicant.
- (3) Any person who has received the certificate issued as prescribed in the Paragraph 2 shall foreward the same to the shipper who shall attach it to the prohibited articles concerned.

Article 3. (Prohibited districts and plants of import)

Prohibited districts and plants of import specified in Article 7, Paragraph 1 Item 1 of the Law shall be designated as the annexed Table. However, this rule shall not be applicable on plants and plant products to be imported for use of exporting purpose and supply of military consumption which are met to the standard of plant quarantine requirements.

Article 4. (Application for Inspection of imported Plants)

An importer intending to recieve the inspection under the Article 8, Paragraph 1 of the Law shall, without delay, submit an application (annexed Form No.3) to

the Plant Protection Official after an arrival of ship or landing of plane carrying the said plant or prohibited article.

Article 5. (Place and date of inspection)

In case the application specified in Article 4 has been made, the Plant Protection Official shall inform the applicant concerned of the place and date of inspection by 2-day prior to the date of inspection.

Article 6. (Transportation etc., of articles subject to inspection)

Any person who has imported plants or prohibited articles shall, in case he is to receive inspection there on under the provision of Article 8, Paragraph 1 or 3 of the Law, take action with respect to the transportation, unpacking, packing and other measure on the plants or prohibited article concerned under the instruction of Plant Protection Official.

Article 7. Place where disposition is to be made

Plant Protection Official shall take measures in compliance with the disposition under the provisions of Article 4, Paragraph 2 or Article 9, Paragraph 1 or 2 of the Law at the place where the plants concerned or containers or packing materials there-of were inspected. However, the Plant Protection Official may do the measures at the other place otherwise designated only in an inevitable case.

Article 8. (Carrying out of disinfection or destruction)

Any person who has been ordered to make disinfection or destruction in accordance with Article 7 shall take the said action in the presence of the Plant Protection Official.

Article 9. (Report after disposition)

- (1) In case the Plant Protection Official has destroyed the plant or prohibited articles and containers and packing materials there-of in accordance with the provision of Article 9, Paragraph 1 to 3 inclusive of the Law or has damaged the same by disinfection, he shall report that effect of the owner or custodian there-of (or the addressee in case of a mail), and issue a certificate (annexed Form No. 4) within 2-day from the date of such person's request.

- (2) In case the Plant Protection Official received a mail from a post office which has been inspected in accordance with the provision of Article 8, Paragraph 5 of the Law in order to carry out disinfection or destruction there-of in accordance with provision of Article 9, Paragraph 1 to 3 of the Law; or in case he received seedlings from a post office in accordance with provision of Article 12 of the Law, he shall issue a receipt there-of (annexed Form No.5) to the said post office.

Article 10. (Destructions or Disinfection Order)

In the case where the Plant Protection Official has ordered the disinfection or destruction under the provision of Article 9, paragraph 1 or 2 of the Law and if the person under obligation requests him to do so, he shall issue a destruction or disinfection order (annexed Form No.6)

The same shall apply to the case where disinfection is ordered under the provisions of Article 4, Paragraph 2 of the Law.

Article 11. (Designation of Seeds and Seedlings)

The seeds and seedlings specified in Article 8, Paragraph 7 of the Law shall be designated as follows, with exception of those to be re-exported without cultivation after the importation.

- (1) Bulbs of flower and vegetable
- (2) Tubers of potato and sweet potato
- (3) Seedlings and sections of fruit and nut tree.

Article 12. (Isolated cultivation)

Plant Protection Official shall, in case he deems that isolated cultivation under Article 8, paragraph 7 of the Law is necessary, suspend the transfer and receipt of the seeds and seedlings concerned (or in case of a mail, receive the seeds and seedlings concerned from the post office) and inform the person who has imported the said seeds and seedlings (including the recipient of the mail; herein-after the same) of the following matters in writing (annexed Form No.7). Inquiry shall be made as to whether or not it is possible to make an isolated cultivation within a fixed period if the same is possible, the isolated cultivation place (location and the condition of surroundings) and a person responsible for the management there-of.

- (1) The plants concerned shall be cultivated for the duration of a fixed period in an isolated cultivating land or place :
- (2) To prohibit the seeds and seedlings concerned from being carried to a place other than the isolated cultivating land or place
- (3) In case of an outbreak of any harmful animal or plant on the seeds and seedlings (including the products there-of) concerned or of any change to the same during the period of isolated cultivation, a report to that effect shall be made without delay, to the Plant Protection Official :
- (4) In case plant protection official's direction is delivered, it shall be obeyed :

Article 13. (Isolated cultivation order)

Plant Protection Official shall, in case he deems it possible to order the isolated cultivation specified in Article 8, Paragraph 7 of the Law upon the receipt of the answer stated in Article 12, send an isolated cultivation order (annexed Form No.8) together with the seeds and seedlings concerned to the person who has imported the same seeds and seedlings.

Article 14. (Transportation report etc., of article under isolated cultivation)

- (1) In case the Plant Protection Official carry out the isolated cultivation himself under Article 8, Paragraph 7 of the Law, upon the receipt of the answer specified in Article 12, he shall inform the importer to send the said seeds and seedlings concerned to the places where isolated cultivation is to be carried out.
- (2) In case the seeds and seedlings (including the products concerned) which were cultivated by isolation have passed the inspection under the provision of Article 8 of the Law, the Plant Protection Official shall, without delay, report to the person who has imported the seeds and seedlings.

Article 15. (Destruction of seeds and seedlings)

Plant Protection Official shall, in case he deems that it is impossible to carry out the isolated cultivation at the country under Article 8, Paragraph 7 of the Law, destroy the seeds and seedlings concerned.

Article 16. (Issuance of Certificate)

- (1) The certification specified in Article 9, Paragraph 4 of the Law shall be a certified seal, certification card or certificate of the annexed Form No.9

- For the plant and container and packing materials there-of infected with only the harmful animal or plant to which the permit of import is issued by the Minister of Agriculture and Fisheries in accordance with the provision of Article 7, Paragraph 1 of the Law, Plant Protection Official shall issue a certified seal or certificate card (annexed Form No.10) to the owner or custodian there-of.
- 13 Of the prohibited articles permitted under the provision of Article 7, Paragraph 1 of the Law, for the seeds and seedlings to be sent for the isolated cultivation under the provision of Article 13, Plant Protection Official shall issue a certified seal or certificate card to the custodian in accordance with Paragraph 2.

Article 17. (Inspection of Places of Cultivation)

The plants specified in Ministerial Ordinance of Agriculture and Fisheries under Article 10, Paragraph 3 of the Law shall be Liliums and tulip.

Article 18. (Application for inspection of cultivation field)

1. Any person who intends to have the inspection of his cultivation field under Article 10, Paragraph 3 of the Law shall submit an application for inspection in accordance with (annexed Form No.11) to the Plant Protection Official by the date specified below :
 - (i) 30-day prior to the date on which inspection is intended to be made, with respects to the plants required by the importing country to be inspected at the cultivation field
 - (ii) 30 April, with respect to Liliums
 - (iii) 31 March, with respect to tulip.
2. Any person who has made the application under Paragraph 1 shall post a sign-board in accordance with annexed Form No.12 in the cultivation field concerned, and shall be present at the time of inspection.

Article 19. (Application for inspection of plants for export)

1. Any person who intends to export the plants and containers and packing materials there-of as specified in Article 10, Paragraph 1 of the Law shall submit an application for inspection in accordance with annexed Form No. 13 to the Plant Protection Official at least 10-day prior to the day of

export (or 30-day prior to the day of export, in the case where he intends to have the plants concerned and containers and packing materials there- of inspected at the location there- of). However, any person who intends to undergo the inspection with respect to the soil, rice straw, or rice-straw rope to be used as packing materials for plants to be exported shall submit an application for inspection in accordance with annexed Form No. 14 to the Plant Protection Official prior to digging and preparation in the case of soil, and prior to disinfection in the case of rice straw, the rice-straw rope.

- (2) If the soil or rice ~~straw~~, rice-straw rope used as packing materials for the plant concerned which has passed inspection of cultivation field in accordance with Article 10, Paragraph 3 of the Law has been inspected and passed the same under the provision of Paragraph 1 of Article 18, the information to that effect shall be stated in the application specified in Paragraph 1.
- (3) Any person who intends to export wild Liliium shall attach to the application specified in Paragraph 1 certificate (annexed Form No.15) issued by the Plant Protection Official.

Article 20. Inspection Certificate of Cultivation Field)

Any person who intends to receive the inspection under Article 10, Paragraph 3 of the Law on the plant of which the inspection of the cultivation field there-of is required under Paragraph 1 of the same Article shall attach to the container and packing material of the plant concerned an inspection certification card issued to him under the provision of Article 24, Paragraph 2.

Article 21. Place of inspection:

- (1) The inspection under Article 10, Paragraph 1 of the Law shall be conducted at the place designated by the Plant Protection Official. However, in the case where an application has been made to have the inspection conducted at the location of plant concerned and container and packing material there-of and if the quantity of the said plants is a large quantity and if it is deemed convenient in supplementing the disqualified article, then the inspection may be made at the location of the said article.
- (2) The inspection of the soil to be used as packing material of plants for

export under the provision of Article 10 Paragraph 1 of the Law shall be made at the place of preparation there-of not with standing the provisions of Paragraph 1.

Article 22. (Date of inspection)

The Plant Protection Official shall notify, in advance, to the person who has applied for inspection in accordance with the provision of Article 18, Paragraph 1 of the date of inspection.

Article 23. (Transportation of articles to be inspected)

The provision of Article 6 shall apply *mutatis mutandis* to any person who has applied for inspection under the provision of Article 19, Paragraph 1.

Article 24. (Issuance of inspection certificate)

- (1) In case the Plant Protection Official has passed the plant concerned and container and packing material there-of as a result of the inspection under Article 10, Paragraph 1 of the Law, he shall stamp certified mark in accordance with annexed Form No. 16 (1) of the said plant, container or packing material there-of, and issue an inspection certificate within 2-day after the inspection, in accordance with annexed Form No. 16 (2) to the applicant.

However, if the importing country has special requirements, the Plant Protection Official shall issue a certificate to comply with the said requirements.

- (2) In case the Plant Protection Official has passed the plant concerned as a result of the inspection under the provision of Article 10, Paragraph 3 of the Law, he shall issue an inspection certificate and the inspection certificate card within 2-day after the inspection in accordance with annexed form No. 17 to the applicant.
- (3) In case the Plant Protection Official has passed inspection on the container and packing material applied under the provision of Article 19, Paragraph 1 and if the same is deemed as complying with the requirements of the importing country, he shall issue an inspection certificate within 2-day after the inspection in accordance with annexed Form No. 18 to the applicant.

Article 25. (Cancellation of certified passage of inspection)

In case the Plant Protection Official deems that the plants concerned and container and packing material there-of do not comply with the requirements of the importing country as a result of the re-inspection under Article 10, Paragraph 4 of the Law, he may cancel the certified passage of inspection, cross out the mark stamped under the provision of Paragraph 1 of Article 24, or order to return the inspection certificate issued.

The list of prohibited plants for entry into Korea

(Article 3, annexed Table)

Prohibited plant and part of plant	Prohibited region and country	Reason of prohibition
1. Fresh fruit (excluding <i>Ananas comosus</i> M.)	Turkey, Syria, Lebanon, Jordan, Israel, Cyprus, Germany, Italy, Swiss, Spain, Portugal, Belgium, Netherlands, France, Ireland, Austria, Greece, Hungary, Yugoslavia, Albania, El Salvador, Nicaragua, Costa Rica, Panama, West Indies, Hawaiian Islands, Peru, Bolivia, Chile, Argentina, Uruguay, Brazil, Bermudas, Australia, Africa, Malta.	Mediterranean Fruit Fly (<i>Ceratitis capitata</i> Wied)
2. Fresh fruits of <i>Citrus</i> spp., <i>Eriobotrya japonica</i> L., <i>Diopyros</i> spp., <i>Prunus armeniaca</i> L., <i>Prunus persica</i> S., <i>Mangifera indica</i> L., <i>Carica papaya</i> L., <i>Nephelium litchi</i> C., <i>Diospyros hebecarpa</i> L., <i>Psidium guajava</i> L., <i>Persea americana</i> M., <i>Nephelium lappaceum</i> L., <i>Arec catechu</i> L., <i>Garcinia mangostana</i> L., <i>Chrysophyllum cainito</i> , <i>Solanum verbascifolium</i> , <i>Achras sapota</i> , <i>Lycopersium esculentum</i> M., <i>Eugenia</i> spp. (Rose-apple, Malay apple etc.), <i>Artocarpus</i> spp. (Jack fruit, Bread fruit etc.), <i>Anona</i> spp. (Sugar apple), <i>Adonis</i> spp., <i>Garicaria</i> spp., <i>Capsium</i> spp., and mature <i>Musa</i> L.	Taiwan, China, Hongkong, Indochina-peninsula, Philippines, Borneo, Indonesia, Thailand, Malaysia, Burma, India, Pakistan, Sri Lanka, Micronesia, Hawaiian Islands, Iwo Islands, Ryuku Islands, Bonin Islands, Australia.	Orient Fruit Fly (<i>Dacus dorsalis</i> Hensel)

Prohibited plant and part of plant	Prohibited region and country	Reason of prohibition
3. Fresh fruits of <i>Malus pumila</i> M., <i>Pyrus</i> spp., <i>Prunus</i> spp., <i>Cydonia</i> spp., and fresh fruit and kernel of <i>Juglans</i> spp.	China, Burma, India, Pakistan, Iran, Afghanistan, Iraq, Israel, Cyprus, Europe, USSR, Africa, USA (excluding Hawaii), Canada, Uruguay, Argentina, Chile, Peru, Australia, Brazil, New Zealand.	Codling moth (<i>Carpocapsa pomonella</i> Linne)
4. Vines, leaves and fresh fruits of <i>Cucumis sativas</i> L., <i>Citrullus vulgaris</i> , <i>Cucumis</i> spp., <i>Cucurbita pepo</i> etc., other <i>Cucurbitaceae</i> Plants and fresh fruits of <i>Lycopersicon esculentum</i> M., <i>Solanum melongena</i> L., <i>Mangifera indica</i> L., <i>Carica papaya</i> L., <i>Phaseolus</i> spp., <i>Vicia</i> spp.	Ryuku Islands, Micronesia, Hongkong, Taiwan, China, Indochina-peninsula, Philippines, Borneo, Thailand, Burma, Malaysia, Indonesia, India, Pakistan, Sri Lanka, Guinea, Tanzania, Hawaiian Islands, Australia, Japan.	Melon Fly (<i>Dacus cucurbitae</i> Coq.)
5. Vines, Leaves, seeds and living tuberous roots of <i>Ipomoea</i> spp. (sweet potato)	Iwo Islands, Ryuku Islands, Bonin Islands, Hongkong, China, Indochina-peninsula, Philippines, Borneo, Malaysia, Indonesia, India, Pakistan, Sri Lanka, Africa, USA (including Hawaii), West Indies, South-America, Micronesia, Melanesia, Polynesia, Australia, New Zealand, Thailand, Burma.	Sweet potato weevil (<i>Cylas formicarius</i> Fabricius), Sweet potato stem borer (<i>Omphisa anastomosalis</i> Gnenee) Witche's broom of sweet potato (Virus), Internal cork of sweet potato. (Virus).
6. Living vines, leaves and underground portions of the living tuberous of <i>Solanum tuberosum</i> L., <i>Solanum melongena</i> L., <i>Lycopersicon esculentum</i> M., <i>Capsicum annum</i> L.,	India, Europe, USSR, South-Africa, Canada, Peru, Ecuador, Bolivia, Chile, Uruguay, Falkland.	Potato wart disease (Synchytrium endobioticum Per.)

Prohibited plant and part of plant	Prohibited region and country	Reason of prohibition
and other Solanaceae plants.	USA (California, Nevada, Montana, Iowa, Utah, Arizona, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas and Oklahoma), Canada, USSR, Poland, Bulgaria, Argentina.	Potato spindle tuber viroid.
	USA (New England, New York, New Jersey, Delaware, Pennsylvania, Ohio, Indiana, Iowa, Illinois, Missouri, Michigan, Wisconsin, and Minnesota), Canada.	Potato yellow dwarf virus.
7. Living vines, leaves of <i>Nicotiana tabacum</i> L., <i>Solanum melongena</i> L., <i>Lycopersicon esculentum</i> L., <i>Capsicum annum</i> L., and other Solanaceae plants.	Algeria, Libyan Arab, Morocco, Tanzania, Iran, Iraq, Israel, Jordan, Lebanon, Syrian Arab, Turkey, USSR, Australia, Albania, Austria, Belgium, Bulgaria, Czechoslovakia, Crete, Cyprus, United Kingdom, France, Germany, Greece, Italy, Hungary, Rumania, Luxembourg, Netherlands, Finland, Portugal, Spain, Swiss, USA, Yugoslavia, Canada, Mexico, Cuba, Guatemala, West-India, Chile, El Salvador, Argentina, Brazil, Uruguay.	Tobacco blue mold (<i>Peronospora tabacina</i> Adam.)
8. Living vines, leaves of <i>Solanum tuberosum</i> L., <i>Solanum melongena</i> L., <i>Lycopersicon esculentum</i> M., <i>Capsicum annum</i> L., other Solanaceae plants, <i>Crisium</i> spp., <i>Brassica</i> spp., and black pepper.	Turkey, Greece, Yugoslavia, Hungary, Czechoslovakia, Austria, Italy, Swiss, France, Spain, Portugal, Luxembourg, Belgium, Netherlands, Germany, Denmark, United Kingdom, Canada, USA, Mexico.	Colorado beetle (<i>Leptinotarsa decemlineata</i> Say)

Prohibited plant and part of plant	Prohibited region and country	Reason of prohibition
9. Underground portions including living tuberos of <i>Solanum tuberosum</i> L., <i>Solanum melongena</i> L., <i>Capsicum annum</i> L., <i>Lycopersicon esculentum</i> M., Solanaceae plants and Chenopodiaceae plants.	Japan (Hokaido), India, Lebanon, Israel, Cyprus, United Kingdom, France, Germany, Italy, Swiss, Spain, Portugal, Belgium, Denmark, Netherlands, Norway, Sweden, Finland, Iceland, Ireland, Austria, Greece, Luxembourg, Czechoslovakia, USA (New York State), Canada, Mexico, Panama, Venezuela, Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Tunisia, Morocco, Algeria, South Africa, New Zealand, USSR, Poland, Yugoslavia.	Potato Cyst Nematodes (<i>Heterodera rostochiensis</i> Woll, <i>Heterodera pallida</i> Stone)
10. Underground portions of all plants excluding the following plants ; <i>Malus</i> spp., <i>Juglans</i> spp., <i>Vitis</i> spp., <i>Rosa</i> L., <i>Rhododendium</i> spp., <i>Rhododendium mucronulatum</i> L., <i>Dianthus caryophyllus</i> L., <i>Pelargonium inquinans</i> Ait., <i>Agave americana</i> L., <i>Cannabis sativa</i> L., <i>Rhus</i> spp., <i>Forsythia</i> spp., <i>Rohdea discolor</i> , <i>Solanum tuberosum</i> L., <i>Allium cepa</i> L., <i>Allium fistulosum</i> L., <i>Arctium lappa</i> L., arrowhead, <i>Begonia</i> L., <i>Rutabaga</i> , <i>Allium sativum</i> L., parsnip, <i>Rubus</i> spp., <i>Euphorbia</i> spp., <i>Prunus</i> spp., plants of Family Cactaceae, plants of Family Palmaceae (excluding canary date palm and coconut palm), Orchidaceae, <i>Iris</i> spp., other	Africa, Australia (New South Wales and North Queensland), Brazil, Egypt, Fiji, Hawaiian Islands, Honduras, India, Indonesia, Jamaica, Malaysia, North America (excluding Greenland, Canada, and West Indies), Pakistan, Philippines, Puerto Rico, Thailand, Trinidad-Tobago.	Burrowing Nematode (<i>Radopholus similis</i> (Cobb) Thorne)

Prohibited plant and part of plant	Prohibited region and country	Reason of prohibition
flower bulbs excluding <i>Canna generalis</i> B., Pteridophyta, Foliaceae.		
11. Fresh fruits of <i>Malus</i> spp., other <i>Malus</i> plants and <i>Crataegus</i> plants.	China, Taiwan, Japan.	Manchurian apple moth (<i>Graphlitha inopinata</i> Hein)
12. Straw of wheat, barley group and straw goods of such kinds and stalks, leaves of <i>Agropyron</i> plants.	USSR, Iran, Turkey, Europe, North America, New Zealand.	Hessian Fly (<i>Phytophaga destructor</i> Say)
13. Rice plant, rice straw and its processed goods and chaff.	All foreign countries excepting Japan and Taiwan.	Nematodes (<i>Ditylenchus angustue</i> ((Butler) Fijipzev, <i>Trichocois caudata</i> (App. et str) Clements, <i>Epthlis Oryzae</i> Sydow), and other kinds of harmful insects and diseases which are not found in Korea.