

THE LAW OF THE REPUBLIC OF TAJIKISTAN ON PLANT QUARANTINE

The present Law shall determine the legal and organizational bases in the field of plants quarantine maintenance and includes phytosanitary quarantine measures promoting protection of plants from penetration, occurrence and distribution of pests, illnesses and weeds.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Definitions

The following definitions shall be used in this Law:

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- State phytosanitary quarantine control - an active implementation of mandatory phytosanitary regulations and procedures for the purpose of liquidation or localization of quarantine harmful organisms or managing regulated non-quarantine harmful organisms;
- Rules and standards for providing the quarantine of plants -normative legal acts, normative technical and methodological documentation for providing the quarantine of plants;
- Import quarantine permit - an official document permitting the import the goods concerned that meet the appropriate phytosanitary import requirements;
- Cargo - a quantity of plants, plant products or other materials being moved from one country to another accompanied by (if necessary) by a single phytosanitary certificate (the cargo may comprise one or more kinds of goods or consignments);
- Consignment - all of the items of given good having uniform composition, origin etc., being the part of cargo;
- Free zone - a zone where the absence of hazardous organism has been proven scientifically, which can be supported officially if necessary;
- Phytosanitary risk analysis - biological, scientific and economic data validation for the purpose of establishing the level of harmfulness of the organism and the assessment of importance of phytosanitary measures against it;
- Transit cargo - a cargo that is not imported to the country but rather goes through it to another a country, which can be subject to phytosanitary measures;

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CHAPTER 2. STATE BODY FOR ENSURING PHITOSANITARY CONTROL
AND THE QUARANTINE OF PLANTS

Article 4. Authorized State Body for Ensuring the Plant Quarantine

The state phytosanitary control and the plant quarantine in the Republic of Tajikistan shall be performed by the authorized state body for ensuring plant quarantine, which shall be determined by the Government of the Republic of Tajikistan.

legal-organizational form and the form of ownership of the organization that owns such materials;

- Receive documents and information on plant quarantine from state authorities, executive bodies of GBAO, district, City of Dushanbe, towns and districts, bodies of local self-government, organizations, individual entrepreneurs and citizens;
- Perform the phytosanitary quarantine examinations of the materials subject to quarantine and the supervision of the materials subject to quarantine, including locations of their preparation and delivery;
- Take samples and specimens of the materials subject to quarantine;
- Prohibit or suspend production, procurement, import into and export from the territory of Republic of Tajikistan, transport, storage, processing, using and sale of the materials subject to quarantine;
- Provide organizations, individual entrepreneurs and citizens with mandatory instructions that must be executed within the given period, on eliminating the violation of the rh4.1()-yga0

quarantined zone and a phytosanitary quarantine regime, and shall empower an executive body to impose the quarantine.

In the phytosanitary quarantined zone, measures to control the quarantined objects, to ensure their restriction, and the eradication of their origins, shall be conducted together with the imposition of a ban on the use of certain products under quarantine, or a ban on the removal of certain products under quarantine, from the area of a phytosanitary quarantined zone, as well as the introduction of any other bans and restrictions deemed necessary.

When the eradication of the origin of quarantine harmful organisms has been achieved, the authorized state body for ensuring the plant quarantine shall present to the Government of the Republic of Tajikistan the proposal to cancel the phytosanitary quarantined zone and the phytosanitary quarantined regime.

Phytosanitary quarantined zones or territories of the Republic of Tajikistan, which as the result of official inspection are found to be free of quarantine harmful organisms, in accordance with the principles of international standards may be considered to be free of quarantine harmful organisms.

Scientific data and the results of inspection and supervision shall be made available to quarantine and plant protection bodies of other countries in accordance with applicable bilateral agreements.

Article 10

Article 14. Removal, Destruction, and Return of Materials subject to Quarantine

In compliance with the legislation of The Republic of Tajikistan, in order to prevent the infection or spread of quarantine harmful organisms in the territory of The Republic of Tajikistan, materials subject to quarantine may be removed, destroyed, or returned upon the orders of the officials of the authorized state body for ensuring the plant quarantine.

Article 15. Laboratory Testing and Examination of Materials subject to Quarantine

In order the phytosanitary quarantine status of the materials subject to quarantine to be determined, such material shall be

Ensure the proper storage of materials subject to quarantine, before the commencement of state phytosanitary quarantine control;

Designate the means of transport, specially equipped docks, grounds, specially equipped premises, and workers if required, for the decontamination, cleansing, and degassing of the materials subject to quarantine;

Promptly inform the authorized state body for ensuring the plant quarantine upon exposure to the materials subject to quarantine to any quarantine harmful organisms;

Transport materials subject to quarantine under conditions that exclude their loss and the possible contamination of the territory of The Republic of Tajikistan. by quarantine harmful organisms;

Meet other requirements, in conformity with the legislation of The Republic of Tajikistan and the rules and standards for ensuring the quarantine of plants.

Any action related to detection of quarantine harmful organisms and to combat the effects of such detection, the restriction and the eradication of their origin, shall be taken at the expense of the owners and users of the materials subject to quarantine.

Decontamination, degassing, detention, destruction, and return of the materials subject to quarantine shall be implemented at the expense of their owners, users, consignees, or dispatching entities.

CHAPTER 4. INTERNATIONAL COOPERATION REGARDING THE QUARANTINE OF PLANTS

Article 18. Principles of International Cooperation Regarding the Quarantine of Plants

The Republic of Tajikistan is involved in international cooperation related to the quarantine of plants, guided by the principles of mutual security pertaining to the import and distributioning td t3.0

