

Official Translation

REPUBLIC OF LITHUANIA

LAW ON THE AMENDMENT OF THE REPUBLIC OF LITHUANIA LAW ON PLANT PROTECTION

June 4, 1998 No. VIII 769

Vilnius

ARTICLE 1. The New Edition of the Republic of Lithuania Law on Plant Protection

To Change the Republic of Lithuania Law on Plant Protection as follows:

“REPUBLIC OF LITHUANIA LAW ON PLANT PROTECTION

ARTICLE 1. Objective of the Law

This law shall establish activity of all individual and corporate bodies of the Republic of Lithuania with respect to plant protection from diseases, pests and weeds as well as, chemical and biological plant protection products and procedure of growth regulator materials registration, production, import, trade, storage, use and state supervision.

ARTICLE 2. Basic Definitions of This Law

The basic definitions used in this Law are as follows:

1. Plant protection means activity involving employment of biological, chemical, quarantine and other measures that protect plants from disease agents, diseases, pests and weeds, or decrease their harmful effects, and also preserve their ecological equilibrium in nature.
2. Biological plant protection products means and microbiological preparations and entomophagus, employed in plant protection from disease agents, diseases, pests and weeds.
3. Chemical plant protection products means active substances and preparations employed in plant protection from disease agents, diseases, pests and weeds as well as growth regulators.
4. Quarantine measures means the system of state measures designated to protect the territory of the Republic of Lithuania from introduction therein from other countries, of particularly harmful pests, disease agents and weeds that are of particular harm to agriculture and forestry and also, to determine sites within the country, of organisms meriting quarantine and to localise and liquidate them.
5. Registration of plant protection products is the process wherein the use of new chemical and biological plant protection products shall be enacted within the territory of the Republic of Lithuania and regulations governing the use thereof shall be established.

### ARTICLE 3. State Administration and State Supervision of Plant Protection

1. Taking into account the specific nature of this task, state administration of plant protection within the Republic of Lithuania shall be implemented by the Ministry of Agriculture through the State Plant Protection Service, the Ministry for Environmental Protection through regional environmental protection departments and the Forestry Protection Service, the Ministry of Health through public health care agencies, and the county governor administrations through Departments of Rural Affairs and District Agricultural departments. The aforementioned services shall supervise the production, import, storage, trade and use of chemical and biological plant protection products and application of quarantine measures regardless of user jurisdiction status.

2. State plant protection and forestry protection inspectors, shall implement state supervision of plant protection and quarantine.

3. These inspectors shall have the right to:

1) supervise how natural and legal persons implement the requirements of the Law on Plant Protection;

2) obtain information on plant diseases, pests, weeds, spread of quarantine objects, destruction and utilisation of chemical and biological products for plant protection;

3) terminate the use of chemical and biological plant protection products upon violation of established regulations requirements.

4. State plant protection and quarantine inspectors shall have the right to impose administrative penalties on land users for violations in the use of plant protection products and also for failure to employ measures of destroying weeds and arresting their spread.

### ARTICLE 4. Funding of the State Plant Protection Service

The State Plant Protection Service of the Ministry of Agriculture shall be maintained from State Budget funds, while the Forest Protection Service of the Ministry For Environmental Protection, from the monies of the Forestry Fund.

### ARTICLE 5. State Plant Quarantine

The Ministry of Agriculture shall establish the measures of state plant quarantine. These measures shall be compulsory for all natural and legal persons, connected with the import, transfer, production, storage, sale and use of products of vegetable origin.

### ARTICLE 6. Registration of Plant Protection Products

1. The State Commission for the Registration of Chemical and Biological Plant Protection Products Measures, shall register according to the established procedure chemical and biological plant protection products which shall be approved by the Ministry of Agriculture, Ministry For Environmental Protection and Ministry of Health.

2. Registered plant protection products shall be included on the list of chemical and biological plant protection products, the use whereof is permitted in the Republic of Lithuania.

#### ARTICLE 7. Production, Import and Trade of Plant Protection Products

1. In the Republic of Lithuania it shall be permitted to produce, import, sell, store and use only registered plant protection products.

2. Individual and corporate bodies having permission for this activity and certificates indicating origin and quality of preparations, may import, produce, store and engage in the sale of chemical and biological plant protection products.

3. The Ministry For Environmental Protection shall establish the procedure of issuance of licenses for production and import, while the Ministry of Agriculture shall establish the procedure of issuance of permits for trade and storage. The Ministry of Agriculture shall issue permits of import trade and storage.

4. Import of biological and chemical plant protection products and trade thereof shall only be permitted when these are packed in the original manufacturer's packaging, with the original label in Lithuanian. The label should indicate the most important methods and measures of plant protection products of safe transportation, storage, utilisation, first aid provision in the event of poisoning, and ways and means of detoxification of the packaging.

#### ARTICLE 8. Use of Plant Protection Products

1. Plant protection from diseases, pests and weeds is a matter of national importance and shall be obligatory for all land and forest users.

2. Plant protection measures shall be employed by taking into account the sanitary condition of plants and in keeping with established regulations and recommendations, as well as the requirements of hygiene and environmental protection.

#### ARTICLE 9. Users of Plant Protection Products and Their Responsibilities

1. Individual and corporate bodies who possess permission for this activity, issued according to the procedure established by the Ministry of Agriculture, may become users of plant protection products.

2. Persons not in possession of such licenses may use only those plant protection products, which are included in the list of chemical and biological products which are permitted for individual use.

3. Individual and corporate bodies employing plant protection products, must:

- 1) be guided by this Law and other standard acts;
- 2) keep records of acquired chemical and biological plant protection products and adequately store them;
- 3) observe usage technologies and recommendations for plant protection products;
- 4) observe requirements of hygiene and environmental protection;
- 5) provide information to interested departments concerning plant diseases, pests, weeds, spread and destruction of quarantine organisms, and use of chemical and biological plant protection products.

#### ARTICLE 10. Legal Responsibility for Violation of Plant Protection Law

Legal and corporate bodies who have been in violation of the requirements of the Law on Plant Protection, shall be held liable in accordance with the procedure established by laws.

#### ARTICLE 11. International Co-operation in Matters Related To Plant Protection

The State Plant Protection Service of the Ministry of Agriculture and the Forestry Protection Service of the Ministry For Environmental Protection Ministry, according to their competence, shall represent the Republic of Lithuania in international organisations, cooperate with organisations involved in research, production and trade in plant protection materials, exchange the newest information on plant protection issues, and perform other actions, necessary to implement international obligations in matters related to plant protection.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC VALDAS ADAMKUS