

## CHAPTER 1

### PLANT AND ANIMAL QUARANTINE

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28 PC 1-101. Purpose.

In order to protect the agricultural and general well-being of the people of the state, quarantine regulations are promulgated as a means of preventing the introduction and further dissemination of injurious insects, pests, and diseases into and within the state of Pohnpei.

Source: TTC §730 (1966); 25 TTC §1 (1970); 25 TTC §1 (1980)

28 PC 1-102. Promulgation of plant and animal quarantines-regulations.

(1) With the prior approval of the Governor, the Administrator of the Office of Economic Affairs shall issue plant and animal quarantines and regulations, relating to the administration and enforcement of the controls established by this chapter. Letters and memoranda may be issued from time to time by the Administrator, Governor, and Lieutenant Governor relating to the administration and enforcement of such controls, quarantines, and regulations.

(2) Emergency orders relating to domestic quarantine may be issued from time to time by the Governor, providing such emergency orders are not in conflict with the controls, quarantines, and regulations issued pursuant to Subsection (1) of this section.

(3) The plant and animal quarantines and regulations issued pursuant to this chapter shall be translated in whole or in summary from English to the predominant native language of each local government area, and shall be published by posting in each local government office and filing with the Clerk of the Pohnpei Supreme Court a copy of such translation and a copy of the English language version.

Source: TTC §731 (1966); 25 TTC §2 (1970); P.L. No. 4C-32 §1; 25 TTC §2 (1980); S.L. No. 5L-14-00 §3-54, 10/1/00

#### 28 PC 1-103. Administration and enforcement.

(1) The Administrator of the Office of Economic Affairs, under the direction of the Governor, shall administer the plant and animal quarantine controls, quarantines and regulations.

(2) Agricultural quarantine inspectors may be appointed by the Governor, and shall, under the direction of the Administrator of the Office of Economic Affairs, enforce the plant and animal quarantine controls, quarantines and regulations.

Source: TTC §732 (1966); 25 TTC §3 (1970); P.L. No. 4C-32 §2; 25 TTC §3 (1980); S.L. No. 5L-14-00 §3-54, 10/1/00

#### 28 PC 1-104. Emergency measures authorized.

(1) Upon the discovery of a situation not covered by the controls, quarantines or regulations issued under this chapter, or any other situation warranting immediate action, emergency quarantine measures may be made at any time by an agricultural quarantine inspector or the Administrator of the Office of Economic Affairs.

(2) Such emergency quarantine measures must be reviewed by the Administrator of the Office of Economic Affairs and either incorporated into existing regulations in the manner which is or may be provided by law, or rescinded as soon as practicable after issuance, and in no case shall such action be taken later than 30 days after the measure is taken.

Source: TTC §733 (1966); 25 TTC §4 (1970); P.L. No. 4C-32 §3; 25 TTC §4 (1980); S.L. No. 5L-14-00 §3-54, 10/1/00

#### 28 PC 1-105. Inspection.

(1) All animals and plants or parts thereof, including seeds, fruits, vegetables, cuttings, etc., entering or transported within the state of Pohnpei are subject to inspection by agricultural quarantine inspectors and may be refused entry into or movement within the state if they are known to be, or are suspected of being, infected or infested with disease or pests.

(2) All aircraft and vessels or their cargoes, including baggage, ship's stores, and ballast, entering or moving within the state of Pohnpei, are subject to inspection by agricultural

quarantine inspectors for the purpose of enforcing the controls, quarantines, and regulations established pursuant to this chapter; PROVIDED, that such inspections of U.S. military aircraft and vessels shall be subject to existent military security regulations.

(3) It shall be a petty misdemeanor for anyone to interfere with or refuse to submit to the inspections authorized by this section.

Source: TTC §734 (1966); 25 TTC §5 (1970); 25 TTC §5 (1980)

#### 28 PC 1-106. Manifests and information.

Cargo manifests and other similar documents concerning aircraft and vessels traveling in the state of Pohnpei will be made available to the agricultural quarantine inspectors upon request. Those authorities having information as to the movements of aircraft and vessels will furnish such information to agricultural quarantine inspectors upon request; PROVIDED, that the provisions of this section are subject to military security regulations.

Source: TTC §735 (1966); 25 TTC §6 (1970); 25 TTC §6 (1980)

#### 28 PC 1-107. In-transit material.

Any animals, plants or other quarantinable material in transit through the state of Pohnpei on aircraft or vessels shall be kept aboard such aircraft or vessels while in port or on any island of the state, unless such material is otherwise enterable. If it is necessary to transfer such quarantinable material from one vessel or aircraft to another, such transfer shall be made under the direction of an agricultural quarantine inspector, and with such safeguards as he deems necessary.

Source: TTC §736 (1966); 25 TTC §7 (1970); 25 TTC §7 (1980)

#### 28 PC 1-108. Disposition of contraband material.

Anything attempted to be brought into or transported within the state of Pohnpei in contravention of the controls, quarantines or regulations established pursuant to this chapter shall be seized by an agricultural quarantine inspector and destroyed by fire or other appropriate means, or expelled from the state, or returned to its place of origin, at the shipper's expense, depending on the pest risk involved.

Source: TTC §737 (1966); 25 TTC §8 (1970); 25 TTC §8 (1980)

#### 28 PC 1-109. Treatment for insects or other pests.

Vessels and aircraft traveling into or within the state of Pohnpei and known or suspected upon reasonable grounds to be harboring insects or other agricultural pests will be subject to spraying with insecticides or such other treatment as may be deemed necessary by an

agricultural quarantine inspector; PROVIDED, that the spraying of aircraft with insecticides and the fumigation of ships is subject to public health regulations.

Source: TTC §738 (1966); 25 TTC §9 (1970); 25 TTC §9 (1980)

28 PC 1-110. Penalties.

A person who violates any of this chapter or any properly issued plant and animal controls, quarantines or regulations shall be guilty of a misdemeanor.

Source: TTC §739 (1966); 25 TTC §10 (1970); 25 TTC §10 (1980)