

**Government of Georgia Resolution No. 404 of July 2, 2020**

**"On the approval of the Technical Regulation for the control measures against the potato flea beetle species: *Epitrix cucumeris* (Harris), *Epitrix papa sp. n.*; *Epitrix subcrinita* (Lec.), and *Epitrix tuberis* (Gentner)"**

**Article 1**

In accordance with Article 75, Paragraph 2 of the Code on Food/Animal Feed Safety, Veterinary, and Plant Protection, as well as Article 56, Paragraph 1 and Article 58, Paragraph 2 of the Code on Product Safety and Free Movement, the attached "**Technical Regulation – Rules for Combating Potato Flea Beetle Species: *Epitrix cucumeris* (Harris), *Epitrix papa sp. n.*; *Epitrix subcrinita* (Lec.), and *Epitrix tuberis* (Gentner)**" shall be approved.

**Article 2**

This resolution shall enter into force on January 1, 2024.

**Prime Minister:** Giorgi Gakharia

**Article 2. Definition of Terms**

1. For the purposes of these rules, the following terms shall have the following meanings:
  - a) **Harmful organisms** – Potato flea beetle species: *Epitrix cucumeris* (Harris), *Epitrix papa sp. n.*, *Epitrix subcrinita* (Lec.), and *Epitrix tuberis* (Gentner);
  - b) **Demarcation** – The establishment of boundaries for infected and buffer zones using various barriers (such as pastures, forests, roads, rivers, etc.), fencing, plowing, and the placement of visible information regarding harmful organisms.

**Article 3. Import of Potato Tubers into the Country**

1. The import of ***Solanum tuberosum* L.** tubers (including those intended for planting) from countries where harmful organisms are present is permitted only in accordance with the requirements set forth in **Annex No. 1, Part I, Section 1** of these rules, titled "*Specific Requirements for the Import of Potato Tubers into the Country and Conditions for Their Movement within the Country.*"
2. Upon import, potato tubers must be inspected in accordance with **Annex No. 1, Part I, Section 5** of these rules.

**Article 4. Movement of Potato Tubers Within the Country**

1. Potato tubers grown within the country in a **designated demarcated potato production area** (as defined in Article 9 of these rules) and packaged either on the same site or at facilities defined under Article 6 may be moved within the country **only if they meet the requirements set forth in Annex No. 1, Part II, Section 1**, titled "*Conditions for the Movement of Potato Tubers Within the Country.*"  
Potato tubers grown in a **demarcated production area** may be transported to a **packing facility located in the surrounding area of this demarcated territory**, provided that the requirements set out in **Annex No. 1, Part II, Section 1** and **Article 6** of these rules are met. These potato tubers may be stored at the packing facility.
2. The **National Food Agency** (hereinafter referred to as "the Agency"), a public legal entity under the **Ministry of Environmental Protection and Agriculture of Georgia**, responsible for state control, must:
  - a) Monitor potato tubers for the **presence of harmful organisms** and signs of infection caused by them, through inspections of **potato crops and, if necessary, other host plants**, including fields within **at least a 100-meter radius around the packing facility**;

- b) Conduct **awareness-raising activities** to inform the public about the risks posed by harmful organisms and the measures required to **prevent their introduction into the country and their spread near packing facilities**.
3. Potato tubers imported from countries where harmful organisms are present may only be moved within the country if they meet the conditions set forth in **Annex No. 1, Part II, Section 3** of these rules.

#### **Article 5. Requirements for Transportation Means, Packaging, Machinery, and Soil Residue**

1. Until the fulfillment of **Annex No. 1, Part II, Subsection "b"**, any means of transport used to move potato tubers grown in demarcated areas must be properly cleaned and disinfected in the following cases:
  - a) Before moving the tubers from the demarcated area;
  - b) Before leaving the packing facility.
2. Machinery used to process potato tubers at the packing facility must be disinfected and cleaned after each use.
3. Soil or other residues removed from potato tubers must be disposed of in a manner that prevents the spread of harmful organisms outside the demarcated area.

#### **Article 7. Investigations and Notifications Related to Harmful Organisms**

1. A business operator involved in potato cultivation must investigate the potato production area and other host plants to detect the presence of harmful organisms.
2. In the event of detecting harmful organisms on potato tubers or signs of infection caused by these harmful organisms, the operator must immediately notify the **Agency**.

#### **Article 8. Authority and Responsibilities of the Agency**

1. The Agency is authorized to:
  - a) Grant the right to a business operator to pack potatoes grown in the designated demarcated potato production area;
  - b) Conduct annual monitoring of the potato production area and verify the records;
  - c) Collect data on the designated demarcated potato production areas and describe the measures taken in these areas.
2. The Agency is obligated to:
  - a) Confirm the absence of harmful organisms in the potato production area and cancel the demarcation;
  - b) Implement the measures specified in **Annex No. 2, "Determining the Potato Production Demarcated Area and Measures to be Applied,"** Section II, titled *"Measures to be Applied in the Potato Production Area."*

#### **Article 9. Demarcation of Potato Production Area and Measures to be Applied**

1. If investigations of the potato production area, as specified in **Article 7** of these rules, confirm the presence of harmful organisms or signs of their presence, the **Agency** must immediately demarcate the potato production area. According to **Annex No. 2, "Determining the Potato Production Demarcated Area and Measures to be Applied,"** **Part I**, titled *"Determination of the Potato Production Demarcated Area,"* this area must include both the infected zone and the buffer zone. The Agency must then implement the appropriate measures as outlined in **Annex No. 2, Part II** of these rules.
2. The **Agency** must keep records of the demarcated areas and the measures applied within these areas until the demarcation is lifted.

## Annex No. 1

### Specific Requirements for the Importation of Potato Tubers into the Country and Conditions for Their Movement within the Country

#### Part I

##### Specific Requirements for the Importation of Potato Tubers into the Country

1. When importing potato tubers produced in a country known to have harmful organisms, they must be accompanied by a phytosanitary certificate in the "Additional Declaration" section of the phytosanitary certificate, the information specified in paragraphs 2 and 3 of this section must be indicated.
2. The phytosanitary certificate must contain the information specified in either subparagraph "a" or "b" of this section:
  - a) The potato tubers were grown in a pest-free zone established by the National Plant Protection Organization of the exporting country in accordance with the requirements of international standards for phytosanitary measures.
  - b) The potato tubers have been washed or cleaned in such a way that no more than 0.1% of soil remains, or they have undergone appropriate treatment to eliminate the risk of pest dissemination.
3. The phytosanitary certificate must also include the following information:
  - a) The potato tubers are free from harmful organisms or any signs of infestation caused by them, and during an official inspection conducted immediately before export, they contained no more than 0.1% soil.
  - b) The packaging material used for the importation of the potato tubers is clean.
4. When the information specified in subparagraph "a" of paragraph 2 of this section is provided, the name of the pest-free area must be indicated in the "Place of Origin" section of the phytosanitary certificate.
5. Potato tubers imported in accordance with paragraphs 1–4 of this section must be inspected by the Revenue Service, a legal entity of public law under the governance of the Ministry of Finance of Georgia. The inspection must take place either at the border inspection point upon entry or at the designated destination, in compliance with this regulation and the requirements of the Georgian Government's Resolution No. 463 of September 20, 2019, on the "Approval of the Rules for Phytosanitary Border-Quarantine and Veterinary Border-Quarantine Control," to confirm that they meet the requirements established by Georgian legislation.

#### Part II

##### Conditions for the Movement of Potato Tubers Within the Country

1. Potato tubers produced in designated potato production demarcated areas may only be moved from these areas to non-demarcated areas under the following conditions:
  - a) The potato tubers are produced in registered production sites in accordance with the **Government of Georgia's Decree No. 619**, dated December 29, 2016, on "*Approval of Obligations for Business Operators Producing, Processing, or Distributing Plants, Plant Products, and Other Phytosanitary Regulated Objects, and Their Registration Procedures*"; or they are produced by a registered business operator, or removed from a registered warehouse or distribution point;
  - b) The potato tubers are washed or cleaned in a manner that leaves no more than 0.1% soil, or they have been treated by an appropriate method ensuring that there is no risk of spreading harmful organisms;
  - c) The packaging material used for transporting the potato tubers is clean.
  - d) A plant passport is placed on the packaging of the potato tubers in accordance with the requirements of Georgian legislation.
2. For the transportation of potato tubers to a packing facility, the following conditions must be met in addition to **Article 5, Paragraph 1** and **Part 1, Subparagraph "a"** of this section:

- a) The potato tubers must be grown in a field that has undergone insecticide treatment against harmful organisms during the potato cultivation period;
  - b) An inspection of the field must have been carried out before harvesting, and no harmful organisms were detected;
  - c) The business operator must notify the **Agency** in advance about their intention to move the potato tubers, along with the expected date of transport;
  - d) The transfer of the potato tubers to the packing facility must be carried out using a closed transport vehicle or with closed and clean packaging to prevent the spread of harmful organisms;
  - e) The potato tubers must be accompanied by a document indicating the origin and destination of the potato tubers during transportation to the packing facility;
  - f) Upon arrival at the packing facility, the potato tubers must immediately undergo treatment, as specified in **Part 1, Subparagraph "b"** of this section.
3. Potato tubers imported from countries where one or more harmful organisms are known to exist may only be moved within the country if they are accompanied by a plant passport, in accordance with the requirements of Georgian legislation.

## **Annex No. 2**

### **Establishment of Potato Production Demarcated Area and Measures to Be Implemented Therein**

#### **Part I**

#### **Determination of the Potato Production Demarcated Area**

1. The potato production demarcated area must consist of an infected zone and a buffer zone.
2. In cases where multiple buffer zones overlap or these areas are geographically close to each other, it may be possible to demarcate a single territory, which would include the relevant demarcated areas and the territory between them.
3. When determining the boundaries of the infected zone and the buffer zone, the Agency must consider the following factors: the biology of harmful organisms, the degree of infection, the spread of host plants, the confirmation of the presence of harmful organisms, and the natural ability of harmful organisms to spread.
4. If harmful organisms or signs of infection caused by them are detected on potato tubers outside the infected zone, the boundaries of the infected zone and buffer zone should be reviewed and modified accordingly.
5. If, based on the investigations outlined in Article 7, Section 1 of these rules, no harmful organisms or signs of infection caused by harmful organisms are detected on potato tubers within a potato production demarcated area for two years, the Agency is required to confirm that no harmful organisms remain in the potato production area and to revoke the demarcation.

#### **Part II**

#### **Measures to be Taken in Potato Production Areas**

1. In the demarcated potato production areas, the Agency must, at a minimum, carry out the following measures:
  - a) **Elimination or Localization of Harmful Organisms:** This includes treatment and disinfection, and, if necessary, the prohibition of planting host plants.
  - b) **Monitoring of Potato Tubers:** Through inspections, the presence of harmful organisms or signs of infection caused by these harmful organisms must be checked.
  - c) **Supervision of Potato Tubers Movement:** Oversight must be carried out regarding the movement of potato tubers from the demarcated territory.