

THE REPUBLIC OF LITHUANIA

LAW

ON PHYTOSANITARY

16 December 1999 No VIII-1481

Vilnius

CHAPTER ONE

Article 1. Purpose of the Law

1. The purpose of the present law is to establish preventive measures against the introduction of organisms harmful to plants and plant products into the territory of the Republic of Lithuania and the spread thereof.

2. This Law shall regulate the mandatory phytosanitary requirements and the basic principles of phytosanitary control for natural and legal persons and enterprises without the status of a legal person engaged in **planting**, propagation, importing, storage, transportation and marketing of plants, and in production, importing, storage, transportation, and marketing of plant products and other objects.

5. **Phytosanitary measures** shall mean a set of legal measures against introduction and spreading of organisms harmful in respect of plants and plant products.

6. **Posts of phytosanitary control** shall mean customs units officially established at cross-border points or other places where the national plant protection authority carries out inspections of the phytosanitary condition of plants and plant products.

7. **Phytosanitary register** shall mean the measure for the systematisation, accumulation, and storage of official information about legal and natural persons, as well as enterprises without the status of a legal person, engaged in planting, propagating, importing, warehousing and transporting, marketing and purchasing of plants and plant products.

8. **Phytosanitary certificate** shall mean an official document issued by the State Plant Protection Service to confirm that the phytosanitary condition of plants, plant products and other objects is in conformity with the requirements established by the importing country.

9. **Phytosanitary control** shall mean actions of the State Plant Protection Service officers in respect of checking the documents of a consignment of plants, plant products, or other objects, and in respect of the evaluation of the phytosanitary condition of the consignment through visual inspection and the trials of samples.

10. **Harmful organisms** shall mean animals, plants, fungi, bacteria, virus and virus like organisms which can at any stage of their development be harmful to plants and plant products, or contaminate their place of growing.

11. **Laboratory expertise** shall mean the set of laboratory trials performed on samples of plants, plant products or other objects for the detection and identification of harmful organisms.

12. **The planting material** shall mean seeds, plants or their parts as well as all the material intended for propagation of plants.

13.. **The State Plant Protection Service** shall mean the institution under the Ministry of Agriculture and authori1 246rt8d2 12 Tf1 0 0 1 127.3O20 BTd02 366..(m[1 246rto8nt)JT3n)JTE th/024

5) establish the centres of harmful organisms and supervise eradication of said organisms;

6) assess the exported plants, plant products and other objects;

7) apply the prescribed measures to legal and natural persons and enterprises without the status of a legal person that fail to comply with the requirements of this Law and other legal acts necessary for its implementation.

2. The State Plant Protection Service shall organise special examination and observation to establish the presence and spread of harmful organisms in the territory of the Republic of Lithuania during the most suitable season for detection of these organisms.

3. Officers of the State Plant Protection Service shall have the right, having produced relevant identification, to enter any facilities and territories and carry out phytosanitary inspection.

4. Risk analysis of harmful organisms shall be carried out in accordance with the appropriate legislation of the European Union, the methods and standards approved by the World Trade Organisation, and the procedure of carrying out phytosanitary control and application of phytosanitary measures established in the Republic of Lithuania.

5. Legal and natural persons, and enterprises without the status of a legal person in the case of discovery of unknown or strange organisms in their private, rented or used on any other basis plots of land, storage or other facilities shall be obliged to inform without undue delay the State Plant Protection Service.

Article 4. Preventive Measures against Introduction and Spread of Harmful Organisms

1. Plants, plant products and other objects must meet phytosanitary requirements at the stage of their growing, production, storage, marketing and transportation.

2. It shall be prohibited to import, store, transport, and propagate harmful organisms at any stage o

must immediately apply phytosanitary measures which, however, may not last longer than 3 months. The time limit for the application of the measures may be extended by the Minister of Agriculture if need be.

5. Phytosanitary measures shall be applied with due regard to the effect of harmful organisms on plants and plant products and the risk of their spread, with the aim to minimise the negative effects of these measures upon the manufacturing and other commercial activities.

6. Pursuant to paragraph 1 of Article 1 of this Law, the Minister of Agriculture shall establish the procedure under which the officers of the State Plant Protection Service apply the following measures:

2. The Phytosanitary Register shall be kept by the State Plant Protection Service in accordance with the procedure determined by the Government.

3. Small growers and producers who grow plants and produce plant products for their personal consumption or sale solely within their domestic market (except those involved

3 Phytosanitary certificates for export of plants, plant products and other objects shall be issued by the State Plant Protection Service in accordance with the established procedure.

Article 11. Covering of Costs of Phytosanitary Control at Export and Import

All additional costs of phytosanitary controls of plants, plant products and other objects subject to import and export, treatment of the consignment or its destruction shall be covered by the importer, exporter, or their authorised persons.

