

Pursuant to Article 9 paragraph (3), Article 10 paragraph (5), Article 18 paragraph (2), Article 25 paragraph (6), Article 30 paragraph (5), Article 31 paragraph (2), Article 32 paragraph (3), Article 36 paragraph (3) and Article 37 paragraph (4) of the Law on Plant Health Protection (Official Gazette BiH, no. 23/03), Plant Health Protection Administration of Bosnia and Herzegovina hereby adopts the

**RULEBOOK
ON MEASURES TO PREVENT INTRODUCTION AND SPREAD, AND TO CONTAIN
HARMFUL ORGANISMS TO PLANTS, PLANT PRODUCTS AND REGULATED
OBJECTS**

CHAPTER I. GENERAL PROVISIONS

Article 1
(Subject matter)

The Rulebook lays down: the manner of inspection and detailed procedures during the import, export and transit; content of the application and conditions for the issuance of phytosanitary certificates for export and for consignments intended for re-export; records on consignments; measures and ways of destroying or other ways of treating plants, plant products and regulated objects; monitoring the health status of certain imported species of plants with the end-user.

Article 2
(Definitions)

(1) Terms used in the Law on Plant Health Protection (Official Gazette BiH, no. 23/ 03) (hereinafter referred to as the Law) are also used for the purpose of this Rulebook, and the terms used in this Rulebook shall have the following meaning :

- a) "European countries" - means all countries listed in Annex X, which is an integral part of this Rulebook ;
- b) "third country" - by the date of accession of Bosnia and Herzegovina to the European Union, all the countries from which the consignment of plants, plant products and regulated objects are imported shall be considered the third countries, and after that date, the third countries shall be considered all the countries other than the member states of the European Union;
- c) "harmful organism" - any species, biotype of plant, animal or pathogenic agent which is harmful to plants or plant products ;

- d) "consignment" shall mean certain quantity of plants, plant products and/or regulated objects that are transported from one country to another and that is accompanied by a phytosanitary certificate, and may consist of one or more parts in a single means of transport except postal shipments ;
- e) "country of origin (consignments of plants)" - a country where the plants grew;
- f) "country of origin (consignment of plant products)" - a country where the plants of which the plant products were made had grown;
- g) "country of origin (consignment of regulated objects) " – a country of regulated objects where the first exposure to contamination by harmful organisms took place;
- h) "lot" - the number or quantity of seed or planting material of agricultural plants of the same species, variety or category, which is recognizable by the source, and uniform in quality and homogeneity of composition .

CHAPTER II. IMPORT OF CONSIGNMENT

Article 3 (Import)

(1) Consignments of plants, plant products and regulated objects from List V Part B, Section I and List V Part B of Section II of Annex V of the Rulebook on the Lists of Harmful Organisms, Lists of Plants, Plant Products and Regulated Objects (Official Gazette BiH, no. 69/09) (hereinafter: Rulebook on Lists) that are intended to be imported in Bosnia and Herzegovina from the third countries shall be subject to mandatory control in accordance with Articles 25 and 26 of the Law.

(2) Mandatory control under paragraph (1) of this Article shall include:

- a) checking of documents;
- b) determining the identity of the consignment;
- c) health checks of the consignment, packaging and the means of transport.

Article 4 (Exceptions for import of small quantities)

(1) Small quantities of plants and plant products listed in List V Part B, Section I and List V Part B, Section II of Annex V of the Rulebook on Lists, which are native to European countries and that, in accordance with Article 18 paragraph (2) of the Law, carried in Bosnia and Herzegovina by private entities shall not be subject to mandatory control from Article 3 paragraph (1).

(2) Small amounts of plants and plant products according to this Rulebook shall be:

- a) fresh fruit and vegetables (except potatoes), with a total weight of up to five kg;
- b) cut flowers and plant parts bound in a bouquet or wreath, a bouquet or wreath;
- c) the seeds of flowers and vegetables (excluding seed potatoes) in the

- original packaging, a total weight of 100 grams, which is not intended for sale, a maximum of five packets;
- d) bulbs and tubers of ornamental plants, a total of up to three kg;
 - e) Christmas trees without roots, one piece;
 - f) indoor plants and potted plants (except bonsai tree), a maximum of three plants;
 - g) balcony plants and non-lignified ornamental shrubbery, a maximum of ten plants.

Article 5 **(Notice of consignment)**

(1) When a consignment of plants, plant products and regulated objects listed in the List V Part B , Section I and the List V Part B , Section II of Annex V of the Rulebook on Lists is intended to be imported in Bosnia and Herzegovina through the point of entry specified by the competent authority and the where phytosanitary inspection is not always present, but the mandatory control of shipment is performed on call (railroad , port, post office, airport), the importers , carriers or other authorized persons whom import / carry in such shipments from the third countries shall notice the arrival of such consignments at least one working day in advance, in writing by fax or electronically, exceptionally by a phone call, to the competent phytosanitary inspector .

(2) For the consignment that is expected to arrival at the border crossing on Monday, the notice to phytosanitary inspectors shall be submitted no later than Friday of the previous week during working hours .

(3) Notwithstanding paragraph (1) , the arrival of postal consignments and consignment carried in by passengers or personnel of means of transport does not have to be noticed.

Article 6 **(Application for mandatory control)**

(1) The importer or his authorized agent, carrier or other person who intends to import a consignment from Article 3 paragraph (1) of this Rulebook shall submit application to the competent phytosanitary inspector for mandatory control of the consignment at the point of entry, upon arrival of the consignment and during working hours. The application shall include all the documents that must accompany the consignment.

(2) Notwithstanding paragraph (1), postal shipments and shipments carried in by passengers or personnel of means of transport shall be reported by the customs service.

(3) The application form can be found in Annex I to this Rulebook.

Article 7 **(The phytosanitary certificate and phytosanitary certificate for re-export)**

(1) The phytosanitary certificate and phytosanitary certificate for re-export must, in addition to the conditions prescribed by the Law, fulfill the following requirements:

- a) to be completed in block capitals or printed letters, in one of the official

languages and alphabets of Bosnia and Herzegovina, English, French or German,

- b) contain an additional statement, if so specified in List IV Part A, Section I or List IV, Part B of Annex IV of the Rulebook on Lists that is written in the section "Additional declaration" referring to one of the special phytosanitary requirements listed in List IV (list, part, section, paragraph, sub-item, indent), for which the phytosanitary certificate confirms that this requirement has been met.
- (2) As equally valuable, regardless of its form and appearance, the original phytosanitary certificate or other instrument or document issued in a country which is not a signatory to the International Plant Protection Convention (hereinafter: the Convention) shall be accepted, provided that such certificate, instrument or document contains all the information contained in the forms of phytosanitary certificates prescribed by the Convention.
- (3) If there is acceptable evidence that the original phytosanitary certificate is lost or destroyed, the phytosanitary inspector may instead accept an official copy of the original phytosanitary certificate.
- (4) Phytosanitary certificates that are not in line with the Law, this Rulebook and the International Standard for Phytosanitary Measures No. 12 are not valid.

Article 8

(Documentary and identity checks of consignments)

- (1) Consignment identity is checked by comparing the contents of consignment to the data given in the accompanying documents and the labels on the package.
- (2) In the course of a documentary check the following shall be verified:
- a) whether the importer is registered in the register of producers, processors, importers and distributors of plants, plant products and regulated objects in line with the Law;
 - b) whether the consignment is accompanied by the proper and valid phytosanitary certificate;
 - c) whether the consignment contains plants, plant products and regulated objects from List III Part A of Annex III of the Rulebook on Lists, of which the import from certain countries is prohibited, or those from List III Part B of Annex III of the Rulebook on Lists in the case of import into certain protected zones from specific countries;
 - d) whether the consignment is labeled in line with phytosanitary standards adopted under the Convention;
 - e) whether the consignment intended for experiments, scientific research and selection of varieties, fulfills the conditions prescribed by the Law;
 - f) whether the importer of the consignment, for which it is prescribed, has a permit to import issued by the authorities;
 - g) proof of payment of the fee for a mandatory control
- (3) If the importer or his authorized representative does not enclose documents with a request for mandatory control, based on which they can identify all the data needed for identification of consignment under paragraph (2) of this Article, the phytosanitary inspector shall not exercise the required control of consignment.

(4) For seeds and planting material the documentation prescribed by the Law on Seeds and Planting Material of Agricultural Plants of Bosnia and Hercegovine (Official Gazette BiH, no. 03/05) is also required.

Article 9 (Health Check)

(1) In the course of a consignment health check the following shall be verified:

- a) whether the plants, plant products and regulated objects from Article 3 paragraph (1) of this Rulebook and their packaging or means of transport are infested by harmful organisms mentioned in List I Part A of Annex I of the Rulebook on Lists and List II Part A of Annex II to the Rulebook on Lists when imported into certain protected zones, and those listed in List I Part B of Annex I to the Rulebook on Lists and List II Part B of Annex II to the Rulebook on Lists;
- b) whether the plants, plant products and regulated objects meet the special phytosanitary requirements listed in List IV Part A Section I of Annex IV of the Rulebook on Lists, and in the case of imports into certain protected areas also those listed in List IV Part B of Annex IV of the Rulebook on Lists.

(2) When phytosanitary inspector during mandatory control of a consignment suspects infestation and takes samples of plants, plant products and regulated objects for the purpose of laboratory analysis in accordance with the Law, he shall make a record on samples taken and give a copy to the importer.

(3) When phytosanitary inspector estimates that the laboratory analysis from this Article, paragraph (2) of the Rulebook will take longer time, and there is no adequate storage space at the point of entry, he may, in consultation with the customs service, order by an interim decision that a consignment of plants, plant products or regulated objects coming from third countries, in addition to taking preventive measures, be transported to a destination inland of Bosnia and Herzegovina or any other place in its vicinity, or to the final destination, where it remains under customs supervision until the results of laboratory analyzes and mandatory control of consignment are completed.

(4) If the analysis results are negative the phytosanitary inspector will issue a final decision which will allow the import of consignment and customs clearance.

(5) If the results of the analysis are positive, the phytosanitary inspector shall issue a decision ordering one or more measures in accordance with the Law and regulations made under the Law. In this case, the border phytosanitary inspector who issued an interim decision from this Article, paragraph (3) of the Rulebook shall immediately notify their immediate supervisor and internal phytosanitary inspectors in the organizational units of Inspectorates in Entities and Brcko District of Bosnia and Herzegovina, which is nearest to the place of storage of the consignment to the territorial jurisdiction of phytosanitary inspection . In this case , the inland phytosanitary inspector will inspect the consignment and in the event that he finds the consignment was treated contrary to the measures ordered by the interim decision of border phytosanitary inspector , he shall make a record and forward it to the border phytosanitary inspector who shall issue a decision and order measures. Inland phytosanitary inspector shall monitor the implementation of the measures ordered by decision of the border phytosanitary inspector . He shall make record on the measures carried out and submitted a copy of it to the border phytosanitary inspector .

- (6) The competent phytosanitary inspector shall seal the taken sample referred to in paragraph (2) of this Article, with the official seal and using sealing tongs.
- (7) One side of the sealing tongs or official seal has imprinted mark "BA" (ISO code of Bosnia and Herzegovina), and the other side of sealing tongs has imprinted number of tongs and mark FI (phytosanitary inspection).
- (8) BiH Plant Health Administration (hereinafter referred to as: the Administration) is responsible to ensure the production and distribution of tongs and shall keep records on it.
- (9) Only authorized person is allowed to remove the official seal from paragraph (6) of this Article.
- (10) Record template from paragraph (2) of this Article is given in Annex II.

Article 10
(Other check points)

- (1) When there are not appropriate conditions for mandatory control of consignments at the border crossing, when access to all parts of the consignment is not possible, or samples from the consignment for inspection or laboratory analysis can not be taken, and provided that there is no risk of spreading of harmful organisms, the phytosanitary inspector shall only perform documentary check.
- (2) When a consignment of plants, plant products and regulated objects is carried into Bosnia and Herzegovina in the container over the point of entry where there are no conditions for inspection of container consignments, the phytosanitary inspector at the point of entry of such consignment shall only perform documentary check.
- (3) When upon documentary checking it is verified that the conditions of Article 8 paragraph (2) items a), b), d), e), f) and g) of this Rulebook are fulfilled, and that the consignment does not contain plants, plant products and regulated objects under Article 8 paragraph (2) c) of the Rulebook, the phytosanitary inspector shall approve by decision the transportation of the consignment referred to in paragraph (1) or containers referred to in paragraph (2) of this Article, under customs supervision to the officially designated warehouse or container terminal, where the identity and health check of the consignment shall be performed.
- (4) In the cases referred to in paragraphs (1) and (2) of this Article, the phytosanitary inspector at the point of entry shall write following text on the certificate/document that is used to initiate a customs procedure: "Mandatory control is not performed. Permission is granted to transport the consignment under customs supervision to the warehouse (container terminal) u (indicate location of the destination). Immediately after the arrival of the shipment notify the phytosanitary inspection in (specify the inspection office). "
- (5) After the phytosanitary inspector in the place of warehouse under paragraph (3) of this Article have performed checking of the consignment in accordance with Article 9 of this Rulebook and have stated that the prescribed requirements are fulfilled, he shall issue a decision allowing the clearance of the consignment.
- (6) When upon mandatory control the phytosanitary inspector determines that the consignment does not meet one or more of the conditions laid down in Article 25 and 26 of the Law, the phytosanitary inspector shall proceed in accordance with Article 11 paragraph (2), (3), (4) or (5) of this Rulebook.

Article 11

(Import permit, rejection of import and retention of consignment)

(1) When the mandatory control verifies that the conditions laid down in Article 25 and 26 of the Law are complied with, the phytosanitary inspector in accordance with Article 32 paragraph (1) of the Law shall issue a permit by summary administrative procedure to import consignments from third countries, in a way that he shall put stamp imprint with the following content on the phytosanitary certificate accompanying the consignment and a document that serves to initiate the customs procedure: Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, Federal Administration for Inspection Issues, Phytosanitary Inspection. Mandatory control performed. ENTRY/IMPORT allowed. Date : Place of entry : " and put his seal and signature, and Bosnia and Herzegovina, Republic of Srpska, the Republic Administration for Inspection Issues, Phytosanitary Inspection . Mandatory control performed . ENTRY/IMPORT allowed. Date: Place of entry : " and put his seal and signature, and Bosnia and Herzegovina, Brčko District of Bosnia and Herzegovina, Office of the Mayor, Phytosanitary Inspection . Mandatory control performed . ENTRY/IMPORT allowed. Date : Place of entry : " and put his stamp and signature .

(2) When upon mandatory control it is found that the consignment does not meet one or more of the conditions laid down in Article 25 and 26 of the Law, the competent phytosanitary inspector shall detain the consignment and by decision order one or more measures in accordance with Article 81 paragraph (1) items 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17 and 18 of the Law.

(3) In the case referred to in paragraph (2) of this Article, the competent phytosanitary inspector shall put stamp imprint on the document used to initiate a customs procedure with the following content: "Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, the Federal Administration for Inspection Issues, Phytosanitary Inspection. CONSIGNMENT DETAINED. Date Point of Entry: " or Bosnia and Herzegovina, the Republic of Srpska, Republic Administration for Inspection Issues, Phytosanitary Inspection. CONSIGNMENT DETAINED. Date Point of Entry " or Bosnia and Herzegovina, Brčko District of Bosnia and Herzegovina, Office of the Mayor, Phytosanitary Inspection. CONSIGNMENT DETAINED. Date: Point of Entry:

(4) In the event that the phytosanitary inspector by decision orders one of the measures referred to in Article 81 paragraph (1) item 1 and 2 of the Law, then he shall put the indication "IMPORT BANNED" on the document that serves to initiate the customs procedure. In this case the phytosanitary inspector clearly marks the front of the original phytosanitary certificate or phytosanitary certificate for re-export with red triangular stamp, by which the certificate becomes invalid

(5) In the central part of the triangular stamp from the previous paragraph it is indicated "CERTIFICATE CANCELLED"; on the lower leg it is indicated "certificate canceled" in English language; on the left leg there is a mark of the Phytosanitary Inspection of Republic of Srpska, or the Federation of Bosnia and Herzegovina, or Brčko District of Bosnia and Herzegovina; on the right leg there is a mark of Bosnia and Herzegovina. The inscription is printed in red capital letters, in one of the official languages and alphabets of Bosnia and Herzegovina. Below the stamp, the phytosanitary inspector from the previous paragraph puts facsimile imprint and his signature.

(6) Stamp models referred to in paragraphs (1), (3) and (5) are given in Annexes III, V and VI.

(7) The Administration shall purchase and distribute free of charge to the Inspectorates of Entities and Brčko District of Bosnia and Herzegovina the required number of stamps referred to in paragraphs (1), (3) and (5) of this Article and stamps referred to in Article 21 paragraph (2) of this Rulebook.

Article 12

(Entry/import of partially infested consignment)

(1) Notwithstanding the provisions of Article 11 paragraphs (2) and (4) of the Rulebook, when the phytosanitary inspector by checking the health status of the consignment has found that only part of the consignment is infested by harmful organisms listed in the List I Part A of Annex I of the Rulebook on Lists, or that part of the plants or plant products listed in the List II, part A of Annex II to the Rulebook on Lists is infested by harmful organisms listed in that Part of the same List, and when entering into certain protected zones, by harmful organisms listed in List I Part B of Annex I or List II, part B of Annex II to the Rulebook on Lists, the phytosanitary inspector shall issue a permit for the remaining part of the consignment to enter, provided that no infestation is suspected for that part the consignment and there is no risk of spreading of harmful organisms.

(2) The phytosanitary inspector shall treat the infested part of the consignment in accordance with Article 11 Paragraph (2) of this Rulebook.

Article 13

(Suspicion of infestation by other harmful organisms)

When the phytosanitary inspector during mandatory control of a consignment carried in from third countries suspects the presence of harmful organisms not listed in List I Part A of Annex I and List II Part A of Annex II to the Rulebook on Lists, and whose presence has not been established in Bosnia and Herzegovina, he shall detain the consignment and immediately and in the fastest possible way inform the competent Phytosanitary Inspectorate of entities or Brčko District of Bosnia and Herzegovina, and they shall notify the Administration. The Administration shall decide upon further measures based on the assessed risk of introduction and spread of harmful organisms.

Article 14

(Import/entry of unreported consignment)

(1) When the customs service finds that the consignment coming from a third country contains plants, plant products and regulated objects listed in List III Parts A and B of Annex III to the Rulebook on Lists or List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists, and for that shipment the application for mandatory control has not been submitted, it shall immediately notify the phytosanitary inspection to perform the mandatory control.

(2) When phytosanitary inspector finds that the consignment of plants, plant products and regulated objects listed in List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists entered / was imported into the territory of Bosnia and Herzegovina, he shall notify the responsible inspectorate, which will further on notify the Administration, and if required, the competent customs office. Such a consignment can not be opened or relocated without the approval of the competent phytosanitary inspectors, and mandatory control is carried out at a place approved by the competent inspectorate.

(3) If the police or any other relevant inspection services within the country discovers and temporarily or permanently seize unreported imported / carried in consignment or in-transit consignment of plants, plant products and regulated objects from List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists, which are imported into Bosnia and Herzegovina subject to mandatory control in accordance with Art. 25 and 26 of the Law, shall notify the nearest Phytosanitary Inspection of the competent body of Entities or Brčko District of Bosnia and Herzegovina to carry out mandatory control. After the mandatory control and laboratory findings are completed the phytosanitary inspection notifies the customs office which sets forth measures for the consignment. If laboratory findings establish that the consignment is infested by harmful organisms from List I Part A of Annex I to the Rulebook on Lists and List II Part A of Annex II to the Rulebook on Lists, the phytosanitary inspector shall issue a decision which orders one of the measures to destroy it pursuant to Article 28 of this Rulebook.

Article 15 **(Special conditions of import)**

Those plants, plant products and regulated objects listed in List V Part B of Annex V to the Rulebook on Lists are also subject to mandatory control when entering from third countries:

- a) into free customs zone or customs free warehouse;
- b) into Bosnia and Herzegovina for re-export
- c) for which the customs office decided upon destruction measures
- d) that the customs confiscated in misdemeanor proceedings and intends to put for sale;
- e) of which the owners have given up in favor of the budget of Bosnia and Herzegovina.

Article 16 **(Import / carrying in consignments of BiH origin)**

(1) Consignments of plants, plant products and regulated objects listed in List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists that originated from Bosnia and Herzegovina and are returning to Bosnia and Herzegovina, not necessarily accompanied by a phytosanitary certificate for re-export of the country from which the consignment is returned, if the date of issuance of phytosanitary certificates that accompanied the export from Bosnia and Herzegovina is not older than 14 days, and under condition that the shipment in this timeframe was not unloaded or otherwise exposed to the risk of subsequent infestation by harmful organisms.

(2) Consignments referred to in paragraph (1) above must be accompanied by the original phytosanitary certificate issued in Bosnia and Herzegovina or its copy.

(3) Consignments of plants, plant products and regulated objects listed in List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists that originated from Bosnia and Herzegovina and return to Bosnia after more than 14 days from the date of issuance of the phytosanitary certificate for export, are subject to mandatory control and are treated in the same way as consignment from third countries.

(4) Consignments of plants, plant products and regulated objects listed in List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists, for which by decision of the phytosanitary inspector of the importing country or countries of transit, the import is banned and return is ordered to Bosnia and Herzegovina, are subject to control in the way prescribed in Article 10 this Rulebook if there is no risk of spreading of the harmful organisms. The phytosanitary inspector who has territorial jurisdiction to receive consignment in place from where it was addressed will accept the consignment, inspect the consignment, decide upon measures and monitor their implementation. He shall make record on implemented measures and submit it to the border phytosanitary inspector who allowed the transport of the consignment.

If the phytosanitary inspector assesses that there is a risk of spreading of the harmful organisms, in accordance with the risk assessment, he shall proceed in accordance with the relevant provisions of Article 11 of this Rulebook.

CHAPTER III. EXPORT OF CONSIGNMENTS

Article 17

(The power to issue a phytosanitary certificate)

Phytosanitary inspector of the competent inspection in entities and Brčko District of Bosnia and Herzegovina is authorized to issue a phytosanitary certificate in accordance with Article 80 paragraph (1) item 11 of the Law.

Article 18

(Application for the issuance of phytosanitary certificates)

(1) If the importing country or a transit country require that the consignment be accompanied by a phytosanitary certificate, in accordance with Article 36 of the Law, the exporter or his authorized representative shall submit a written request to the phytosanitary inspector for issuing phytosanitary certificates intended for export, at least 24 hours before loading.

(2) The application referred to in paragraph (1) of this Article shall be submitted in writing and other documents accompanying the consignment shall be enclosed to the application.

(3) The application for a phytosanitary certificate for re-export must be accompanied by the original phytosanitary certificate which accompanied the consignment when carried in from a third country.

(4) The application form for issuing a phytosanitary certificate is given in Annex VII.

Article 19
(Conditions for issuing a phytosanitary certificate)

- (1) Phytosanitary inspector shall perform the required control of consignment at the point of loading prior to the issuance of phytosanitary certificates. Without the consent of the phytosanitary inspector loading of plants, plant products and regulated objects shall not commence.
- (2) Notwithstanding paragraph (1) of this Article, mandatory control of consignment may be, when there is a legitimate reason, carried out at the point of exit from Bosnia and Herzegovina, provided that it is not a consignment of plants intended for seeding or planting.
- (3) When the mandatory control verifies that the requirements of the importing country or, in the case of transit, countries through whose territory a shipment is in transit, the phytosanitary inspector shall issue a phytosanitary certificate.
- (4) When upon mandatory control phytosanitary inspector finds the requirements of the importing country or countries through whose territory a consignment is in transit or else, transport and packaging do not meet the requirements for export, the phytosanitary inspector shall reject by decision the request for issuance of a phytosanitary certificate.

CHAPTER IV. TRANSIT

Article 20
(Consignments in transit)

- (1) Mandatory controls in accordance with Article 37 paragraphs (1) and (2) of the Law is not required for consignments of plants, plant products and regulated objects listed in List V Part B Section I and List V Part B Section II of Annex V to the Rulebook on Lists, which are in transit through the customs territory of Bosnia and Herzegovina.
- (2) Notwithstanding the provisions of paragraph (1) of this Article, consignments of wood that are in transit through the customs territory of Bosnia and Herzegovina if they are transported in an open means of transport shall be subject to mandatory control.
When the mandatory control verifies that the conditions laid down in Article 25 of the Law, the phytosanitary inspector shall in summary administrative procedure allow transit of consignment through customs territory of BiH by putting stamp imprint on the document used to initiate the customs procedure with the following contents : "Bosnia and Herzegovina, Republic of Srpska, the Republic Administration for Inspection Issues, Phytosanitary Inspection. Mandatory control performed . TRANSIT / TRANSPORT allowed . Date of entry Place", and he shall stamp and sign. (The stamp model is given in Annex IV). "Bosnia and Herzegovina, Federal Administration for Inspection Issues, Phytosanitary Inspection. Mandatory control performed. TRANSIT / TRANSPORT allowed. Date of entry Place ", and he shall stamp and sign. (The stamp model is given in Annex IV). "Bosnia and Herzegovina, Brčko District of Bosnia and Herzegovina, Office of the Mayor, Phytosanitary Inspection. Mandatory control performed. TRANSIT / TRANSPORT allowed. Date of entry Place", and he shall stamp and sign. (The stamp model is given in Annex IV) .

(3) Consignments referred to in paragraph (1) of this Article which are stored, divide, combine with other consignments, repackaged or packaged in a way that did not exclude the risk of introduction and spread of harmful organisms, are not considered to be consignments in transit and they are treated in the same way as consignments imported (carried in) from third countries.

(4) When the Customs Service establish one or more of the cases referred to in paragraph 3 of this Article they shall immediately notify the phytosanitary inspectors.

(5) If in the course of transport of consignment in transit an accident occurs due to which the consignment has to be reloaded within the customs territory of Bosnia and Herzegovina, the nearest phytosanitary inspector shall be immediately notified. Phytosanitary inspector shall treat such a consignment as an imported consignment, in accordance with Article 3 of the Rulebook. The costs incurred shall be borne by the carrier or authorized representative.

(6) After the transit customs office gets back transit customs document, the phytosanitary inspector shall request an official copy of this document on the basis of which he shall determine whether the shipment left the customs territory of Bosnia and Herzegovina, and thus close the case.

CHAPTER V. RECORDS ON CONSIGNMENTS

Article 21

(Records on completed mandatory control of consignments)

(1) Phytosanitary inspection establishes and maintains records on registered, inspected and detained consignments of plants, plant products and regulated objects which are imported from third countries, exported or in transit. The records also contain other relevant data (measures undertaken, the quantity of inspected goods, etc.)

(2) Records shall be kept in electronic form and in writing in the appropriate format.

(3) Form and content of the records are given in Annex VIII.

CHAPTER VI. MONITORING OF HEALTH STATUS OF CERTAIN SPECIES OF PLANTS INTENDED FOR PLANTING THAT ARE CARRIED IN / IMPORTED FROM THIRD COUNTRIES

Article 22

(Plants intended for planting that is subject to monitoring)

(1) Plants intended for planting, genera and species *Amelanchier* L., *Castanea* Mill., *Chaenomeles* Lindl., *Cotoneaster* Ehrh., *Citrus* L., *Cartaegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* L., *Mespilus* L., *Platanus* L., *Prunus* L., *Pyracanthia* Roem., *Pyrus* L., *Rubus* L., *Sorbus* L. *Stranvaesia* Lindl. and *Vitis* L. *Juglans* L. (hereinafter referred to as: plants that are subject to monitoring of health status after planting) which is carried in from third countries are subject to monitoring of health status after planting, at the end user's place.

(2) Carrying in plants that are subject to monitoring of health status after planting from third countries in quantities less than 100 plants per cadastral plot is not allowed.

(3) Notwithstanding the provisions of paragraph (2) of this Article, the Administration, in certain cases, at the proposal of the competent authorities of the Entities and Brčko District of Bosnia and Herzegovina, may issue a decision permitting carrying in of the plants referred to in paragraph (1) above in the quantities less than 100 plants per cadastral plot.

Article 23

(Carrying in / import of the consignments of plants subject to monitoring of health status at the end-user's place)

(1) When a consignment of plants that are subject to monitoring of health status after planting is carried in / imported from third countries, the importer is obliged, in addition to the application for mandatory control under Article 6 paragraph (1) of this Rulebook, which is submitted to the phytosanitary inspector at the point of entry, to enclose the information about the end user, cadastral municipality and cadastral plot number on which the plants will be planted, and which is imported by specifying the species, varieties and number of plants that will be planted on the cadastral plot.

(2) After performing the mandatory control and after the issuance of the import permits, the phytosanitary inspector constitutes a record on carrying in of plants from a third country into Bosnia and Herzegovina which are subject to monitoring of health status after planting.

(3) The record referred to in paragraph (2) of this Article shall be made in five copies. Copies shall be given to the importer, the end user, the phytosanitary inspector who will monitor the health status of the plant and the Administration, one copy each, and one remains in the archives of the phytosanitary inspector who performed the mandatory inspection.

(4) Record form is given in Annex IX.

Article 24

(Duration and method of monitoring the health status at the end-user's place)

(1) Competent phytosanitary inspector shall monitor the health status of plants imported into Bosnia and Herzegovina that are subject to monitoring of health status after planting, at the registered cadastral plot of the end-user in the area of a certain radius around the plot, and during one vegetation period at least. Vegetation period is the period of active growth of the plant. Minimum two health inspections shall be carried out in one growing period.

(2) Monitoring of the health status referred to in paragraph (1) of this Article means verification of the following:

- a) species, varieties and number of plants that are grown in a specific cadastral plot;
- b) health status of cultivated plants during the growing season, including the necessary laboratory analyzes performed by the laboratory to which the Administration issued the authorisation to carry out these tasks in accordance with Article 68 of the Law;
- c) health status of host plants of the harmful organism *Erwinia amylovora* (Burill) Winslow et. al. in the zone of 500 m around the cadastral plot on which the carried in/imported plants were planted, and which are subject to monitoring of health status after planting;

d) health status of host plants to other harmful organisms listed in List I Part A of Annex I of the Rulebook on Lists and List II Part A of Annex II to the Rulebook on Lists, which appear on the plants of species and genera listed in Article 23 paragraph (1) of this Rulebook, in the area of 100 m around the cadastral plot on which carried in/imported plants were planted that are subject to monitoring of health status after planting;

(3) When during monitoring of health status of plants from Article 23 paragraph (1) it is found that they are infested by the harmful organisms listed in List I Part A of Annex I of the Rulebook on Lists or List II Part A of Annex II to the Rulebook on Lists, the phytosanitary inspector shall order the prescribed measures to contain and prevent the spread of the harmful organism and he shall notify the competent authority and the Administration.

(4) During the monitoring of the health status of plants listed in Article 23 paragraph (1) it is not allowed to propagate the plant or its parts, take the plant out of the cadastral plot or move it to another cadastral plot without permission of the Administration.

(5) Permission referred to in paragraph (4) of this Article shall be issued upon proposal of the competent inspection body of Entities or Brčko District of Bosnia and Herzegovina in the form of a decision.

(6) Phytosanitary inspector who monitors the health status of plants that are subject to monitoring keeps a log/record of inspections carried out. The log/record shall be made in four copies. One copy shall be given to the end user, one to the competent authority of the Entities or Brčko District of Bosnia and Herzegovina, one to the Administration, and one copy shall be archived by the phytosanitary inspector.

CHAPTER VII. PHYTOSANITARY MEASURES

Article 25

(Preventive measures)

(1) Without the presence or consent of a phytosanitary inspector it is not allowed to open and inspect a consignment of plants, plant products and regulated objects listed in List III Annex III of the Rulebook on Lists and List V of Annex V of the Rulebook on Lists that are carried in from third countries, nor is it allowed to do sampling from such consignments.

(2) Carriers, importers, customs services and other inspection services are required, in order to prevent the spread of harmful organisms, to prevent opening, checking and taking samples from consignments under paragraph (1) of this Article.

(3) Customs Service is the exception to the provision of paragraph (1), which may open and inspect postal consignment and consignments carried in by travelers without the presence or consent of a phytosanitary inspectors, in order to verify the content of the consignment.

Article 26

(Disinfestation and disinfection)

(1) Phytosanitary inspector orders by decision disinfection or disinfestation of plants, plant products and regulated objects, when he estimates that such measures could prevent the spread of

harmful organisms and he decides which measures can be carried out by the owner or user, and which ones can be carried out by legal or natural persons engaged in measures of containment and eradication of harmful organisms on the basis of a license for provision of public services issued by the Administration (hereinafter referred to as "providers of public services in the field of plant health")

(2) When the phytosanitary inspector ordered the measures referred to in paragraph (1) of this Article which can only be done by a provider of public services in the field of plant health, and these measures are carried out using the plant protection products, and must be carried out only by legal and natural persons in accordance with Article 35 Paragraph (2) of the Law on Plant Protection Products of Bosnia and Herzegovina (Official Gazette, No. 49/04) authorized for public service, or else if implemented using other methods and procedures - only natural and legal persons in accordance with Article 66 of the Law.

(3) Phytosanitary inspector shall supervise the implementation of the measures referred to in paragraph (1) of this Article

Article 27 **(Eradication)**

(1) When a phytosanitary inspector by decision orders the measure of eradication, the eradication is done by the following methods:

- a) the eradication by incineration is used for seed, woody plants for planting, timber and packing material. Incineration is done in incinerators or in special pits or at such places where fire can be properly controlled;
- b) PPPs are used for eradication of herbaceous plants or leafy plants that are then buried or plowed;
- c) the burial is applied to eradication of roots and tubers, bulbs and rhizomes of plants, packaging materials and other plants, plant products and regulated objects which can not be destroyed in any other way. Plants, plant products and regulated objects or packaging materials are buried in a pit and covered with a layer of earth of at least 1m that is to be pressed and leveled with the surrounding soil. The pit must be far enough away from water sources and streams in accordance with the assessment made by the phytosanitary inspector in relation to risk factors in terms of transmission of harmful organisms, and on the basis of available scientific, professional and technical data about the nature of pests and soil types. Place of burial must be clearly marked and prohibit for growing any plants on the site for at least three years;
- d) plants that are propagated by vegetative means and which has not yet formed their reproductive organs shall be eradicated by plowing or use of alternative mechanical means.

(2) Phytosanitary inspector shall determine the place, the way of eradication and the deadline for the execution of eradication measures, in accordance with the methods prescribed in this Article. Any eradication measure is carried out in the presence and under the supervision of a phytosanitary inspector.

(3) The owner of plants, plant products and regulated objects bear the costs of enforcement measures ordered, in accordance with Article 58 of the Law.

CHAPTER VIII. INTERIM AND FINAL PROVISIONS

Article 28

(Application for the issuance of a phytosanitary certificat)

Until the implementation of the provisions of Articles 38 , 39 , 40 , 41 , 42 , 43 , 44 , 45 , 46 , 47 , 48 , 49 , 50 , 80 , paragraph (1), item 6) and 10), Article 81 , paragraph (1) item 9) , 10) and 12), Article 84 , paragraph (1), item n) , o) , p) and q) , and Article 85 paragraph (1) item d) , e) and f) of the Law , exporters of seeds and plants intended for sowing and planting are required to accompany the application for the issuance of phytosanitary certificates with a certificate on health status of agricultural crops for seed production, facilities for the production of seedlings of perennial plants , issued in accordance with the Rulebook on Mandatory Health Checks of Crops and Facilities, Seeds and Planting Material of Agricultural and Forest Plants (Official Gazette of SFRY, No. 52/ 86 and 3/87) taken with the Regulation that has legal force (Official Gazette of BiH, No. 2 / 92 and 13/94) for the Federation of Bosnia and Herzegovina, and for the Republic of Srpska - Rulebook on Mandatory Health Checks of Crops and Facilities, Seeds and Planting Material of Agricultural and Forest Plants (Official Gazette of the Republic of Srpska, No. 9/ 98) and Certificate on the health status of consignments of plants moving in domestic traffic (Official Gazette of the Republic of Srpska, No. 5/ 98) .

Article 29

(Forms of phytosanitary certificates)

(1) Until the adoption of a new form of a phytosanitary certificate the existing forms of phytosanitary certificat shall be used, in which the text in the column 10 reads as follows:

"(10) This is to certify that the described plants or plant products inspected in accordance with appropriate procedures, are considered to be free from quarantine harmful organisms, and practically any other dangerous organisms, and they are considered to conform with the current phytosanitary regulations of the importing country. "

(2) Until the adoption of a new form, the phytosanitary certificate for re-export, the existing form of phytosanitary certificate for re-export shall be used, in which the text in the column no. 10 reads as follows:

» (10) Hereby it is confirmed that the specified plants or plant products imported into Bosnia and Herzegovina (country of re-export) of (country of origin), where it was accompanied by a phytosanitary certificate number, of which:

* original, certified copy enclosed to this certificate,

- That is * packed in repacked in the original packaging new packaging,

- Based on the * original phytosanitary certificate and additional inspection it is considered to conform with the current phytosanitary requirements of the importing country and

- That during storage in Bosnia and Herzegovina (country of re-export) the consignment has not been subjected to the risk of infestation or infection.

(3) To fill in a phytosanitary certificate referred to in paragraph (2) of this Article one shall * put a cross in the appropriate box. "

Article 30

(Monitoring of the health status of plants that are subject to monitoring of health status after planting, at the end user's place)

(1) Monitoring of the health status of plants that are subject to monitoring of health status after planting, which commenced prior to the entry into force of this Rulebook, shall continue in accordance with the provisions of Art. 23, 24 and 25 of this Rulebook.

(2) Provisions of the Articles of this Rulebook relating to the monitoring of the health status of plants that are subject to monitoring of health status after planting shall cease to apply to plants, plant products and regulated objects from European countries on the day of accession of Bosnia and Herzegovina to the European Union.

Article 31

(The requirements for disinfection and disinfestation)

Until the implementation of the provisions of the Law on Plant Health Protection and the Law on Plant Protection Products of Bosnia and Herzegovina, legal persons engaged in the control and eradication of harmful organisms in agriculture and forestry, which are authorized by the competent authorities of the Entities and Brčko District of Bosnia and Herzegovina can perform disinfection and disinfestation.

Article 32

(Instructions for performing the mandatory control)

(1) While performing the mandatory control, in addition to the provisions of this Rulebook, phytosanitary inspectors shall follow the instructions issued by the Administration.

(2) Instructions referred to in paragraph (1) of this Article are an integral part of the Manual for Phytosanitary Inspectors.

Article 33

(Regulations that shall cease to have effect)

At the beginning of the application of this Regulation, all the provisions of the Entities and Brčko District of Bosnia and Herzegovina on plant protection measures to prevent the introduction, spread and containment of harmful organisms shall cease to have effect.

a) Republic of Srpska:

Rulebook on eradication of the plants for which the measures of eradication were ordered (Official Gazette of the Republic of Srpska, No. 3/98), Rulebook on Plant Health Checks in traffic across the borders of the Republic of Srpska (Official Gazette of the Republic of Srpska, No. 6/98), Order prohibiting the import and transit of certain species of plants and deciding on quarantine supervision of certain species that are imported for cultivation (Official Gazette of the Republic of Srpska, No. 6/98), Lists of quarantine and economically harmful plant pests and diseases (Official Gazette of the Republic Srpska, No. 6/98);

b) Federation of Bosnia and Herzegovina:

Rulebook on eradication of plants for which the measures of eradication were ordered (Official Gazette of SFRY, No. 4/78), Rulebook on plant health checks in cross-border traffic (Official Gazette of SFRY, No. 59/91); Order on speaces of seedlings of imported perennial plants subject to monitoring of health status at the end-user's place and the conditions of the monitoring (Official Gazette of SFRY, No. 64/91); Order prohibiting the import and transit of certain species of plants and determining quarantine supervision of certain species of plants that are imported for cultivation (Official Gazette of SFRY, No. 59/91).

Article 34

(The register of producers, processors, importers and distributors of plants, plant products and regulated objects)

Until the adoption of the Rulebook on the registers at the level of Bosnia and Herzegovina in accordance with the Law, Article 8 paragraph (2) item a) of this Rulebook shall not apply.

Article 35

(Date of entry into force of the Regulation)

This Regulation shall enter into force eight days after its publication in the Official Gazette of BiH.

Number UZZB-01-1- /11
_____ 2011
Sarajevo

Director

Radenko Radović