

**DECISION No.89/2002/QĐ-BNN OF OCTOBER
8, 2002 PROMULGATING THE REGULATION
ON PLANT QUARANTINE FOR IMPORTED
PLANT VARIETIES AND USEFUL ORGANISMS**

**THE MINISTER OF AGRICULTURE AND
RURAL DEVELOPMENT**

*Pursuant to the Government's Decree No.73/CP
of November 1, 1995 on the functions, tasks, powers*

and organizational apparatus of the Ministry of Agriculture and Rural Development;

Pursuant to the Government's Decree No. 58/CP of June 3, 2002 guiding the implementation of the Ordinance on Plant Protection and Quarantine;

At the proposals of the director of the Plant Protection Department and the director of the Science, Technology and Product Quality Department,

DECIDES:

Article 1.- To promulgate together with this Decision the Regulation on plant quarantine for imported plant varieties and useful organisms.

Article 2.- This Decision takes effect 15 days after its signing.

Article 3.- The director of the Office, the director of the Plant Protection Department, the director of Science, Technology and Product Quality Department and the heads of the units attached to the Ministry, and the concerned organizations and individuals shall have to implement this Decision.

**For Minister of Agriculture and
Rural Development
Vice Minister
BUI BA BONG**

REGULATION ON PLANT QUARANTINE FOR IMPORTED PLANT VARIETIES AND USEFUL ORGANISMS

(Issued together with Decision No. 89/2002/DQ-BNN of October 8, 2002 of the Minister of Agriculture and Rural Development)

Article 1.- Application scope and objects

1. This Regulation applies to plant quarantine

nationwide.

2. This Regulation applies to plant quarantine-liable objects being imported plant varieties and useful organisms.

Article 2.- Interpretation of terms and phrases

In this Regulation, the following terms and phrases shall be construed as follows:

1. *Plant varieties* mean seeds, tubers, stems and parts of plants, other plasma (tissue, embryo, cell), which are used as varieties.

2. *Plant varieties permitted for import* mean those on the list of plant varieties allowed for import, which are prescribed by the Ministry of Agriculture and Rural Development.

3. *New plant varieties imported for the first time*, mean those not on the list of plant varieties allowed for import, which are prescribed by the Ministry of Agriculture and Rural Development and imported for the first time into Vietnam.

4. *Useful organisms* means fungi, insects, animals and other organisms, which exert positive effect on plants or restrict harms caused by harmful organisms to plant resources.

Article 3.- Provisions on plant quarantine for plant varieties and useful organisms before they are imported

1. For plant varieties allowed for import

Organizations and individuals, that import plant varieties, must declare with the Plant Protection Department at least three days in advance.

2. For new plant varieties imported for the first time

a) Organizations and individuals, that import plant varieties, must submit the official dispatches of the Ministry of Agriculture and Rural Development (MARD) or the official dispatches with the Ministry's authorization permitting the import; the scientific names of the varieties; the files on varieties; the origins of varieties; pest components on varieties; plans on use of varieties; places for experimentation and other relevant papers (if any) to the Plant Protection

Department at least 10 days in advance.

b) The Plant Protection Department shall prescribe places for sowing or cultivation to monitor harmful pests and notify such to the object owners and plant quarantine offices at the import border gates at least 5 days in advance.

3. For imported useful organisms

a) Organizations and individuals, that import useful organisms, must submit the official dispatches of the MARD or the official dispatches with the Ministry's authorization permitting the import, the information on geographical distribution, biological and ecological characteristics, use purposes, places for multiplication growing and other relevant papers (if any) to the Plant Protection Department at least 10 days in advance.

b) The Plant Protection Department shall notify the object owners and import border-gate quarantine offices of the import of the above-said useful organisms at least 5 days in advance.

Article 4. - Provisions on plant quarantine for plant varieties and useful organisms at border-gates.

1. Checking dossiers

- The import plant quarantine permit;
- The plant quarantine certificate of the exporting country;
- Other relevant papers (if any);
- The plant quarantine registration paper (according to the set form in Decision No.82/2002/QĐ-BNN).

2. Inspection, sampling

a) Methods:

- For plant varieties being tubers, fruits: To comply with branch standard No.10 TCN 336-98: Plant quarantine- Methods of examining tubers and fruits on export, import or transit.

- For plant varieties being seeds: To comply with the branch standard No.10 TCN 337-98: Plant quarantine- Methods of examining assorted seeds on export, import or transit.

- For plant varieties being plants, branches, prouts: To comply with the branch standard No.10 CN 338-98: Plant quarantine- Methods of examining

plants on export, import or transit.

b) Sample treatment:

- Samples of plant varieties allowed for import, after being analyzed and expertised in term of pest components, must be partly kept at the border-gates; the remainder shall be sent to the post-import Plant Quarantine Center for sowing and growing in isolated plant quarantine areas. The entire lots of objects shall be brought to the registered places of cultivation.

- New plant varieties imported for the first time, after being analyzed and expertised in term of pest components, must be sent to the post-import Plant Quarantine Center for sowing and growing in isolated plant quarantine areas. The entire lots of objects shall be brought to places prescribed by the Plant Protection Department.

- For other plasma:

Inspecting at the border-gates 100% of the lots of objects. Not taking samples at border-gates. The entire lots of objects shall be brought to prescribed places.

- For useful organisms:

Inspecting at the border-gates 100% of the lots of objects. Not taking samples. The entire object lots shall be brought to prescribed places for multiplication culture.

3. Completing procedures

a) After the inspection, analysis and expertise, if the plant varieties meet all conditions for import, the plant quarantine offices at the border-gates shall grant plant quarantine certificates for import, export, transit and inland transportation (according to Form No.10 of Decision No.118/2000/QĐ-BNN-BVT of November 20, 2000 of the Minister of Agriculture and Rural Development).

b) Sending plant quarantine notices: After granting plant quarantine certificates for import, transit and inland transportation, the border-gate plant quarantine offices must send the plant quarantine notices:

- For plant varieties allowed for import: To the Plant Protection Department, Post-Import Plant Quarantine Center, Plant Protection Sub-Departments of the provinces where such plant varieties are sown or grown.

- For new plant varieties imported for the first time:

To the Plant Protection Department, the Post-Import Plant Quarantine Center, the Plant Quarantine Sub-Departments of regions under management, Plant Protection Sub-Departments of the provinces with places prescribed for sowing or growing such plant varieties.

- For useful organisms: To the Plant Protection Department, the Post-Import Plant Quarantine Center for monitoring and supervision in the course of multiplication culture of useful organisms.

4. Plant quarantine charges for imported plant varieties and useful organisms shall comply with the current regulations.

Article 5.- Provisions on post-import plant quarantine for plant varieties and useful organisms

1. For plant varieties permitted for import

- Monitoring diseases hidden under isolation conditions.

- Monitoring pest situation at the cultivation places.

2. For new varieties imported for the first time

- Monitoring diseases hidden under isolation conditions

- Post-import monitoring pests at the prescribed isolation places.

- After the period of monitoring, the plant quarantine offices shall have to reply whether such varieties can be put into production or not.

3. For useful organisms

- Monitoring the situation on the development of useful organisms at the prescribed multiplication culture establishments;

- Evaluating the effects and registered spectrum;

- After the monitoring duration (prescribed in Article 6), the plant quarantine offices shall have to reply whether such organisms can be used on a large scale or not.

Article 6.- The provisions on duration for monitoring pests causing harms to groups of new plant varieties, imported for the first time and imported useful organisms

Ordinal number	Groups of monitored plants, organisms	Monitoring duration
1	Seeds of perennial fruit trees	1 to 2 years
2	Grafted stems, grafted branches of fruit trees	1 to 2 years
3	Forestrial trees	1 to 2 years
4	Short-day industrial plants, pharmaceutical herbs	3 to 6 months
5	Perennial industrial trees, pharmaceutical trees	1 to 2 years
6	Food crops	6 months
7	Vegetable and subsidiary food crops	3 months
8	Tubular plants	1 growth cycle
9	Flower plants, ornamental plants	6 to 12 months
10	Grass, plants for green coverage	6 months
11	Other plasma	3 months
12	Useful organisms	1 year

Article 7.- Implementation provisions

If in the course of implementation any problems or new matters arise, organizations and individuals should promptly report them to the Plant Protection Department for synthesization and report to the MARD for settlement, appropriate amendment and/or supplementation to the Regulation.

**For Minister of Agriculture and
Rural Development
Vice Minister
BUI BA BONG**