

Pursuant to Article 12 paragraph 5 of the Law on Plant Protection (Official Gazette of the Republic of Montenegro 28/06 and Official Gazette of Montenegro 28/11), the Ministry of Agriculture and Rural Development adopted the

RULEBOOK
ON PHYTOSANITARY MEASURES FOR PREVENTION OF INTRODUCTION,
SPREAD AND SUPPRESSION OF *Anoplophora chinensis* (Forster)*

Subject
Article 1

This Rulebook shall prescribe the phytosanitary measures for prevention of introduction, spread, and suppression of *Anoplophora chinensis* (Forster) and movement of designated plants.

Designated plants in the sense of this rulebook shall be the plants intended for planting, except for seeds, of the genera and species: *Acer*, *Aesculus hippocastanum*, *Alnus*, *Betula*, *Carpinus*, *Citrus*, *Corylus*, *Cotoneaster*, *Fagus*, *Lagerstroemia*, *Malus*, *Platanus*, *Populus*, *Prunus*, *Pyrus*, *Rosa*, *Salix* and *Ulmus*.

Introduction of designated plants
Article 2

Designated plants originating in other countries where *Anoplophora chinensis* (Forster) is present may be introduced in Montenegro if accompanied by the phytocertificate containing the data:

1) that the designated plants have been grown during the entire life cycle in the place of production entered in the phytocertificate, which is located in the area registered and controlled by the competent service for plant protection in the country of origin and which was established to be free of *Anoplophora chinensis* (Forster), in compliance with the corresponding International Standards for Phytosanitary Measures; or

2) that plants were grown during the period of at least two years prior to exportation, in the place of production established to be free of *Anoplophora chinensis* (Forster):

- which was registered and controlled by the competent service for plant health protection of the country of origin, and
- where at least two phytosanitary checks were performed per year, in the appropriate time, and no signs of presence of *Anoplophora chinensis* (Forster) have been found; and
- that plants were grown in the place:
 - a) which is physically completely protected from introduction of the *Anoplophora chinensis* (Forster); or
 - b) where the appropriate preventative treating is performed and which is surrounded by a safety area at least 2 km wide within which examinations are conducted on yearly basis, at the appropriate time for the purpose of finding the signs of presence of *Anoplophora chinensis* (Forster); and
- where, right before the exportation, phytosanitary check of the consignment of plants was conducted for the purpose of detecting the presence of *Anoplophora chinensis* (Forster), in particular, on the root and

trunk, and sampling, if needed, by destruction method for the purpose of laboratory testing, enabling detection of the infection level of 1% with certainty level of 99%.

Designated plants originating from other countries, which are known for presence of *Anoplophora chinensis* (Forster), may be introduced into Montenegro, on condition that in addition to requirements referred to in paragraph 1 of this Article, it meets the requirements referred to in items 9, 16 and 18 of the List III.A and items. 14, 15, 17, 18,19.2, 20, 22.1, 22.2, 23.1, 23.2, 32.1, 32.3, 33, 34, 36.1, 39, 40, 43, 44, 46 of the List IV.A, Section I of the regulation on phytosanitary measures for prevention of introduction, spread and suppression of harmful organisms and lists of harmful organisms on plants, plant products and regulated articles.

Designated plants meeting the requirements referred to in paragraphs 1 and 2 of this Article shall be subject to phytosanitary check in the place of introduction or in the place of the destination.

Phytosanitary check referred to in paragraph 3 of this Article shall be conducted by application of the destruction methods, in particular on the root and trunk of plants, for the purpose of establishment of presence of the *Anoplophora chinensis* (Forster), and, if needed, taking of samples for the purpose of laboratory testing.

Introduction of designated plants from China Article 3

Designated plants originating from China may be introduced in Montenegro only if it meets the requirements referred to in Article 2 of this Rulebook and if the phytocertificate contains the register number of the place of production which:

- is registered by the competent service for plant protection of China, into the register of producers, processors, importers, distributors and persons who are involved in storing of plants, plant products regulated articles and
- has not, in the past two years, been removed from the register, according to the European Commission report.

Destructive sampling of designated plants referred to in Article 2 paragraph 4 of this Rulebook, originating from China shall be conducted in compliance with the following table:

Number of plants in a batch	Level of sample taking by destruction method (number of plants which have to be cleft)
1 - 4500	10% of batch size
> 4500	450

Phytosanitary measures for suppression of *Anoplophora chinensis* (Forster) Article 4

When the presence of *Anoplophora chinensis* (Forster) is established in some are, the area where presence is established shall be marked (hereinafter referred to as: marked area).

Marked area referred to in paragraph 1 of this Article shall comprise the infected and safe areas.

Infected area referred to in paragraph 2 of this Article shall be the area where presence of *Anoplophora chinensis* (Forster) is confirmed and which includes the

designated plants showing signs of presence of *Anoplophora chinensis* (Forster) and designated plants which in the time of planting belonged to the same batch.

Safety area referred to in paragraph 2 of this Article shall be the area at least 2 km wide, including the boundaries of the infected area.

In case of establishment of presence of *Anoplophora chinensis* (Forster) the phytosanitary inspector shall order:

- in the infected area, chopping and destruction, including roots of all infected plants and plants showing signs of presence of (Forster) and plants which at the time of planting belonged to the same batch, every year before 30 April;
- in the marked area: active monitoring of presence of *Anoplophora chinensis* (Forster) by phytosanitary checks which are conducted annually on plants which are host plants to *Anoplophora chinensis* (Forster) at appropriate time;
- and other measures in compliance with the law.

In case of the first finding of *Anoplophora chinensis* (Forster) the boundary of safety area referred to in paragraph 4 of this Article shall be defined in the extent of at least 1 km from the boundary of the infected area.

In the marked area where the presence of *Anoplophora chinensis* (Forster) is not established in the four-year period, taking of phytosanitary measures determined by this Article shall cease.

Movement of designated plants Article 5

Designated plants originating from the marked areas in Montenegro may be moved in the territory of Montenegro if:

- it is accompanied by the plant passport and
- during the period of at least two years prior to movement, it was grown in the place of production which is registered and where two phytosanitary checks per year have been conducted in the appropriate time, including, if needed, the destruction method and sampling, on which occasion no signs of presence of *Anoplophora chinensis* (Forster) were found and that plants are grown in the place:
 - a) which is physically protected from introduction of *Anoplophora chinensis* (Forster); or
 - b) where preventative treatment are conducted and in the safety area annually, at the appropriate time, examinations are conducted for the purpose of detection of presence of *Anoplophora chinensis* (Forster).

Designated plants introduced from other countries which are known for presence of *Anoplophora chinensis* (Forster), may be moved within Montenegro only if the requirements referred to in paragraph 1 of this Article have been met.

Special surveillance Article 6

For the purpose of establishment of presence and prevention of spread of *Anoplophora chinensis* (Forster), systematic examination is conducted, i.e. special surveillance, within the annual programme of phytosanitary measures, in compliance with the law.

Transitional provision

Article 7

Provision of Article 4 paragraph 1 indent 1 of this Rulebook shall be applicable as of 1 January 2013.

Final provision Article 9

This Rulebook shall enter into force on the eight day from the day of publication in the Official Gazette of Montenegro.

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Podgorica, 09 February 2012

MINISTER

Tarzan Milošević

* Commission Decision of 7 November 2008 on emergency measures to prevent the introduction into and the spread within the Community of *Anoplophora chinensis* (Forster) and Commission Decision 2010/380/EU of 7 July 2010 was transposed in this Rulebook.