



***Guideline on Import of Soil for Industrial and Commercial purpose other
than for Agriculture Use - 2019***

**BHUTAN AGRICULTURE AND FOOD REGULATORY AUTHORITY (BAFRA)
MINISTRY OF AGRICULTURE AND FORESTS
2019**

FOREWORD

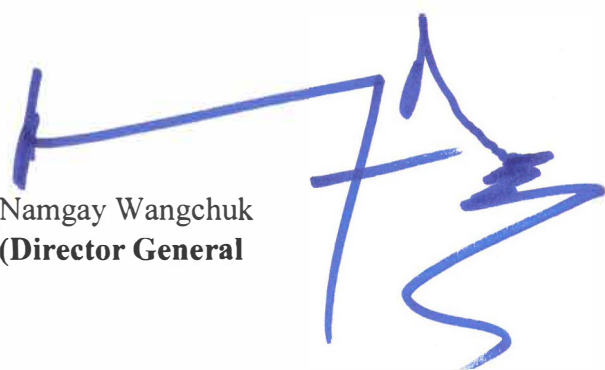
The Plant Quarantine Rules and Regulations of Bhutan 2018 restricts the import of soil from any foreign land, even to the extent of movement within its territories. Soil is a regulated article because it can easily provide a pathway for the introduction of a variety of dangerous organisms into the country. To safeguard the farming system and environment as a whole, the import of soil is permitted only for few entities with prescribed conditions.

The Bhutan Agriculture and Food Regulatory Authority (BAFRA) under the Ministry of Agriculture and Forests (MoAF) as the designated organization mandated to implement Plant Biosecurity measures in the country has to review the current status of soil import regulations.

The import of soil has to be considered without compromising the plant Biosecurity of the country. This “***Guideline on Import of Soil for Industrial and Commercial purpose other than for Agricultural Use 2019***” is intended to inform the stakeholders on the import requirements for soil and guiding against intended use once imported into the country. Furthermore, this Guideline is primarily premeditated to protect health of plants and animals including the National biodiversity from risks of entry, introduction and spread of exotic pests and diseases associated with import of soil.

BAFRA is pleased to bring forth this Guideline for effective implementation of Plant Biosecurity measures in the country. And at the same time we acknowledge the support and cooperation received from the relevant stakeholders during the process of developing this Guideline.

Namgay Wangchuk
(Director General)



CHAPTER I

PRELIMINARY

With evolution of industries and factories, the need to import raw materials from other countries is inevitable to fill the gap of unavailability of raw materials in the country. The soil is one such indispensable raw material imported by the industries and factories into the country due to lack of required soil quality in the country.

However, in accordance with Plant Quarantine Act 1993 and Plant Quarantine Rules and Regulations of Bhutan 2018, the soil is one of the regulated articles for import into the country. The reason being, soils harbour millions of soil microbes such as bacteria, fungi, nematodes, algae, protozoa, earthworms, mites, insects and other soil microbes that are either beneficial or pathogenic in nature that may endanger the plant Biosecurity of the country.

As such, the import of even a small quantity of soil without proper quarantine measures may import harmful or invasive soil microbes into the country, which might pose detrimental threats to agricultural production and environment thus affecting the livelihoods of the farmers.

Therefore, to prevent or curb the entry, spread and establishment of exotic soil microbes associated with soil importation, this guideline has been developed to facilitate the importer to abide by the conditions prescribed in this guideline. It will also be a guiding tool to BAFRA for effective implementation of soil import thereof, contributing to the objective of Biosecurity policy of the kingdom of Bhutan 2010, ***“Protect Bhutan’s agricultural production system from the pest and diseases”***.

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Title, commencement, scope and application

1. This guideline shall be called “**Guideline on Import of Soil for Industrial and Commercial purpose other than for Agriculture Use - 2019**”
2. This guideline shall come into force on **September 1, 2019**
3. The scope of this guideline shall cover:
 - i) Soil imported for industrial and commercial purpose other than agricultural use.
4. This guideline shall not cover:
 - i) Soil imported under Rule 25 (1), (2), (3) and Rule 26 of the Plant Quarantined Rules and Regulations of Bhutan, 2018.
5. Objective:
 - i) Enable BAFRA to effectively regulate the imported soil for industrial and commercial purpose other than for agricultural use.
 - ii) To provide guidance to the importer in application, registration process and handling of imported soil.

CHAPTER II REGISTRATION PROCEDURE

6. Any industrial and commercial company intending to import soil shall register with respective BAFRA field offices along with the following documents:
 - i) A copy of valid business license
 - ii) Recommendation letter from Concerned Authority /Membership Certificate
7. Upon registration with BAFRA, the importer shall process application at least one week in advance with the nearest BAFRA field office as per **Annexure I**.
8. BAFRA field office shall process the import application within three working days to head office.
9. BAFRA head office shall process for approval from the Minister, MoAF. Upon approval, the import permit shall be issued by the BAFRA head office as per **Annexure II**.
10. The importer shall declare every consignment at the designated entry point and BAFRA officials at the site shall verify and record.
11. In the event of detection of suspicion pest(s) in the consignment, BAFRA inspector shall take samples for laboratory analysis to ensure import of only safe and quality soil.
12. Until the test report is satisfactory the consignment shall be detained at the quarantine premises of BAFRA.
13. The importer shall produce one time soil test report from a recognized/credible laboratory to ensure that soil imported is of intended quality.

Terms and Conditions.

14. The importer shall import soil in properly sealed container or barrel or tarpaulin sheet to avoid any spillage of soil during the process of transporting into the country.
15. The importer shall be equipped with proper storage facilities with cemented floor to avoid direct contact of the imported soil with native soil.

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16. The importer shall ensure that their staff does not use the imported soil for any purpose other than the intended purpose.
17. BAFRA officials shall strictly monitor in their respective jurisdiction to ensure that imported soil is used only for the intended purpose.
18. The used soil shall not be disposed on agricultural or forest land and shall be disposed properly as per the National Environment Protection Act, 2007.
19. Failure to abide by the conditions prescribed in this guideline shall be dealt as per Rule 53A (*Amendment Notification of the Plant Quarantine Rules and Regulations of Bhutan, 2018 dated April 9, 2019*).

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**CHAPTER III
MISCELLANEOUS**

Amendment

20. This guideline shall be amended as and when deemed necessary

Definition

21. In addition to the definitions mentioned therein the Plant Quarantine Act 1993 and Plant Quarantine Rules and Regulations of Bhutan 2018, the following terms shall have the meaning ascribed to them in this guideline:

Commercial Purpose Import Permit	Something related to doing business or for business purposes. Official document authorizing importation of a commodity in accordance with specified phytosanitary import requirements
Industrial Purpose:	An industry is a group of manufacturers or businesses that produce a particular kind of goods or services.
Pest	Any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products
Soil	Any medium such as earth or compost in which plants can grow or be propagated or which may serve to harbor any pests.
Intended use	Declared purpose for which plants, plant products or other articles are imported, produced or used.
Industrial Purpose:	An industry is a group of manufacturers or businesses that produce a particular kind of goods or services.
Commercial Purpose:	Something related to doing business or for business purposes

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Annexure I



རྒྱལ་ཡོན་ལྷན་ཁག་གི་
སྐྱེ་ནས་དང་ནགས་ཚལ་ལྷན་ཁག་
འབྲུག་སྐྱེ་ནས་དང་ཟོ་སྤྱོད་ལྷན་ཁག་
Royal Government of Bhutan
Ministry of Agriculture and Forests
Bhutan Agriculture and Food Regulatory Authority (BAFRA)



APPLICATION FOR ISSUANCE OF PERMIT TO IMPORT SOIL

The Director General,
Bhutan Agriculture and Food Regulatory Authority,
Ministry of Agriculture,
Thimphu.

The undersigned hereby applies for a permit authorizing the import of soil as per details given below:
(Please type write in BLOCK LETTERS)

Name: Address:

E-mail: Telephone number:

Trade License No.

Details of consignment

Sl.No.	Common Name	Quantity

Use additional sheet if required

Origin or source of soil:

Address of supplying agency:

Means of conveyance:

Place of entry:

Final destination:

Expected date of arrival:

Place:

* Signature of Applicant

Date:

Seal

* Application to be signed by the Head of the institution.

= If the consignment is for commercial purpose attach copy of valid trade license

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Annexure II

IMPORT PERMIT FOR SOIL

No.HO/S/000

This Import Permit is granted in accordance with the Plant Quarantine Act of Bhutan 1993 and the Plant Quarantine Rules and Regulations of Bhutan 2018.

Name and Address of the Importer	Name and Address of the Exporter
Entry Point	Country of origin
Soil Type	Quantity (Wt/No.)
Final Destination	Expected date of arrival
General Entry Conditions The consignment of soil should be:	
Special Entry Conditions/ Additional Declaration:	
PEQ requirements	
Date of Issue:	Name and signature of Authorized Officer
Valid until	
Place of Issue:	