

*Approved by the Resolution N 280, dated December 29, 2006
of the Cabinet of Ministers of the Republic of Azerbaijan*

REGULATIONS

for issuing imports quarantine permit and phytosanitary certificates for imports and exports, transit transportation through and circulation in the Republic of Azerbaijan of plant and plant products

General provisions

Issuance of import quarantine permit and phytosanitary certificates for imports and exports, transit transportation through the territory of the Azerbaijan Republic and circulation of plant and plant products is conducted on the account of legal and natural persons.

The Tariff Council of the Republic of Azerbaijan determines the amount of funds paid for phytosanitary services rendered to legal and natural persons.

ISSUANCE OF IMPORT QUARANTINE PERMIT TO IMPORTS OF PLANT AND PLANT PRODUCTS

Before importing goods, legal and natural persons must officially apply to the State Phytosanitary Control service at the Ministry of Agriculture of the Republic of Azerbaijan (hereinafter called as the State Service) for getting import quarantine permit for plant and plant products that can spread harmful organisms under quarantine control in accordance with the determined list.

The followings must be reflected in the application:

- for legal persons – name, organizational-legal form, legal address of the legal person;
- for natural persons – surname, name, middle name, ID information (series, number, date of issuance and issuing agency, address).

The following documents must be submitted together with the application:

- copy of the certificate on state registration of legal persons;
- copy of the certificate on entrepreneurship activities of natural persons and his/her registration at tax authorities;
- information about imported plant and plant products:
 - name and amount of product (for each kind);
 - name of the exporting country (information on the product's origin);
 - product's date of entry to the country, name of the border entry station (sea or airport, railway station, auto-station, etc.);
 - product's final destination and place of usage;
- compliance certificate that confirms the sort and sowing quality of seeds intended for importation for planting and sowing purposes.

The submitted application and above mentioned documents are received by the State Service through registering in a special book and reviewed within 15 days since they are registered. When there is deficiency or basis for rejection, import quarantine permit is issued to the applicant by the State Service in accordance with the sample form in the attachment number 1 to these Regulations.

Imports quarantine permit to sowing and planting materials that are not included in the state registry is issued through taking into consideration the opinions of relevant entities of the Ministry of Agriculture of the Republic of Azerbaijan.

When the issuance of imports quarantine permit is rejected, the applicant is informed on the reasons for the rejection in written. After these reasons are removed and the documents are re-submitted, the application is reviewed within 5 days and import quarantine permit is issued.

The State Service must inform the relevant border phytosanitary control station on the issuance of the import quarantine permit within 2 days. The import quarantine permit is valid for 3 months since its issuance.

Issuance of import quarantine permit is rejected in the following cases:

- when the above mentioned documents are not submitted;
- when wrong or distorted information is included in the documents submitted by the applicant;
- when prohibitions and limitations are placed against quarantine pests that pose serious danger for the territory of the Republic of Azerbaijan.

ISSUING PHYTOSANITARY CERTIFICATES TO EXPORTS OF PLANT AND PLANT PRODUCTS

Applicant must apply to local entities of the State Service with documents identified with the legislation at least 5 days before sending party of goods for export.

The submitted application is accepted with a note in the book and reviewed within 3 days after registration. Comprehensive phytosanitary quarantine review of exported goods is conducted in the first place of loading, air, sea and river ports, railway stations and other re-loading facilities (during the formation of an export party).

A thorough phytosanitary quarantine review is implemented by the State Service's local entities based on the results of observations and relevant laboratory examination conducted in the period of cultivation of exported plant and plant products, internal quarantine certificate is issued when there is no reason for putting limitations for the formation of party of goods and delivering it to border phytosanitary control station.

Applicant must submit relevant internal quarantine certificates to phytosanitary control station when plant and plant products are unloaded and packed on the border, formed into export parties and loaded to means of transportation. State phytosanitary inspectors conduct visual phytosanitary quarantine review of the goods. When there is no basis for limitations or prohibitions, a phytosanitary certificate is issued to goods (for each means of transportation) based on internal quarantine certificates submitted by the applicant.

When exported goods are directly shipped to foreign countries without unloading in the border phytosanitary control station, plant and plant products are packed, sealed and loaded to means of transportation in places where the party of goods are formed and shipped. Local entities of the State Service developed phytosanitary certificates for those goods in 3 copies and one copy is kept in that entity and two copies are given to the applicant. When the applicant delivers goods to the border, s/he must give a copy of the phytosanitary certificate to the State Service's phytosanitary control station and the goods must be shipped without being opened, divided, mixed with other goods and re-packed, through conducting visual phytosanitary quarantine review, observing customs requirements, in accordance with determined order.

According to regulations, when issuance of phytosanitary certificates is rejected, written information is given to the applicant by relevant entities of the State Service showing the reasons for the rejection.

Phytosanitary certificates are rejected in the following cases:

- when the documents that are intended in the legislation are not submitted;
- when the documents submitted by the applicant include wrong or distorted information;
- when quarantine pests are revealed during phytosanitary quarantine review.

After the deficiencies are removed and revealed quarantine harmful organisms are rendered harmless in the identified manner, a phytosanitary certificate is issued to the applicant's relevant goods.