

Content

Title :	Regulations of Conduct For Executing Plant Protection And Quarantine Ch
Date :	2005.11.03
Legislative :	1.Promulgated on December 10, 1997 2.Amendment to Articles 2, 8~10, 13, 15, 16 and 18, addition of Articles 13-1 promulgated on March 29, 2002. 3.Deletion of Articles 13-1 promulgated on November 3, 2005.
Content :	<p>Article 1</p> <p>These rules are established pursuant to Article 7, Plant Protection and Quarantine Act (hereinafter called “the Act”).</p> <p>Article 2</p> <p>Plant protection officials shall present personal identification while executing plant protection measures pursuant to the Act. Identification document(s) shall be issued by the competent authority at each appropriate level.</p> <p>Plant quarantine officials shall be in uniform and bear badge while executing quarantine inspections pursuant to the Act. The types of uniform and badge shall be determined by the plant quarantine agency.</p> <p>Article 3</p> <p>Plant protection and quarantine officials shall prepare and maintain inspection or quarantine record while executing inspection or quarantine related activities pursuant to the Act.</p> <p>Article 4</p> <p>When the municipal or county (city) competent authority discovers the occurrence of designated plant disease or pest on plants or plant products within the areas under its jurisdiction, it shall immediately designate plant protection officials to investigate and report the species of the plants or plant products infected or infested with designated plant disease and pest, the total number of plants in the planting orchid, the acreage of planting and the scope of distribution. It shall also report to the central competent authority for designating the area of disease infection or pest infestation.</p> <p>Article 5</p> <p>When plant protection officials deem necessary to collect samples of plants or plant products while conducting emergency control measures pursuant to Article 11 of the Act, consent of the owner or manager of the plants or plant products shall be obtained. The owner or manager shall be notified of the inspection results.</p> <p>Article 6</p> <p>Plants ordered for removal or destruction pursuant to paragraph 1(1) and 1</p>

(2) of Article 11 of the Act shall include the whole of the plants. If the designated plant disease or pest is soil-borne, the soils and the packages, containers and cultivating media of the plants or plant products shall be subject to disinfection, disinfestation or destruction.

Article 7

In conducting emergency control measures on designated plant diseases and pests pursuant to Article 11 of the Act, the municipal or county (city) competent authority shall designate appropriate personnel to carry out an on-site supervision over the completion of the control measures conducted by the owners or managers of the plants or plant products thereof.

Article 8

Compensation pursuant to Article 12 of the Act shall base on statistic sampling and inspection to determine infection or infestation rate, calculating the proportion of the plants or plant products infected or infested with pests to their total.

The remaining plants or plant products uninfected or uninfested with pests or those deemed uncertain after proper examinations shall be used to calculate suspected infection or infestation rate. Using the suspected infection or infestation rate to calculate the total of the plants or plant products suspected of being infected or infested with pests. The compensation fees shall be paid on the basis of the prices determined by the appraisal committee.

Article 9

The plant quarantine agency shall take the following measures of which the cost shall be borne by the importers of plants or plant products subject to quarantine requirements pursuant to Article 16 of the Act, if the importers fail to submit phytosanitary certificates or the phytosanitary certificates submitted contain information inconsistent with the pertinent quarantine requirements.

(1) Notify the importers or their agents to resubmit or submit properly corrected phytosanitary certificates.

(2) Carry out quarantine measures against the plants or plant products, which will be released only after pests are completely eliminated.

(3) Re-export or destroy the plants or plant products.

Article 10

Importers, owners or their agents shall request for properly assigned isolation sites by the plant quarantine agency for plants or plant products required post-entry quarantine pursuant to the quarantine requirements published under the second paragraph of Article 16 of the Act. The plants or plant products are permitted for importation only after the isolation sites are assigned.

Article 11

During post-entry quarantine period, the fertilizers, pesticides and other materials necessary for the plants or plant products shall not be removed from or brought into the isolation sites unless approved by the plant

quarantine officials.

Article 12

The residues of plants or plant products or other plants or plant products which are not applied for quarantine inspection pursuant to the Act carried by vehicles, vessels, aircrafts or other transportation means originated from foreign countries shall be prohibited from unloading, and shall be destroyed if unloading is necessary.

Article 13

Quarantine inspections of plants or plant products imported or to be exported shall be performed on a first come first served basis. If the dates of the applications for quarantine inspections are identical, the dates of flight or freight schedules shall be used as a basis for scheduling of said inspections. Inspections shall be completed in two working days unless fumigation, disinfection or disinfestation, isolation and culture of organisms, or post-entry quarantine are required. Completion of the inspections may be extended when holidays or weekends are involved.

Article 13-1

(Deletion)

Article 14

Plant quarantine officials shall take appropriate quarantine measures, in addition to quarantine inspections, against the plants or plant products when, besides the plants or plant products or their containers, the filling materials, storage sites, or transportation means are deemed to contain pests.

Article 15

The plant quarantine agency, while conducting quarantine inspections of plants or plant products or conducting fumigation procedures pursuant to the Act, may authorize loading or storing of plants or plant products at a specifically designated warehouse and then process them on the basis of the sequence of filing for quarantine inspections.

Article 16

The quantity of samples of plants or plant products taken for isolation, cultivation and specimen preservation for quarantine inspections shall be determined by the plant quarantine agency.

Article 17

The actions for disposal pursuant to Article 19 of the Act shall be in the form of disinfection or disinfestation, destruction, re-exportation, or submerging in ocean, etc.

Article 18

The measures of disinfection or disinfestation pursuant to Article 19 of the Act shall be published by the plant quarantine agency.

Article 19

These rules become effective on the date of promulgation.

Data Source : MONISTRY OF AGRICULTURE Laws and Regulations Retrieving System