

# Law of Georgia on Agricultural Quarantine

Present Law regulates the measures of the agricultural quarantine on the territory of Georgia, the principles of their implementation and is directed to maintenance of such normatives by the state and local governments as well as legal and physical persons.

## Part I General Provisions

### Article 1. Definitions.

The terminology used in present Law has the following meaning:

- a) **Quarantine** – a system of restrictive measures to prevent spreading of plant, animal and human diseases and pests;
- b) **Quarantine zone** – territory, where the quarantine measures apply;
- c) **Agricultural quarantine** – state system of phytosanitary and veterinary quarantine measures;
- d) **Phytosanitary quarantine** – system of state quarantine measures preventing entry and spread of the plant quarantine organisms;
- e) **Veterinary quarantine** – system of state quarantine measures preventing entry and spread of human and animal diseases;
- f) **Subjects of the phytosanitary quarantine** – pests, agents causing plant disease;
- g) **Subjects of the veterinary quarantine** – diseased or suspected animals, birds, fish, bee; areas of their maintenance; infected or suspected products, raw materials of animal origin; other products, raw materials, and cargo subject to veterinary inspection;
- h) **Production, raw materials and entities subject to phytosanitary quarantine** – production, raw materials and entities that might facilitate spread of the quarantine organisms;
- i) **Production, raw materials and entities subject to veterinary quarantine** – live organism, production, cargo, materials and entities that can facilitate spread of contagious diseases;
- j) **Plant** – plant and its parts, including the seeds;

- k) **Harmful organisms** – agents of plant, animal or other pathological origin that are harmful for plants and their products; animals, birds and their products turning them into contiguous entities.

**Article 2. Legislative Framework.**

1. Phytosanitary quarantine is undertaken in conformity with the present Law, Law of Georgia on Prevention Plants from Harmful Organisms, and other normative acts.
2. Veterinary quarantine is undertaken in conformity with the present Law, Law of Georgia on Veterinary Activities, other veterinary legislation and normative acts.

**Article 3. Objectives of the Agricultural Quarantine.**

1. Main objectives of the phytosanitary quarantine are:
  - a) Prevention the entry and spread of diseases and pest from other countries;
  - b) Timely recovering of diseases and pests, their eradication, and supervision of the measures;
  - c) Establishment of the state control on the implementation of quarantine rules in production, transportation, storage, processing and sale of agricultural goods.
1. Main objectives of the veterinary quarantine are:
  - a) Prevention the entry and spread of human and animal diseases from other countries;
  - b) Timely recovering of human and animal diseases, localization of the center and their eradication;
  - c) Establishment of the state veterinary control over the utilization of the quarantine rules on the animal, birds, fish and other living organisms; the production, storage, processing, transportation and realization of the commodities and inputs of animal origin and other products and materials subject to veterinary control.

**Article 4. Quarantine Service Charges.**

The quarantine services are subject to fees. The tariffs for phytosanitary quarantine services are determined by the Ministry of Food and Agriculture with the approval of the Ministries of Finance and Economy. The tariffs for the veterinary quarantine services are determined in accordance with the Law of Georgia on Veterinary Activities.

## **Part II**

### **Agricultural Quarantine State Services**

#### **Article 5. State Services Implementing Agricultural Quarantine.**

1. Implementation and control of the agricultural quarantine is (administered) conducted by the relevant subdivisions of the Ministry of Food and Agriculture. Their activities are defined by the present Law, Law of Georgia on Prevention Plants from Harmful Organisms, Law of Georgia on Veterinary Activities and other normative acts.
2. The border phytosanitary and veterinary quarantine services in the Autonomous Republics of Abkhazia and Ajara should report to the relevant central services at the Ministry of Food and Agriculture of Georgia.

#### **Article 6. Scope of Work of the Agricultural Quarantine Services.**

1. The State Phytosanitary Quarantine Service should:
  - a) Outline the list of the quarantine objects, determine the nomenclature of already spread and unspread diseases and pests, elaborate rules and procedures for the phytosanitary quarantine;
  - b) Conduct phytosanitary quarantine inspection and laboratory testing on the entry and exit of the commodities subject to quarantine, including inspection of the plants, mail transactions, hand luggage, bottled and packed products and transportation means;
  - c) Administer inspection of the plots under seedling, sort testing, selection bases, hot-houses that produce and disseminate (sell) seeds, seedlings, etc., and import seeds and sowing materials from abroad;
  - d) Control implementation of the normative acts regulating the sphere;
  - e) Represent Georgia's state interests in the international phytosanitary organizations.
1. The relevant unit of the Ministry of Food and Agriculture has the quarantine right on seeds, seedlings and other materials, production and entities subject to quarantine, and the right of issuing the phytosanitary certificate as defined by the Law of Georgia on Prevention Plants from Harmful Organisms.

2. The Law of Georgia on Veterinary Activities, veterinary legislation and relevant normative acts defines the scope of work of the State Service for Veterinary Quarantine.

#### **Article 7. Entities Subject to Agricultural Quarantine.**

1. Following entities are subject to the phytosanitary quarantine:
  - a) Seeds and sowing materials of the agricultural, forestry and decorative crops, plants and their parts, food and commodities of the plant origin that can become the carriers of the quarantine organisms;
  - b) Fungus and its cultures, bacteria, viruses, nematodes, mites and insects;
  - c) Collections of insects, disease sources and samples, as well as collections of herbs and seeds;
  - d) Transportation means entering the country from abroad;
  - e) Agricultural equipment, bottling and packaging materials, industrial produce, plant crafts that can facilitate spread of the quarantine organisms, as well as rocks and soil samples;
  - f) Territories and buildings of the organizations producing, processing, storing and selling commodities of plant origin, agricultural and forestry yields, household plots, and non-agricultural land.
1. The Law of Georgia on Veterinary Activities, veterinary legislation and relevant normative acts define the list of the entities subject to the inspection of the State Service for Veterinary Quarantine.

### **Part III**

#### **State Border Agricultural Quarantine Control**

#### **Article 8. State Phytosanitary Border-Quarantine Control.**

1. Phytoquarantine Service, in cooperation with the Customs Service, should administer state phytosanitary border-quarantine measures at the seaports, airports, and roadsteads within the area of the border control at the border checkpoints.
2. Import of the commodities of plant origin and other entities subject to quarantine is possible after producing the certificate on the condition of the commodity subject to quarantine issued by the relevant division of the Ministry of the Food and Agriculture of Georgia and the phytosanitary certificate issued by the quarantine service of the exporting country.
3. Import of the commodities subject to quarantine from the countries that do not have phytosanitary quarantine services and respectfully,

phytosanitary certificate should acquire a permission issued by the relevant unit of the Ministry of Food and Agriculture of Georgia as defined by the Law of Georgia on Prevention Plants from Harmful Organisms.

4. In case of transit and re-export of the commodities and cargoes subject to quarantine the exporter should produce the phytosanitary certificate of the exporting country and quarantine permission issued by the Phytosanitary Quarantine State Service of Georgia.
5. Commodities and transportation means entering the territory of Georgia are subject to mandatory phytosanitary border inspection and, if necessary, to laboratory testing and eradication of diseases.
6. Commodities with recovered quarantine organisms should be retired or destroyed. In case such eradication is impossible, the commodities should be processed and sold or disposed off at the owner's expenses and supported by the relevant documentation.

#### **Article 9. State Veterinary Border-Quarantine Control.**

The Veterinary Department of the Ministry of Food and Agriculture of Georgia, in cooperation with the Customs Service, should administer state veterinary border-quarantine measures at the seaports, airports, and roadsteads within the area of the border control at the border checkpoints as defined by the Law of Georgia on Veterinary Activities.

#### **Part IV**

#### **Administration of the Agricultural Quarantine on the Territory of Georgia**

#### **Article 10. Internal Quarantine Measures of the State Phytosanitary Service.**

1. In case of recovering the quarantine organisms the defined territory is declared the quarantine zone.
2. The entry/exit of the transportation means, commodities subject to quarantine to/from the area under quarantine regime is prohibited. The disease-freeing, processing and eradication measures are administered within the zone after elaboration of the adequate documentation.
3. Phytosanitary Quarantine Inspectors should return, hand over to the relevant processing enterprise or destroy entities subject to quarantine illegally taken from the quarantine zone. Relevant documentation should register such acts.

4. Local Administrations should declare phytosanitary quarantine as requested by the State Phytosanitary Service. Having administered the quarantine measures and eradicated the disease the quarantine should be removed and relevant notice should be sent to the State Sanitary Administration.

#### **Article 11. Internal Quarantine Measures of the State Veterinary Service.**

The veterinary quarantine measures are administered by the Veterinary Department of the Ministry of Food and Agriculture of Georgia, in cooperation with Veterinary Departments of Autonomous Republics of Abkhazia and Ajara, other entities under its supervision, and Veterinary Police under the Internal Affairs Administrative Police Department. The State Budget resources for the Veterinary Police are allocated to the Veterinary Department under the category “epizootic expenses”; the Law of Georgia on Veterinary Activities, veterinary legislation and relevant normative acts defines quarantine measures. The Veterinary Department should inform the State Sanitary Administration on declaring the quarantine.

### **Part V Incrimination for Present Law Violations**

#### **Article 12. Incrimination for Violation of the Conditions of Phytosanitary and Veterinary Quarantine.**

Incrimination for violation of the Law of Georgia on Agricultural Quarantine is defined by Georgia’s legislation.

### **Part VI Concluding Provisions**

#### **Article 13. Effecting the Law.**

This Law shall be effective upon publication.

President of Georgia

Eduard Shevardnadze

Tbilisi  
May 15, 1997  
N 716 - IIS