

REVISED EDITION 1990

CHAPTER 43

PLANT PROTECTION REGULATIONS

Booklet 2

S.R.O. 88 of 1942

amended by

S.R.O. 128 of 1942

S.R.O. 8 of 1948

S.R.O. 54 of 1952

S.R.O. 5 of 1956

S.R.O. 16 of 1957

***S.R.O. 23 of 1971**

***S.R.O. 38 of 1980**

S.R.O. 9 of 1991

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Commencement: 4th August 1942

1. Citation. These Regulations may be cited as the Plant Protection Regulations.

2. Interpretation. In these Regulations, unless the context otherwise requires—

“Accountant General” includes any Treasury or customs officer authorised by the Accountant General to act in his behalf;

“British West Indies” means those islands in the Greater and Lesser Antilles which, on the 4th August, 1942, were British Islands, but does not include Bahamas, Belize, Bermuda or Guyana;

“fruit and vegetables” means any unprocessed plant or part thereof which is used for human food, except cereals and pulses;

“Leeward Islands” means those islands which, on the 4th August, 1942, were known as the Leeward Islands; “planting material” includes plants and all parts thereof for propagation or cropping, either for economic or ornamental purposes, including seeds, tubers, corms, cuttings, suckers, budwood and other parts of plants, but does not include cut flowers.

3. Importation of animals, plants, etc. No animal or vegetable organism or other agent, not known to be generally distributed in Saint Vincent and the Grenadines, which is or is believed to be inimical to the growth of plants shall be imported into Saint Vincent and the Grenadines, and no plant or other article or thing which is, or is likely to be, infected or infested with any organism or other agent as aforesaid shall, when imported, be delivered to or taken possession of by the consignee or owner thereof until it has been declared free from such infection or infestation by a plant protection officer.

4. Entry of plants, etc. (1) Plants, soil, dung, living insects, non-marine invertebrate animals or any accompanying containers or wrapping material brought to Saint Vincent and the Grenadines (except things specified in regulation 7 and their containers or wrapping material) shall only enter Saint Vincent and the Grenadines through the port of Kingstown which shall be the only port authorised for the entry of such material:

Provided that the Chief Agricultural Officer may grant a permit authorising the entry of any plant or other thing aforesaid through any other customs port of entry if, in his opinion, entry through such other port is desirable. Any such plant or other thing aforesaid shall be declared as such to the Accountant General at the port of entry, or at the Post Office in the case of packages arriving by mail, and shall be examined by a plant protection officer before delivery to the consignee, unless otherwise provided by these Regulations.

(2) Planting materials, except those specified in regulation 7, shall not be brought into Saint Vincent and the Grenadines by aeroplane, whether for importation or transshipment.

5. Examination of packages. It shall be the duty of all officers of the Customs Department to require a plant protection officer to examine any package which contains, or is suspected to contain, any plant or thing mentioned in regulation 4.

6. Fumigation, etc., of articles. (1) If, after examination of any plant or other thing to which regulation 4 applies, the plant protection officer considers that any such plant or thing is likely to infect any plant with any animal or vegetable organism or other agent which is, or is believed to be, inimical to the growth of plants, he may subject any such plant or thing to treatment as a precautionary measure against the introduction of any animal or vegetable or other agent as aforesaid, and may cause such plant or thing to be fumigated or otherwise disinfected, or to be destroyed completely or to the extent deemed necessary, in his presence. All cases and packages in which such plant or thing has been contained shall likewise be disinfected or destroyed.

(2) No compensation shall be payable in respect of the destruction of, or damage to, any plant or thing (including packages) as a result of the exercise of the powers conferred by this regulation.

7. Exemptions. The undermentioned articles shall be exempted from the provisions of regulation 4—

- (a) seeds of vegetables or ornamental plants from commercial seedsmen in the British Isles, Canada and the United States of America;
- (b) dry hulled rice;
- (c) grain or pulses;
- (d) citrus fruits from the United States of America and the British West Indies except the British Virgin Islands;
- (e) sweet potatoes from the British West Indies except Trinidad and Tobago;
- (f) other fruit and vegetables from the British Isles, Canada, the United States of America, the British and Dutch West Indies and the Virgin Islands of the United States of America;
- (g) nuts;
- (A) dried, canned, candied or other processed fruit and vegetables;
- (i) commercial yeast.

8. Liability of importers. The importation, detention and treatment of any plant or thing, to which regulation 4 applies, shall be entirely at the risk of the importer and all charges for storage, cartage and labour, incidental to inspection and treatment, other than the services of the plant protection officer, shall be borne by the importer.

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9. **Forfeiture and disposal.** Any article imported in contravention of these Regulations shall be forfeit to the Crown and shall be disposed of as the Chief Plant Protection Officer may direct.

10. **Importation of planting material.** (1) No planting material of the kinds or classes specified hereunder shall be imported into Saint Vincent and the Grenadines except under permit issued by the Governor-General with the concurrence of and in accordance with conditions prescribed by the Plant Quarantine Committee—

- (a) citrus or any other member of the family *Rutaceae*;
- (b) cocoa;
- (c) coconut;
- (d) cotton;
- (e) seeds of plant of the family *Gramineae* excepting sugar cane fuzz.

(2) No planting material of the kinds or classes specified hereunder shall be imported into Saint Vincent and the Grenadines except through the Plant Quarantine Station under permit of the Governor-General issued with the concurrence of the Plant Quarantine Committee—

- (a) planting material growing in or accompanied by soil;
- (b) banana, plantain and any other member of the *genus Musa Lina*;
- (c) all parts of all members of the family *Gramineae* (excluding sugar cane) excepting the seeds thereof;
- (d) all parts of the sweet potato from Trinidad and Tobago and South America.

(3) Planting material or any other part of the sugar cane shall not be imported into Saint Vincent and the Grenadines from any country or place, other than Barbados, except through the Plant Quarantine Station under permit issued by the Governor-General with the concurrence of the Plant Quarantine Committee.

(4) Planting material or any other part of the sugar cane shall not be imported into Saint Vincent and the Grenadines from Barbados except it has been prepared for despatch, and despatched directly to the Chief Agricultural Officer, by the Central Sugar Cane Breeding Station in Barbados at the request of the Chief Agricultural Officer.

11. **Restriction on the importation of fruit and vegetables.** (1) The importation into Saint Vincent and the

Grenadines of the fruit of the banana is prohibited except from the British West Indies.

(2) The importation into Saint Vincent and the Grenadines of citrus fruit is prohibited except from the United States of America and the British West Indies other than the British Virgin Islands.

(3) The importation into Saint Vincent and the Grenadines of all other fruit is prohibited except from the British Isles, Canada, New Zealand, the United States of America, the British and Dutch West Indies, Guyana and the Virgin Islands of the United States of America.

(4) The importation into Saint Vincent and the Grenadines of vegetables (other than plantains, onions and potatoes (*solanum tuberosum*) which may be imported from any source) is prohibited except from the British Isles, Canada, New Zealand, the United States of America, the British and Dutch West Indies, Guyana and the Virgin Islands of the United States of America:

Provided that in the case of the sweet potato the importation thereof from Trinidad and Tobago shall be subject to the provisions of regulation 10.

(5) Notwithstanding anything to the contrary contained in subregulation (4), the following vegetables, that is to say, beetroots, carrots and turnips, may be imported from Bermuda on the condition that all consignments of such vegetables shall be accompanied by a Government certificate stating that they have been examined at the port of shipment and that they and their containers are free from trash and soil.

12. Restriction on the importation of cotton, etc. (1) No cotton seed, seed cotton, cotton lint, cotton linters and any accompanying containers or packing material shall be imported into Saint Vincent and the Grenadines except from Trinidad and Tobago, Barbados, the Leeward Islands, Grenada, Saint Lucia and Dominica:

Provided that nothing in this subregulation shall prevent the importation into Saint Vincent and the Grenadines from any source of manufactured cotton goods, prepared cotton wool and other factory-processed cotton or of cotton lint and linters contained in factory-made mattresses or other manufactured articles.

(2) No cotton seed meal or cotton seed cake and any accompanying containers or wrapping materials shall be imported into Saint Vincent and the Grenadines except from the British Isles, Canada, Trinidad and Tobago, Barbados, the Leeward Islands, Grenada, Saint Lucia and Dominica.

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(3) Notwithstanding the provisions of subregulations (1) and (2), no cotton seed, seed cotton, cotton lint, cotton linters, cotton seed meal or cotton seed cake shall be imported into Saint Vincent and the Grenadines from Trinidad and Tobago, Barbados, the Leeward Islands, Grenada, Saint Lucia, or Dominica unless the Governor-General, with the advice and concurrence of the Plant Quarantine Committee, has previously granted a permit authorising such importation. Every such importation shall be subject to the conditions contained in the permit.

(4) No part of the cotton plant not specified in subregulations (1) and (2) or the accompanying containers or wrapping materials shall be imported into Saint Vincent and the Grenadines.

(5) No used or second-hand bags, sacks or baling material which have contained or are reasonably suspected to have contained any part of the cotton plant shall be imported into Saint Vincent and the Grenadines from the Republics of Cuba, Haiti, Santo Domingo, Mexico, Venezuela, Honduras or the United States of America.

(6) The following articles or things shall not be imported into Saint Vincent and the Grenadines from the Republics of Cuba, Haiti, Santo Domingo, Mexico, Venezuela, Honduras, Nicaragua, Guatemala, Salvador and Costa Rica or Belize—

- (a) any agricultural produce in bags or sacks;
- (b) pillows and bedding material, unless factory-made, which contain or have contained any part of the cotton plant.

(7) No pillows or bedding material, unless factory-made, which contain or have contained any part of the cotton plant shall be imported into Saint Vincent and the Grenadines from the United States of America.

13. Declaration by master and examination of vessel. (1) On arrival in Saint Vincent and the Grenadines the master of every vessel which has, at any time during preceding three calendar months, called at any port in the Republics of Cuba, Haiti, Santo Domingo, Mexico, Honduras, Nicaragua, Guatemala, Salvador and Costa Rica or Belize or in any of the following states of the United States of America, namely, Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia or Maryland, shall make a declaration to the Accountant General in the form set out in Part II of Form 1 of the Schedule, and no article whatsoever shall be landed in Saint Vincent and the Grenadines from any such vessel unless

the Accountant General has granted permission for such landing

(2) In the event of the master of a vessel declaring that such vessel has within the preceding three calendar months called at a port of a country named in subregulation (1) and that there is on board any of the articles or things specified in regulation 12, or in the event of any such articles or things being carried on any vessel arriving in Saint Vincent and the Grenadines, the Accountant General shall inform a plant protection officer accordingly in writing in the form set out in Form 2 of the Schedule, and it shall be the duty of the plant protection officer to board the vessel forthwith and to examine the vessel and any cargo or other articles on board and to determine to his satisfaction whether or not any cargo, baggage or other articles intended to be landed in Saint Vincent and the Grenadines are infested or are likely to be infested with the cotton boll weevil (*Anthonomus grandis*(Boheman)).

14. Procedure after examination. (1) If, after examination, the plant protection officer is satisfied that the cargo, baggage or other articles intended to be landed in Saint Vincent and the Grenadines are not infested with the cotton boll weevil, he shall notify the Accountant General accordingly in writing in the form set out in Form 3 of the Schedule, whereupon the Accountant General shall deliver to the master of the vessel a permit in the form set out in Form 4 of the Schedule and it shall thereupon be lawful, in so far as these Regulations are concerned, for such articles to be landed in Saint Vincent and the Grenadines.

(2) If, after examination, the plant protection officer has reason to suspect that the articles or things intended to be landed in Saint Vincent and the Grenadines are infested with cotton boll weevil, he shall at his discretion—

- (a) cause such articles to be fumigated in the vessel until he is satisfied that such infestation has been destroyed, and then notify [he Accountant General accordingly in writing in the form set out in Form 3 of the Schedule, whereupon the Accountant General shall deliver to the master of the vessel a permit in the form set out in Form 4 of the Schedule, and it shall thereupon be lawful, in so far as these Regulations are concerned, for the articles named in the permit to be landed in Saint Vincent and the Grenadines;

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- (b) cause such articles to be enclosed and sealed in his presence in insect-proof containers and to be brought ashore to a place specified by him where he shall cause the same to be fumigated to his satisfaction. On removing the articles as aforesaid in the manner prescribed, the plant protection officer shall notify the Accountant General accordingly in writing in the form set out in Form 3 of the Schedule, whereupon the Accountant General shall deliver to the master of the vessel a notice in the form set out in Form 5 of the Schedule informing him that no other articles or things of any description may be landed from such vessel; or
- (c) deliver a notice to the Accountant General, in the form set out in Form 3 of the Schedule, forbidding the landing in Saint Vincent and the Grenadines from the vessel of any cargo, any baggage or any other articles of any description, except mails which shall be landed in insect-proof containers, when in his opinion the infestation cannot be completely destroyed, and the Accountant General shall without delay deliver a notice, in the form set out in Form 6 of the Schedule, to the master of the vessel ordering him to remove the vessel forthwith to a distance not less than two miles from any point in Saint Vincent and the Grenadines.

15. Treatment of mail bags. (1) It shall be the duty of the Postmaster General to place all mail bags on arrival from the Republics of Cuba, Haiti, Santo Domingo, Mexico, Honduras, Nicaragua, Guatemala, Salvador and Costa Rica, and Belize unopened in a separate room or enclosed part of a room, specially adapted to the purpose, at the Post Office, and immediately to issue a notice to a plant protection officer in the form set out in Part I of Form 7 of the Schedule, notifying him of the arrival and isolation of such mail bags.

(2) It shall be the duty of the plant protection officer, on receipt of notice, to proceed to the Post Office at the earliest possible opportunity, and there, in the presence of the Postmaster General or his representative, to examine such mail bags and the contents thereof and to determine to his satisfaction whether or not such mail bags and their contents are infested with cotton boll weevil.

(3) If, after examination of the mail bags and the contents thereof, the plant protection officer is satisfied that there is no

infestation of cotton boll weevil, he shall give notice accordingly to The Postmaster General or his representative in the form set out in Part II of Form 7 of the Schedule, and shall hand over such mail bags and their contents to the Postmaster General or his representative for delivery in the usual manner.

(4) If, after examination of the mail bags and their contents, the plant protection officer has reason to suspect that such mail bags and their contents are infested with cotton boll weevil, he shall, at his discretion, subject any or all of the mail bags or their contents to fumigation until he is satisfied that the infestation has been destroyed. He shall then give notice accordingly to the Postmaster General or his representative in the form set out in Part II of Form 7 of the Schedule and shall hand over such mail bags and their contents to the Postmaster or his representative for delivery in the usual manner.

16. Importation of soil and dung. No soil or dung shall be imported into Saint Vincent and the Grenadines except through the Plant Quarantine Station under permit of the Governor-General issued with the concurrence of the Plant Quarantine Committee.

17. Importation of allspice, etc. Fruit and all parts of allspice (*Pimento, officinalis Lindl*), the bay tree (*Pimento, acris Kostel*) and of all other plants of the genus *Pimento* shall not be imported into Saint Vincent and the Grenadines from any island of the Greater Antilles.

18. Importation of coconut palm. The importation into Saint Vincent and the Grenadines of all parts of the coconut palm is prohibited unless the Governor-General, with the concurrence of and in accordance with conditions prescribed by the Plant Quarantine Committee, has previously granted a permit for such importation;

Provided that husked coconuts, copra and processed coconut fibre may be imported into Saint Vincent and the Grenadines from the British West Indies and Guyana.

19. Importation of banana, etc. The importation into Saint Vincent and the Grenadines of—

- (a) banana trash and pseudo-stems;
- (b) all parts of sugar cane (excluding megasse);
- (c) all parts of all members of the family *Graminaea*, except straw used as a packing material;

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(d) all parts of the sweet potato from Trinidad and Tobago and South America is prohibited, except when imported as planting material under the provisions of regulation 10.

SCHEDULE

FORM 1 Regulation 13, 14 and 15

PART I

(a) Here insert name of vessel.

To the master of the(a)

Under the provisions of the Plant Protection Regulations, you are required to declare whether your vessel has, at any time in the last three calendar months, called at any port or ports in the countries specified in Appendix I to this Form and, if so, to state whether or not any of the articles or things specified in Appendix II to this Form are carried on board your vessel.

I therefor call upon you to complete and to sign Part II of this form and I hereby forbid the landing in Saint Vincent and the Grenadines of any cargo, baggage or other articles whatsoever from your vessel without my written authority given in Form 4 as provided in the Schedule to the Plant Protection Regulations.

.....
Accountant General

Date

PART II Regulation 13 (1)

(b) Insert name of master.
(c) Insert name of vessel.
(d) Strike out words which do not apply.
(e) Insert name or names of ports.
(f) Insert name of country or state.

I, the undersigned(b)
the (c), hereby declare that the said
..... (c) has (d)/has not (d), within
the last three calendar months, called at(e)
a port in (f) a country or state
specified in Appendix I to this Form.

**I further declare that to the best of my knowledge and belief-
the vessel contains the following articles which are specified
in Appendix II hereof , namely-(g)**

(g) Strike out words
which do not apply

.....
.....

.....
Master of vessel

Date.....

APPENDIX I

The Republics of Cuba, Haiti, Santo Domingo, Mexico, Honduras, Nicaragua, Guatemala, Salvador and Costa Rica and Guyana, and the following States of the United States of America: Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, Maryland.

APPENDIX II

- 1. Any part of the cotton plant, including seed cotton, cotton seed, cotton lint, cotton linters, cotton seed meal, cotton seed cake or other parts of the cotton plant.**
- 2. Used or second hand bags, sacks or baling material.**
- 3. Agricultural produce contained in bags or sacks.**
- 4. Pillows or bedding materials, not factory-made, containing any part of the cotton plant.**

[Booklet 2]

FORM 2

Regulation 13 (2)

To the Plant Protection Officer.

I hereby notify you that the vessel(a)
 which arrived at the port of(b) at (c)
 on (d), has, according to the declaration of
 the master, within the last three calendar months called at a port of
 a country listed as infested with cotton boll weevil in regulation 13 (1)
 of the Plant Protection Regulations.

In accordance with regulation 13 (2) of the said Regulations, I
 therefore hereby call upon you to board the vessel without delay and
 to examine the vessel and any cargo or other articles on board and
 to take such action as is provided in regulations 13 (2) and 14 of the
 said Regulations.

.....
Accountant General

Date

-
 (a) Insert name of vessel.
 (b) Insert name of port.
 (c) Insert hour of arrival.
 (d) Insert date.

FORM 3

Regulation 14

To the Accountant General

I hereby notify you that, in accordance with your notice contained
 in Form 2 (provided in the Schedule to the Plant Protection Regu-
 lations), dated the day of , 19 , I have
 examined the vessel S.S. and the cargo, baggage
 and other articles contained therein and—

- = (a) I am satisfied that there is no infestation of cotton boll weevil
 in the said vessel, cargo, baggage or other articles.

I therefore grant permission, in accordance with the
 provisions of the Plant Protection Regulations, for landing
 all*/any part* of the cargo, baggage or other articles of the
 said vessel.

.....
 = Delete paragraphs not required.

* Delete words not required.

=(b) I have found the whole*/a part*/of the cargo, and* all*/a portion * of the baggage or other articles infested with cotton boll weevil and have fumigated the said articles and am satisfied that the infestation has been destroyed.

I therefore, grant permission, in accordance with the provisions of the Plant Protection Regulations, for landing all*/any part* of the cargo, baggage or other articles on the said vessel.

=(c) I have found the whole*/a part* of the cargo, and all*/a portion* of the baggage or other articles infested with cotton boll weevil and have removed such infested articles from the ship.

In accordance with the provisions of the Plant Protection Regulations, no other articles or things of any description may be landed from the said vessel.

=(d) I have found the infestation to be such that, in my opinion, it cannot be completely destroyed.

In accordance with the provisions of the Plant Protection Regulations, the master of the vessel must be ordered to remove the said vessel forthwith to a distance not less than two miles from the nearest point in Saint Vincent and the Grenadines.

Plant Protection Officer

Date.....

= Delete paragraphs not required. * Delete words not required.

FORM 4

Regulation 14

To the master of(a)

(a) Insert name of vessel

I hereby permit the landing in Saint Vincent and the Grenadines of a the following articles carried on board your vessel namely,

.....
.....
.....

.....
Accountant General

Date.....

[Booklet 2]

FORM 5

Regulation 14 (2)

(a) Insert name of vessel.

To the master of (a)

I hereby notify you that a plant protection officer has declared that he has found certain articles on your vessel infested with the cotton boll weevil (*Anthonomus grandis Boheman*) and that he has removed the infested articles in insect-proof containers to the shore for the purpose of destroying the infestation.

In accordance with the provisions of the Plant Protection Regulations, I hereby notify you that no other articles of any description may be landed from your vessel.

.....
Accountant General

Date

FORM 6

Regulation 14 (2)

(a) Insert name of vessel.

To the master of(a)

(b) Insert name and description of articles.

I hereby notify you that a plant protection officer has declared that (b) on your vessel are infested with the cotton boll weevil (*Anthonomus grandis Boheman*) in such a manner that the infestation cannot be completely destroyed to his satisfaction.

In accordance with the provisions of the Plant Protection Regulations I hereby call upon you to remove your vessel forthwith to a distance not less than two miles from any point in Saint Vincent and the Grenadines.

Dated this day of , 19, ata.m./p.m.

.....
Accountant General

PART I

To the Plant Protection Officer.

I hereby give you notice that (a) (a) Insert number.
bags of mails were received at (b) (b) Date and hour.
from (c) (c) Insert name of country.
and are being retained unopened in isolation at the Post Office pending examination by you in accordance with the provisions of regulation 15 of the Plant Protection Regulations.

.....
Postmaster General

Date
Time

PART II Regulation 15

Certificate of Examination

To the Postmaster General.

I hereby certify that the mail bags referred to in Part I of this Form were opened in my presence and that the bags and the contents have been examined by me.

- (a) I am satisfied that the bags and their contents are free from infestation of the cotton boll weevil, and I therefore grant permission for their delivery to the addressees in the usual manner. (a) and (b) Strike out whichever paragraph not applicable.
- (b) I am satisfied that the bags and their contents were infested with cotton ball weevil and that the said infestation has been destroyed to my satisfaction.

.....
Plant Protection Officer

Date
Time

