

ETHIOPIA

**NEGARIT GAZETA
OF THE TRANSITIONAL GOVERNMENT OF ETHIOPIA**

COUNCIL OF MINISTERS REGULATIONS No. 4/1992

COUNCIL OF MINISTERS

"PLANT QUARANTINE REGULATION"

This regulation is issued by the Transitional Government of Ethiopia council of Ministers pursuant to Article 4(2) of the Definition of Powers and Duties Proclamation No. 2/1991.

1. Short Title

This regulation may be cited as "Plant Quarantine Council of Ministers Regulation No. 4/1992."

2. Definitions

In this regulation unless the context otherwise requires:

- (1) "container" shall mean any bag, basket, package box or any other covering by which plants or other articles for carriage or storage may be enclosed or packed or stacked;
- (2) "inspection" shall mean examination of plants and other articles by an authorized person or inspector for the purpose of detecting pests;
- (3) "Minister and Ministry" shall mean respectively the Minister and Ministry of Agriculture;
- (4) "person" shall mean a natural or juridical person;
- (5) "premises" shall mean any building or area where plants or other articles are delivered, handled, stored, prepared, packed, unpacked or treated for the purposes of import or export;
- (6) "phytosanitary certificate" shall mean a certificate in the form of the model certificate of the International Plant Protection Convention of 1951 as amended in 1979;
- (7) "plants" shall mean plants and plant products including seeds;
- (8) "quarantine station" shall mean a place so designated for the inspection, detention, treatment, reconsignment or destruction of plants and other articles being imported or exported or in transit;
- (9) the following words and phrases shall have the definitions stated under the Plant Protection Decree No. 56 of 1971: "conveyance," "Infected," "Inspector," "Permit," "Plants and Plant Products," "Quarantine," "Plant Pest," "Infested," "Treatment," and "Other articles,"

- (10) "Quarantine" shall mean to isolate, to grow in isolation from like plant species or to grow in an enclosure designed to prevent the dissemination of plant pests with the intention of regulating the movement into or from a specified land area of plant pests, plants, plant products or other articles; while "treatment" shall mean to subject to an action such as to fumigate or spray with pesticides, expose to wet or dry heat or cold temperature, to excise any part, or to wash or clean with the intention of disinfecting or disinfesting the object involved;

3. *Quarantine Control*

All imported plants and other articles which are liable to be infested or infected with plant pests are subject to plant quarantine.

4. *Import Restrictions on Plants*

- (1) No person shall import into Ethiopia any plant and other articles as specified in Schedule I unless he is in possession of an import permit duly issued to him by the Minister.
- (2) Application for such permit shall be made to the Ministry on the relevant form prescribed and provided by it.

5. *Plants Prohibited From Entry Into the Country*

- (1) The importation of any plant or other articles as specified in Schedule II is prohibited.
- 2 Whereas sub-article (1) of this article remains valid; the Minister may approve their importation for scientific study and under strict quarantine precautions.

6. *Phytosanitary Certificates and other Information*

- (1) Any plant or other articles as specified in Schedule I which is to be imported into Ethiopia shall be accompanied by a phytosanitary certificate. A copy of the phytosanitary certificate shall be attached to the outside of the container.
- (2) Any plant or other articles being exported from Ethiopia shall be accompanied by a phytosanitary certificate, if such is required by the importing country.
- (3) Any container of plant or other articles used for import or export shall be marked with the information specifying the nature of the contents, the place where produced or obtained where plants or other articles were propagated, the name and address of shipper, owners, or person forwarding and the name and address of the consignee, the place at which the plants or other articles will enter Ethiopia.

7. *Waiving Quarantine Requirements*

Whereas Article 3 of this regulation remain valid; the inspector may waive any or all conditions of quarantine for plants and other articles specified in Schedule 1;

- (1) upon presentation of evidence that the plants have been certified by a known institution using special techniques and are intended for research and scientific studies or
- (2) upon being convinced that the plants and other articles in transit are packed and secured to an acceptable standard.

8. *Treatment and Disposal*

- (1) Any plant or other articles found infected or infested with plant pests shall at the expense of the owner be treated, reexported, destroyed or disposed off in any other manner that the inspector may see it fit. The inspector shall detail in writing the method of treatment or disposal.
- (2) Any premise or conveyance which is infected or infested shall be treated as the inspector may direct.

9. *Garbage and Refuse in International Conveyances*

- (1) Garbage or refuse from airplanes from international flights is subject to such safeguards as specified by the plant quarantine in cooperation with concerned governmental agencies.
- (2) Garbage or refuse retained on board in transit vessels and aircraft must be enclosed in tightly sealed pest proof containers to prevent escape.
- (3) The landing of garbage is strictly prohibited except in unusual circumstances and in this instance, prior approval must be obtained from the appropriate agency.

10. *Quarantine Stations*

- (1) Plants or other articles shall be imported, exported or quarantined at the following stations:
 - (a) Previously established quarantine stations and currently providing quarantine services;
 - (b) Quarantine stations that will be established by the Minister for the future as deemed necessary;
- (2) The inspector shall prescribe the precautions to be observed during any quarantine or detection.

- (3) The inspector shall be notified by the owner, agent or consignee of the arrival of any conveyance of plants or other articles at the port of entry.

11. Powers and Responsibilities of the Inspector

Whereas the powers and responsibilities specified under different articles of this regulations and other provisions remain valid; the inspector shall:

- (1) In accordance with Article 3 require of any person the inspection of plants or other articles;
- (2) Require of any person the inspection and search of the premises and conveyance for the purpose of discovering plant pests and for enforcing the provisions of this regulation;
- (3) Enter upon and conduct a survey at any area of land to determine whether it is infested or infected by plant pest;
- (4) Seize any plant or other articles, conveyance or premises which after inspection may be found infected or infested and to act on in accordance with Article 8 of this regulation;
- (5) Inspect any certificate, permit or other relevant document in respect of plants or other articles for export or import;
- (6) Order any appropriate pest control operation to be carried out on any consignment plants or other articles destined for export or import and on any conveyance and premises to ensure that they are free from any infestation or infection likely to be injurious to agriculture;

12. Powers of the Minister in Enforcing this Regulation

- (1) The Minister upon settling forth reasonable belief of the existence of any plant pest in an area defined, may in order to prevent the spreading of the pest require the area to be treated.
- (2) The Minister has the power to establish new quarantine stations at appropriate places and shall at the same time notify the concerned sectors of the public the establishment of such stations.
- (3) The Minister has the power to amend at any time the lists specified in Schedule I and II.

13. *Fees*

Expenses connected with the examination of any plant and other articles and of their conveyance to a quarantine station, or of their treatment or disposal shall be paid for by the owner of importer or exporter as specified in Schedule III.

14. *Penal Provisions*

Any person who otherwise contravenes or fails to comply with any provision of this regulation shall be punished in accordance with the provisions of Article II of the Plant Protection Decree No.56/1971.

15. *Effective Date*

This Regulation shall enter into force upon its publication in the Negarit Gazeta.

Addis Ababa, this 2nd day of October 1992.

TAMIRAT LAINE

Prime Minister of the

Transitional Government of Ethiopia

SCHEDULE I*Restricted Plants*

1. Acacia spp.
2. Allium spp. (bulbs)
3. Ananas comosus (excluding seeds)
4. Agave sisalana (excluding seeds)
5. Arachis hypogaea
6. Asparagus officinalis L. (excluding seeds)
7. Avena spp.
8. Beta spp. (excluding seeds)
9. Brassica spp. (excluding seeds)
10. Cajanus cajan (excluding seeds)
11. Camellia sinensis
12. Capsicum spp. (excluding seeds)
13. Carthamus tinctorius
14. Castanea spp.
15. Carica papaya (excluding seeds)
16. Cicer abietinum (excluding seeds)
17. Citrus spp. (excluding seeds)
18. Coffea spp.
19. Coniferae - Cupressus, Juniperus and Pinus
20. Cucurbitaceae (excluding seeds)
21. Cultures
Non-pathogens of plants including bacteria, fungi and nematodes
22. Curcuma domestica (excluding seeds)
23. Daucus carota (excluding seeds)
24. Dioscorea spp. (excluding seeds)
25. Elettaria cardamomum (excluding seeds)
26. Eucalyptus spp.
27. Fabaceae (excluding seeds)
28. Fresh fruit and vegetables
29. Fragaria spp. (excluding seeds)
30. Glycine max
31. Gossypium spp.
32. Gramineae (excluding seeds)
33. Hordeum spp.
34. Helianthus annuus L.

35. *Hibiscus cannabidis* (excluding seeds)
36. *Ipomoea batata*
37. *Lactuca sativa* (excluding seeds)
38. *Linum usitatissimum*
39. *Lycopersicon esculentum*
40. *Malus* spp. (excluding seeds)
41. *Mangifera* spp. (excluding seeds)
42. *Manihot esculenta*
43. *Medicago* spp.
44. *Musa* spp. (excluding seeds)
45. *Nicotiana* spp.
46. *Oryza sativa*
47. *Passiflora* spp. (excluding seeds)
48. *Persea americana* (excluding seeds)
49. *Phaseolus* spp. (excluding seeds)
50. *Phoenix dactylifera* (excluding seeds)
51. *Piper nigrum* (excluding seeds)
52. *Pisum sativum*
53. *Prunus* spp. (excluding seeds)
54. *Psidium guajava* (excluding seeds)
55. *Pyrus* spp. (excluding seeds)
56. *Ricinus communis*
57. *Rosa* spp. (excluding seeds)
58. *Rubus* spp. (excluding seeds)
59. *Saccharum officinarum* (excluding seeds)
60. *Secale cereale* L.
61. *Sesamum indicum*
62. *Solanum melongena* L. (excluding seeds)
63. *Solanum tuberosum* L.
64. *Sorghum* spp.
65. *Trifolium* spp.
66. *Triticum* spp.
67. *Ulmus* spp. (excluding seeds)
68. *Vicia faba*
69. *Vigna* spp.
70. *Vitis* spp. (excluding seeds)
71. *Zea mays* L.

72. *Zingiber officinale* Rosc. (excluding seeds)

SCHEDULE II

Prohibited Plants and other articles

1. Compost
2. Cultures of plant pathogens and plant disease specimens.
3. Live specimens of arthropod plant pests, snails and slugs.
4. Packing materials of plant origin which pose a quarantine risk as follows:
 - banana leaves, cereal straw, coffee hulls, cotton plants and plant parts and unprocessed cotton products, forest litter, leaves and stems of plants in general rice hulls, sugarcane plants and plant parts.
5. Soil, whether alone or attached to plants.
6. Weed species listed below:
 1. *Abutilon theophrasti* Medic
 2. *Aegilops cyclindrica* Host
 3. *Agropyron repens* (L.) Beauv.
 4. *Agrostemma githago* L.
 5. *Alectra orobanchoides*
 6. *Alectra Vogelica* Benth.
 7. *Allium vinea le* L.
 8. *Alopecurus myosuroides* Huds.
 9. *Amaranthus retroflexus* L.
 10. *Ambrosia* spp.
 11. *Aspodelus fistulosus* L.
 12. *Brachiaria plantaginea* (Link) Hitchc
 13. *Brassica kaber* (DC.) L.C. Wheeler
 14. *Cenchrus echinatus* L.
 15. *Cenchrus incertus* M.A. Curtis
 16. *Chondrilla juncea* L.
 17. *Chromolaena odorata* (L) R.M. King and H. Robi
 18. *Cirsium arvense* (L.) Scop.
 19. *Cuscuta* spp.
 20. *Digitaria sanguinalis* (L.) Scop.
 21. *Echinochloa crus - galli* (L.) Beauv.
 22. *Eichlorinoa crassipes* (Mart.) Solms
 23. *Elidea canadensis* Michx
 24. *Emex spinosa* (L) Campdera
 25. *Euphorbia marginata*
 26. *Euphorbia esula* L.

27. *Galium aparine* L.
28. *Hordeum jubatum* L.
29. *Hydrilla verticillata* (L.f.) Royle.
30. *Hypericum perforatum* L.
31. *Ipomoea hederacea* (L.) Jacq.
32. *Ischaemum rugosum* Sealisb
33. *Kochia scoparia* (L.) Roth
34. *Lactuca pulchella* (Pursh) DC.
35. *Lolium rigidum* Laud.
36. *Mikania micrantha*
37. *Mimosa inermis* L.
38. *Mimosa pigra* L.
39. *Mimosa pudica* L.
40. *Opuntia* spp.
41. *Orobanche* spp.
42. *Oryza punctata kolschy* ex steud
43. *Parthenium hysterophorus* L.
44. *Polygonum convolvulus* L.
45. *Rhus radicans* L.
46. *Rubus vulgaris* Weihe et Ness
47. *Rumex acetosella* L.
48. *Saccharum spontaneum* L.
49. *Salvinia molesta* D.S. Mitchell
50. *Setaria faberi* Herrm.
51. *Setaria viridis* (L.) Beauv.
52. *Sisymbrium altissimum* L.
53. *Solanum elaeagnifolium* Cav.
54. *Sonchus arvensis* L.
55. *Sorghum halepense* (L.) Pers.
56. *Spernacoce latifolia*
57. *Striga* spp.
58. *Ulex europaeus* L.

SCHEDULE III

List of Fees for Plant Quarantine Services

1. *Imports*

- (1) Inspection fees for imports of plants for consumption per entry permit Birr 20.00
- (2) Inspection fee for all imports of plants other than those specified in No. 1/1 of this schedule:
 - (a) if amount is less than 1 quintal; per certificate or entry permit Birr 10.00
 - (b) if amount is 1 to 10 quintals; per certificate or entry permit Birr 20.00
 - (c) if amount is above 10 quintals up to 1000 quintals; in addition to that specified in No. 2/b of this schedule, per every 10 quintals Birr 0.50
- (3) If those specified under No. /1/ or /2/ are found infested during inspection and require treatment; supervision fee per hourBirr 15.00
- (4) If the material imported requires post-entry quarantine screening:
 - (a) for seedling, grafts, cuttings up to 100 pieces; maintenance fee per pieceBirr 1.00
 - (b) for seeds up to 500; maintenance feeBirr 20.00
 - (c) if amount is above 500 seeds in addition to that specified in No. 4/b:
Per every 100 seedsBirr 2.00

2. *Exports*

1. For exports which require phytosanitary certificate after inspection:
 - (a) if amount is less than 1 quintal, per certificateBirr 10.00
 - (b) if amount is 1 to 10 quintals, per certificateBirr 20.00
 - (c) if amount is above 10 quintals up to 2000 quintals; in addition to that specified in No 1/b: Per every 10 quintalsBirr 0.50

- (d) for imports that are transit through Ethiopia Per certificateBirr 5.00
 - 2. If export item requires growth inspection while at the field, field inspection fee
Per dayBirr 20.00
 - 3. If export item requires active treatment, supervision fee per hourBirr 15.00
3. *Disposal*
- 1. If import and/or export consignment is decided to be disposed, supervision fee per hourBirr 15.00
 - 2. All transport and labour costs required during disposal will be covered by the importer or exporter