

The Decree of the Government of Georgia No. 630

October 16, 2020

Tbilisi, Georgia

On the approval of the technical regulation – the rules of combating the citrus fruit borer *Anoplophora chinensis* (Forster)

Article 1

In accordance with Article 75, Part 2 of the Food/Animal Feed Safety, Veterinary and Plant Protection Code, Article 56, Part 1 and Article 58, Part 2 of the Product Safety and Free Circulation Code, the hereby annexed technical regulation - the method of combating the citrus fruit borer *Anoplophora chinensis* (Forster) shall be approved.

Article 2

This Decree shall come into effect from 1 January, 2025.

Prime Minister

Giorgi Gakharia

The technical regulation - the rules for combating the citrus fruit borer *Anoplophora chinensis* (Forster)

Article 1. General Provisions

"Technical Regulation - Rules for combating the citrus fruit borer *Anoplophora chinensis* (Forster)"

(hereinafter - the Rule) establishes phytosanitary measures for Georgia in order to prevent the introduction and spread of the citrus fruit borer *Anoplophora chinensis* (Forster) (hereinafter - the specified organism) in the territory of the country.

Article 2. Definitions

1. For the purposes of this Rule the following definitions shall apply:
 - a. specified plants' means plants for planting that have a stem or root collar diameter of 1 cm or more at their thickest point, other than seeds, of *Acer* spp., *Aesculus hippocastanum*, *Alnus* spp., *Betula* spp., *Carpinus* spp., *Citrus* spp., *Cornus* spp., *Corylus* spp., *Cotoneaster* spp., *Crataegus* spp., *Fagus* spp., *Lagerstroemia* spp., *Malus* spp., *Platanus* spp., *Populus* spp., *Prunus laurocerasus*, *Pyrus* spp., *Rosa* spp., *Salix* spp. and *Ulmus* spp.;
 - b. Demarcation - determination of the boundaries of naturalization and buffer zones by fencing or crossing them with various barriers (pasture, forest, road, river, etc.) and placing information about the harmful organism in a visible place;
 - c. Infested zone -The area where the presence of the specified organism is established. It includes all plants showing symptoms caused by the specified organism and all these plants belong to the lot/ lot planted at the same time;
 - d. Buffer zone - an area with a radius of at least 2 km from the boundary of the infested zone;
 - e. Agency - a legal entity of the public law under the state control of the Ministry of Environment Protection and Agriculture of Georgia - National Food Agency;
 - f. Center - a legal entity of the public law under the state control of the Ministry of Environment Protection and Agriculture of Georgia - Scientific and Research Center of Agriculture;
 - g. Service - a legal entity of the public law under the sphere of governance of the Ministry of Finance of Georgia - Revenue Service.
2. For the purposes of this Rule, the terms defined in the Food/Feed Safety, Veterinary and Plant Protection Code also apply, unless otherwise defined in this rule.

Article 3. Import of specific plants (except the People's Republic of China)

Specific plants may be imported from countries other than the People's Republic of China only if:

- a. they meet the specific import requirements given in the first paragraph of Annex No. 1 - "Specific Import Requirements";
- b. As a result of the inspection carried out by the service and/or agency, within the scope of its authority, on the presence of a specified organism (in accordance with paragraph 2 of Annex No. 1), characteristic signs of a specified organism is not detected.

Article 4. Importation of specific plants produced in the People's Republic of China

1. Specific plants produced in the People's Republic of China may be imported if:
 - a. they meet the special requirements established by Annex No. 2 of this Rule - "import of specific plants from the People's Republic of China";
 - b. upon import into the country, they were checked by the service in accordance with this rule and the requirements established by the legislation of Georgia, and no signs of specified organisms were detected;
 - c. The place of production of specific plants is indicated by the relevant authority of the People's Republic of China with a unique registration number.
2. If, during the inspection of the place of production of the specific plants, the relevant authority of the People's Republic of China finds the presence of a harmful organism, this information must be made available to the concerned person/importing party.
3. If the place of production of specific plants listed in the register does not comply with the requirements specified in Annex No. 2 of this rule or if a harmful organism is found in specific plants imported from their place of production, this information must be available to the interested person/importing party.

Article 5. Movement of specified plants

1. Specific plants, produced in the demarcated area in accordance with Article 7 of this rule, may be moved into the country only if the conditions specified in the first paragraph of Annex No. 3 of this rule - "Conditions for movement of specific plants" are met.
2. Specific plants, which are not produced, but imported into the demarcated territory, are allowed to be moved into the territory of the country only if the conditions specified in paragraph 2 of Annex No. 3 of this rule are met.

3. Specific plants, which are imported from the place where the pest is spread, must be accompanied by a plant passport.

Article 6. Surveys and notifications of the specified organism

1. The Agency shall conduct official annual surveys for the presence of the specified organism and for evidence of infestation by that organism on host plants in their territory.
2. The natural or legal person shall notify the Agency the presence of the specified organism in an area within their territory where that presence was previously unknown or the specified organism was considered to have been eradicated or where the infestation was detected on a plant species previously not known to be a host plant.

Article 7. Demarcated areas

1. Where the results of the surveys confirm the presence of the specified organism in an area, or there is evidence of the presence of that organism by other means, the Agency shall without delay establish a demarcated area, which shall consist of an infested zone and a buffer zone, in accordance with Section 1 of Annex 4 of this Rule - "Determining the demarcated territory and the measures to be taken on it".
2. Demarcation of the territory is not necessary, if the conditions specified in the first paragraph of Part II of Annex No. 4 of this rule - "Conditions, if met, it is not necessary to demarcate the territory" are met. In this case, the conditions indicated in paragraph 2 of Part II of Annex No. 4 must be fulfilled.
3. In the demarcated area, based on the recommendations issued by the agency, under the supervision of the agency, the plot owner, a natural and/or legal person, must take the measures specified in Part III of Annex No. 4 of this rule - "Measures to be taken in the demarcated area".

Annex No. 1 Specific import requirements

1. The import of specific plants originating in other countries (except the People's Republic of China) is allowed if they originate in these countries and are known to have harmful organisms in the same countries. In such a case, the specific plants must be accompanied by a phytosanitary certificate, in which one of the following information must be indicated in the relevant section - "Additional declaration":
 - a. The specific plants, throughout their existence, have been grown in a place of production registered and inspected by the National Plant Protection Organization of their country of origin and located in a pest-free area. The name of the territory free from harmful organisms should be indicated in the relevant paragraph - "Place of origin";
 - b. Specific plants were grown at the place of production for two years prior to export, or specific plants less than two years old were grown during the same period in an area defined as free from harmful organisms in accordance with international standards of phytosanitary measures, which:
 - i. registered and checked by the national plant protection organization of their country of origin;
 - ii. was checked annually in the corresponding period of the year, at least twice, in order to detect harmful organisms or signs of its presence, and no signs of the presence of organisms were found;
 - iii. grew up in a place where:
 1. all conditions were created to protect against physical invasion of harmful organisms;
 2. appropriate preventive treatment was carried out in a radius of at least 2 km of the buffer zone in the appropriate period of the year, an inspection was carried out to detect the harmful organism or signs of its presence, immediately after the detection of the signs of the presence of the harmful organism, measures were immediately taken to eliminate it, to restore the buffer zone free from the harmful organism;
 - iv. The shipment of plants was immediately subjected to the presence of a harmful organism before export, namely to a targeted inspection on the roots and stems of the plants, including sampling in accordance with the procedure established by the legislation of Georgia. The size of the sample to be investigated should ensure the possibility of accurate detection of volatilization;
 - c. Plants grown from rootstocks that meet the requirements of subparagraph (b) of this paragraph and grafted onto rootstocks that meet the following requirements:
 - i. at the time of export, the most enlarged area of the graft growth was no more than 1 cm in diameter;

- ii. The grafted plants are tested in accordance with subsection (b) of this section.
2. In accordance with the requirements of the first paragraph of this Annex, imported specific plants must be thoroughly checked at the border inspection point at the point of entry or before the destination, in accordance with the requirements of this rule and the legislation of Georgia. The inspection methods used ensure the detection of any signs of harmful organisms in the roots and stems of the plants. This purposeful inspection should include taking a sample from the wood in accordance with the procedure established by the legislation of Georgia. The size of the sample to be investigated should ensure the possibility of accurate detection of volatilization.

Annex No. 2 Import of specific plants from the People's Republic of China

1. Specific plants produced in the People's Republic of China must be accompanied by a phytosanitary certificate, in which one of the following information must be specified in the corresponding section - "Additional declaration":
 - a. The specific plants have been grown throughout their existence in a place of production that is registered and inspected by the relevant authority of the People's Republic of China and is located in a specified organism-free area, which is defined by the same authority as a specified organism-free area in accordance with international standards of phytosanitary measures. The name of the territory free from harmful organisms should be indicated in the appropriate section of the phytosanitary certificate - "Place of origin";
 - b. Specific plants prior to export, at least two years or less than two years old specific plants were grown at the place of production, which is established as free from specified organism in accordance with international standards of phytosanitary measures:
 - i. which is registered and verified by the relevant authority of the People's Republic of China;
 - ii. which has been officially inspected annually, at least twice in the relevant period, for the presence of any signs of a harmful organism and no signs of the presence of a harmful organism have been detected;
 - iii. Plants grew:
 1. in a place physically fully protected from the introduction of harmful organisms; or
 2. in a buffer zone that has been appropriately treated prophylactically and is surrounded by a radius of at least 2 km, where an official examination for the presence of the pest or its signs is carried out every year at appropriate intervals. As soon as the signs of the harmful organism were detected, measures were immediately taken to destroy it, to restore a buffer zone free from the harmful organism;
 3. Each consignment of plants was immediately subjected to a thorough inspection for the presence of harmful organisms before export, including sampling from the roots and stems of the plants in accordance with the procedure established by the legislation of Georgia. The size of the sample to be investigated should ensure the possibility of accurate detection of volatilization;
 - c. Plants grown from rootstocks meeting the requirements of subparagraph (b) of this paragraph and grafted onto rootstocks meeting the following requirements:
 - i. during export, the diameter of the canes at its largest point did not exceed 1 cm; g.b) grafted plants were checked in accordance with the subsection "b.g.g" of this paragraph;

- ii. the registration number of the place of production is indicated.
2. In accordance with the first paragraph of this Annex, imported specific plants must be checked at the border inspection point at the point of entry or at the destination, in accordance with the requirements of this rule and the legislation of Georgia. The inspection method used should ensure the detection of any signs of the pest in the roots and stems of the plants. This targeted inspection should include taking a sample from the wood in accordance with the procedure established by the legislation of Georgia. The size of the sample to be investigated should ensure the possibility of accurate detection of volatilization. According to the procedure established by the legislation of Georgia, sampling should be carried out in accordance with the table indicated below:

Number of plants in the lot	Level of destructive sampling in accordance with the rule established by the Georgian Legislation (number of plants to be cut)
1- 4 500	10 % of lot size
>4 500	450.

Annex No. 3. Specific plant movement conditions

1. Specific plants grown in a demarcated area may be moved only if they are accompanied by a plant passport and have been grown in a pest-free zone for at least two years before moving, or plants less than two years old have been grown at the place of production, which:
 - a) are registered in the register of economic activities;
 - b) Every year, in a specified period, they were subjected to at least two inspections for the presence of any signs of harmful organisms and no signs of harmful organisms were detected in them, if necessary, this inspection should include targeted sampling from the roots and stems of plants in the manner established by the legislation of Georgia. The size of the sample to be investigated should ensure the possibility of accurate detection of volatilization;
 - c) were located in the demarcation area, where:
 - i. plants were grown in a place physically protected from the introduction of harmful organisms;
 - ii. sampling from each lot of specific plants before the application of appropriate prophylactic treatment or movement was carried out in accordance with the procedure established by the legislation of Georgia, in accordance with the table given in paragraph 2 of Annex No. 2 of this rule, where it was carried out at the appropriate time in a radius of at least 1 km every year examination for the presence of a pest or its signs and they were not detected;
 - iii. A rootstock that meets the requirements of this paragraph may be planted on a rootstock that has not grown under these conditions, but the diameter of its largest point is 1 cm.
2. Specific plants which do not originate in the demarcation zone, but are imported to a place of production located in the same demarcation zone, may be moved provided that the place complies with the requirements referred to in point (c) of paragraph one of this Annex and only if Specific plants are accompanied by a plant passport.
3. Specific plants, which are imported from the place where the pest is spread, must be accompanied by a plant passport.

Annex No. 4 Determination of the demarcated area and the measures to be taken on it. Conditions that, if met, do not require the demarcation of the territory. Measures to be taken in the demarcated area

Part I. Determination of the demarcated area and measures to be taken on it

1. Demarcated areas shall consist of an infested zone and a buffer zone.
2. The exact delimitation of the zones shall be based on scientific conclusions of the Center, the biology of the specified organism, the level of infestation, the particular distribution of the host plants in the area concerned and evidence of establishment of the specified organism. In cases where the Agency concludes that eradication of the specified organism is possible, taking into account the circumstances of the outbreak, the results of a specific investigation or the immediate application of eradication measures, the radius of the buffer zone may be reduced to not less than 1 km beyond the boundary of the infested zone. In cases where eradication of the specified organism is no longer possible the radius cannot be reduced below 2 km.
3. If the presence of the specified organism is confirmed outside the infested zone, the delimitation of the infested zone and buffer zone shall be reviewed and changed accordingly.
4. The demarcation of the demarcated area can be lifted if, based on the investigation and monitoring carried out by the agency, no harmful organism has been detected for at least one life cycle and one additional year, but not less than 4 consecutive years. The exact duration of the pest's life cycle is determined by taking into account the available data for the area or similar climate zone.
5. The demarcation may be lifted if, after lengthy investigations, the conditions set out in Part II of this Annex are met.

Part II. Conditions under which no demarcated area need be established

1. A demarcated area needs not to be established where the following conditions are satisfied:
 - a. There is evidence either that the specified organism has been introduced into the area with the plants on which it was found and there is an indication that those plants were infested before their introduction into the area concerned, or that it is an isolated finding, immediately associated with a specified plant or not, not expected to lead to establishment;
 - b. it is ascertained that there is no establishment of the specified organism and that the spread and successful breeding of the specified organism is not possible due to its biology and taking into account the results of a specific investigation and eradication measures that may consist of precautionary felling and disposal of specified plants including their roots after they have been examined.
2. Demarcation of the territory is not required if the conditions established by the first paragraph of this section are met and the following measures are taken:

- a. immediate measures are taken to ensure the prompt eradication of the specified organism and to exclude the possibility of its spread;
- b. monitoring during the period covering at least one life cycle of the specified organism and 1 additional year including monitoring in at least 4 consecutive years, in a radius of at least 1 km around the infested plants or the place where the specified organism was found; for the first year at least monitoring shall be regular and intensive;
- c. the destruction of any infested plant material;
- d. tracing back to the origin of the infestation and tracing of plants associated with the case of infestation concerned as far as possible and the examination thereof for any sign of infestation; the examination shall include targeted destructive sampling;
- e. activities to raise public awareness concerning the threat of that organism;
- f. Any other measure established by international standards (ISPM 9; ISPM 14) to eliminate the specified organisms.

Part III. Measures to be taken in the demarcated area

1. In order to eliminate harmful organisms in the demarcated area, based on the recommendations issued by the agency, under the supervision of the agency, the following measures should be taken by the natural and/or legal person who owns the plot:
 - a. the immediate felling of infested plants and plants with symptoms caused by the specified organism, and the complete removal of their roots; in cases where the infested plants were found outside the flying period of the specified organism the felling and removal shall be carried out before the start of the next flying period; in exceptional cases where the Agency concludes that such felling is inappropriate an alternative eradication measure may be applied offering the same level of protection against the spread of the specified organism;
 - b. the felling of all specified plants within a radius of 100 m around infested plants and the examination of those specified plants for any sign of infestation; in exceptional cases where a responsible official body concludes that such felling is inappropriate, the individual detailed examination for any sign of infestation of all these specified plants within that radius which are not to be felled, and the application, where appropriate, of measures to prevent any possible spread of the specified organism from those plants;
 - c. removal, examination and disposal of plants felled in accordance with points (a) and (b) and of their roots; taking of all necessary precautions to avoid spreading of the specified organism during and after felling;
 - d. prevention of any movement of potentially infested material out of the demarcated area;

- e. tracing back to the origin of the infestation and tracing of plants associated with the case of infestation concerned, as far as possible, and the examination thereof for any sign of infestation; the examination shall include targeted destructive sampling;
 - f. where appropriate, replacement of specified plants by other plants;
 - g. Prohibition of planting specific plants in the open ground in the place indicated in subparagraph "b" of this paragraph, except for the places of production specified in Annex No. 3 of this rule;
 - h. Intensive monitoring of the presence of harmful organisms, annual inspection of host plants at the appropriate time, special attention to the buffer zone, targeted inspection, including sampling according to the procedure established by the legislation of Georgia;
 - i. Measures to raise public awareness of the dangers caused by harmful organisms and the measures taken to prevent the introduction and spread of harmful organisms in the country, in accordance with Article 7 of this rule, including the conditions for its movement from demarcated areas;
 - j. where necessary, specific measures to address any particularity or complication that could reasonably be expected to prevent, hinder or delay eradication, in particular those related to the accessibility and adequate eradication of all plants that are infested or suspected of infestation, irrespective of their location, public or private ownership or the person or entity responsible for them;
 - k. Any other measures that may be used to eliminate the pest must be in accordance with the requirements established by international standards for phytosanitary measures.
2. When the results of the investigation specified in Article 6 of this rule have confirmed the presence of a harmful organism in a specific area for more than four years, and if there is evidence that it is impossible to eliminate the said harmful organism, based on the recommendations issued by the agency in the said specific area, under the Agency's supervision, the plot owner physical or/ and the legal entity must take at least the following measures:
- a. felling of infested plants and plants with symptoms caused by the specified organism, and the complete removal of their roots; felling activities shall start immediately, however in cases where the infested plants were found outside the flying period of the specified organism the felling and removal shall be carried out before the start of the next flying period; in exceptional cases where the Agency concludes that such felling is inappropriate an alternative eradication measure may be applied offering the same level of protection against the spread of the specified organism;
 - b. removal, examination and disposal of plants felled and of their roots; taking of necessary precautions to avoid spreading of the specified organism after felling;
 - c. prevention of any movement of potentially infested material out of the demarcated area;

- d. where appropriate, replacement of specified plants by other plants;
- e. Planting of new specific plants in the open ground of the designated area specified in subparagraph "a" of the first paragraph of Part II of this Annex may be prohibited, except for the production sites specified in paragraph 2 of Annex No. 3 of this rule;
- f. The host plants should be monitored for the presence of specified organisms at the appropriate time through annual inspections, including sampling according to the procedure established by the legislation of Georgia;
- g. Raising the level of awareness of the population regarding the dangers caused by harmful organisms, which is related to the prevention of the introduction and spread of harmful organisms in the country, including the conditions for their movement from the demarcated area, taking into account the conditions specified in Article 7 of this Rule;
- h. If necessary, the need to take specific measures that may be expected to prevent the obstruction, delay or delay of liquidation measures. In particular, the access to and destruction of all plants that are suspected of being infected, regardless of their location, public or private ownership or the person responsible for them;
- i. any other measure, which may contribute to the containment of the specified organism.