



Lao People's Democratic Republic

Peace " Independence " Democracy "

uant to the November 2012 Government Meeting's Decision No.10/GoL,
d 23 December 2011;

uant to Proposal of Ministry of Agriculture and

Forestry No.0764/MAF dated

on 21 May 2012.

The Government issues the following Decree:

CHAPTER 1 GENERAL

1. **Prohibited pest** in Article 15 of the Law means, regulated pest which consists of:
 - Quarantine Pest** which means a pest of potential economic importance to the area endangered and not yet present there, or present, but not widely distributed and being officially controlled.
 - Regulated non quarantine pest** which means a pest whose presence in plants

13. **Local checkpoint** means, any checkpoints established along province or district lines, or along the circumference of quarantine areas or buffer zones.
14. **Buffer zone** means an area surrounding or adjacent to an area officially delimited for phytosanitary purposes in order to minimize the probability of spread of the target pest into or out of the delimited area, and subject to phytosanitary or other control measures, if appropriate.
15. **Endangered area** means an area where ecological factors favour the establishment of a pest whose presence in the area will result in economically important loss for Lao PDR.
16. **Quarantine area** means an area where a quarantine pest is present and is being controlled by the PPA.
17. **Outbreak** means a recently detected pest population, including an incursion, or a sudden significant increase of an established pest population in an area.
18. **Regulation** means any measure taken by the PPA to control the spread of a pest.

3. " be based on risk assessment and pest risk analysis and be proportional to such risk;
4. " be not more stringent than necessary and shall not create unnecessary barriers to trade;
5. " shall not discriminate between domestic or foreign

The PPA shall declare such List and any amendment of such List to the IPPC Secretariat and other regional organizations, including trading partners when requested.

Article 8. Declaration of a quarantine area

Declaration of a quarantine area [pest outbreak area] under Article 12 of the Law shall be made where the PPA suspects or has grounds to determine, following surveillance or a report, that a regulated pest is present in an area. The PPA may enter such area or premises to inspect any plants, plant

For the implementation of the phytosanitary measures in quarantine areas, the PPA shall:

1. carry out continuous surveillance from the date of the

4. Requiring the owner of any area, place of production or site of production to carry out phytosanitary actions in those areas, sites or places;
5. Prohibiting the planting or replanting specific plants in a specified location;
6. Carrying out any other phytosanitary action or measure which the PPA deems necessary.

If an owner of a plant or plant product, or area of land to which point 4 under this Article applies fails to comply with the order, the PPA shall authorize a plant protection officer, in coordination with the relevant local administration authority, to enter upon the area or premises. The plant protection officer shall carry out the required phytosanitary action necessary to stop or limit the spread

In elaboration of Article 11 and 36 (6) of the Law, owners and persons in charge of any places for growing or storing

5. Implement, subject to its available resources and in a manner that is non-discriminatory, a system for the recognition of designations of pest free areas, areas of low pest prevalence, pest free production sites, and pest free places of production within the exporting countries;
6. Categorize commodities for import according to pest risk and set out the criteria for categorization in regulations.

Article 18. Phytosanitary import permits

In elaboration of Article 15 and 18 of the Law, any person intending to import a plant, plant product or regulated article shall require an import permit issued by the central level PPA in the following cases:

1. Where the importation is from a country of origin where there are confirmed or suspected quarantine pests;
2. Where the importation is subject to post entry quarantine requirements;
3. Where the importation is for a designated end use or for research purposes;
4. Where the importation is required in response to a humanitarian crisis or natural disaster; or
5. Where there is a need to trace the importation of plant, plant product or other regulated articles after entry over a period of time.

Any person intending to import a plant, plant product or regulated article shall submit an application to the PPA in such manner as shall be prescribed by regulations. The PPA should consider the application and provide the importer with a decision within 10 working days prior to the importation. The consideration should follow the principle of first come first served.

Where the PPA denies issuance of an import permit, the PPA shall notify the applicant of the reasons in writing no later than 10 working days after receipt of the import application.

The PPA may review, modify or revoke an import permit for a plant, plant products or regulated articles at any time by written notice.

Article 19. Procedures for import

In elaboration of Articles 15, 16 and 17 of the Law, any importer of a plant, plant product, and regulated article shall follow the requirements stated in the import permit and in this Decree.

Plants, plant products or other regulated articles shall only be imported through entry checkpoints designated by the PPA. Importers have the right to choose the most convenient entry checkpoint, except where a particular entry check point is specified in the import permit.

Any plants, plant products

3. Require the importer to conduct treatment on plants, plant products or other regulated articles;
4. Order the sorting and reconfiguring of plants, plant products or other regulated articles;
5. Refuse entry and order reshipment;
6. Take emergency actions including destruction.

The plant protection officer should notify the importer the reasons of refusing the phytosanitary certificate in writing, or where necessary, the plant protection officer shall ask for additional information in writing in accordance with import regulations.

The plant protection officer shall carry out inspections on plants, plant products or other regulated articles at the entry checkpoints and during regular working hours, except where the plants, plant products or other regulated articles:

- Are extremely perishable;

- Are of a volume of exceeding such amount as shall be prescribed by regulation and for which there is inadequate storage at the entry checkpoint;

- Require unloading and reloading;

- Require isolation or quarantine; or

Article 22. Declaration of a plant, plant product or regulated article carried by passengers

In elaboration of Articles 24 and 25 of the Law, any person or organization bringing any plant, plant products or regulated articles into Lao PDR shall declare the same to the plant protection officer upon arrival, and if no plant protection officer is present, such declaration shall be made to the Customs officer.

to emergency phytosanitary action to prevent the spread of regulated pests. Where such action has been taken, the PPA shall notify the country of origin and where appropriate, the country of destination.

Article 25. Phytosanitary action

In elaboration of Article 22 of the Law, phytosanitary action shall

CHAPTER 6 PHYTOSANITARY BUSINESS

Article 27. Phytosanitary business

In elaboration of Articles 31, 32, 33 and 34 of the Law, any person or organization wishing to operate a phytosanitary business shall apply for technical registration with the central PPA. Such business shall follow the rules and operating requirements set out by the PPA.

No phytosanitary business shall engage in any of the following activities:

1. Issuance of a phytosanitary certificate or any other official document;
2. Approval of standards, requirements, rules or phytosanitary measures;
3. Official liaison duties with foreign authorities or any notification responsibilities;
4. Any other function as may be prescribed by regulations.

Phytosanitary businesses shall be subject to regular inspections by the PPA. Failure to comply with PPA requirements may result in de registration. The phytosanitary business may reapply for registration after remedial action has been taken and where it is in compliance with the relevant regulations, and under the guidance of the PPA.

Article 28. Fee and technical service charges

In accordance with Article 46(7) of the Law, the collection of fees and technical service charges under this Decree shall adhere to the Presidential Edict on Fees and Service Charges as may be updated from time to time.

CHAPTER 7 IMPLEMENTATION ON PLANT PROTECTION

Article 29. Structure of the Plant Protection Authority

In accordance with Article 42 of the Law, the structure of the PPA for plant protection administration and implementation is as follows:

1. At the central level, the Department of Agriculture of MAF, with functions in accordance with Article 43 of the Law;
2. At the provincial level, the Provincial and Vientiane Capital Agriculture and Forestry Departments, with functions in accordance with Article 44 of the Law;
3. At the district level, the District Agriculture and Forestry Office, with functions in accordance with Article 45 of the Law;
4. At entry and exit checkpoints, with functions in accordance with Article 46 of the Law.

Article 30. Entry and exit checkpoints for plant protection

In elaboration of Article 43 (5) of the Law, the establishment of quarantine stations and laboratories at the entry and exit

3. To stop the