

Opozorilo: Besedilo osnovnega predpisa

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Na podlagi 31. člena Zakona o zdravstvenem varstvu rastlin (Uradni list RS, št. 45/01, 52/02 – ZDU-1, 45/04 – ZdZPKG in 86/04) izdaja ministrica za kmetijstvo, gozdarstvo in prehrano

Pursuant to Article 31 of the Plant Health Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 45/01, 52/02 – ZDU-1, 45/04 – ZdZPKG and 86/04), the Minister of Agriculture, Forestry and Food hereby issues these

PRAVILNIK
o minimalnih pogojih, ki morajo biti izpolnjeni za opravljanje
pregledov istovetnosti in zdravstvenih pregledov pošilk rastlin, ki se
vnašajo iz tretjih držav, izven vstopnih mest

RULES
on the minimum conditions to be met with regard to the
implementation of identity and plant health checks of imported plant
consignments introduced from third countries outside points of
entry

I. SPLOŠNE DOLOČBE

I. GENERAL PROVISIONS

1. člen
(vsebina)

Article 1
(Subject)

Ta pravilnik določa za izvedbo Direktive Komisije 2004/103/ES z dne 7. oktobra 2004 o preverjanjih identitete in zdravstvenih pregledih rastlin, rastlinskih proizvodov in drugih predmetov, naštetih v delu B priloge V k direktivi Sveta 2000/29/ES, ki se lahko opravljajo na mestu, ki ni vstopno mesto v Skupnost, ali na mestu, ki je blizu, in podrobni določitvi pogojev, povezanih s temi pregledi (UL L št. 313 z dne 12. 10. 2004, str. 16) splošne in druge pogoje za opravljanje pregledov istovetnosti in zdravstvenih pregledov pošilk rastlin, rastlinskih proizvodov in

With a view to implementing Commission Directive 2004/103/EC of 7 October 2004 on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by, and specifying the conditions related to these checks (OJ L 313, 12.10.2004, p.16), these Rules determine the general and other conditions for carrying out identity checks and plant health checks of consignments of plants,

nadzorovanih predmetov, ki se v Evropsko Skupnost (v nadaljnjem besedilu: Skupnost) vnašajo iz tretjih držav, na uradno odobrenih mestih v notranjosti Skupnosti, da se ohrani istovetnosti pošiljk in prepreči širjenje škodljivih organizmov do zaključka carinskih postopkov; pogoje glede tehnične in prostorske ustreznosti teh mest; vsebino vloge za prijavo in postopek uradne odobritve teh mest; obrazec dokumenta, ki spremlja pošiljko rastlin do uradno odobrenega mesta; sodelovanje med pristojnimi organi, vodenje evidenc in obveščanje.

2. člen (pomen izrazov)

Izrazi, uporabljeni v tem pravilniku, imajo naslednji pomen:

1. pošiljka je količina rastlin, rastlinskih proizvodov in nadzorovanih predmetov s seznama V.B iz Priloge V, del B Direktive Sveta 2000/29/ES z dne 8. maja 2000 o varstvenih ukrepih proti vnosu organizmov, škodljivih za rastline ali rastlinske proizvode, v Skupnost in proti njihovemu širjenju v Skupnost (UL L št. 169 z dne 10. 7. 2000, str. 1, z vsemi spremembami; v nadaljnjem besedilu: Direktiva 2000/29/ES), ki se v Skupnost vnaša iz tretjih držav in za katero je potrebno opraviti fitosanitarni pregled v skladu z zakonom, ki ureja zdravstveno varstvo rastlin;
2. pregled istovetnosti in zdravstveni pregled sta poleg pregleda dokumentacije dela fitosanitarnega pregleda;
3. odgovorni uradni organ je organ v državi članici, ki je odgovoren za zdravstveno varstvo rastlin;
4. uradni organ vstopnega mesta ali namembnega območja je organ v državi članici, ki je na vstopnem mestu ali namembnem območju pristojen za izvajanje fitosanitarnih pregledov. V Republiki Sloveniji so to enote fitosanitarne inšpekcije iz Priloge 1, ki je sestavni del tega pravilnika;
5. carinski organ je organ v državi članici, ki je odgovoren za carinski nadzor;
6. carinski urad vstopnega mesta ali namembnega območja je urad, ki je na vstopnem mestu ali namembnem območju pristojen za izvajanje carinskega nadzora;

plant products and regulated objects introduced into the European Community (hereinafter: Community) from third countries, at officially approved places within the Community, in order to maintain the identity of consignments and prevent the spread of harmful organisms until the conclusion of customs procedures; the conditions as regards the technical and spatial suitability of such places; the content of the application and the procedure for official approval of such places; the form of the document accompanying a consignment of plants until it reaches an officially approved place; cooperation between competent authorities; the keeping of records; and notification.

Article 2 (Definitions)

For the purposes of these Rules, the following definitions shall apply:

1. consignment shall mean a quantity of plants, plant products and regulated objects included in List V.B of Annex V to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p.1, as amended; hereinafter: Directive 2000/29/EC) that is introduced into the Community from a third country and must be subject to a phytosanitary inspection pursuant to the Act governing plant health;
2. identity check and plant health check shall mean, besides the checking of documentation, parts of the phytosanitary inspection;
3. responsible official authority shall mean the authority in the Member State responsible for plant health;
4. official authority of the point of entry or of the place of destination shall mean the authority in the Member State that is responsible for carrying out phytosanitary inspections at the point of entry or at the place of destination; in the Republic of Slovenia, these shall be the units of the Phytosanitary Inspection Service referred to in Annex 1, which is an integral part of these Rules;
5. customs authority shall mean the authority in the Member State responsible for customs control;
6. customs office of the point of entry or place of destination shall mean the office that is responsible for carrying out customs control at the point of entry or at the place of destination;

7. pristojni organi so organi iz 3., 4., 5. in 6. točke tega člena;
8. fitosanitarna napotnica je dokument, ki spremlja nepregledano pošiljko od vstopnega mesta do uradno odobrenega mesta v notranjosti; v sodelovanju z uvoznikom jo izpolnijo uradni organi vstopnega mesta in namembnega območja na obrazcu iz Priloge 2, ki je sestavni del tega pravilnika.

II. POGOJI ZA OPRAVLJANJE PREGLEDOV V NOTRANJOSTI

3. člen (splošni pogoji)

(1) V skladu z zakonom, ki ureja zdravstveno varstvo rastlin, se pregled istovetnosti in zdravstveni pregled pošiljke opravita na prvem uradno določenem vstopnem mestu v Skupnost.

(2) Ne glede na določbo prejšnjega odstavka se lahko pregleda iz prejšnjega odstavka pod določenimi pogoji, ki zagotavljajo ohranjanje istovetnosti pošiljk in varstvo pred širjenjem škodljivih organizmov do zaključka carinskih postopkov, opravita tudi v notranjosti Skupnosti, na uradno odobrenem mestu, ki je lahko:

- a) v primeru iz točke (c) drugega odstavka 13.c člena Direktive 2000/29/ES:
 - prostor uradnega organa namembnega območja ali
 - prostor v njegovi bližini, določen ali odobren s strani carinskih organov in odgovornega uradnega organa, ali
- b) v primeru iz točke (d) drugega odstavka 13.c člena Direktive 2000/29/ES: namembni kraj, odobren s strani uradnega organa in carinskih organov, pristojnih za območje namembnega kraja.

(3) Pogoji iz prejšnjega odstavka so naslednji:

- da se uradna organa vstopnega mesta in namembnega območja odločita, da je mogoče pregled istovetnosti in zdravstveni pregled

7. responsible authorities shall mean the authorities referred to in Articles 3, 4, 5 and 6 of these Rules;
8. plant health movement document shall mean the document accompanying an uninspected consignment from the point of entry to an officially approved place within the country; in cooperation with the importer, it shall be completed by the official authorities of the point of entry and place of destination on the form given in Annex 2, which is an integral part of these Rules.

II. CONDITIONS FOR CARRYING OUT EXAMINATIONS WITHIN THE COUNTRY

Article 3 (General conditions)

(1) Pursuant to the Act governing plant health, the identity check and the plant health check of a consignment shall be carried out at the first officially designated point of entry into the Community.

(2) Notwithstanding the provision of the preceding paragraph, under certain conditions that ensure the preservation of the identity of consignments and protection against the spread of harmful organisms and pending the conclusion of customs procedures, the checks referred to in the preceding paragraph may also be carried out within the Community at an officially approved place, which may be:

- a) in the case referred in point (c) of paragraph two of Article 13c of Directive 2000/29/EC:
 - the place of an official authority of the area of destination, or
 - a place close by such place, determined or approved by customs authorities and the responsible official authority, or
- b) in the case referred in point (d) of paragraph two of Article 13c of Directive 2000/29/EC: the place of destination approved by the official authority and customs authorities responsible for the area of the place of destination.

(3) The conditions referred to in the preceding paragraph shall be the following:

- when the official authorities at the point of entry and destination decide that identity checks and plant health checks of the

pošiljke temeljiteje opraviti izven vstopnega mesta; v primeru, da se vstopno mesto in namembno območje nahajata v različnih državah članicah Evropske unije, se o tem odloči na podlagi dogovora med odgovornimi uradnimi organi teh držav članic,

- da je mesto za pregled istovetnosti in zdravstveni pregled uradno odobreno v skladu s tem pravilnikom,
- da so izpolnjene zahteve glede transporta in skladiščenja pošiljke iz 4. člena tega pravilnika,
- da so izpolnjeni vsi predpisani pogoji v skladu s predpisom, ki ureja minimalne pogoje za izvajanje inšpekcijskih pregledov rastlin, rastlinskih proizvodov in nadzorovanih predmetov na vstopnih mestih.

4. člen (zahteve glede transporta in skladiščenja)

Zahteve, ki jih mora zagotoviti uvoznik glede transporta in skladiščenja pošiljke, so naslednje:

- embalaža pošiljke in prevozno sredstvo morata biti zaprta oziroma zapečateni na način, ki onemogoča širjenje škodljivih organizmov in zagotavlja istovetnost pošiljke. Pristojni uradni organ lahko izjemoma dovoli prevoz pošiljke, ki ni zapakirana ali zapečateni oziroma se prevaža v odprtem prevoznem sredstvu, če širjenje škodljivih organizmov glede na vrsto pošiljke ni možno,
- pošiljko mora poleg ostalih predpisanih dokumentov spremljati fitosanitarna napotnica. V skladu z dogovorom z uradnimi organi vstopnega mesta in namembnega območja se podatki v obrazec fitosanitarne napotnice lahko natisnejo ali vpišejo ročno s čitljivimi velikimi tiskanimi črkami v vsaj enem od uradnih jezikov Skupnosti, pri čemer 3., 4. in 6. točko obrazca iz priloge 2 tega pravilnika izpolni in podpiše uvoznik pošiljke pod nadzorom uradnega organa na vstopnem mestu,
- pošiljko se napoti na uradno odobreno mesto, navedeno v fitosanitarni napotnici. Med odpremo se pošiljke ne sme preusmeriti drugam, razen v primeru odobritve uradnih organov na vstopnem mestu in na zahtevanem namembnem območju ter carinskih organov, ki so pristojni za območje zahtevanega odobrenega mesta,

consignment could be more meticulously carried out at a place other than the point of entry; when the point of entry and of destination are situated in different Member States of the European Union, this shall be decided on the basis of an agreement between the responsible official authorities of such Member States;

- the place for checking identity and plant health is officially approved pursuant to these Rules;
- the conditions as regards transport and storage referred to in Article 4 of these Rules are satisfied;
- all the conditions are satisfied pursuant to the regulation governing the minimum conditions for carrying out inspections of plants, plant products and regulated objects at a point of entry.

Article 4 (Requirements for transport and storage)

The requirements that the importer must comply with as regards the transport and storage of consignments shall be the following:

- the packaging of a consignment and the means of transport used for the consignment shall be closed or sealed in such a manner so as to prevent the spread of harmful organisms and ensure the identity of the consignment. In exception, the competent official authorities may allow the transport of consignments that are not closed or sealed or that are transported in an open means of transport, provided the spread of harmful organisms with regard to the type of consignment is not possible;
- besides other prescribed documents, the consignment shall be accompanied by a plant health movement document. Pursuant to an agreement with the official authorities at the point of entry and destination, data may be printed in the plant health movement document form, or entered by hand in legible capital letters in at least one official Community language, whereby points 3, 4 and 6 of the form given in Annex 2 of these Rules shall be completed and signed by the importer of the consignment under the supervision of the official authority at the point of entry;
- the consignment shall be destined for the officially approved place indicated in the plant health movement document. During the dispatch, the consignment shall not be redirected to any other place, except if this is approved by the official authorities at the point of entry and at the required place of destination, and by the customs

- pošiljko se mora na uradno odobrenem mestu skladiščiti v ustreznem prostoru, da se lahko predloži carinskemu uradu in uradnemu organu namembnega območja v pregled, ter ločeno od drugega blaga Skupnosti in pošiljk, ki so okužene ali za katere se sumi, da so okužene s škodljivimi organizmi.

III. POSTOPEK URADNE ODOBRITVE IN VODENJE EVIDENC

5. člen **(vloga za uradno odobritev mesta)**

(1) Uvozniki s sedežem v Republiki Sloveniji (v nadaljnjem besedilu: RS) morajo za uradno odobritev mesta v notranjosti RS vložiti vlogo pri Fitosanitarni upravi Republike Slovenije (v nadaljnjem besedilu: Fitosanitarna uprava). Vloga se vloži na obrazcu 2: »osnovni podatki o mestu pridelave« vloge za vpis v FITO register, ki je določena s predpisom, ki ureja registracijo imetnikov določenih rastlin, rastlinskih proizvodov in nadzorovanih predmetov za namene zdravstvenega varstva rastlin.

(2) Če je uvoznik obrazec iz prejšnjega odstavka že posredoval pri vpisu v FITO register, mu obrazca ni potrebno ponovno vlagati in v vlogi le navede, na katero mesto se vloga nanaša.

(3) Vlogi je treba priložiti natančen opis prostorov, predvsem glede možnosti ločevanja blaga oziroma pošiljk v skladu s četrto alineo prejšnjega člena. Če ima uvoznik prostore v najemu, mora k vlogi priložiti tudi najemno pogodbo.

(4) Če uvoznik razpolaga z veljavnim dovoljenjem Carinske uprave Republike Slovenije (v nadaljnjem besedilu: Carinska uprava), s katerim mu je bil dodeljen status »pooblaščenega prejemnika« v skladu s 406. členom Uredbe Komisije EGS št. 2454/93 z dne 2. julija 1993 o določbah za izvajanje Uredbe Sveta EGS št. 2213/92 o carinskem

- authorities responsible for the area of the required approved place;
- the consignment shall be stored at the officially approved place in suitable premises, in order to be submitted for inspection to the customs authority and official authority at the place of destination, and separate from other Community goods and consignments that are contaminated or suspected of being contaminated with harmful organisms.

III. PROCEDURE FOR GRANTING OFFICIAL APPROVAL AND RECORD KEEPING

Article 5 **(Application for official approval of a place)**

(1) Importers whose registered office is in the Republic of Slovenia (hereinafter: RS) shall file an application for approval of a place within the RS with the Phytosanitary Administration of the Republic of Slovenia (hereinafter: Phytosanitary Administration). The application shall be lodged on Form 2 'Basic data on the place of production' of the application for entry in the PHYTO register that is provided by the regulation governing the registration of holders of certain plants, plant products and other regulated objects for the purposes of plant health.

(2) If an importer has already submitted the form referred to in the preceding paragraph upon entry in the PHYTO register, he or she shall not be obliged to submit the form again, and shall only state in the application to which place the application refers.

(3) A detailed description of the premises, in particular with regard to the possibilities of separating goods or consignments pursuant to indent four of the preceding Article, shall be attached to the application. If the importer rents the premises, it shall also attach to the application the lease agreement.

(4) If an importer has a valid authorisation issued by the Customs Administration of the Republic of Slovenia (hereinafter referred to as: Customs Administration) on the basis of which it has been granted "authorised receiver" status pursuant to Article 406 of Commission regulation EEC 2454/93 of 2 July 1993 on the provisions for implementing

zakoniku skupnosti (UL L št. 253 z dne 11. 10. 1993, str. 1, z vsemi spremembami; v nadaljnjem besedilu: Uredba 2454/93), ali kadar je za zadevne prostore pridobil dovoljenje Carinske uprave v skladu s 497. členom Uredbe 2454/93, je vlogi potrebno priložiti kopije teh dovoljenj.

6. člen **(preverjanje zahtev glede prostorov)**

(1) Fitosanitarna uprava vlogo evidentira in preveri, ali vsebuje vse predpisane podatke. Kopijo popolne vloge Fitosanitarna uprava posreduje pristojni enoti Fitosanitarnе inšpekcije, ki najkasneje v roku 30 dni od prejema vloge preveri, ali prostori izpolnjujejo naslednje zahteve:

- da so primerni za izvajanje pregledov istovetnosti in zdravstvenih pregledov glede na pošiljke, ki se nameravajo vnašati,
- da so primerno osvetljeni in opremljeni z inšpekcijsko delovno mizo,
- da omogočajo ločevanja blaga oziroma pošiljk v skladu s četrto alineo 4. člena tega pravilnika,
- da omogočajo izvajanje fitosanitarnih ukrepov, če pošiljka ne izpolnjuje predpisanih fitosanitarnih zahtev.

(2) Fitosanitarni inšpektor primernost prostorov ugotavlja v skladu s predpisom, ki ureja minimalne pogoje za izvajanje inšpekcijskih pregledov rastlin, rastlinskih proizvodov in nadzorovanih predmetov na vstopnih mestih. O ugotovitvah iz prejšnjega odstavka sestavi zapisnik in en izvod posreduje Fitosanitarni upravi.

7. člen **(uradna odobritev)**

(1) Fitosanitarna uprava pošlje zapisnik iz prejšnjega člena skupaj s kopijo vloge iz 5. člena tega pravilnika Carinski upravi. Na podlagi zapisnika in ugotovitve, da so izpolnjene zahteve iz prvega

Council regulation EEC 2213/92 on the Community customs code (OJ L 253, 11.10.1993, p.1, as amended; hereinafter: Regulation 2454/93), or when it acquired an authorisation from the Customs Administration in respect of the relevant premises, pursuant to Article 497 of Regulation 2454/93, it shall attach to the application also copies of such authorisations.

Article 6 **(Checking the requirements regarding premises)**

(1) The Phytosanitary Administration shall record the application and check whether it contains the prescribed data. The Phytosanitary Administration shall send a copy of the complete application to the competent unit of the Phytosanitary Inspection Service which shall, within 30 days following its acceptance, check whether the premises comply with the following requirements:

- they are suitable for carrying out identity checks and plant health checks with regard to consignments intended to be introduced,
- they have appropriate lighting and are equipped with an inspection working table,
- they enable the separation of goods or consignments pursuant to indent four of Article 4 of these Rules,
- they enable phytosanitary measures to be carried out if the consignment does not comply with the prescribed phytosanitary requirements.

(2) The phytosanitary inspector shall establish the suitability of the premises pursuant to the regulation governing the minimum conditions for carrying out inspections of plants, plant products and regulated objects at points of entry. He or she shall draw up a record of the findings referred to in the preceding paragraph and provide the Phytosanitary Administration with one copy.

Article 7 **(Official approval)**

(1) The Phytosanitary Administration shall send the record referred to in the preceding Article, together with a copy of the application referred to in Article 5 of these Rules, to the Customs Administration. On

odstavka prejšnjega člena, Fitosanitarna uprava izda skupno odločbo s Carinsko upravo, s katero se predlagano mesto uradno odobri ali kot neustrezno zavrne.

(2) Ne glede na določbo prejšnjega odstavka Fitosanitarna uprava v primerih iz četrtega odstavka 5. člena tega pravilnika izda odločbo na podlagi kopij dovoljenj Carinske uprave iz četrtega odstavka 5. člena tega pravilnika in zapisnika iz prejšnjega člena, s katero predlagano mesto uradno odobri ali kot neustrezno zavrne.

(3) Če so bile ugotovljene kršitve fitosanitarnih in carinskih predpisov na odobrenih mestih ali v primeru neizpolnjevanja predpisanih pogojev iz tega pravilnika, Fitosanitarna uprava na predlog pristojnega fitosanitarnega inšpektorja ali Carinske uprave izda skupno odločbo s Carinsko upravo, s katero se ugotovi, da uradno odobreno mesto ne izpolnjuje več predpisanih zahtev.

(4) V Republiki Sloveniji se za uradno odobrena mesta štejejo tudi vstopna mesta, ki so določena z uredbo, ki ureja določitev vstopnih mest.

8. člen

(vodenje evidenc in obveščanje)

(1) Fitosanitarna uprava vodi evidenco uradno odobrenih mest v FITO registru, katerega vzpostavitev, vsebina in način vodenja so določeni s predpisom, ki ureja registracijo imetnikov določenih rastlin, rastlinskih proizvodov in nadzorovanih predmetov za namene zdravstvenega varstva rastlin. V register se vpišejo podatki iz vloge iz 5. člena tega pravilnika.

(2) Tekoče dopolnjena evidenca uradno odobrenih mest je na voljo državam članicam Evropske unije in Evropski Komisiji na njihovo zahtevo.

the basis of the records and ascertainment that the requirements referred to in paragraph one of the preceding Article are satisfied, the Phytosanitary Administration shall issue a joint decision with the Customs Administration, on the basis of which the proposed place shall be approved or rejected as inappropriate.

(2) Notwithstanding the provision of the preceding paragraph, in the cases referred to in paragraph four of Article 5 of these Rules, the Phytosanitary Administration shall issue a decision on the basis of copies of the Customs Administration's authorisations referred to in paragraph four of Article 5 of these Rules and the record referred to in the preceding Article, on the basis of which the proposed place shall be officially approved or rejected as inappropriate.

(3) If it is established that phytosanitary or customs regulations have been breached at approved places, or if the prescribed conditions referred to in these Rules have not been satisfied, the Phytosanitary Administration shall, upon the proposal of the competent phytosanitary inspector or the Customs Administration, issue a joint decision with the Customs Administration, on the basis of which it shall be determined that an officially approved place no longer complies with the prescribed requirements.

(4) In the Republic of Slovenia, also points of entry that are designated by an order governing the designation of points of entry shall be deemed to be officially approved places.

Article 8

(Record keeping and notification)

(1) The Phytosanitary Administration shall keep a record of officially approved places in the PHYTO register, whose establishment, content and method of keeping shall be provided by the regulation governing the registration of holders of certain plants, plant products and other regulated objects for the purposes of plant health. The data referred to in Article 5 of these Rules shall be entered in the register.

(2) The updated record of officially approved places shall be made available to European Union Member States and the European Commission, upon their request.

(3) Fitosanitarna uprava sproti obvešča države članice Evropske unije in Evropsko Komisijo o odločbah iz tretjega odstavka prejšnjega člena.

IV. POSTOPKI IN SODELOVANJE MED UVOZNIKOM IN PRISTOJNIMI ORGANI

9. člen (dolžnosti uvoznikov)

(1) Uvoznik mora o vnosu pošiljke, za katero se bosta pregled istovetnosti in zdravstveni pregled opravljala na uradno odobrenem mestu, predhodno pisno obvestiti uradni organ namembnega območja. Pri tem mora navesti najmanj naslednje podatke:

- svoj naziv in sedež ter registrsko številko, pridobljeno v skladu s fitosanitarnimi predpisi (pri uvoznikih s sedežem v Republiki Sloveniji je to registrska številka iz FITO registra),
- naziv in naslov uradno odobrenega mesta,
- načrtovan datum in čas prispetja pošiljke na uradno odobreno mesto,
- številko fitosanitarnega spričevala, fitosanitarnega spričevala za ponovni izvoz ali kateregakoli drugega predpisanega alternativnega dokumenta, ki bo spremljalo pošiljko,
- če je na razpolago, posamezno serijsko številko fitosanitarne napotnice, ter datum in kraj, kjer je bila napotnica sestavljena.

(2) V Republiki Sloveniji pisno obvestilo iz prejšnjega odstavka nadomešča predpisano prijavo za uradni oziroma fitosanitarni pregled v skladu s predpisom, ki ureja ukrepe in postopke za preprečevanje vnosa in širjenja škodljivih organizmov rastlin, rastlinskih proizvodov in nadzorovanih predmetov.

(3) O vsaki naknadni spremembi v zvezi s podatki iz prvega odstavka tega člena mora uvoznik takoj obvestiti uradni organ namembnega območja.

(3) The Phytosanitary Administration shall keep European Union Member States and the European Commission informed of the decisions referred to in paragraph three of the preceding Article.

IV. PROCEDURES AND COOPERATION BETWEEN IMPORTERS AND RESPONSIBLE AUTHORITIES

Article 9 (Duties of importers)

(1) Prior to the introduction of a consignment for which an identity check and plant health check are to be carried out at an officially approved place, the importer shall inform in writing the official authority at the place of destination. It shall state at least the following data:

- its name and registered office and registration number obtained in accordance with phytosanitary regulations (for importers with registered office in the Republic of Slovenia, this is the registration number in the PHYTO register),
- the name and address of the officially approved place,
- the planned date and time of arrival of the consignment at the officially approved place,
- the number of the phytosanitary certificate, phytosanitary certificate for re-export, or any other prescribed alternative document accompanying the consignment,
- if available, the individual serial number of the plant health movement document and the date and place where the referral was made.

(2) In the Republic of Slovenia, the written notification referred to in the preceding paragraph shall be replaced by the prescribed application for an official or phytosanitary inspection pursuant to the regulation governing measures and procedures for preventing the introduction and spread of harmful organisms, plant products and regulated objects.

(3) The importer shall immediately inform the official authority at the place of destination of any subsequent change in relation to the data referred to in paragraph one of this Article.

(4) V času od prihoda pošiljke na vstopno mesto do zaključka carinskih postopkov na uradno odobrenem mestu mora uvoznik sodelovati s pristojnimi organi ter se ravnati po njihovih navodilih.

10. člen **(sodelovanje med pristojnimi organi)**

(1) Za nemoten potek fitosanitarnih pregledov in carinskih postopkov pristojni organi med seboj lahko sodelujejo, še zlasti naslednji:

- uradna organa vstopnega mesta in namembnega območja,
- uradni organ in carinski urad vstopnega mesta,
- uradni organ vstopnega mesta in carinski urad namembnega območja,
- uradni organ in carinski urad namembnega območja.

(2) Uradni organi in carinski uradi iz prejšnjega odstavka si med seboj v pisni ali elektronski obliki izmenjujejo informacije glede vsebine pošiljke, ki se vnaša, njene embalaže in transportnega sredstva, če je mogoče z izmenjavo fitosanitarne napotnice.

(3) Če se vstopno mesto in uradno odobreno mesto nahajata v različnih državah članicah Evropske unije, se lahko pošiljka pošlje ter pregled istovetnosti in zdravstveni pregled opravi na uradno odobrenem mestu na podlagi dogovora med odgovornimi uradnimi organi teh držav članic. Dokazilo o dogovoru med njimi mora biti zapisano v fitosanitarni napotnici.

11. člen **(uradni postopki)**

(1) Na vstopnem mestu uradni organ opravi le pregled dokumentov in to potrdi z vnosom podatkov, žigom ter podpisom v

(4) From the arrival of the consignment at the point of entry until the conclusion of the customs procedures at an officially approved place, the importer shall cooperate with the competent authorities and comply with their instructions.

Article 10 **(Cooperation between responsible authorities)**

(1) In order to ensure the undisturbed performance of phytosanitary inspections and customs procedures, the competent authorities may cooperate, in particular the following:

- the official authorities at the point of entry and at the place of destination,
- the official authority and the customs office at the point of entry,
- the official authority at the point of entry and the customs office at the place of destination,
- the official authority and the customs office at the place of destination.

(2) The official authorities and customs offices referred to in the preceding paragraph may exchange information in written or electronic form that refers to the content of consignments introduced and the packaging and means of transport thereof, if possible through the exchange of the plant health movement document.

(3) When the point of entry and the officially approved place are situated in different Member States of the European Union, the consignment may be sent and the identity check and plant health check may be performed at an officially approved place on the basis of an agreement between the responsible official authorities of such Member States. Proof of such an agreement shall be written in the plant health movement document.

Article 11 **(Official procedures)**

(1) At the point of entry, the official authority shall only inspect documents and confirm this by entering data, a stamp and a signature in

fitosanitarni napotnici iz priloge 2 tega pravilnika. Uradni organ namembnega območja na uradno odobrenem mestu opravi pregled istovetnosti in zdravstveni pregled pošiljke, kar potrdi v fitosanitarni napotnici. Končni rezultati vseh treh pregledov, ki sestavljajo fitosanitarni pregled v celoti, se v fitosanitarno napotnico vnesejo v polje z naslovom "Odločba".

(2) Če je rezultat pregledov iz prejšnjega odstavka takšen, da se vnos pošiljke dovoli, se pošiljka in fitosanitarna napotnica izroči carinskemu organom, pristojnim za območje uradno odobrenega mesta, da opravijo ustrezen carinski postopek. Po končanem carinskem postopku ni več potrebno, da pošiljko spremlja fitosanitarna napotnica. Njeno kopijo hrani uradni organ namembnega območja še najmanj eno leto.

(3) Če je rezultat pregledov iz prvega odstavka tega člena takšen, da se odredi premeščanje pošiljke znotraj Skupnosti v namembni kraj izven Skupnosti, ostane pošiljka pod carinskim nadzorom, dokler postopek ponovnega izvoza pošiljke ni zaključen.

V. PREHODNE IN KONČNE DOLOČBE

12. člen **(prenehanje veljave)**

Z dnem uveljavitve tega pravilnika preneha veljati 15. člen Pravilnika o ukrepih in postopkih za preprečevanje vnosa in širjenja škodljivih organizmov rastlin, rastlinskih proizvodov in nadzorovanih predmetov (Uradni list RS, št. 31/04).

13. člen **(uveljavitev pravilnika)**

the plant health movement document referred to in Annex 2 of these Rules. The official authority at the place of destination shall carry out the identity check and plant health check of the consignment, which it shall confirm in the plant health movement document. The final result of all three checks that constitute the phytosanitary inspection as a whole shall be entered in the plant health movement document under the 'Decision' field.

(2) If the results of the checks referred to in the preceding paragraph are such as to permit the introduction of the consignment, the consignment and the plant health movement document shall be delivered to the customs authorities responsible for the area of the officially approved place so that they may perform the necessary customs procedure. When the customs procedure is concluded, the consignment shall no longer be accompanied by the plant health movement document. A copy thereof shall be kept by the official authority at the place of destination for at least one year.

(3) If the results of the checks referred to in paragraph one of this Article are such that the movement of a consignment within the Community to a place of destination outside the Community is ordered, such consignment shall stay under customs control pending the conclusion of the procedure for the re-export of the consignment.

V. TRANSITIONAL AND FINAL PROVISIONS

Article 12 **(End of validity)**

On the day these Rules enter into force, the Rules on measures and methods with regard to the introduction and spread of harmful organisms to plants, plant products and other regulated objects (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 31/04) shall cease to be in force.

Article 13 **(Entry into force of the Rules)**

Ta pravilnik začne veljati 1. januarja 2005.

These Rules shall enter into force on 1 January 2005.

Št. 327-01-297/2004
Ljubljana, dne 17. decembra 2004.
EVA 2004-2311-0068

No. 327-01-297/2004
Ljubljana, 17 December 2004.
EVA 2004-2311-0068

Ministrica
za kmetijstvo,
gozdarstvo in prehrano
Marica Lukačič l. r.

Minister of Agriculture,
Forestry and Food
Marica Lukačič m. p.

[Priloga 1: Enote fitosanitarne inšpekcije](#)

Annex 1: Phytosanitary Inspection Service Units



EN-2004-01-6218-p1.
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[Priloga 2: Fitosanitarna napotnica](#)

Annex 2: Plant Health Movement Document



EN-2004-01-6218-p2.
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Annex 1: Phytosanitary Inspection Service Units

No. of Unit	Phytosanitary Inspection Service Unit	Territorial jurisdiction of Units in the Republic of Slovenia, by municipality
1.	KRANJ	Bled, Jesenice, Tržič, Bohinj, Cerklje na Gorenjskem, Gorenja vas - Poljane, Naklo, Žiri, Kranj, Kranjska gora, Preddvor, Radovljica, Šenčur, Škofja Loka, Jezersko, Žirovnica, Železniki.

2.	NOVA GORICA	Ajdovščina, Bovec, Brda, Cerklje, Divača, Idrija, Kanal, Kobarid, Komen, Nova Gorica, Tolmin, Vipava, Šempeter – Vrtojba, Sežana, Miren - Kostanjevica.
3.	KOPER	Hrpelje – Kozina, Ilirska Bistrica, Izola, Koper, Piran, Pivka, Postojna.
4.	LJUBLJANA	Borovnica, Brezovica, Cerklje, Dobropolje, Dobrova – Polhov Gradec, Dol pri Ljubljani, Domžale, Grosuplje, Hrastnik, Ig, Ivančna Gorica, Kamnik, Kočevje, Litija, Ljubljana, Logatec, Loška Dolina, Loški Potok, Lukovica, Medvode, Mengeš, Moravče, Osilnica, Ribnica, Škofljica, Trbovlje, Velike Lašče, Vodice, Vrhnika, Zagorje ob Savi, Bloke, Horjul, Komenda, Kostel, Sodražica, Trzin, Šmartno pri Litiji.
5.	NOVO MESTO	Brežice, Črnomelj, Krško, Metlika, Novo Mesto, Semič, Sevnica, Šentjernej, Škocjan, Trebnje, Dolenjske Toplice, Mirna Peč, Žužemberk.
6.	MARIBOR	Destnik, Dornava, Duplek, Gorišnica, Juršinci, Kidričevo, Kungota, Lenart, Majšperk, Maribor, Pesnica, Ptuj, Rače – Fram, Ruše, Slovenska Bistrica, Starše, Šentilj, Videm, Zavrč, Benedikt, Cerkljenjak, Hajdina, Hoče – Slivnica, Lovrenc na Pohorju, Markovci, Oplotnica, Podlehnik, Selnica ob Dravi, Sveta Ana, Sveti Andraž v Slovenskih Goricah, Trnovska vas, Žetale.
7.	MURSKA SOBOTA	Beltinci, Tišina, Črenšovci, Gornja Radgona, Šalovci, Gornji Petrovci, Kobilje, Kuzma, Lendava, Ljutomer, Moravske Toplice, Murska Sobota, Odranci, Ormož, Puconci, Radenci, Rogašovci, Sveti Jurij, Turnišče, Cankova, Dobrovnik, Grad, Hodoš, Križevci, Razkrižje, Velika Polana, Veržej.
8.	CELJE	Celje, Gornji Grad, Kozje, Laško, Ljubno, Luče, Nazarje, Podčetrtek, Mozirje, Rogaška Slatina, Rogatec, Slovenske Konjice, Šentjur, Šmarje pri Jelšah, Šmartno ob Paki, Šoštanj, Štore, Velenje, Vitanje, Vojnik, Zreče, Bistrica ob Sotli, Braslovče, Dobje, Dobrna, Polzela, Prebold, Solčava, Tabor, Vransko, Žalec, Črna na Koroškem, Dravograd, Mežica, Mislinja, Podvelka, Radlje ob Dravi, Muta Ravne na Koroškem, Slovenj Gradec, Vuzenica, Prevalje, Ribnica na Pohorju.

Annex 2: PLANT HEALTH MOVEMENT DOCUMENT

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1. The plant health movement document referred to in Article 1(3)(c) of Commission Directive 2004/103/EC		2. PLANT HEALTH MOVEMENT DOCUMENT No. EC/... /...¹
3. <u>Identification of the consignment²</u> – <i>This consignment contains produce of phytosanitary relevance</i> - - Plant, plant product or other object (TARIC code): - Reference number(s) of the required phytosanitary documentation: - Country of issue: - Date of issue: Distinguishing mark(s), numbers, number of packages, amount (weight/units): - - Reference number(s) of the required customs documentation: -		
- 4. Official registration number of the importer: I, the undersigned importer, hereby request that the official authority carry out official identity checks and plant health checks of the above-mentioned plants, plant products or other objects at the approved place of inspection listed below and I undertake to respect the rules and procedures determined by the responsible official authority. - Date, name and signature of the importer: -		
5.1 <u>Point of entry:</u>	5.2 Countersigning by the official authority at the point of entry (date, name, service stamp and signature):	
6. <u>Approved place(s) of inspection³</u> - A- B- (replaces A) -		
The plants, plant products or other objects are to be moved to the above-mentioned place(s) in accordance with the agreement concluded between ⁴		

¹ Make reference to the country code/number.

² Fill in the box or make reference to the information on the phytosanitary certificate, which must be attached.

³ Make reference to 'C' (Article 13c(2)(c) of Directive 2000/29/EC) or 'D' (Article 13c(2)(d) of Directive 2000/29/EC).

⁴ When appropriate, give details on the agreement between Member States' official authorities either on a case-by-case basis or on the basis of a longer-term agreement.

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The consignment may not be moved to places other than those listed above unless this has been officially approved.		
- 7. Documentary check ☐	8. Identity check ☐	9. Plant health check ☐
- Place/date: - Name: Service stamp/signature:	- Place/date: - Name: Service stamp/signature:	- Place/date: - Name: Service stamp/signature:
10. <u>Decision:</u> ☐ Release permitted Place/date: Name: Service stamp/signature: Indicate the EC Plant Passport (serial or week or batch) number when appropriate: ☐ Official measure Refusal of entry ☐ Destruction ☐ Movement outside the Community ☐ Quarantine period ☐ Removal of infected/infested produce ☐ Appropriate treatment ☐ Remarks:		