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GOVERNMENT NOTICE

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 1013

26 May 1989

AGRICULTURAL PESTS ACT, 1983
(ACT No. 36 OF 1983)

IMPORTATION OF CONTROLLED GOODS WITHOUT A PERMIT

I, André Isak van Niekerk, Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture under section 3 (4) of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby make the determinations set out in the Schedule.

A. I. VAN NIEKERK,
Deputy Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning and, unless the context indicated otherwise—

“area of production” means any plot or group of plots that are cultivated as a unit, and on or in which controlled goods are produced;

“certificate” means—

(a) the original specimen of a phytosanitary certificate or phytosanitary certificate of re-export, that—

(i) is in the form of the FAO Model Certificate appended to the International Plant Protection Convention, Rome, 1951; and

(ii) has been issued by a recognised empowered authority in the country of production or the country or re-export of the controlled goods to which such certificate relates;

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 1013

26 Mei 1989

WET OP LANDBOUPLAE, 1983
(WET No. 36 VAN 1983)

INVOER VAN BEHEERDE GOEDERE SONDER 'N PERMIT

Ek, André Isak van Niekerk, Adjunk-minister van Landbou, handelende namens die Minister van Landbou kragtens artikel 3 (4) van die Wet op Landbouplae, 1983 (Wet No. 36 van 1983), maak hierby die bepalings in die Bylae uiteengesit.

A. I. VAN NIEKERK,
Adjunk-minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“die Wet” die Wet op Landbouplae, 1983 (Wet No. 36 van 1983);

“insekte en patogene” insekte en patogene van die soorte wat in nommervolgorde in Tabel 2 aangedui is;

“land van produksie” die land waarin beheerde goedere geproduseer is of, in die geval van Australië, die Verenigde State van Amerika, of 'n ander land met outonome fitosanitêre dienste in die verskillende state daarvan, die staat waarin beheerde goedere geproduseer is;

“produksiegebied” enige perseel of groep persele wat as 'n eenheid bewerk word, en waarin of waarop beheerde goed geproduseer word; en

(b) the original specimen of a health certificate that has been issued by a recognised empowered authority in the country of production or the country of re-export of the controlled goods to which such certificate relates;

“country of production” means the country in which controlled goods were produced or, in the case of Australia, the United States of America or any other country with autonomous phytosanitary services in the different states, thereof, the state in which controlled goods were produced;

“insects and pathogens” means insects and pathogens of the kinds indicated in numerical sequence in Table 2; and

“the Act” means the Agricultural Pests Act, 1983 (Act No. 36 of 1983).

Exemption from permit requirements

2. The classes of controlled goods specified in column 1 of Table 1 may be imported into the Republic without a permit referred to in section 3 (1) of the Act.

Conditions of exemption

3. (1) The exemption granted in clause 2 shall be subject to the following conditions:

(a) The applicable requirements specified in column 2 of Table 1 opposite a particular class of controlled goods shall be complied with in respect of each consignment of that class of controlled goods.

(b) The controlled goods concerned may only be imported through a port of entry specified in the Table 3.

(c) Each consignment of controlled goods shall be presented to the executive officer at the port of entry thereof for such inspection as he may deem necessary.

(d) The certificate that accompanies a consignment of controlled goods shall be retained by the executive officer.

(e) No consignment of controlled goods may be removed from the port of entry thereof before the executive officer has consented thereto in writing.

(2) The symbols used in column 2 of Table 1 shall have the following meanings:

(a) “AD” and “T” means that each consignment of the class of controlled goods concerned shall be accompanied by a certificate.

(b) “D” means that the importer of a consignment of the class of controlled goods concerned shall submit a declaration on a form obtainable from the executive officer for this purpose, in which he declares that such consignment is intended for immediate re-export or for purposes other than the cultivation thereof in the Republic.

(c) “AD 1” followed by one or more numbers in brackets, means that the applicable certificate shall contain an additional declaration that insects and pathogens of the kinds represented by the numbers in brackets—

(i) as appears from inspections during the active growth of the mother plants concerned, did not occur on those mother plants; or

(ii) do not occur in the area of production concerned.

“sertifikaat”—

(a) die oorspronklike eksemplaar van ’n fitosanitêre sertifikaat of fitosanitêre sertifikaat van heruitvoer wat—

(i) in die vorm van die VLO-modelsertifikaat aangeheg by die “International Plant Protection Convention, Rome, 1951”, is; en

(ii) uitgereik is deur ’n erkende gemagtigde gesag in die land van produksie of die land van heruitvoer van die beheerde goedere waarop sodanige sertifikaat betrekking het; of

(b) die oorspronklike eksemplaar van ’n gesondheidsertifikaat wat uitgereik is deur ’n erkende gemagtigde gesag in die land van produksie of die land van heruitvoer van die beheerde goedere waarop sodanige sertifikaat betrekking het;

Vrystelling van permitvereistes

2. Die klasse beheerde goedere in kolom 1 van Tabel 1 vermeld, mag sonder ’n permit in artikel 3 (1) van die Wet bedoel, in die Republiek ingevoer word.

Voorwaardes van vrystelling

3. (1) Die vrystelling in klousule 2 verleen, is onderworpe aan die volgende voorwaardes:

(a) Die toepaslike vereistes in kolom 2 van Tabel 1 teenoor ’n bepaalde klas beheerde goedere vermeld, moet ten opsigte van elke besending van daardie klas beheerde goedere nagekom word.

(b) Die betrokke beheerde goedere mag slegs deur ’n plek van binnekoms in Tabel 3 vermeld, ingevoer word.

(c) Elke besending beheerde goedere moet by die plek van binnekoms daarvan aan die uitvoerende beampte aangebied word vir sodanige ondersoek as wat hy nodig ag.

(d) Die sertifikaat wat ’n besending beheerde goedere vergesel, word deur die uitvoerende beampte behou.

(e) Geen besending beheerde goedere mag uit die plek van binnekoms daarvan verwyder word voordat die uitvoerende beampte skriftelik daartoe toegestem het nie.

(2) Die simbole wat in kolom 2 van Tabel 1 gebruik word het die volgende betekenis:

(a) “AD” en “T” beteken dat elke besending van die betrokke klas beheerde goedere van ’n sertifikaat vergesel moet gaan.

(b) “D” beteken dat die invoerder van ’n besending van die betrokke klas beheerde goedere ’n verklaring op ’n vorm wat vir dié doel by die uitvoerende beampte verkrygbaar is, moet verstrek waarin hy verklaar dat sodanige besending vir onmiddellike heruitvoer of vir ander doeleindes as die verbouing daarvan in die Republiek bestem is.

(c) “AD 1” gevolg deur een of meer nommers in hakies, beteken dat die toepaslike sertifikaat ’n bykomende verklaring moet bevat dat insekte en patogene van die soorte wat deur die nommers in hakies verteenwoordig word—

(i) blykens ondersoek tydens die aktiewe groei van die betrokke moederplante, nie op daardie moederplante voorgekom het nie; of

(ii) nie in die betrokke produksiegebied voorkom nie.

(d) "AD 2" followed by one or more numbers in brackets, means that the applicable certificate shall contain an additional declaration that insects and pathogens of the kinds represented by the numbers in brackets do not occur in the country of production concerned.

(e) "AD 3" followed by one or more numbers in brackets, means that the applicable certificate shall contain an additional declaration that insects and pathogens of the kinds represented by the numbers in brackets do not occur in the area of production concerned.

(f) "AD 4" followed by one or more numbers in brackets, means that the applicable certificate shall contain an additional declaration that the consignment concerned is free of insects and pathogens of the kinds represented by the numbers in brackets.

(g) "AD 5" means that the applicable certificate shall contain an additional declaration that the seed comprising the consignment concerned was germinated in or on a sterilised medium and is packed in a sterilised medium.

(h) "AD 6" means that the applicable certificate shall contain an additional declaration that the plants comprising the consignment concerned were rooted and grown in or on a sterilised medium and are packed in a sterilised medium.

(i) "AD 7" means that the applicable certificate shall contain an additional declaration that the plants comprising the consignment concerned are packed in a sterilised medium.

(j) "AD 8" means that the applicable certificate shall contain an additional declaration that the tissue culture or tissue culture transplants comprising the consignment concerned was obtained from mother plants that are practically free from virus and other diseases.

(k) "AD 9" means that the applicable certificate shall contain an additional declaration that the timber comprising the consignment concerned has been kiln-dried to a moisture content of 20 per cent or less.

(l) "AD 10" followed by one or more numbers in brackets, means that the applicable certificate shall contain a confirmation that the mother plants from which the tissue or tissue culture plants comprising the consignment were obtained, were indexed for and found free from viruses and virus-like organisms of the kinds represented by the numbers in brackets.

(m) "AD 11" means that the applicable certificate shall contain an additional declaration that the consignment concerned is free of growth mediums and soil.

(n) "T 1" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated with a wide spectrum fungicide, and in cases where it is followed by one or more numbers in brackets, such confirmation shall refer specifically to the pathogens of the kinds represented by the numbers in brackets.

(o) "T 2" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated with a wide spectrum insecticide or fumigant, and in cases where it is followed by one or more numbers in brackets, such confirmation shall refer specifically to the insects of the kinds represented by the numbers in brackets.

(d) "AD 2" gevolg deur een of meer nommer in hakies, beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat insekte en patogene van die soorte wat deur die nommers in hakies verteenwoordig word, nie in die betrokke land van produksie voorkom nie.

(e) "AD 3" gevolg deur een of meer nommers in hakies, beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat insekte en patogene van die soorte wat deur die nommer in hakies verteenwoordig word, nie in die betrokke produksiegebied voorkom nie.

(f) "AD 4" gevolg deur een of meer nommer in hakies, beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die betrokke besending vry is van insekte en patogene van die soorte wat deur die nommers in hakies verteenwoordig word.

(g) "AD 5" beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die saad wat die betrokke besending uitmaak, op of in 'n gesteriliseerde medium ontkiem en in 'n gesteriliseerde medium verpak is.

(h) "AD 6" beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die plante wat die betrokke besending uitmaak in of op 'n gesteriliseerde medium bewortel en gekweek was en in 'n gesteriliseerde medium verpak is.

(i) "AD 7" beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die plante wat die betrokke besending uitmaak in 'n gesteriliseerde medium verpak is.

(j) "AD 8" beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die weefselkultuur of weefselkultuurplante wat die betrokke besending uitmaak, verkry is van moederplante wat prakties vry van virus- en ander siektes is.

(k) "AD 9" beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die hout wat die betrokke besending uitmaak, tot 'n voginhoud van 20 persent of minder in 'n oond gedroog is.

(l) "AD 10" gevolg deur een of meer nommers in hakies, beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die moederplante waarvan die weefselkultuur en weefselkultuurplante wat die betrokke besending uitmaak, geïndekseer is vir en vry gevind is van virusse en virusagtige organismes van die soorte wat deur die nommers in hakies verteenwoordig word.

(m) "AD 11" beteken dat die toepaslike sertifikaat 'n bykomende verklaring moet bevat dat die betrokke besending vry van kweekmediums en grond is.

(n) "T 1" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending behandel was met 'n wye spektrum swamdoder, en in gevalle waar dit gevolg word deur een of meer nommers in hakies, moet so 'n bevestiging in besonder verwys na die patogene van die soorte wat deur die nommers tussen hakies verteenwoordig word.

(o) "T 2" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending behandel was met 'n wye spektrum insekdoder of berokingsmiddel, en in gevalle waar dit gevolg word deur een of meer nommers in hakies, moet so 'n bevestiging in besonder verwys na die insekte van die soorte wat deur die nommers tussen hakies verteenwoordig word.

(p) "T 3" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated with a wide spectrum acaricide, and in cases where it is followed by one or more numbers in brackets, such confirmation shall refer specifically to the insects of the kinds represented by the numbers in brackets.

(q) "T 4" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated by immersing it for 10 minutes in an appropriate solution of hydrogen peroxide or for 45 seconds in an appropriate solution of hydroxyquinoline sulphate.

(r) "T 5" means that the applicable certificate shall contain a confirmation that the consignment concerned has been kiln-dried to a moisture content of less than 20 per cent.

(s) "T 6" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated with an appropriate hot water treatment.

(t) "T 7" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated by means of an appropriate fumigation with methyl bromide gas.

(u) "T 8" means that the applicable certificate shall contain a confirmation that the consignment concerned was treated by immersion in an appropriate solution of sodium hypochloride.

(p) "T 3" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending behandel was met 'n wye spektrum mytdoder, en in gevalle waar dit gevolg word deur een of meer nommer in hakies, moet so 'n bevestiging in besonder verwys na die insekte wat deur die nommers tussen hakies verteenwoordig word.

(q) "T 4" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending behandel was deur dit vir 10 minute in 'n toepaslike oplossing van waterstofperoksied of vir 45 sekondes in 'n toepaslike oplossing van hidroksikwinoliensulfaat te dompel.

(r) "T 5" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending tot 'n voggehalte van minder as 20 persent in 'n oond gedroog is.

(s) "T 6" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending met 'n toepaslike warmwaterbehandeling behandel was.

(t) "T 7" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending deur middel van toepaslike beroking met metielbromiedgas behandel was.

(u) "T 8" beteken dat die toepaslike sertifikaat 'n bevestiging moet bevat dat die betrokke besending behandel was deur dit in 'n toepaslike oplossing van natriumphipochloried te dompel.

TABLE/TABEL 1

CONTROLLED GOODS EXEMPTED FROM PERMITS, AND REQUIREMENTS OF EXEMPTION
BEHEERDE GOEDERE VAN PERMITTE VRYGESTEL, EN VEREISTES VAN VRYSTELLING

Class of controlled goods Klas van beheerde goedere Column/Kolom 1	Requirements Vereistes Column/Kolom 2
1. Seed of species of the following genera and families intended for planting/Saad van spesies van die volgende genera en families wat vir plantdoeleindes bestem is:	
<i>Abies</i>	T 1, T 2
<i>Abutilon</i>	T 1, T 2
<i>Acacia</i> (excluding/uitgesonderd <i>A. caffra</i> , <i>A. cyclops</i> , <i>A. dealbata</i> , <i>A. erubescens</i> , <i>A. fleckii</i> , <i>A. hebeclada</i> , <i>A. karroo</i> , <i>A. longifolia</i> , <i>A. mearnsii</i> , <i>A. melanoxylon</i> , <i>A. melifera</i> , <i>A. nigrescens</i> , <i>A. nilotica</i> subsp. <i>kraussiana</i> , <i>A. reficiens</i> , <i>A. robusta</i> , <i>A. saligna</i> , <i>A. senegal</i> var. <i>rostrata</i> , <i>A. tenuispina</i> and/en <i>A. tortilis</i>)	
<i>Acaena</i>	AD 1 (149)
<i>Acanthus</i>	T 1, T 2
<i>Acer</i>	AD 1 (65), T 2
<i>Achillea</i>	None/Geen
<i>Achimenes</i>	None/Geen
<i>Acokanthera</i>	T 1, T 2
<i>Acrocarpus</i>	T 1, T 2
<i>Acroclinium</i>	None/Geen
<i>Actinidia</i>	None/Geen
<i>Actinotus</i>	T 1, T 2
<i>Adansonia</i>	T 1, T 2
<i>Adenanthos</i>	T 1, T 2
<i>Aegilops</i>	AD 1 (92, 375), T 1, T 2, T 3 (9)
<i>Aesculus</i>	T 1 (177), T 2
<i>Aetoxicon</i>	T 1, T 2
<i>Agathis</i>	T 1 (387), T 2
<i>Agave</i>	T 1, T 2
<i>Ageratum</i>	None/Geen
<i>Aglaonema</i>	None/Geen
<i>Agonis</i>	T 1, T 2
<i>Agropyron</i>	AD 4 (92, 375), T 3 (9)
<i>Agrostemma</i>	None/Geen
<i>Agrostis</i> (pasture/weiding)	AD 2 (19, 21), AD 4 (92, 375)
<i>Agrostis</i> (lawn/grasperk)	AD 2 (19, 21)
<i>Akebia</i>	T 1, T 2
<i>Alberta</i>	T 1, T 2
<i>Albizia</i> (excluding/uitgesonderd <i>A. lophantha</i>)	T 1, T 2
<i>Alectryon</i>	T 1, T 2
<i>Aleurites</i>	T 1, T 2

Class of controlled goods Klas van beheerde goedere Column/Kolom 1	Requirements Vereistes Column/Kolom 2
<i>Allium</i> (excluding/uitgesonderd <i>A. vineale</i>)	T 1 (391)
<i>Alnus</i>	AD 1 (85), AD 3 (89)
<i>Alocasia</i>	T 1, T 2
<i>Aloe</i>	T 1, T 2
<i>Alstroemeria</i>	T 1, T 2
<i>Althea</i>	T 1, T 2
Amaranthaceae	None/Geen
Amaryllidaceae (excluding species of genera mentioned elsewhere/uitgesonderd spesies van genera elders vermeld)	None/Geen
<i>Amorphophallus</i>	T 1, T 2
<i>Amphicarpaea</i>	T 1, T 2
<i>Anacyclus</i>	None/Geen
<i>Anchusa</i>	T 1, T 2
<i>Anemone</i>	None/Geen
<i>Anethum</i>	None/Geen
<i>Angelica</i>	None/Geen
<i>Anigozanthos</i>	None/Geen
<i>Annona</i>	T 1 (264)
<i>Anthocleista</i>	T 1, T 2
<i>Antigonon</i>	T 1, T 2
<i>Anthemis</i>	None/Geen
<i>Anthurium</i>	None/Geen
<i>Antirrhinum</i>	None/Geen
<i>Anthriscus</i>	None/Geen
<i>Aphelandra</i>	None/Geen
<i>Apios</i>	T 1, T 2
<i>Apium</i>	None/Geen
<i>Aquilegia</i>	None/Geen
<i>Arabis</i>	AD 1 (197, 409)
<i>Arachis</i>	AD 1 (238, 239, 240)
<i>Aralia</i>	T 1, T 2
<i>Araucaria</i>	AD 3 (120) T 1 (388), T 2
<i>Arbus</i>	T 1, T 2
<i>Arbutus</i>	T 1, T 2
<i>Arctotis</i>	None/Geen
<i>Ardisia</i>	None/Geen
Arecaceae (excluding/uitgesonderd <i>Cocos spp.</i> <i>Phoenix dactylifera</i> , <i>Elaeis spp.</i>) (ungerminated/onontkiem)	AD 3 (325, 329), T 2 (329)
<i>Arisaema</i>	T 1, T 2
<i>Aristolochia</i>	T 1, T 2
<i>Armeria</i>	None/Geen
<i>Artemisia</i>	None/Geen
<i>Artocarpus</i>	T 1, T 2
<i>Arundinaria</i>	T 1, T 2
<i>Asclepias</i>	None/Geen
<i>Asimina</i>	T 1, T 2
<i>Asparagus</i>	AD 2 (35)
<i>Astragalus</i>	None/Geen
<i>Atalaya</i>	T 1, T 2
<i>Atropa</i>	AD 1 (251)
<i>Aubretia</i>	None/Geen
<i>Aucuba</i>	AD 1 (66), T 1, T 2
<i>Avena</i>	AD 1 (20)
<i>Averrhoa</i>	T 1, T 2
<i>Axonopus</i>	AD 4 (92)
<i>Azadirachta</i>	AD 1 (168, 289)
<i>Baeckea</i>	T 1, T 2
<i>Balanites</i>	T 1, T 2
<i>Ballota</i>	T 1, T 2
<i>Balsamina</i>	None/Geen
<i>Banksia</i>	T 1, T 2
<i>Barcena</i>	T 1, T 2
<i>Basilicum</i>	None/Geen
<i>Bauhinia</i>	T 1, T 2
<i>Beaucarnea</i>	T 1, T 2
<i>Begonia</i>	None/Geen
<i>Beloperone</i>	None/Geen
<i>Bellis</i>	None/Geen
<i>Berberis</i> (only/slegs <i>B. thunbergii</i> , <i>B. buxifolia</i> , <i>B. buxifolia nana</i> , <i>B. candidula</i> , <i>B. chenaaulti</i> , <i>B. darwinii</i> , <i>B. insignis</i> , <i>B. julianae</i> , <i>B. linearifolia</i> , <i>B. logogenensis</i> , <i>B. replicata</i> , <i>B. sanguinea</i> , <i>B. sargentiana</i> , <i>B. stenophylla</i> , <i>B. stenophylla diversifolia</i> , <i>B. stenophylla graciüs</i> , <i>B. stenophylla irwina</i> , <i>B. stenophylla nana compacta</i> , <i>B. taliensis</i> , <i>B. triancanthophora</i> , <i>B. verruculosa</i> and/en <i>B. xanthoxylon</i>)	T 1 (314), T 2
<i>Beta</i>	AD 1 (106, 254, 299, 381)
<i>Betula</i>	AD 1 (89), AD 3 (85), T 1
<i>Bignonia</i>	None/Geen

