

LAW OF THE REPUBLIC OF UZBEKISTAN
ON QUARANTINE OF PLANTS

With amendments and additions of 1 May 1997 (Newsletter of Oliy Majlis of the Republic of Uzbekistan, 1995 No.9, Article 188, 1996, No.9, Article 144; 1997, No. 4-5, Article 126)

Article 1. Main goals of the plant quarantine

The main goals of plant quarantine are to implement the system of state activities for domestic and external plant quarantine, which are designed to:

- protect the territory of the Republic from the penetration of quarantine and other dangerous pests, plant diseases and weeds from other countries which can seriously affect the national economy;
- timely identification, organization for confining and elimination of quarantine and other dangerous pests, plant diseases and weeds, as well as prevention of their intrusion into the regions of the Republic where they previously were not noticed;
- exercise of state control over the observance of the established rules and implementation of plant quarantine activities in the course of production, procurement, transportation, storage, processing, sales and use of agricultural and other plant products.

Article 2 Quarantine activities

Quarantine activities are applicable to:

seeds and saplings of agricultural, medicinal, forest and decorative cultures, plants and their parts (grafts, bulbs, tubers, fruits etc.), as well as any other products of plants which may be contaminated with pests, plant diseases and weeds;

cultures of living funguses, bacteria, viruses, nematodes, ticks and insects;

collections of insects, germs causing plant diseases and samples of damages they make, as well as herbaria and seed collections;

agricultural machines and soil processing instruments, all kinds of packaging, certain industrial goods, packaging materials or products made of plant materials which may be the carriers of pests, plant diseases and weeds; monoliths, samples of soil, transport means arriving from foreign countries or from parts of the Republic under quarantine.

Territories and premises of enterprises and organizations procuring, storing, processing

and selling plant products, agricultural and forest areas, private, personal and countryside land plots, collective gardens and kitchen gardens, lands of non-agricultural use (road curbs and adjoining areas, electric transmission lines etc.)

Article 3. Legislation on quarantine of plants

The legislation on quarantine of plants consists of the present Law and other statutory acts.

The quarantine of plants in the Republic Karakalpakstan is also regulated by the legislation of the Republic of Karakalpakstan.

Article 4. Bodies of state service for quarantine of plants

The state service for plant quarantine in the Republic of Uzbekistan is executed by the State inspection of the Republic of Uzbekistan for the quarantine of plants, regional state inspections on quarantine of plants and the inspection of the city of Tashkent, state inspections for the quarantine of plants of districts, cities; border checkpoints for the quarantine of plants in railway stations, airports, river harbors, post offices and highways, the scientific center for the quarantine of plants, central and regional quarantine laboratories and specialized fumigation squads to deal with especially dangerous quarantine parasitic objects.

Article 5. Management of the public service for quarantine of plants

The management of the state service for the quarantine of plants of the Republic of Uzbekistan is executed by the Main state inspection of Republic of Uzbekistan on quarantine of plants under the Ministry of agricultural and water management of the Republic of Uzbekistan. The head of the Main state inspection of the Republic of Uzbekistan on quarantine of plants is appointed by the Ministry of agricultural and water management in coordination with the Cabinet of ministers.

Management of the state service for plant quarantine in the provinces and city of Tashkent is implemented by according provincial and city state quarantine inspections. The heads of provincial and Tashkent city state inspections for quarantine of plants are appointed by the Main state inspection of the Republic of Uzbekistan for quarantine of plants in coordination with khokims (governors) of appropriate provinces and the city of Tashkent.

Management of the state service for plant quarantine in districts and towns is executed by the district/town state inspections for the quarantine of plants. The heads of state inspections for the quarantine of plants in districts and towns are appointed by provincial state inspections for the quarantine of plants as agreed with khokims of appropriate

provinces and towns

The public service for the quarantine of plants on railway stations, in airports, river harbors, post offices and highways is headed by the managers of the special offices appointed by the Main state inspection of the Republic of Uzbekistan for the quarantine of plants.

The state bodies for the quarantine of plants in provinces, cities and districts, with regard to matters pertinent to their competence are subordinated to appropriate khokims and higher bodies.

The statute of the Main state inspection of the Republic of Uzbekistan for the quarantine plant is approved by the Cabinet of ministers of the Republic of Uzbekistan.

Article 6. Competence of the Main state inspection of the Republic of Uzbekistan for the quarantine of plants

The Main state inspection of the Republic of Uzbekistan for the quarantine of plants:

Executes the state control over the fulfillment of plant quarantine activities and is responsible for timely implementation of such activities on the territory of the Republic;

Issues within the limits of its competence, orders, instructions, regulations and rules for the quarantine of plants, which are mandatory for all ministries, departments, enterprises, institutions, organizations, and citizens in the established order, and make them publicly known;

Revises and approves, once in five years, the List of pests, plant diseases and weeds which are subject to quarantine, and in agreement with concerned ministries and departments, a List of biological objects which are not subject to exportation from the Republic;

Establishes quarantine rules of importation in the Republic and transportation inside the country, exportation from the country and conditions for the usage of plants, vegetative raw materials, other plant product and consumer goods;

represents interests of the Republic with regard to plant quarantine in international organizations;

Creates, as necessary, specialized fumigation squads and services for rendering assistance to collective farms, dehkans (farmers) and other enterprises and organizations in prevention and fighting of quarantine pests, plant diseases and weeds;

Implements quarantine examinations and laboratory expertise of seeds, plants, plant

products and other materials, being imported or exported through the border of Uzbekistan, which can be carriers of quarantine pests, diseases of plants and weeds;

Establishes quarantine zoning and micro-zoning of the territory of the Republic;

Organizes awareness campaigns and promotion of achievements of science and innovative experiences, new methods, means and techniques of fighting quarantine pests, diseases of plants and weeds, dissemination of knowledge among the population about quarantine objects:

Submits to local government bodies and the Cabinet of Ministers of the Republic of Uzbekistan motions on the imposition (removal) of quarantine on an appropriate territory;

Executes other tasks as foreseen by the legislation.

Article 7. Competence of state inspections in provinces, city of Tashkent, districts and towns for the quarantine of plants

State inspections for the quarantine of plants in provinces, city of Tashkent, districts and towns:

Organize systematic conduct of examinations of agricultural and forestry areas, plant storage and processing facilities, points of procurement of quarantinable production and adjoining territories with the purpose of timely detection of the quarantine pests, diseases of plants and weeds;

Take immediate measures to localize and eliminate detected outbreak areas, and detect and blocking of infection intrusion;

Issue phyto-sanitary and other quarantine certificates for seeds, plants and plant products;

Ensure decontamination and rehabilitation as well as means of transport arriving in the Republic from foreign countries;

Submit motions to local bodies of authority on imposing (removal) of quarantine on the appropriate territory;

Execute other tasks as foreseen by the legislation.

Article 8. State plant quarantine inspectors

The head of the Main state inspection of the Republic of Uzbekistan for the quarantine of plants is the Main state inspector of the Republic of Uzbekistan for the quarantine of plants, his(her) deputies are deputies of the Main state inspector of the Republic of Uzbekistan for the quarantine of plants.

The heads of state inspections for the quarantine of plants in the provinces and city of Tashkent are the Main state inspectors for the quarantine of plants in the provinces and city of Tashkent, and their deputies accordingly are the deputies of the Main state inspectors for the quarantine of plants in the provinces and the city of Tashkent.

The heads of state inspections for the quarantine of plants of districts and towns are the state inspectors for the quarantine of plants of districts and towns.

The heads of plant quarantine border points at railway stations, airports, river harbors, post offices, highways also are the state inspectors for the quarantine of plants.

The state inspector for the quarantine of plants has the right to:

enter uninterruptedly railway stations and automobile stations, airports, river ports (harbors), post offices, warehouses, elevators, passenger and cargo rail cars, aircraft, river vessels, territory of exhibitions, botanical gardens, research institutes, experimental stations, collective farms, dekhkan farming enterprises, private land plots of citizens, as well as enterprises, institutions and organizations, engaged in the procurement and sales of seeds, plants and plant products;

Sample seeds, plants, plant products and other materials for subsequent laboratory examination. Upon discovery of quarantine and other dangerous pests, diseases of plants or weeds, establish limitations on exportation and usage of the products and assign required tasks for the fulfillment of quarantine measures;

Demand from railway stations and automobile stations, airports, river ports (harbors), post offices and other organizations to provide data on arriving and departing cargoes which are subject to quarantine regulations in accordance with Article 2 of the present Law. If needed, demand to provide transport means, hired help, offices and materials for examination, deactivation and decontamination of seeds, plants and plant products.

Article 9 Funding of the State services for the quarantine of plants

The state service for the quarantine of plants, except for specialized fumigation squads, is financed at the expense of the republican budget.

The expenditures of the state service for the quarantine of plants, incurred due to examination of goods, imported or exported through the border of the Republic, or transported on the transit basis quarantine materials, and due to issuance of documentation, are reimbursed at the expense of legal and physical persons.

Specialized fumigation squads execute their activities on the basis of self-sustainability and are financed from special funds generated from payments for decontamination of quarantinable materials.

Article 10. The order of announcement and removal of quarantine

In case of detecting a quarantine object, local bodies of authorities based on a motion of the state inspector for the quarantine of plants of a district (town) certain farms, collective farms, dekhkan farms, enterprises, railway stations, airports, river harbors, the territories of villages and settlements are declared affected and a quarantine or required limitations are set.

The declaration of districts, towns, provinces as “quarantine affected” and imposition of quarantine or other limitation is made by khokims of provinces or city of Tashkent, upon a motion of appropriate quarantine inspectors of Uzbekistan or by the Cabinet of Ministers upon a motion of the Main state inspector of the Republic of Uzbekistan for the quarantine of plants.

After making the decision on the imposition of the quarantine, it is prohibited to export from areas and entities under quarantine, seed and saplings without quarantine certificates for the use of them for sowing and planting purposes in other areas, free from the quarantine pests, diseases of plants or weeds.

Seeds, plants or plant products exported from the territories being under the quarantine, without quarantine certificates, are subject to seizure and transfer to storage organizations for technical (industrial) processing or usage in public catering enterprises, and in certain cases, for decontamination, return to the sender or disposal.

Exportation of agricultural production from private land plots, located on the territory (settlement, district, province) under quarantine is admitted only through for storage organizations, except for contaminated production (its allocation and the use conditions are determined according to quarantine rules by the state inspector for the quarantine of plants).

Quarantine or limitations can be lifted from the territory after the realization of established quarantine measures and full liquidation of the outbreak areas of the quarantine pests, diseases of plants and weeds, based upon a decision of khokims of districts, cities, provinces and city of Tashkent who declared the quarantine or limitations upon a motion of the appropriate main state inspectors for the quarantine of plants, or by an order of the Cabinet of ministers of the Republic of Uzbekistan upon presentation of the Main state inspector of the Republic of Uzbekistan for the quarantine of plants.

Article 11. Importation of weeds, plants and plant products

The importation from foreign countries of seeds, plants and plant products into the territory of the Republic is allowed on the following conditions:

an import quarantine permission issued by the Main state inspection of the Republic of Uzbekistan for the quarantine of plants;

a phytosanitary certificate issued by the state bodies for the quarantine and protection of plants of the country-exporter.

The importation of seeds, plants and plant products from foreign countries which have no state bodies for the quarantine and protection of plants, is allowed upon availability of an import quarantine permission issued on ad hoc basis by the Main quarantine inspection of the Republic of Uzbekistan for the quarantine plant;

Ministries, agencies, enterprises, institutions and organizations, while importing vegetative production are obliged to:

include requirements of the public service for the quarantine of plants in the commercial agreements(contracts) for the delivery from foreign countries or transportation through the territory of the Republic of seeds, plants and plant products which would ensure intrusion on the territory of the Republic of quarantine and other dangerous pests, diseases of plants and weeds;

To envision, while purchasing large consignments of seeds, plant and plant products in foreign countries, fielding, , experts in quarantine and protection of plants for the analysis of the phytosanitary condition of plants and agricultural plantations a in these countries, as necessary.

Seeds, plants and plant products, being imported in the Republic from foreign countries, are subject to mandatory examination in the points of entry on the territory of the Republic by inspectors of the state service for the quarantine of plants.

Border checkpoints, through which importation of seeds, plants and plant products is implemented, are selected by the Main state inspection of the Republic of Uzbekistan for the quarantine plant.

In case of a danger of intrusion to the territory of the Republic from neighboring countries of quarantine objects and other dangerous pests and plant diseases, upon a decision of competent bodies the border near the endangered area can be temporarily closed.

It is prohibited to import seeds, plants and plant products, in which quarantine and other dangerous pests, plant diseases and weeds were found, as well as all kinds of living fungi, bacteria, viruses causing diseases of plants, insects, ticks and nematodes, damaging plants, except for samples being imported for scientific purposes. Upon detection of the mentioned pests or diseases in arriving shipments, the state inspection for

the quarantine of plants shall issue orders to the owner of the cargo as to further actions, and the cargo owner is obliged to dispose of cargo within one day.

It is prohibited to send in the mail from foreign countries to citizens living in the Republic, or transport in the luggage seeds, saplings, fruit, fresh fruit and vegetables. Permission for importation of individual fruits, fresh fruit and vegetables, free of quarantine pests and diseases, in the hand baggage of passengers is issued by a state inspector for the quarantine of plants.

In the case when seeds, plants or saplings materials present a special value and are being shipped to research institutions, they should be submitted upon a conclusion of the state inspector for the quarantine of plants, to an examination in the introduction-quarantine nursery.

The importation in luggage or sending by mail of plant products from foreign countries to diplomatic, consular and trade missions accredited in the Republic of Uzbekistan, is allowed pursuant to the rules of external quarantine of plants approved by the Main state inspection of the Republic of Uzbekistan for the quarantine of plants.

Seeds, plants and plant products, being imported in the Republic from foreign countries, and containing quarantine and other dangerous pests, diseases of plants and weeds are subject to mandatory decontamination in the established order by chemical or other ways, clearing from weeds, sowing or planting in introduction-quarantine nurseries and greenhouses with the purpose of detecting latent contamination, environmental sanitation of the vegetative material, and technical processing or usage in the regions where there is no hazard of propagation of the detected pests, diseases of plants and weeds. Detection of the latent contamination in certain cases can be carried out by laboratory analysis.

Quarantine examination of seeds and saplings shall be carried out in conformity with the requirements of the Rule on quarantine checks of imported seed and sapling materials on the territory of the Republic approved by the Main state inspection of the Republic of Uzbekistan for the quarantine of plants.

All expenditures, related to the decontamination of imported seeds, plants and plant products, including usage of manpower, transportation costs, premises and auxiliary materials, shall be covered by appropriate consignees.

The goods in transit, transported through the territory of the Republic and containing seeds, plants and plant products are subject to mandatory examinations by bodies of state services for the quarantine of plants. In case of finding quarantine and other dangerous pests, diseases of plants or weeds in the cargoes, such cargoes should be detained, decontaminated (with a consent of the shipping party) or redirected back to the country-

exporter.

Article 12. Exports of seeds, plants and plant products

Seeds, saplings, plants, cultures (races) of diseases, other biological objects and plant products, being exported from the Republic to foreign countries, should meet the conditions, foreseen by international agreements for the quarantine and protection of plants, and commercial agreements (contracts), as well as should be out of the list of objects which are not subject to exportation from the Republic of Uzbekistan.

Each consignment of export seeds, plants and plant products should be provided with a phytosanitary certificate of an established form.

Organizations involved in exports of seeds, plants and plant products shall, not later than in thirty days prior to the expected shipment of the products to the country, inform bodies of public service for the quarantine of plants of appropriate provinces about the intended shipment; they shall together determine places, whence it is expedient to make shipment, and at least fifteen days prior to shipment they should present the products being exported for an examination.

Article 13. Rights of ministries, departments, enterprises, institutions, organizations and citizens with regard to the quarantine of plants

Ministries, departments, enterprises, institutions, organizations and citizens, engaged in the production, procurement, storing, transportation, processing and implementation of quarantinable products, have the right:

In certain cases together with representatives of the state service for the quarantine of plants, to develop supplementary measures ensuring unconditional fulfillment of the existing quarantine legislation;

To demand from bodies of the state service for the quarantine of plants to ensure examinations of agricultural lands, territories, storage rooms, plants and plant products for identification of quarantine objects;

To come up with a proposal in front of bodies of the state service for the quarantine of plants and local government bodies about removal of quarantine after full liquidation of the quarantine objects.

Article 14. Responsibilities of ministries, departments, enterprises, institutions, organizations and citizens with regard to the quarantine of plants

Ministries, department, enterprises, institutions, organizations and citizens, engaged in the production, procurement, storage, transportation, processing and sales of quarantinable products, are obliged:

To take measures for examination and fighting quarantine pests, diseases of plants and weeds under the control of bodies of state services for the quarantine of plants and preventing their spread;

To abstain from accepting seeds, plants and plant products for transportation from territories where quarantine is imposed, without proper quarantine certificates;

Strictly observe the existing quarantine laws while importing seeds, plants and plant products from foreign countries and from quarantinable regions.

Citizens engaged in cultivation of agricultural, medicinal plants, trees and shrubs are obliged to conduct systematic monitoring of sowings and plantations with the purpose of timely detection of quarantinable pests, diseases of plants and weeds, and immediately informing local government bodies and state inspection for the quarantine of plants, agricultural and forestry bodies for taking appropriate measures for the liquidation of the outbreaks.

Article 15. Responsibility for the violation of the legislation for the quarantine of plants

Persons found guilty in violation of the legislation for the quarantine of plants are subject to responsibility pursuant to the legislation.

Article 16. International treaties and agreements

If international treaties or agreements of the Republic of Uzbekistan establish other rules, than those contained in the present Law, the rules of the international treaty or agreements shall be applied.

I.Karimov

President of the Republic of Uzbekistan

city of Tashkent

31 August 1995