Modified by:
M1 Arrêté n° 169 CM du 17 février 2017, JOPF n° 16 N du 24/02/2017 à la page 2360
M2 Loi du pays n° 2025-24 du 12 août 2025, JOPF n° 190 N du 12/08/2025 à la page 5

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ASSEMBLY
OF
FRENCH POLYNESIA

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COUNTRY LAW No.2013-12 of 06 May 2013

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regulating, for protection purposes in matters of biosecurity, the introduction, import, export and inter-island transport of living organisms and their by-products.

After the opinion of the Economic, Social and Cultural Council,
The Assembly of French Polynesia has adopted, and
The President of French Polynesia promulgates the country law that reads as follows:

TITLE I
General provisions

Chapter I
Scope of application, definitions

Article LP 1 – The definitions provided hereinafter and in the Schedule of this law apply to this document and to the texts adopted for its enforcement:

- regulated item: any plant, plant product, animal, animal product, storage place, packaging, transport means, container, earth, waste including onboard waste, ballast water and any other organism, object or equipment likely to carry or disseminate organisms that are harmful to plants or pathogenic micro-organisms that are harmful to animals, and which justify phyto or zoosanitary measures according to the case, including these harmful organisms and pathogenic micro-organisms, and also species that are a threat for biodiversity, especially for in all matters concerning international and inter-island transports;
- biosecurity: strategic and integrated approach to analyse and manage the risks on the health of animals and plants, and the associated risks for the environment, life and health of human beings;
- export: the shipping of goods outside the customs territory of French Polynesia;
- import: the fact of placing goods under the customs regime of release for consumption;

- introduction: physical action consisting in causing goods to enter the customs territory of French Polynesia. The goods are always subject to customs inspections and are intended either for import, or for export, or for destruction;
- goods: items carried during trade exchanges or for other reasons;
- living organism: any living organism except human beings;
- by-product: any product made from animals or plants;
- competent authority: the competent authority(ies) responsible for biosecurity.

Article LP 2 – The aim of this Country Law is to regulate the introduction, import into French Polynesia and the inter-island transport of regulated items with the aim of preventing the import and spreading of organisms that are harmful to the health of plants and animals, of species threatening biodiversity and of foodstuffs that present a hazard to human health. For the purpose of protecting third countries, it also regulates the export of the regulated items that are covered by such protection.

Article LP 3 – In order to meet the purpose thus defined, this Country Law lays down the requirements regarding the introduction and import into French Polynesia, export out of French Polynesia and inter-island transport of regulated items. It also defines the methods of control to ensure compliance with such requirements.

Chapter II

Consultative Committee for Biosecurity

Article LP 4 – A Consultative Committee for Biosecurity is set up in French Polynesia. Its role is to give an opinion regarding any matter relating to the protection of plants and animal health on the territory of French Polynesia which is forwarded to it by the Government and, more generally, to make any proposals in this area. In particular, its opinion is sought regarding the establishment and modification of lists of organisms harmful to plants and animal communicable diseases, of goods authorised for import and inter-island transport, and the applications for derogation provided for by this Country Law. In case of emergency, it can even refer to itself matters in the area of its competence.

Article LP 5 – The Consultative Committee is a body comprising on the one hand competent representatives and organisms of French Polynesia and persons who have skills in health protection, and, on the other hand, representatives of the relevant civil society and the relevant professional organisations. When consulting the French Government or municipalities is necessary, the Committee Chairman may invite their representatives.

The Council of Ministers lays down the number of members of the committee, how they are appointed, the length of their term of office and the rules of procedures of the committee. The President of French Polynesia makes the appointments, on proposal of the Minister of Agriculture.

Chapter III

Approval of establishments for the import, export and inter-island transport of regulated items

Article LP 6 – Any legal or natural person wishing to import, export or ship regulated items to the islands of French Polynesia, may, upon his/her request, be approved beforehand by the Minister responsible for agriculture. The persons concerned receive an approval number. The approval is mandatory in certain activities referred to in articles LP 23, LP 26, LP 32 and LP 46.

The conditions for the approval are defined by an order adopted by the Council of Ministers. They aim at making sure that the persons or professionals concerned import, export or transport between the islands, goods likely to pose a health risk, in conditions that may ensure the compliance with the requirements imposed by this Country Law and its subsequent texts, and the treaties and international agreements that are legally binding upon French Polynesia.

The granting of the approval to natural persons or to establishments is subject to the examination of their skills and to the compliance with the operating conditions attached to the authorisation.

The order adopted by the Council of Ministers defines the conditions in which the approval may be suspended or withdrawn. The procedure it lays down must include guarantees as to the respect of the rights of the defence.

TITLE II

Authorised agents and delegation of controls

Article LP 7 – A. – The following persons are authorised to carry out the controls provided for by this Country Law: veterinarians, engineers, technicians, phytosanitary and zoosanitary officers of the competent authority. These agents are, in addition, authorised, after the biosecurity control, to draw up and issue any certificate, authorisation and pass for the import, export and shipment of regulated items to the islands of French Polynesia. The agents authorised to carry out controls are referred to as “authorised agents”.

B. – These agents exercise their control on regulated goods and items, when they are introduced into French Polynesia, and also within the territory, on goods intended for export, on the means of transport and on accompanying documents. At the request of the competent authority of another country, they can also carry out official controls on fishing vessels flying the flag of that country and on the fishery products onboard these vessels”.

C. – When controlling at borders, the agents wear a distinguishing badge.

D. – The veterinarians appointed to carry out controls have the title of “official veterinarian”.

Article LP 8 – The Port Authority sworn officials responsible for port policing are also authorised to carry out controls related to applicable biosecurity measures.

Article LP 9 – Specific tasks associated with official controls may be delegated to one or more inspection bodies by an order adopted by the Council of Ministers, according to the following points:

A – The order adopted by the Council of Ministers lays down the list of the delegated tasks. Activities related to the treatment of the non-compliance situations referred to in articles LP 40 and LP 54 may not be subject to such delegation;
B – The Council of Ministers may delegate specific tasks to a specific inspection body only if:

1) The tasks that may be executed by the inspection body and the conditions under which it may execute them shall meet the specifications laid down by the competent authority;

2) It is proved that the inspection body:

    a) has the expertise, equipment and infrastructure required to execute the tasks that were delegated to it;
    b) has a sufficient number of suitably qualified, trained and experienced staff;
    c) is impartial and free from any conflict of interest as regards the tasks that were delegated to it;

3) The inspection body works and is accredited according to the standard ISO/IEC 17020 : 2012 : "Conformity assessment — Requirements for the operation of various types of bodies performing inspection" or to any other more relevant standard for the purpose of the delegated tasks in question delegated to it;

4) The laboratories carry on their activity and are evaluated according to the following standards:

    a) EN ISO/IEC 17025 : 2005 "General requirements for the competence of testing and calibration laboratories";
    b) EN ISO/IEC 17011 : 2004 "Conformity assessment - General requirements for accreditation bodies accrediting conformity assessment bodies";

5) The inspection body forwards the results of the inspections performed to the competent authority on a regular basis and whenever the competent authority so requests. When the results reveal non-compliance or point to the likelihood of non-compliance, the inspection body shall immediately inform the competent authority;

6) There is efficient and effective coordination between the laboratory and its competent authority.

C – The competent authority shall organise audits or inspections of inspection bodies as necessary. If, as a result of an audit or an inspection, it appears that such bodies are failing to carry out properly the tasks delegated to them, the delegating competent authority may withdraw the delegation. It shall withdraw it without delay if the inspection body fails to take appropriate and timely remedial action.

TITLE III
International trade

Chapter I
Measures applied to aircraft and vessels

Section I
Measures applied to aircraft

Article LP 10 – Any aircraft originating from an airport outside the customs territory of French Polynesia must lodge a pre-arrival declaration. It is subject to the biosecurity control at the official point of entry. Upon arrival, pilots must comply with the injunctions of the competent authority as regards biosecurity treatments, if any, the opening, closing and staying conditions of aircraft in French Polynesia.

Article LP 11 – Any aircraft undergoes a treatment of the baggage hold, containers, landing gear and cabins and cockpit as necessary. Hand luggage, cargo and hold baggage may be inspected and, if necessary, treated.

Article LP 12 – Onboard waste, when introduced into the territory of French Polynesia, whether recovered directly in the aircraft or in the bins made available to passengers in the customs area, must be transported in hermetically closed and sealed bags or containers, treated if necessary, and then destroyed in any manner approved by the competent authority, which deactivates organisms harmful to plants and the agents of animal communicable diseases and kills species threatening biodiversity. The airport authority must make sure that these operations can be performed. Taking onboard waste outside the customs area is subject to a pass issued by the competent authority and given to the customs department.

Article LP 13 – The import of aircraft stores is subject to the requirements of Chapter II of this Title.

Article LP 14 – The biosecurity measures applied prior to aircraft departure to a destination outside French Polynesia comply with the requirements of the country of destination.

Section II
Measures applied to vessels

Article LP 15 – Any vessel originating from a port outside the customs territory of French Polynesia must lodge a pre-arrival declaration. It is subject to the biosecurity control at the official point of entry. Upon arrival, ship captains must comply with the injunctions of the competent authority as regards biosecurity treatments, if any, the opening, closing conditions of holds and staying conditions in French Polynesia.

Article LP 16 – Any vessel is boarded and inspected by authorised agents before opening the holds, that may be treated, if necessary. Hand luggage, cargo and hold baggage may be inspected and, if necessary, treated.

Article LP 17 – Onboard waste, when landed, must be treated if necessary, collected and transported in hermetically closed and sealed bags or containers, treated if necessary, and then destroyed in any manner approved by the competent authority, which deactivates organisms harmful to plants and the agents of animal communicable diseases and kills species threatening biodiversity. The port authority must make sure that adequate waste reception facilities are available. Taking onboard waste outside the customs area is subject to a pass issued by the competent authority and given to the customs department.

Article LP 18 – The import of ship's stores is subject to the requirements of Chapter II of this Title.

Article LP 19 – The measures applied to ballast water are laid down by an order adopted by the Council of Ministers, according to the recommendations of the International Maritime Organisation and the Code of Maritime Ports of French Polynesia.

Article LP 20 – The biosecurity measures applied prior to ship's departure to a destination outside French Polynesia comply with the requirements of the country of destination.

Chapter II
Introduction and import

Section I
General provisions

Article LP 21 – To be authorised for import within the meaning of customs regulation, the goods concerned by this Country Law are subject to a control at the end of which a pass is issued by an authorised agent. That pass is attached to the customs declaration. In addition, for goods presenting an immediate risk for biosecurity, their introduction is subject to a prior import permit issued by the competent authority.

The format of the prior import permit and of the pass, the documents to submit in order to obtain them, the minimum application period before the import date, the time to examine the application and other conditions related to this procedure are determined by an order adopted by the Council of Ministers.

Section II

Introduction of plants, plant products and other regulated items

Article LP 22 – The organisms harmful to plants and plant species threatening biodiversity and other regulated items whose lists are drawn up by an order of the Council of Ministers are prohibited for introduction and import, whether they are presented alone, on or in plants, plant products and other regulated items.

Article LP 23 – The import of plants, plant products and other regulated items likely to convey harmful organisms to plants is prohibited. By way of derogation **>M2** –and provided their introduction and importation are authorized under the provisions of the Environment Code regarding plants— <, an order adopted by the Council of Ministers authorises the import of these goods if they come from countries, areas or compartments whose health status with regard to harmful organisms is at least equivalent to that of French Polynesia or with a level of phytosanitary risk that is acceptable for French Polynesia. That order lays down the phytosanitary import conditions applicable to countries, areas, compartments, nurseries of origin and goods after an analysis of the risks has been carried out by the competent authority and according to the recommendations of the International Plant Protection Convention. Imports conditions may include the grant of the approval from the establishments to which the goods are sent, the grant of a prior import permit, the treatment of the pants, plant products or other items likely to convey organisms harmful to plants or any other technical measure, the presentation of a phytosanitary certificate that conforms to the model set out by the International Plant Protection Convention and complemented by a re-export certificate where shipments are to be re-exported.

Article LP 24 – The plants and plant products introduced must be packed in new and unmodified primary and secondary packaging of the country of origin or re-exporting country.

Article LP 25 – The import of regulated benefiting from the derogation provided for in Article LP 23 is subject to the grant of a pass by the competent authority except for specific cases listed by an order adopted by the Council of Ministers. The pass must be attached to the import customs declaration.

Section III

Introduction and imports of animals

Article LP 26 – The introduction and import of animals into the customs territory of French Polynesia are prohibited. **>M2** By way of derogation, where categories or species of animals are authorized for introduction and importation pursuant to the provisions of the French Polynesia Environment Code, orders adopted by the Council of Ministers shall establish the animal health conditions for introduction and importation applicable to such categories or species, taking into account the standards and recommendations of the World Organisation for Animal Health (WOAH) and the animal health protection capabilities and objectives of French Polynesia. < These orders lay down the zoosanitary conditions applicable to countries, areas, compartments, livestock farms of origin and animals and may impose an approval to the natural persons and establishments that will receive the animals, the placing in an authorised quarantine station, health surveillance, diagnostic tests, treatments or restrictions as regards the movement or use of animals, the disinfection or destruction of soiled packaging, transport media and waters, feed and bedding material.

Article LP 27 – The introduction of animals benefiting from a derogation is subject to the prior issue of an import permit by the competent authority and recalling the specific import requirements mentioned in the derogatory order provided for by Article LP. Their import is subject to the grant of a pass issued by authorised agents. The pass is attached to the import customs declaration.

Article LP 28 – Introduced or imported animals must exclusively be transported as declared cargo (through a manifest), except for animals introduced on board pleasure boats or private aircraft or animals that assist disabled.

Article LP 29 – By way of derogation to Article LP 27, animals introduced on board pleasure boats are exempted from the prior issue of an import permit and of a pass provided that the ship's captain applies for a pass on the first working day after he arrival of the vessel in the customs territory of French Polynesia. He must then not undertake in writing not to disembark the animals, keep them onboard in all circumstances and contact an agent of the competent authority to organise a control. A copy of the application for a pass must be attached to the pleasure boat's customs declaration.

Article LP 30 – Except for animal products introduced on board pleasure boats, the animals must be accompanied, upon their introduction, by health certificate issued by a veterinarian approved by the veterinary authority of the exporting country as regards terrestrial animals, or by an agent authorised by the competent authority of the exporting country as regards aquatic animals, and certifying that the animals meet the zoosanitary requirements laid down by Article LP 26. Animals introduced on board pleasure boats nevertheless remain subject to the zoosanitary requirements laid down by Article LP 26.

Section IV

Import of products of animal origin, animal by-products, micro-organisms harmful to animals and plant products that may pose a risk of spread of animal communicable diseases

Article LP 31 – Products of animal origin, animal by-products, feed, pathological material, micro-organisms, plant products and media, that are likely to carry agents of animal communicable diseases, are prohibited for import. An order adopted by the Council of Ministers sets out the list of goods likely to carry agents of animal communicable diseases.

Article LP 32 – By way of derogation, the following may be authorised for import: regulated items provided for by Article LP 31 coming from countries, areas or

compartments whose health status as regards the animal communicable diseases listed by OIE is at least equivalent to that of French Polynesia according to criteria defined by OIE or having been the subject of an import risk analysis setting the conditions that enable to reach an appropriate protection level by the competent authority and those targeted at authorised establishments or cruise ships. The order provided for by Article LP 31 lays down the zoosanitary requirements which these regulated items must meet in order to be authorised for import, the conditions of approval of the establishments of destination, the specific conditions concerning the import of ship's stores of cruise ships and the import of goods by travellers or by postal package, as well as the format of the accompanying certificates or documents that may be required.

Article LP 33 – The import of regulated items benefiting from a derogation is subject to the grant of a pass issued by the competent authority. The pass must be attached to the import customs declaration.

Section V

Import of foodstuffs and feed for animals producing foodstuffs

Article LP 34 – The Import of foodstuffs and feed for animals producing foodstuffs that do not meet the food and feed hygiene requirements set out by the regulation in force, or, where the regulation is silent, by the standards set out by the Codex Alimentarius Commission, is prohibited.

Article LP 35 – As necessary, a list of foodstuffs and feed for animals producing foodstuffs and their countries of origin and which are likely to not meet the food hygiene requirements set out by the regulation in force, or, where the regulation is silent, by the standards set out by the Codex Alimentarius Commission, is set out. Notwithstanding the listing of a regulated item on that list, its import may be authorised under a derogation, provided that:

- it comes with a health certificate issued by the competent authority of the country of origin, or the result of an analysis of the batch proving its compliance, or any other document provided for by the same order; and

- a pass is issued by the competent authority. The pass must be attached to the import customs declaration.

The Import of foodstuffs and feed for animals producing foodstuffs which are not on the list set out above is not subject to the issue of a pass under this article.

Section VI

Control procedures

Article LP 36 – Upon their introduction or after their import, regulated items are subject to controls.

The recipients of the goods or their representatives must provide the officials responsible for checks with the assistance necessary to properly carry out their duty.

Paragraph I

Documentary check of regulated items

Article LP 37 – The competent authority must demand that an importer present any technical document to verify the compliance of the regulated item with the health requirements provided for in Articles LP 23, 26 or 32. The prior import permit may be issued only when all the required documents have been received by the competent authority and are compliant with the requirements of the regulation. In case of non-compliance, a reasoned denial of import authorisation is issued by the competent authority.

Article LP 38 – After the introduction of a regulated item and before its import, authorised agents examine the prior import permit, certificate or other accompanying documents presented by the importer or his representative and they verify that they meet the requirements of this "Country law" and its implementing provisions.

If the required documents are lacking or are non-compliant, the provisions of Article LP 40 shall apply.

Paragraph II

Physical control of regulated items

Article LP 39 – After a documentary check, according to a frequency and conditions set out by the head of the competent authority, the articles undergo a physical control by authorised agents. The aim of the control is to verify that the shipment consists exclusively of the regulated items mentioned in the required documents and that it meets the biosecurity requirements of this "Country Law" and its implementing provisions and the regulation in force. The control consists in:

1°) identity check of the regulated item which comprises, according to the nature of the item, check of seals, which must be intact if they are mandatory, check of tattoo, electronic chip or other identification marks of the animal, check for the presence and compliance of stamps, official mark or health marks identifying the countries and establishments of origin and their matching with the mentions on the certificates or accompanying documents;

2°) a clinical biosecurity check of the animal to make sure that it does not have any clinical sign of communicable disease and is free from parasites, and may require the

check of the container, of the transport box, the packaging, to make sure there are no parasites or organisms harmful to plants, the sensory examination of the product, temperature measurement, examination in laboratory, simple physical tests such as slicing, thawing and cooking, sample taking for analysis and any other necessary check to verify the compliance with the biosecurity requirements of this "Country Law" and its implementing provisions. A pass for the samples for examination or analysis must be given to the Customs department before leaving the Customs Area.

Checking is carried out systematically when there is a serious hint that biosecurity requirements are not complied with. It takes place, either in the Customs area, or in private premises approved by Customs, or in the facilities of the competent authority, or in an approved quarantine station, or in the destination establishment, or on vessels or aircraft.

Plants and animals can be checked during their whole stay in an approved quarantine station and before they leave the station at least. They can also be checked in their destination nurseries, farms or establishments during the prescribed length of quarantine. The regulated items that need to undergo some treatment or re-labelling are controlled before they are put on the market. Onboard waste are regularly controlled during all the process of their elimination.

In case of non-compliance, the measures provided for in Article LP 40 shall apply.

Section VIII

Measures applicable when shipments are non-compliant

Article LP 40 – When regulated items do not meet the introduction and import requirements of sections I to V of this chapter and may therefore present a threat, authorised officers may, after hearing their recipient or their representative:

1°) prescribe the rejection, quarantine, consignment in the expectation for additional information, animal slaughtering, destruction, transformation, treatment, fumigation, sterilisation, disinfection, disinfestation, the use for other purposes, the imposition of surveillance, transhipment of re-export of regulated items;

2°) monitor or order the recall or the withdrawal of regulated items if they have already been imported, before taking one of the steps referred to in point 1°) of this article;

3°) order the detention, mooring to a quarantine buoy, cleaning, rat extermination, disinfestation or disinfection of transport means.

The recipient or his representative has one month as from the introduction date to decide about the transhipment, re-export or destruction of the products of animal origin and animal by-products and three working days for other regulated items.

The destruction is carried out by the recipient or his representative in presence of an agent of the competent authority or, if necessary, by the competent authority, and

possibly with the presence of a Customs officer. In the case of regulated items in Customs custody, Customs must be informed beforehand of the destruction by the recipient or his representative.

The operations give rise to a report, a copy of which is given to the owner of the products treated, destroyed or rejected. In the case of regulated items in Customs custody, a copy of the destruction or rejection report is forwarded by the competent authority to Customs.

Consigned regulated items may be put back into circulation only after the official release has been carried out by the agents of the competent authority.

Article LP 41 – With the exception of storage and destruction of regulated items presented voluntarily by aircraft and ship passengers, the costs incurred by the steps taken pursuant to Article LP 40, including costs for analysis, storage, transport, burial, treatment, cleaning, disinfestation, fumigation, sterilization, quarantine, disinfection or incineration shall be borne by the owner, the exporter or, failing this, by any person who participates in the operation of introduction and import of the regulated item, without prejudice to proceedings likely to be initiated by the latter against third parties. These steps entail no compensation.

In case of refusal to comply with the orders of the authorised agents, any action deemed necessary by the competent authority is carried out at the expense of the owner, the recipient, the importer, the exporter, or failing this, any person who participates in the operation of introduction and import of the regulated item. The costs related thereto are recovered on a statement drawn up by the competent authority's account holder.

Section VIII

Particular steps

Article LP 42 – The machinery and transport means used for the introduction or import of animals must be cleaned, cleared of rats, disinfested, disinfected or destroyed according to the case after unloading.

Article LP 43 – If it is discovered that a living organism has been accidentally introduced in a machinery or means of transport, the holder or recipient of the regulated item must declare its presence to the competent authority.

Section IX

Emergency measures

Article LP 44 – In case of imminent risk of introduction, import, settlement or spread of organisms harmful to plants, species threatening biodiversity or animal communicable diseases or if goods present some danger for plant or animal health, and, subsequently, for human health, technical emergency measures are adopted by the competent authority agents. Such measures may include the suspension of the issuance of prior import permits for hazardous materials or pass, the withdrawal, placement in quarantine, treatment, slaughtering or destruction of the goods when this is the only way to cease the danger for the goods already introduced or imported in all the places where they are.

The Customs department, and the importers are informed by the competent authority, as soon as possible and by any means, of the list of goods subject to an emergency measure prohibiting their introduction or import.

The Minister responsible for agriculture adopts a reasoned order for the suspension of introduction or import comprising the following indications: the designation and origin of the goods subject to measures and the period during which such goods shall be prohibited for introduction or import.

Chapter III

Export

Article LP 45 – When the regulation of the importing country requires it, the plants, plant products and other regulated items must come with a phytosanitary certificate drawn up according to the International Plant Protection Convention. Such certificate is issued after a phytosanitary check has been carried out by the agents of the competent authority.

Article LP 46 – In order to be certified for export to a country whose competent authority requires an official certificate, the animals, products of animal origin, animal by-products and animal pathological material must meet the zoosanitary or healthiness requirements set out by such authority. These requirements may include an approval of the farm, the assembly centre, the establishment or the individual concerned.

When the competent authority of the country receiving the goods requests it, the official check system prior to the export may be described in a control plan and an order adopted by the Council of Ministers may lay down the zoosanitary or healthiness requirements which must be met by these farms, assembly centres, establishments, individuals or goods.

The certificates issued must meet the requirements of the competent authority of the recipient country.

In the case of recipient countries that do not require any official certificate, the goods may be exported without any such certificate.

Article LP 47 – Where exported regulated items are rejected by the recipient country towards the customs territory of French Polynesia, they are subject, upon their re-introduction into the customs territory of French Polynesia, to the provisions laid down in pursuance of Chapter II of this title.

TITLE IV
Inter-island exchanges

Article LP 48 – The inter-island transport of the following items is prohibited:

1°) organisms harmful to plants and species threatening biodiversity whose lists are adopted by the Council of Ministers, whether alone, or on or in plants, plant products and other regulated items likely to convey organisms harmful to plants, except specimens held by the competent authority for identification purposes;

2°) pathogens for animals, animals affected or suspected to be affected by communicable diseases or having been exposed to the communication of these diseases, and animal carcasses or debris of animals that died of communicable diseases, except pathological material intended for an analysis laboratory.

Article LP 49 – The following is subject to the compliance of the requirements of Article LP 52: the transport by air and by sea of regulated items from an island of French Polynesia identified as infested by organisms harmful to plants, species threatening biodiversity or animal communicable diseases, to a non-infested island or to an infested island subject to an official control programme.

Article LP 50 – The transport of regulated items is authorised:

- from an island identified as non-infested to another island;
- from an island infested by a given harmful disease to another island infested by the latter and not subject to an official control programme.

Article LP 51 – As necessary, the Council of Ministers lays down:

1°) the list of infested islands;

2°) the list of islands identified as subject to an official control programme;

3°) the lists of harmful organisms, species threatening biodiversity and diseases for which biosecurity regulation applies ;

4°) the lists of regulated items the transport of which on all the territory of French Polynesia is subject to inspection or treatment.

Article LP 52 – Regulated items leaving an island identified as infested to an island identified as non-infested, presumed free or that is subject to an official control programme, may circulate if they meet the following conditions:

1°)

a) either they come from establishments approved for inter-island transport as provided for by Article LP 6;

b) or they have undergone a phytosanitary treatment carried out by the competent authority and complied with the phytosanitary inspection upon leaving;

c) or they have undergone a veterinary treatment carried out by the competent authority or a veterinary inspection performed by the authorised agents; and

2°) they come with an inter-island transport authorisation issued by the competent authority.

Physical inspections may in particular include samplings for laboratory analyses deemed necessary.

Article LP 53 – Carriers are required to check the presence of an inter-island transport authorisation when it is required. They are regularly informed by the competent authority of the precise list of regulated items subject to an authorisation for inter-island transport and the infested islands on which they should exercise their control. Ship and aircraft owners may not oppose the inspection and possibly the treatment of their ships and aircraft by the agents of the competent authority, when they leave bound for the outer islands of French Polynesia.

Article LP 54 – When regulated items do not meet the requirements set out under Articles LP 48 to 52, the authorised agents may:

1°) refuse to issue the inter-island transport authorisation;

2°) refuse to embark the regulated items;

3°) upon arrival in an outer island: refuse to unload, carry out or order the quarantine of the goods, the treatment or slaughtering of animals, the consignment, destruction, disinfestation, transformation, treatment, fumigation, sterilisation, the use for other purposes, the re-shipment of regulated items or any other required measure;

4°) order the detention an cleaning, rat extermination, disinfestation or disinfection of transport means and contaminated parts and objects.

These operations give rise to a report a copy of which is given to the owner of the consigned, treated or destroyed goods.

Consigned regulated items may be put in circulation again only after an official release by the agents of the competent authority.

Article LP 55 – The costs incurred by the measures provided for by Articles LP 52 and 54, including the analysis costs, shall be borne by the owner or the holder of the regulated item. These measures give rise to no compensation whatsoever.

In case of a refusal to comply with the injunctions of the authorised agents, the operations deemed necessary are automatically carried out by the competent authority, at the expense of the owner or holder of the regulated item. The costs of these operations are noted down on a statement drawn up by the accounting officer of the competent authority.

Title V
Financial provisions

Article LP 56 – In accordance with Article 90 of the organic law n° 2004-192 of 27 February 2004 establishing the self-governing status of French Polynesia and in order to ensure the financing of the services provided to users by the competent authority under this "country law" and its implementing texts, an order adopted by the Council of Ministers sets the prices thereof. The services include in particular: the detention of ships and aircraft, the treatment of aircraft, ships and accessories, the treatment of regulated items, the veterinary treatment of animals, the transport and destruction of regulated items, on-demand works requested by users, the issuance of certificates and official biosecurity documents, the travels of the competent authority agents, the animal and plant quarantine stay and the operations carried out automatically by the competent authority following the refusal of the owner, the holder or recipient, the importer, the exporter or, failing this, any other person who takes part in the operation of introduction or import of the good, to comply with the injunctions of the authorised agents.

Title V
Criminal law provisions

Article LP 57 – The following is punished by a fine provided for by the Penal Code under the 5th class contravention:

1°) putting into circulation regulated items other than the foodstuffs referred to in Articles LP 40 and LP 54 without having been granted the official release;

2°) not cleaning, rat-exterminating, disinfesting, disinfecting, or destroying as the case may be, a transport means in accordance with requirements of Article LP 42.

Article LP 58 – When a ship does not comply with the provisions of Articles LP 29 and 32, its owner and its captain are liable to a fine calculated as follows:

1°) for ships, boats or floating craft with an overall length equal to or lower than 20 metres: XPF 450,000;

2°) for ships, boats or floating craft with an overall length between 20 and 100 metres: XPF 900,000;

3°) for ships, boats or floating craft with an overall length equal to or higher than 100 metres: XPF 4,500,000.

The following shall be punished by six months' imprisonment and XPF 1,780,000 fine: the fact of introducing, importing exporting or exchanging between islands foodstuffs consigned or withdrawn from the market for human consumption or to carry them without an authorisation issued by an agent having the title of "official veterinary doctor" in accordance with paragraph D of Article LP 7.

B - Natural persons are also liable to the following additional sanctions:

- the prohibition, for a period of five years at most, to issue cheques, other than those allowing to withdraw funds by a drawer from a drawee or certified cheques and use payment cards;

- the confiscation of the thing that was used or intended to be used to commit the offence or the thing that is the product thereof;

- the prohibition, for a period of five years at most, to carry on a professional or social activity from the moment when the facilities provided by such activities have been knowingly used to prepare or commit the offence. This prohibition however does not ban from holding any local elective office or trade union responsibilities;

- the posting of the decision pronounced or the dissemination thereof either through the press, or by any communication means to the public by electronic means.

C –Legal persons found criminally responsible, under the terms of Article 121-2 of the Penal Code, for the offences defined in this article are liable, in addition to the conditions referred to in Article 131-38 of the Penal Code, to the sanctions provided for the 2°, 4°, 7°, 8° and 9° of the Article 131-39 of the same code.

Article LP 60 – The following shall be punished by six months' imprisonment and XPF 3,570,000 fine:

1°) introducing or importing regulated items prohibited for import and not subject to a derogation to such prohibition or not complying with the conditions thereof;

2°) importing into the territory of French Polynesia regulated items that did not undergo the inspections provided for by section VI of this «Country Law»;

3°) circulating regulated items without respecting the conditions provided for by Article LP 52;

4°) not complying with the prescriptions laid down pursuant to Articles LP 40, 44, 54 in case of emergency or non-compliance;

5°) introducing or importing into the territory of French Polynesia, knowingly holding and transporting organisms harmful to plants referred to in Article LP 22 or transporting organisms harmful to plants referred to in Article LP 48-1°) to a non-infested island or under an official control programme, whatever the stage of their growth;

6°) not declaring a living organism accidentally introduced or imported in a machinery or means of transport in accordance with Article LP 43;

7°) designating for export animals, products of animal origin or animal by-products that do not meet the zoosanitary and health requirements set out by the competent authority of the recipient country, as cited in Article LP 46.

B – When the offences defined in subparagraphs A-1°), 2°) and 7°) resulted in serious impacts on human or animal health:

1°) penalties are increased up to five years' imprisonment and a XPF 350,000 to XPF 9,000,000;

2°) the natural persons are also liable to the following additional penalties:

- the prohibition, for a period of five years at most, to issue cheques, other than those allowing to withdraw funds by a drawer from a drawee or certified cheques and use payment cards;

- the confiscation of the thing that was used or intended to be used to commit the offence or the thing that is the product thereof;

- the prohibition, for a period of five years at most, to carry on a professional or social activity from the moment when the facilities provided by such activities have been knowingly used to prepare or commit the offence. This prohibition however does not ban from holding any local elective office or trade union responsibilities;.

C – The natural persons guilty of one of the offences referred to in A of this article are also liable to the posting or the spread of the decision pronounced in the conditions referred to in Article 131-35 of the penal Code for natural persons.

D – The legal persons, found criminally responsible in the conditions referred to in Article 121-2 of the Penal Code, of the offences defined in the present article, are liable, in addition to the fine according to the conditions referred to in Article 131-38 of the Penal Code, to the penalties referred to in 2°, 4°, 7°, 8° and 9° of Article 131-39 of the Penal Code.

Article LP 61 – The following shall be punished by three years' imprisonment and XPF 450,000:

1°) anyone introducing, importing, exporting or carrying out an inter-island exchange of meat coming from animals which he knows died of communicable diseases;

2°) infringing the provisions of Article LP 60 if such infringement resulted in a communication to other animals.

Penalties may be increased up to the double of the maximum set out by this article:

- in the case of a repetition, if the initial sentence for the offence is less than one year old;
- if that offence was committed by an authorised agent or a police officer in whatever capacity.

Title VII
Final provisions

Article LP 62 – The reference to this "Country Law" shall be added to the following orders:

1°) order n° 205 farm. of 04 February 1955 as amended regulating the inter-island transit of animals;

2°) order n° 1266 CM of 20 December 1985 as amended establishing a health regulation for aircrafts in French Polynesia;

3°) resolution n°93-61 AT of 11 June 1993 setting out the conditions for the transfer of pearl oysters of French Polynesia;

4°) order n°478 CM of 13 May 1997 as amended relating to hygiene conditions for the collection and marketing of eggs;

5°) order n° 65 CM of 23 January 2006 modifying the Article A. 123-2 concerning the list of plant species threatening biodiversity of the Environment Code;

6°) order n° 1301 CM of 15 November 2006 modifying various provisions of the Environment Code relating to animal species threatening biodiversity;

7°) order n° 354 CM of 19 March 2010 declaring that the island of Tubuai, Australs Islands, is infected by the American loque;

8°) order n° 2019 CM of 8 November 2010 declaring that the island of Huahine, Leeward Islands, is infected by the American loque;

9°) order n° 1675 CM of 31 October 2011 setting out the necessary provisions to control porcine communicable gastro-enteritis.

Article LP 63 – The references to resolution n° 64-91 of 3 September 1964 setting out the measures to take when new animal contagious diseases are introduced into the territory contained in the following orders are replaced by references to this "Country Law" and to the resolution n° 2006-36 APF of 15 June 2006 defining the measures applicable in the framework of animal diseases control:

1°) order n° 1763 ER of 8 October 1979 declaring that the island of Rurutu is infested with ticks;

2°) order n° 1467 ER of 27 April 1981 declaring that the island of Hiva Oa is infested with ticks;

3°) order n° 956 ER of 5 October 1982 regulating the destruction food waste from aircraft and ships;

4°) order n° 769 CM of 31 July 1997 setting out the necessary provisions to control Aujeszky's disease;

5°) order n° 651 CM of 7 May 1998 as amended regulating the zoosanitary and hygiene conditions of the import of products of animal origin into French Polynesia;

6°) order n° 157 CM of 21 January 2000 prohibiting to import used material implemented for the graft of pearl oysters in French Polynesia;

7°) order n° 1382 CM of 3 October 2000 declaring that the islands of Tahiti and Moorea are infested with the American loque.

Article LP 64 – The references to resolution to resolution n° 77-93 of 10 August 1977 regulating the measures for the import of live animals into French Polynesia contained in the following orders are replaced by references to this "Country law":

1°) order n° 777 ER of 23 July 1982 as amended relating to the health conditions which must be met by imported animals;

2°) order n° 481 CM of 5 May 1988 setting out the health rights on imported animals;

3°) order n° 821 CM of 3 August 1995 relating to the health conditions which must be met by imported dolphins;

4°) order n° 894 CM of 16 August 1996 relating to the health conditions which must be met by imported dog semen;

5°) order n° 1370 CM of 13 December 1996 setting out the health conditions which must be met by imported animals of the bovine species;

6°) order n° 1371 CM of 13 December 1996 setting out the health conditions which must be met by imported animals of the ovine species;

7°) order n° 1372 CM of 13 December 1996 setting out the health conditions which must be met by imported animals of the caprine species;

8°) order n° 871 CM of 01 July 1998 relating to the health conditions which must be met by imported boar semen;

9°) order n° 1861 CM of 30 December 1998 relating to the health conditions which must be met by imported bee queens and semen of drones;

10°) order n° 575 CM of 19 April 1999 relating to the health conditions which must be met by imported shrimp semen;

11°) order n° 941 CM of 12 July 1999 relating to the health conditions which must be met by imported buck semen;

12°) order n° 303 CM of 22 fevrier 2000 relating to the health conditions which must be met by imported bull semen;

13°) order n° 829 CM of 13 June 2000 as amended setting out the technical conditions for the approval of quarantine stations for imported domestic carnivorous animals;

14°) order n° 658 CM of 14 April 2004 setting of the *Mymaridae Gonatocerus ashmeadi* and *Gonatocerus triguttatus* families;

15°) order n° 121 CM of 24 August 2004 relating to the health conditions which must be met by imported insects of the *Hypolimnas bolina* species;

16°) order n° 309 CM of 31 May 2005 relating to the health conditions which must be met by imported swine;

17°) order n° 616 CM of 10 August 2005 as amended relating to the health conditions which must be met by imported rabbits;

18°) order n° 171 CM of 01 March 2006 as amended setting out a particular derogation to the prohibition to import live animals and setting out the health conditions which must be met by one-day old poultry;

19°) order n° 568 CM of 19 April 2007 setting out a particular derogation to the prohibition to import live animals and setting out the health conditions which must be met by the insect *Diachasmimorpha longicaudata* (hymenoptera: *Braconidae*), fruit fly parasitoid wasp;

20°) order n° 1392 CM of 17 October 2007 setting out a particular derogation to the prohibition to import live animals and setting out the health conditions which must be met by mosquito eggs *Aedes* (Stegomyia) *polynesiensis* (Diptera: Culicidae) infected by the strain *Wolbachia* type B (*Rickettsiales, Rickettsiaceae*);

21°) order n° 2010 CM of 9 November 2009 setting out a particular derogation to the prohibition to import live animals and setting out the health conditions which must be met by crop auxiliary insects;

22°) order n° 605 CM of 29 April 2010 setting out the health conditions which must be met by imported dogs and cats;

23°) order n° 1791 CM of 5 October 2010 setting out a particular derogation to the prohibition to import live animals and setting out the health conditions which must be met by living ornamental fishes intended for closed facilities.

Article LP 65 – References to resolution n° 77-116 of 14 October 1977 regulating the inspection of foodstuffs of animal origin contained in the following orders are replaced by references to this "Country Law":

1°) order n° 651 CM of 7 May 1998 as amended as amended regulating the zoosanitary and hygiene conditions of the import of products of animal origin into French Polynesia;

2°) order n° 1183 CM of 20 December 2005 as amended setting out the hygiene rules applicable to foodstuffs of animal origin intended for export to the European Community.

Article LP 66 – The reference to the resolution n° 92-86 AT of 14 May 1992 setting up a consultative committee for plant protection contained in the following regulatory provisions are replaced by the reference to this "Country Law":

1°) the resolution n° 99-168 APF of 30 September 1999 ordering the action to take in order to protect French Polynesia against the introduction of xylophagous insects, coconut parasites (*Oryctes spp., Strategus spp.* and *Scapanes spp.*);

2°) the order n° 1185 CM of 21 October 1992 as amended setting out the composition and functioning of the consultative committee for the protection of plants in French Polynesia.

Article LP 67 – The references to the resolution n° 96-43 AT of 29 February 1996 defining the measures relating to phytosanitary inspection on the whole of the territory of French Polynesia contained in the following regulatory provisions are replaced by references to this "Country Law":

1°) the resolution n° 99-168 APF of 30 September 1999 ordering the action to take in order to protect French Polynesia against the introduction of xylophagous insects, coconut parasites (*Oryctes spp., Strategus spp.* and *Scapanes spp.*) ;

2°) the order n° 739 CM of 12 July 1996 relating to the conditions for the approval of plant nurseries, farms and packaging facilities;

3°) the order n° 740 CM of 12 July 1996 as amended setting out the list of harmful organisms, of plans and plant products likely to carry harmful organisms whose import into French Polynesia is prohibited or authorised under certain conditions;

4°) the order n° 741 CM of 12 July 1996 as amended setting out the list of harmful organisms, of plans and plant products likely to carry harmful organisms whose transport to the whole of the islands of French Polynesia is prohibited or regulated;

5°) the order n° 830 CM of 13 June 2000 prohibiting to import interdiction dry figues from Turkey;

6°) the order n° 1892 CM of 28 December 2007 as amended setting out the prices of the services provided by the Biosecurity Directorate of the Rural Development Department;

7°) the order n° 782 CM of 4 June 2010 setting out the list of countries infested by *Oryctes spp., Strategus spp.* and *Scapanes spp.*, xylophagous insects and coconut tree parasites.

Article LP 68 – As provided for by Article 21 of the Organic Law n° 2004-192 of 27 February 2004 making provisions for the self-governing status of French Polynesia, the imprisonment sentences provided for by this "Country Law" enter into force only after they have been approved by the Law.

Article LP 69 – The Article 10 of the resolution n° 2006-36 APF of 15 June 2006 defining the measures applicable in the control of animal communicable diseases is amended as follows: the words "circonscription" (constituency) and "circonscriptions"

(constituencies) are replaced by the words "île" (island) and "îles" (islands), respectively.

Article LP 70 – The following is repealed:

1°) the resolution n° 59-18 of 21 March 1959 making tick control in Tahiti mandatory;

2°) articles 40, 41, 42, 44, 45, 46, 76, 77, 78 and 79 of the resolution n° 59-60 of 16 October 1959 as amended regulating the inspection of foodstuffs of animal origin;

3°) the resolution n° 73-124 of 15 November 1973 declaring that the island of Tahiti is infected with brucellosis and prescribing the applicable health policy measures;

4°) the resolution n° 77-93 of 10 August 1977 regulating the measures for the import of live animals into French Polynesia;

5°) articles 1 and 5 of the order n° 610 agr. of 10 May 1951 organising the prophylaxis of bovine tuberculosis in the French Settlements of Oceania;

6°) articles 16, 17, 18, 19, 20, 20-1, 20-2 and 20-3 of the resolution n° 77-116 of 14 October 1977 regulating the inspection of foodstuffs of animal origin;

7°) the order n°1150 CM of 30 October 1990 setting out the conditions of transfer of pearl oysters of French Polynesia;

8°) the resolution n° 92-86 AT of 14 May 1992 setting up a consultative committee for plant protection;

9°) the resolution n° 96-43 AT of 29 February 1996 defining the measures relating to phytosanitary inspection on the whole of the territory of French Polynesia;

10°) the resolution n° 96-44 AT of 29 February 1996 defining the powers of the phytosanitary inspectors and auxiliary inspection agents pursuant to the resolution n° 93-155AT of 3 December 1993 as amended;

11°) the order n° 803 CM of 28 July 1995 laying down the amount of the export health fee for animal foodstuffs and foodstuffs of animal origin;

12°) articles 6, 8, 9, 10 and 11 of the order n° 651 CM of 7 May 1998 as amended regulating the zoosanitary and hygiene conditions of the import of products of animal origin into French Polynesia.

Article LP 71 – The provisions of article LP 12 enter into force within six months of the promulgation in the *Journal officiel de la Polynésie française* (Official Journal of French Polynesia) of this "Country Law".

This resolution shall be executed as a country law.

Done in Papeete, on 06 May 2013.
Oscar Manutahi TEMARU.
President of French Polynesia

By the President of French Polynesia:
Antony GEROS,
Vice-President

Pierre FREBAULT,
Minister of the Economy, Finance, Work and Employment

James SALMON,
Minister of Large-scale Works and Land Transport

Tauhiti NENA,
Minister of Education, Youth and Sports

For the Minister of Development, Housing, absent:
Antony GEROS,
Vice-President

Jacky BRYANT
Minister of the Environment, Energy and Mining

Charles TETARIA
Minister of Health and Solidarity

For the Minister of Culture, Crafts and Family, absent:
Antony GEROS,
Vice-President

Kalani TEIXEIRA,
Minister of Agriculture, Stock-Breeding and Forestry

For the Minister of Development of Archipelagos, Inter-Island Transport, absent:
Kalani TEIXEIRA,
Minister of Agriculture, Stock-Breeding and Forestry

Preparatory works:
- Opinion n° 119-2011 CESC of 30 November 2011 of the Economic, Social and Cultural Council of French Polynesia;
- Order n° 104 CM of 28 January 2013 submitting a draft bill to the Assembly of French Polynesia;
- Examination by the Economic Affairs, Tourism, Agriculture, Sea and Transport Committee on 12 February 2013;
- Report n° 19-2013 of 14 February 2013 by Mr. Victor Fernand Roomataaroa and Mrs Eleanor Parker, rapporteurs for the bill
- Adoption on 15 March 2013; text adopted n° 2013-8 LP/APF of 15 March 2013.
- Published for information purposes in the Official Journal of French Polynesia n°9 NS of 25 March 2013.

Official Journal of French Polynesia
16 May 2013

ASSEMBLY
OF
FRENCH POLYNESIA

COUNTRY LAW

SCHEDULE to the Country Law No. 2013-12 regulating, for protection purposes in matters of biosecurity, the introduction, import, export and inter-island transport of living organisms and their by-products, published in the Official Journal of French Polynesia No. 16 NS of 06 May 2013.

Definitions

For the purposes of this Country Law and the texts adopted for its enforcement, the following terms shall have the following meanings:

1) *Feed for animals*: any processed product, partially processed product, or unprocessed product, intended for feeding animals by mouth;

2) *Feed of animal origin:* any feed of animal origin and also those that contain both products of plant origin and products of animal origin;

3) *Risk analysis*: step involving identifying hazards, risk appraisal, risk management and the communication regarding the risk;

4) *Animals:* all living animals, their gametes intended for reproductive purposes and hatching eggs, except living animals prepared for human consumption;

5) *Audit*: a systematic and independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives;

6) *Phytosanitary certificate*: an official document in conformity with the templates of the International Plant Protection Convention and which certifies the phytosanitary condition of a shipment that is subjected to phytosanitary regulations;

7) *Compartment*: means an animal sub-population that is kept in one or more farms, and which depends on a common biosecurity management system, and characterised by a distinct health status with regard to one or more particular

diseases against which specific surveillance, prophylactic and biosecurity steps have been taken for the purpose of international trade;

8) *Control*: any form of control carried out by the agents of the competent authority, the persons or control bodies empowered by this country law in order to check the compliance with regulations as far as biosecurity is concerned, in international or inter-island trade;

9) *Documentary control*: the examination of commercial documents and, if necessary, of the documents that come with the batch and are required by regulations. Documents may be in written or electronic format.

10) Onboard waste: kitchen and catering waste, and packages and other objects soiled by this waste, kitchen wastewater, refuse and wastewater coming from spaces used for carrying animals, coming from transport means operating at the international or inter-island level;

11) Food or foodstuff: any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans. It includes drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment.
The term "food" or "foodstuff does not include feed, live animals unless they are prepared for placing on the market for human consumption, plants prior to harvesting, medicinal products, cosmetics, tobacco and tobacco products, narcotic or psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971, residues and contaminants;

12) Food of animal origin: any foodstuff containing more than 2% of products of animal origin, including honey and blood, and any foodstuff containing both products of plant origin and more than 2% of products of animal origin;

13) Ballast water: water and its suspended matter taken aboard a vessel in order to control the trim, list, draught, stability and the constraints. This definition includes the sediments coming from ballast water settled in a vessel;

14) Inter-island exchanges: the transport of a good from one island to the other within French Polynesia;

15) International exchanges: the introduction, import and export of goods;

16) Species threatening biodiversity: a species whose introduction by humans (voluntary or accidental), establishment or spread threatens ecosystems, habitats and native species resulting in negative social, cultural, ecological, economic and health consequences;

17) *Packaging:* any product made of materials of any kind, intended to contain and to protect given goods, to allow their handling and their transport from the producer to the consumer or user and to ensure their presentation. it is made up of:
    - a sales package or primary package conceived so as to constitute a sales unit to the final user or consumer at the point of purchase;
    - grouped package or secondary package so as to constitute a group of a certain number of sales units; it can be removed from the product without modifying its characteristics;
    - transport package or tertiary package conceived so as to facilitate handling and transport of a certain number of sales units;

18) *Shipment:* a set of articles shipped from one country to the other and covered, if necessary, by one phytosanitary, veterinary or health certificate (a shipment may consist of several goods or batches);

19) *Re-exported shipment:* a shipment introduced or imported into a country from which it is then re-exported. The shipment may be subject to storing, splitting, grouping with other shipments or renewal of its packaging;

20) *Equivalent:* able to achieve identical objectives;

21) *Gamete:* means pollen, semen, ova or unfertilised animal eggs;

22) *Free island:* an island in which a specific pest, disease or species threatening biodiversity does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained;

23) *Infested island:* an island in which a specific pest, disease or species threatening biodiversity does occur.

24) *Phytosanitary inspection:* the official visual inspection of plants, plant products or other regulated items in order to determine the presence or absence of harmful organisms and/or make sure the phytosanitary regulation is complied with;

25) *Pass:* the official document that authorises the import of a good according to specified requirements;

26) *Batch:* a quantity of goods of the same nature and covered by the same documents, carried by the same means of transport and coming from the same country or from the same area of a country;

27) *Official control:* the active implementation of mandatory biosecurity regulations and the application of mandatory biosecurity measures aiming to eradicate or stop organisms harmful to plants, species threatening biodiversity or animal communicable diseases;

28) *Animal communicable diseases:* an animal communicable disease that must be declared (notifiable disease) or an animal communicable disease subject to animal health measures according to the order No. 760 CM of 04 June 2007, as amended, relating to the nomenclature of notifiable animal communicable diseases and animal communicable diseases subject to animal health measures and the conditions relating to their declaration;

29) *Goods in customs custody:* goods that have been introduced and are either:

a) Waiting for the application of a customs status;
b) Placed under the customs status of temporary admission;
c) Placed in a customs warehousing or industrial facility;
d) Placed in works operated by customs;
e) Or placed in a free zone.

30) *Pathological material:* samples collected from live or dead animals, containing or likely to contain infectious or parasitic agents, and intended to be sent to a laboratory;

31) *Micro-organism:* any microbiological entity, cellular or non-cellular, capable of replication or of transferring genetic material, including prions, viruses, viroids, plant and animal cell cultures;

32) *Pathogenic micro-organism:* any collection or culture of organisms or any derivative either on its own or in recombinant form of such collection or culture of organisms which may cause disease in any living being (except humans) and any modified derivatives of these organisms which can carry or transmit an animal or plant pathogen. This definition does not include immunological veterinary medicinal products.

33) *Organisms harmful to plants:* all regulated pests of plants or plant products, including those having an adverse impact on the environment, which belong to the animal or plant kingdoms, or which are viruses, mycoplasmas or other pathogens;

34) *Cruise ships:* cruise ships as defined in article LP1 of the Country Law No. 2010-13 of 07 October 2010, as amended, making provisions for cruise ships operating tourist cruises in French Polynesia;

35) *Prior import permit:* the official document authorising the introduction of a good according to specified requirements;

36) *Control plan:* a description drawn up by the competent authority, containing general information about the structure and organisation of its control systems;

37) *Products of animal origin:* foodstuffs of animal origin, including honey and blood; living bivalve molluscs, echinoderms, tunicates and marine gastropods for human

consumption; and other animals destined to be prepared with a view to being supplied live to the final consumer;

38) *Plant products:* products of plant origin in unprocessed state or having undergone only simple preparation, such as milling, drying or pressing, but excluding plants;

39) *Ship's and aircraft's stores:* the various products for consumption by the crew and passengers of vessels or aircraft;

40) *Quarantine:* is the means by which live animals or plants are maintained in isolation, with no direct or indirect contact with other animals or plants, in order to place them under observation during a determined period of time and, if necessary, to submit them to diagnosis tests or to treatments, including the proper treatment of wastewater;

41) *Rejection:* the refusal to import a shipment or any other regulated item that does not comply with the requirements laid down by this Country Law;

42) *Animal by-products:* means entire bodies or parts of animals of dead animals, products of animal origin or other products obtained from animals, not intended for human consumption, including oocytes, embryos and semen not intended for reproduction purposes;

43) *Quarantine station:* set of premises intended to ensure the isolation of plants and animals placed in quarantine;

44) *Phytosanitary treatment:* the official procedure for the destruction, deactivation, elimination or sterilisation or organisms harmful to plants, or for devitalisation.

45) *Plants:* living plants and parts of living plants, including gametes and semen;

46) *Area:* means a clearly delineated part of the territory of a country, which has an animal sub-population characterised by a distinct health status with regard to a particular disease against which surveillance, prophylactic and biosecurity measures required for international trade, are applied: For aquatic animals, an area means a part of country or of a set of countries including:

a) *An entire watershed from the spring of a stream down to the estuary or the lake, o*
b) *More than a watershed, or,*
c) *A section of a watershed from the spring of a stream down to a barrier which prevents the introduction of one or more particula diseases, o*
d) *A part of the coastal area with clearly delineated geographical contours; o*
e) *An estuary with clearly delineated contours*