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On Quarantine and Plant Protection

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Law of the Republic of Belarus of June 20, 2008 No. 348-3 (National register of legal acts of the Republic of Belarus, 2008, No. 157, 2/1445);

Law of the Republic of Belarus of July 2, 2009 No. 31-3 (National register of legal acts of the Republic of Belarus, 2009, No. 161, 2/1583);

Law of the Republic of Belarus of December 28, 2009 No. 93-3 (National register of legal acts of the Republic of Belarus, 2010, No. 6, 2/1645);

Law of the Republic of Belarus of July 18, 2016 No 398-3 (National legal Internet-portal of the Republic of Belarus, 21.07.2016, 2/2396) – new edition

This Law defines the legal, organizational and economic bases for protecting plants from pests, diseases and weeds, plant quarantine, handling of plant protection products and is aimed at preventing losses of plant products.

CHAPTER 1
GENERAL PROVISIONS

Article 1. Main terms used in the present Law and their definitions

For the purposes of this Law, the following main terms and their definitions shall be used:

Plant diseases are pathological processes in cells, organs, the whole plant, which occur under the influence of pathogens (viruses, bacteria, mycoplasmas, fungi and others) or unfavorable conditions of the growth environment;

Pests of plants and (or) plant products are rodents, insects, mites, mollusks, worms and other animals and organisms that have harmful effects on plants and (or) plant products;

Harmful organisms are pests of plants and (or) plant products, plant pathogens and weeds;

State quarantine phytosanitary control (inspection) means activities of authorized state bodies and other state organizations aimed at identifying quarantine objects, determining quarantine phytosanitary safety of quarantinable products, preventing and restraining violations of legislation requirements in the field of quarantine and plant protection, fulfilment of international obligations of the Republic of Belarus;

Plant protection is a legal regime that provides for a system of measures to fight especially dangerous harmful organisms and to handle plant protection products;

Plant quarantine is a legal regime that provides for a system of measures to protect plants and plant products from quarantine objects;

Quarantine phytosanitary security means ensuring the state of protection of the territory of the Republic of Belarus against risks arising from the penetration and (or) spread of quarantine objects;

Quarantine phytosanitary zone is the territory, where quarantine objects have been detected, the quarantine regime is instituted and quarantine phytosanitary measures are being implemented;

Quarantine objects are harmful organisms that are absent or limited on the territory of the Republic of Belarus;

Quarantine phytosanitary measures are a system of measures to detect quarantine objects, localize and eliminate their outbreaks, as well as to prevent the spread of quarantine objects on the territory of the Republic of Belarus;

Quarantine regime means restrictions and prohibitions on the use and (or) export of quarantinable products and other quarantinable objects outside the quarantine phytosanitary zone, other restrictions and prohibitions on the implementation of economic and other activities, established for a certain period by the decision of the local executive and administrative body within the quarantine phytosanitary zone;

Quality of plant protection products is compliance of plant protection products in terms of composition, chemical and physical properties and the form of preparation with the established criteria mandatory for compliance according to technical regulatory legal acts;

Measures to protect plants is a set of methods and ways for reducing the number of especially dangerous harmful organisms, including when the economic threshold of harmfulness is achieved, reducing their impact on plants and (or) plant products;

Disinfection of plant protection products is treatment, burial, reducing the hazardous properties of plant protection products, destruction at special places and (or) in special disposal units without their use, leading to a reduction or prevention of their harmful effects on human life and health, the environment;

Handling of quarantinable objects means activities related to import to the Republic of Belarus and / or export from the Republic of Belarus, including transit, as well as use, disinfection, cleaning, return, disposal of quarantinable objects;

Handling of plant protection products means activities related to the development, production, import to the Republic of Belarus and (or) export from the Republic of Belarus, including transit, as well as transportation, sale, storage, use, disinfection of plant protection products;

Especially dangerous harmful organisms are harmful organisms capable of reducing the quality and consumption value of plants and plant products when reaching the economic threshold of harmfulness and included in the list of especially dangerous pests, plant diseases and weeds, determined by the Ministry of Agriculture and Food of the Republic of Belarus in agreement with the National Academy of Sciences of Belarus;

Quarantinable products are plants, plant products, tare (packaging), soil, organisms and materials included in the list of quarantinable products subject to state quarantine phytosanitary control (inspection) at the customs border of the Eurasian Economic Union and the customs territory of the Eurasian Economic Union, and moved across its customs border and its customs territory, which can be carriers of quarantine objects and (or) promote their spread and in respect of which necessary

measures for ensuring quarantine and plant protection should be taken;

Quarantinable objects are territories or individual land plots, buildings, structures, reservoirs, storage areas, quarantinable products, tare (packaging), equipment, vehicles, containers, agricultural machinery and soil treatment tools, as well as collections of insects, plant pathogens and samples of damage caused by them, herbaria and collections of seeds, culture of live fungi, bacteria, viruses, insects, mites, worms and other objects that can be sources of penetration into the territory of the Republic Belarus and (or) spread of quarantine objects on the territory of the Republic of Belarus;

Plants are living plants (vascular and bryophyte plants, algae, lichens and fungi), their parts, including seeds and genetic material;

Plant products are plants, their parts and (or) products of their vital activity, removed from the growth environment and used as raw materials or for other purposes of production and consumption;

Weeds are undesirable plants that grow in crops and plantations of cultural (agricultural, ornamental) plants and cause them harm (slowing growth and decreasing crop capacity, deteriorating their quality, other harmful effects), and contributing to the spread of harmful organisms;

Plant protection products are a substance or a mixture of substances of synthetic or natural origin, designed to prevent the appearance, destruction or control of pests, plant pathogens and / or plant products, undesirable plant species, presowing seed treatment, and also for use as growth regulators, defoliants, desiccants and fumigants;

Packaging label is information on the packed plant protection product, its manufacturer, recommendations for use, transportation and storage, the state registration number, batch number, date of manufacture, shelf life and other information necessary for safe handling, presented on tangible carrier attached to the package, or applied thereon;

Phytosanitary state is the state of the territory, determined by the number, intensity of development and spread of especially dangerous harmful organisms, their potential danger to plants and (or) plant products;

Phytosanitary monitoring is a system of observations, assessments and prediction of the development and spread of harmful organisms;

Phytosanitary certificate is an international document accompanying quarantinable products issued by the authorized plant quarantine authority of the exporting country (re-exporter) in accordance with the form established by the International Plant Protection Convention, signed in Rome on December 6, 1951 (hereinafter referred to as the Convention), and certifying that the quarantinable products meet the phytosanitary requirements of the importing country;

The economic threshold of harmfulness is a number, intensity of development and spread of especially dangerous harmful organisms, the presence of which will lead to a degree of plant damage, at which it is necessary to implement plant protection measures to reduce losses of plants and / or plant products.

Article 2. Legal regulation of relations in the field of quarantine and plant protection

Relations in the field of quarantine and plant protection shall be regulated by this Law and other legislation acts in the field of quarantine and plant protection, international treaties of the Republic of Belarus, international legal acts that constitute the law of the Eurasian Economic Union.

Relations in the field of forest protection from pests and diseases shall be regulated by the legislation on the use, conservation, protection and reproduction of forests, with the exception of relations related to plant quarantine, the handling of plant protection products, record keeping, information in the field of plant protection, which shall be regulated by this Law and other legislation acts in the field of quarantine and plant protection.

Relations in the field of protection from pests and diseases of flora objects outside the forest resources shall be regulated by the legislation on conservation and use of the flora, unless otherwise provided by this Law.

Relations in the field of quarantine and protection of plants growing within the boundaries of water protection zones and coastal strips of water bodies shall be regulated by this Law, unless otherwise stipulated by the legislation on the protection and use of water.

Relations in the field of quarantine and protection of plants growing within the boundaries of specially protected natural areas shall be regulated by this Law, unless otherwise stipulated by the legislation on specially protected natural areas.

Relations in the field of handling of plant protection products and quarantinable products, recognized as wastes, shall be regulated by the legislation on waste handling and this Law.

If an international treaty of the Republic of Belarus establishes other rules than those provided for in this Law, the rules of the international treaty shall apply.

Article 3. Subjects of relations in the field of quarantine and plant protection

Subjects of relations in the field of quarantine and plant protection shall be:

The President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Ministry of Agriculture and Food of the Republic of Belarus, local Councils of Deputies, local executive and administrative bodies, as well as other state bodies and other state organizations within their competence;

Other legal entities, individuals, including individual entrepreneurs.

Article 4. Objects of relations in the field of quarantine and plant protection

Objects of relations in the field of plant quarantine shall be:

Quarantine objects;

Quarantinable objects.

Objects of relations in the field of plant protection shall be:

Especially dangerous harmful organisms;

Plant protection products.

Article 5. Quarantine and plant protection principles

Quarantine and plant protection shall be carried out in accordance with the following principles:

- ensuring public safety and environmental safety during the implementation of quarantine phytosanitary measures and plant protection measures;
- scientific, ecological and economic rationale for the implementation of quarantine phytosanitary measures and plant protection measures;
- the priority of using biological plant protection products;
- publicity in the work of government agencies and other state organizations, other legal entities, individual entrepreneurs on quarantine and plant protection issues and providing citizens with complete, reliable and timely information in this field.

Article 6. Measures to ensure quarantine and plant protection

Plant quarantine shall be ensured by:

- adoption (approval) and implementation of regulatory legal acts, including technical regulatory legal acts, in the field of plant quarantine;
- implementation of quarantine phytosanitary measures;
- implementation of state quarantine phytosanitary control (inspection).

Plant protection shall be ensured by:

- Adoption (approval) and implementation of regulatory legal acts, including technical regulatory legal acts, in the field of plant protection;
- carrying out inspection in the field of plant protection;
- organization of scientific research on the development of new plant protection products, methods and technologies for handling them;
- state registration of plant protection products;
- production process organization of plant protection products;
- implementation of plant protection measures;
- creation and use of a reserve of plant protection products;
- formation and use of the data base on plant protection.

The legislation may provide for other measures to ensure quarantine and protection of plants.

Article 7. Obligations of legal entities, individuals, including individual entrepreneurs, in the field of quarantine and plant protection

Legal entities, individual entrepreneurs engaged in handling quarantinable objects are obliged to:

- comply with regulatory legal acts, including mandatory requirements of technical regulatory legal acts in the field of plant quarantine;
- ensure access of officials performing state quarantine phytosanitary control (inspection) to quarantinable objects;
- submit to the officials carrying out the state quarantine phytosanitary control (inspection), information and documents necessary for carrying out the state quarantine phytosanitary control (inspection);
- not to interfere with the performance of the state quarantine phytosanitary

control (inspection);

notify the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" of the arrival of quarantinable products imported to the Republic of Belarus to the place of destination (delivery);

not to allow cleaning and (or) disinfection of vehicles carrying quarantinable products on the way, as well as in places not intended for sanitary treatment of vehicles;

ensure disinfection or destruction of quarantinable objects, in case quarantine objects are identified;

conduct surveys of quarantinable objects and, in case of detection of places of mass spread of quarantine objects, inform the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection";

transport quarantinable products by means and methods that exclude the possibility of contaminating the territory with quarantine objects;

comply with the quarantine regime;

plan quarantine phytosanitary measures upon agreement with the territorial organizations of the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection", implement them in a timely and qualitative manner;

finance the quarantine phytosanitary measures provided for by Part 2 of Article 8 of this Law.

Legal entities, individual entrepreneurs engaged in handling of plant protection products are obliged to:

comply with regulatory legal acts, including mandatory requirements of technical regulations in the field of plant protection;

provide access for officials responsible for inspection in the field of plant protection to places connected with the handling of plant protection products;

provide the officials responsible for inspection in the field of plant protection with the information and documents necessary for carrying out the inspection in the field of plant protection;

not to interfere with the implementation of inspection in the field of plant protection;

submit information to be included in the data base on plant protection to the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection";

keep records of the availability of plant protection products and the implementation of plant protection measures;

finance the plant protection measures provided for in Part 2 of Article 8 of this Law;

handle only the plant protection products that have passed state registration and are included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus, with the exception of cases stipulated by part three of Article 22 of this Law;

stop handling of unfit and (or) prohibited for use plant protection products and ensure their disinfection.

Legal entities, individual entrepreneurs engaged in handling of quarantinable

objects and (or) plant protection products are required to comply with other requirements provided for by legislation in the field of quarantine and plant protection.

Individuals carrying out handling of quarantinable objects and (or) plant protection products are required to comply with regulatory legal acts, including mandatory requirements of technical regulatory legal acts in the field of quarantine and plant protection.

Article 8. Financing of quarantine phytosanitary measures and plant protection measures

Financing of quarantine phytosanitary measures and measures for plant protection shall be carried out using the funds of legal entities, individual entrepreneurs that implement these activities, the funds of the republican and local budgets and other sources not prohibited by the law.

Financing of quarantine phytosanitary measures in the quarantine phytosanitary zone, disinfection and destruction (disposal) of quarantinable objects, return to the exporting country of quarantinable products, carrying out quarantine phytosanitary examination of quarantinable products, analysis of hidden forms of plant pathogens and / or plant products, testing of plant protection products in respect of biological and economic efficiency (hereinafter referred to as tests of plant protection products), determination of the quality of plant protection products, disinfection of unfit and (or) prohibited for use plant protection products and their tare (packaging) shall be carried out at the expense of legal entities and individual entrepreneurs.

CHAPTER 2 STATE REGULATION AND MANAGEMENT IN THE FIELD OF QUARANTINE AND PLANT PROTECTION

Article 9. State regulation and management in the field of quarantine and plant protection

State regulation and management in the field of quarantine and plant protection shall be carried out by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Ministry of Agriculture and Food of the Republic of Belarus, local Councils of Deputies, local executive and administrative bodies within their competence.

Article 10. Powers of the President of the Republic of Belarus in the field of quarantine and plant protection

The President of the Republic of Belarus defines a unified state policy in the field of quarantine and plant protection, exercises other powers in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts.

Article 11. Powers of the Council of Ministers of the Republic of Belarus in the field of quarantine and plant protection

The Council of Ministers of the Republic of Belarus in the field of quarantine and plant protection shall:

ensure the implementation of a unified state policy;

ensure the development and implementation of state programs for quarantine and plant protection;

establish in accordance with this Law the procedure and terms of payment for quarantine phytosanitary measures and plant protection measures by legal entities, individual entrepreneurs;

establish the procedure for determining and marking the boundaries of the quarantine phytosanitary zone, instituting, securing and lifting the quarantine regime;

establish the procedure for the formation and use of the data base on plant protection;

establish the procedure for issuing phytosanitary certificates, unless otherwise established by the President of the Republic of Belarus;

establish the procedure for certification of legal entities carrying out quarantine phytosanitary examination of quarantinable products;

establish the procedure for state registration of plant protection products and record keeping of the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus;

establish the procedure for attestation of legal entities carrying out testing of plant protection products subject to state registration;

exercise other powers in accordance with the Constitution of the Republic of Belarus, this Law, other laws and acts of the President of the Republic of Belarus.

Article 12. Powers of the Ministry of Agriculture and Food of the Republic of Belarus in the field of quarantine and plant protection

The Ministry of Agriculture and Food of the Republic of Belarus in the field of quarantine and plant protection shall:

implement a unified state policy;

determine upon agreement with the National Academy of Sciences of Belarus a list of especially dangerous pests, plant diseases and weeds;

establish the procedure for conducting phytosanitary monitoring;

establish the procedure for the participation of representatives of the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" in the inspection of quarantinable products;

establish the procedure for disinfection of quarantinable objects;

establish the procedure for return of quarantinable products to the exporting country;

establish upon agreement with the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus the procedure for the disposal of quarantinable products;

establish the procedure for conducting a quarantine phytosanitary examination of quarantinable products;

conduct certification of legal entities carrying out quarantine phytosanitary examination of quarantinable products;

establish upon agreement with the Ministry of Health of the Republic of Belarus and the National Academy of Sciences of Belarus the procedure for testing plant protection products subject to state registration;

conduct certification of legal entities carrying out testing of plant protection products subject to state registration;

establish the procedure for the formation, replenishment and use of the reserve of plant protection products;

establish the procedure for keeping records of the availability of plant protection products, the implementation of plant protection measures;

carry out inspection in the field of plant protection;

exercise other powers in accordance with this Law and other legislative acts.

Article 13. Powers of local Councils of Deputies, local executive and administrative bodies in the field of quarantine and plant protection

Local Councils of Deputies in the field of quarantine and plant protection shall: approve quarantine phytosanitary measures in the quarantine phytosanitary zone and the plant protection measures, as well as control their implementation;

exercise other powers in accordance with legislative acts.

Local executive and administrative bodies in the field of quarantine and plant protection shall:

develop measures for handling of plant protection products and quarantinable products, recognized as waste, quarantine phytosanitary measures in the quarantine phytosanitary zone and plant protection measures, as well as ensure their implementation;

ensure the proper phytosanitary state of the territory of the relevant administrative-territorial unit;

institute a quarantine regime, take measures to ensure it, and also lift the quarantine regime;

exercise other powers in accordance with legislative acts.

CHAPTER 3 PLANT QUARANTINE

Article 14. Detection of quarantine objects and prevention of their spread

For the purpose of timely detection of quarantine objects and prevention of their spread the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" shall carry out phytosanitary monitoring in accordance with the procedure established by the Ministry of Agriculture and Food of the Republic of Belarus.

If it's detected that quarantinable objects are infected with quarantine objects, the state institution "Main State Inspection for Seed, Quarantine and Plant Protection" determines the boundaries of the quarantine phytosanitary zone and the conditions of the quarantine regime, submits an order to the local executive and administrative body on instituting a quarantine regime.

On the basis of the order of the state institution "Main State Inspection on Seed

Breeding, Quarantine and Plant Protection" the local executive and administrative body within the time specified in the order takes a decision on the instituting a quarantine regime.

The state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" shall immediately and not later than three hours after the decision of the local executive and administrative body on the establishment of a quarantine regime inform legal entities and individuals, including individual entrepreneurs engaged in economic and other activities in the quarantine phytosanitary zone, about instituting of the quarantine regime, conditions of the instituted quarantine regime and the responsibility for its violation through mass media and other available means.

In the quarantine phytosanitary zone the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" shall organize the implementation of quarantine phytosanitary measures, and local executive and administrative bodies shall take the necessary measures to ensure the instituted quarantine regime involving the internal affairs bodies of the Republic of Belarus that assist within their competence.

The procedure for determining and marking the boundaries of the quarantine phytosanitary zone, instituting, securing and lifting the quarantine regime is established by the Council of Ministers of the Republic of Belarus.

Article 15. Protection of the territory of the Republic of Belarus from quarantine objects when importing to and exporting from the Republic of Belarus, including transit, of quarantinable products

Protection of the territory of the Republic of Belarus from quarantine objects when importing to and exporting from the Republic of Belarus, including transit, of quarantinable products shall be carried out in accordance with this Law and other legislative acts in the field of quarantine and plant protection, international treaties of the Republic of Belarus, international legal acts that constitute the law of the Eurasian Economic Union.

Unless stipulated otherwise by international legal acts constituting the law of the Eurasian Economic Union, import of quarantinable products with a high phytosanitary risk to the Republic of Belarus shall be allowed if a phytosanitary certificate is available for the said products.

The quarantinable products imported to the Republic of Belarus are subject to state quarantine phytosanitary control (inspection) at the checkpoints of the State border of the Republic of Belarus (places of arrival) and (or) places of destination (delivery) in accordance with the procedure established by the law, international legal acts constituting the law of the Eurasian Economic Union.

While performing official duties, people carrying out state quarantine phytosanitary control (inspection) must have in their possession an official certificate and wear uniform with signs of distinction.

It is prohibited to import quarantine objects to the Republic of Belarus, except for their import for scientific research. Import to the Republic of Belarus, if it is a country of destination, of quarantine objects for scientific research shall be carried out in accordance with the procedure established by the Council of Ministers of the

Republic of Belarus.

In order to ensure quarantine phytosanitary security, the Council of Ministers of the Republic of Belarus can introduce temporary quarantine phytosanitary measures (prohibitions, restrictions, etc.) with respect to import to and export from the Republic of Belarus, including transit, of quarantinable products in accordance with international legal acts that constitute the law of the Eurasian Economic Union.

**Article 16. Disinfection, disposal, return of quarantinable products.
Disinfection, cleaning, return of vehicles**

Quarantinable products imported to the Republic of Belarus and infected with quarantine objects are subject to disinfection or disposal if disinfection or disposal of quarantinable products is possible, and if it is impossible to conduct it or the owner of quarantinable products refuses to conduct disinfection or disposal, they are subject to return to the exporting country according to the procedure established by the Ministry of Agriculture and Food of the Republic of Belarus.

Vehicles used for transportation of quarantinable products are subject to disinfection or cleaning in accordance with mandatory technical regulatory legal acts, and if they cannot be carried out or the owner of quarantinable products refuses to do so, they should be returned together with the transported batch of the quarantinable products.

Article 17. Quarantine phytosanitary examination of quarantinable products

In the event that organisms that are similar in morphological features to quarantine objects are detected during visual inspection and / or analysis of samples of quarantinable products during the state quarantine phytosanitary control (inspection), as well as to detect latent contamination of quarantinable products with quarantine objects, a quarantine phytosanitary examination of quarantinable products shall be carried out according to the procedure established by the Ministry of Agriculture and Food of the Republic of Belarus for the final identification of quarantine objects.

Based on the results of the quarantine phytosanitary examination of quarantinable products a conclusion shall be drawn up, in which quarantine phytosanitary measures are determined with respect to the tested quarantinable products, in case of detection of a quarantine object.

The quarantine phytosanitary examination of quarantinable products shall be carried out by legal entities certified by the Ministry of Agriculture and Food of the Republic of Belarus in accordance with the procedure established by the Council of Ministers of the Republic of Belarus.

CHAPTER 4

PLANT PROTECTION PRODUCTS AND THEIR HANDLING

Article 18. State registration of plant protection products

State registration of plant protection products shall be carried out by the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" in accordance with the procedure established by the Council of Ministers of the Republic of Belarus.

Plant protection products are subject to state registration on the basis of positive results of testing of plant protection products conducted by legal entities certified by the Ministry of Agriculture and Food of the Republic of Belarus according to the procedure established by the Council of Ministers of the Republic of Belarus, as well as toxicological and hygienic assessment conducted by legal entities that are accredited by the Ministry of Health of the Republic of Belarus according to the procedure established by the Council of Ministers of the Republic of Belarus.

Toxicological and hygienic assessment of plant protection products is a sanitary measure that includes assessment of compliance with the safety requirements for plant protection products established by the international legal acts that constitute the law of the Eurasian Economic Union in terms of toxicological and hygienic characteristics.

The procedure for toxicological and hygienic assessment of plant protection products shall be established by the Council of Ministers of the Republic of Belarus taking into account the international legal acts that constitute the law of the Eurasian Economic Union.

Data on plant protection products that have passed state registration and their characteristics are included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus, which is kept by the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection".

The certificate of state registration of a plant protection product shall be issued for the plant protection product included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus to a legal entity, an individual entrepreneur who submitted an application and paid for the state registration of the plant protection product.

Article 19. Development and manufacturing of plant protection products

When developing new plant protection products, the risks of the harmful effects of plant protection products on human health and the environment shall be assessed, and methods for the safe handling of plant protection products shall be developed.

Manufacturing of plant protection products shall be carried out in accordance with the requirements of sanitary regulations, other mandatory requirements of technical regulatory legal acts, and plant protection products must comply with the mandatory requirements of technical regulatory legal acts.

The manufacturer of plant protection products shall:

ensure manufacturing of plant protection products in accordance with the requirements of sanitary regulations, other mandatory requirements of technical regulatory legal acts;

ensure manufacturing of standard specimens for reliable assessment of the quality of plant protection products;

stop manufacturing of plant protection products in case their application becomes unsafe for life and health of people and the environment;

ensure disposal of unfit and (or) prohibited for use plant protection products that have been produced and are in his possession;

develop methods and technologies for disinfection of plant protection products and their tare (packages);

ensure that each container with a plant protection product has recommendations for its use, transportation and storage (on a (packaging) label or in a special annex) specifying the state registration number.

Article 20. Requirements for transportation and storage of plant protection products, import to the Republic of Belarus and / or export from the Republic of Belarus, including transit, of plant protection products

Transportation and storage of plant protection products, import to the Republic of Belarus and / or export from the Republic of Belarus, including transit, of plant protection products shall be carried out in accordance with this Law and other legislative acts in the field of hazardous goods transportation, legislation on foreign economic activity, customs regulation, international treaties of the Republic of Belarus, international legal acts that constitute the law of the Eurasian Economic Union.

When transporting and storing plant protection products, it is necessary to comply with the requirements established by regulatory legal acts of the Ministry of Agriculture and Food of the Republic of Belarus that ensure the safety of human life and health and protection of the environment from the harmful effects of plant protection products, as well as the requirements established by legislative acts in the field of environmental protection and sustainable use of natural resources.

Import to the Republic of Belarus, if it is a country of destination, of plant protection products included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus shall be allowed, unless provided for otherwise by the international legal acts constituting the law of the Eurasian Economic Union.

In the absence of plant protection products in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus, their import to the Republic of Belarus, if it is a country of destination, from the territory of a member state of the Eurasian Economic Union shall be allowed on the basis of a conclusion (permit), issued by the Ministry of Agriculture and Food of the Republic of Belarus in accordance with the international legal acts that constitute the law of the Eurasian Economic Union in cases, in the manner and on terms established by the Council of Ministers of the Republic of Belarus.

In the Republic of Belarus import to the customs territory of the Eurasian

Economic Union of plant protection products in cases provided for by international legal acts constituting the law of the Eurasian Economic Union shall be carried out on the basis of a license or a permit. In the Republic of Belarus the license is issued by the Ministry of Antimonopoly Regulation and Trade of the Republic of Belarus upon agreement with the Ministry of Agriculture and Food of the Republic of Belarus in accordance with the international legal acts constituting the law of the Eurasian Economic Union, and a conclusion (permit) is issued by the Ministry of Agriculture and Food of the Republic of Belarus in accordance with these acts, as well as in accordance with the procedure and on the terms established by the Council of Ministers of the Republic of Belarus.

In the Republic of Belarus import of plant protection products to the customs territory of the Eurasian Economic Union as goods for personal use by individuals is prohibited.

The requirements stipulated by parts from four to six of this article shall apply to plant protection products included in a unified list of goods to which non-tariff regulation measures of trade with third countries are applied as provided for by the international legal act that constitutes the law of the Eurasian Economic Union.

Article 21. Requirements for selling of plant protection products

Legal entities, individual entrepreneurs engaged in wholesale and retail trade of plant protection products can only deal with plant protection products that have passed state registration and are included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus.

Wholesale trade of plant protection products shall be carried out after obtaining a special permit (license). Wholesale purchase of plant protection products for the purpose of further retail trade shall be carried out by legal entities and individual entrepreneurs who have a corresponding special permit (license) for wholesale trade of plant protection products.

When selling plant protection products the seller (supplier) is obliged to ensure that each container with a plant protection product has recommendations for its use, transportation and storage (on a (packaging) label or in a special annex) specifying the state registration number.

When selling a plant protection product it must be accompanied by a document confirming the quality of the plant protection product issued by the manufacturer. This document shall contain the following information:

- name of a plant protection product and the content of active substances in it;
- manufacturer (full name of the legal entity, surname, name, patronymic (if any) of the individual entrepreneur) and the trademark of the plant protection product (if any);
- date of manufacture of the plant protection product (day, month, year) and its expiry date (month, year);
- batch number;
- net weight or batch volume;
- quantity of packing units in the batch;
- test results of plant protection products and the conclusion on the quality of

plant protection products.

Article 22. Requirements for use of plant protection products

In the Republic of Belarus only plant protection products that have passed state registration and are included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus shall be allowed for use, except for the cases provided for in part three of this article.

The plant protection products shall be used by legal entities, individual entrepreneurs during the implementation of quarantine phytosanitary measures and plant protection measures in accordance with the requirements of sanitary regulations, other mandatory requirements of technical regulatory legal acts and in compliance with recommendations for the application of plant protection products by persons having special training, as well as taking into account the requirements established by the legislative acts in the field of protection of the environment and the sustainable use of natural resources.

Plant protection products not included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus can be used only on the basis of the permission of the Ministry of Agriculture and Food of the Republic of Belarus for scientific research and in the event of a threat to the phytosanitary safety of the Republic of Belarus. The procedure for issuing permits, as well as the application of such plant protection products, shall be established by the Council of Ministers of the Republic of Belarus.

Article 23. Disinfection of unfit and (or) prohibited for use plant protection products

Disinfection of unfit and (or) prohibited for use plant protection products and their tare (packaging) shall be ensured by legal entities, individual entrepreneurs in accordance with the legislation on waste handling.

Article 24. Reserve of plant protection products

The reserve of plant protection products represents a certain amount of regularly updated plant protection products included in the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus, which is designed to eliminate the unforeseen mass distribution of pests and is under the control of the Ministry of Agriculture and Food of the Republic of Belarus or the organization authorized by it.

The procedure for the formation, replenishment and use of the reserve of plant protection products shall be established by the Ministry of Agriculture and Food of the Republic of Belarus.

CHAPTER 5
RECORD KEEPING AND INFORMATION IN THE FIELD OF PLANT
PROTECTION. SCIENTIFIC SUPPORT OF QUARANTINE AND PLANT
PROTECTION

Article 25. Record keeping in the field of plant protection

Legal entities, individual entrepreneurs, handling the plant protection products, shall keep records of the availability of plant protection products and the implementation of plant protection measures in the manner established by the Ministry of Agriculture and Food of the Republic of Belarus.

Article 26. Data base on plant protection. Information in the field of plant protection

The data base on plant protection includes the information obtained as a result of phytosanitary monitoring and inspection in the field of plant protection, the information on plant protection records, the data from the list of especially dangerous pests, plant diseases and weed, the data of the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus, as well as other information obtained during the implementation of activities in the field of plant protection.

The state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" shall establish and use the data base on plant protection in accordance with the procedure established by the Council of Ministers of the Republic of Belarus.

The state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection", officials responsible for inspection in the field of plant protection are obliged to inform the population in a timely manner about the phytosanitary state of the territory of the Republic of Belarus as a whole and its separate administrative-territorial units, measures taken to improve it, optimal timing, means and methods for implementing plant protection measures, requirements for the safe handling of plant protection products through the mass media and other available means.

Article 27. Scientific support of quarantine and plant protection

Scientific support of quarantine and plant protection shall be carried out by the National Academy of Sciences of Belarus in accordance with the legislation on scientific activities.

CHAPTER 6
INSPECTION IN THE FIELD OF PLANT PROTECTION. POWERS OF THE
STATE INSTITUTION “MAIN STATE INSPECTION ON SEED BREEDING,
QUARANTINE AND PLANT PROTECTION”. RESPONSIBILITY FOR
VIOLATION OF LEGISLATION IN THE FIELD OF QUARANTINE AND
PLANT PROTECTION

Article 28. Inspection in the field of plant protection

Inspection in the field of plant protection shall be carried out in accordance with the legislation on control (inspection) activities.

Article 29. Powers of the state institution “Main State Inspection on Seed Breeding, Quarantine and Plant Protection”

The state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" is an official national organization for plant quarantine and protection, responsible for fulfilling the obligations provided for in Article IV of the Convention.

The powers of the state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" shall include:

- inspection of plant protection;
- phytosanitary monitoring;
- determining and marking of the boundaries of the quarantine phytosanitary zone and quarantine conditions, submitting an order to the local executive and administrative bodies on the instituting and lifting of the quarantine regime;
- organization of implementation of quarantine phytosanitary measures in the quarantine phytosanitary zone;
- issuance of phytosanitary certificates for quarantinable products;
- organization of disinfection and cleaning of quarantinable facilities;
- performing state registration of plant protection products and keeping records of the State Register of Plant Protection Products and Fertilizers approved for use on the territory of the Republic of Belarus;
- formation and use of the data base on plant protection;
- exercising other powers in accordance with the law.

The state institution "Main State Inspection on Seed Breeding, Quarantine and Plant Protection" shall perform the powers assigned to it by this Law and other legislative acts in the field of quarantine and plant protection directly and through its territorial organizations.

Article 30. Responsibility for violation of legislation in the field of quarantine and plant protection

Violation of legislation in the field of quarantine and plant protection entails administrative, criminal and other liability in accordance with legislative acts.

Bringing to responsibility of people for violation of legislation in the field of quarantine and plant protection shall not release them from the obligation to

compensate for harm caused as a result of handling quarantinable objects and (or) plant protection products, in accordance with the procedure established by the law.

President of the Republic of Belarus

A. Lukashenko