

Free Translation

[Coat of arms]
Ministry of Agriculture
Government of Chile

EXEMPT RESOLUTION No.: 4412/2013

**ESTABLISHES PHYTOSANITARY ENTRY
REQUIREMENTS FOR VESSELS FROM
AREAS WITH ASIAN GYPSY MOTH (AGM)
PRESENCE (*Lymantria dispar* Asiatica
Vnukovskij AND *Lymantria dispar* Japonica
(Motschulsky) (Lepidoptera, Lymantriidae).**

SANTIAGO, 30/07/2013

HAVING SEEN:

Organic Law No. 18.755 of the Agriculture and Livestock Service (SAG) regulations; the Ministry of Agriculture Decree Law No. 3.557 of 1980 which establishes regulations on Agricultural Protection; the Ministry of National Defense Supreme Decree No. 364 of 1980, that establishes the Regulations for Receiving and Dispatching Vessels; the Ministry of Transport and Telecommunications Supreme Decree No. 313 of 1996 that Establishes the Technical Commission and Sets Standards for the Facilitation and Simplification of Documentation in Maritime Shipping; the Ministry of Agriculture Decree No. 156 of 1998, which authorizes ports for the importation of vegetables, animals; products and sub-products and agricultural and livestock supplies into Chilean territory; Resolution No. 3.080 by the SAG of 2003 and its modifications and the Pest Risk Analysis ARP-VCOF-2011- 003.

CONSIDERING

1. That the SAG has the capability to adopt the phytosanitary measures necessary to avoid the introduction and spread of quarantine pests into Chilean territory in regulated articles, such as maritime carriage vessels.
2. That the Asian *Lymantria dispar* (Vnukovskij) and Japanese *Lymantria dispar* (Motschulsky) (Lepidoptera, Lymantriidae) – Gypsy Moth (AGM) species qualify as pests which require quarantine in Chile.

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Translation prepared by Cave Traducciones e Idiomas Ltda.

3. That ocean going vessels constitute a potential entry pathway into the country for these quarantine pests, confirmed by the Pest Risk Analysis.
4. That the Pest Risk Analysis has identified areas where AGM is present and when the female flight period occurs.
5. That SAG inspectors have the authority to be present at the reception of vessels that arrive from overseas and to inspect all means of transport or cargo that may carry pests.

I HEREBY RESOLVE

1. To establish the following phytosanitary requirements for ocean-going cargo, fishing, tourism and passenger vessels coming from or bound for areas with Asian *Lymantria dispar* (Vnukovskij) and Japanese *Lymantria dispar* (Motschulsky) (Lepidoptera, Lymantriidae) – Gipsy Moth (AGM) - presence during the last 2 years, from the moment of the arrival of the vessel at the Chilean port.
2. The requirements will be applied to vessels that arrive from ports located in the North East and Far East Asia, between 60° and 20° North latitude and those that have docked or remained during the following female flight periods.

Area with AGM presence	Female flight period
East Russia	1 July – 30 September
South Korea	1 June – 30 September
North Korea	1 June – 30 September
North China	1 June – 30 September

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North Japan (Aomori, Fukushima, Hokkaido, Iwate, Miyagi Prefectures)	1 July – 30 September
West Japan (Akita, Ishikawa, Niigata, Toyama, Yamagata Prefectures)	25 June – 15 September
East Japan (Aichi, Chiba, Fukui, Ibaraki, Kanagawa, Mie, Shizuoka, Tokyo Prefectures)	20 June – 20 August
South Japan (Ehime, Fukuoka, Hiroshima, Hyogo, Kagawa, Kagoshima, Kochi, Kumamoto, Kyoto, Miyazaki, Nagasaki, Oita, Okayama, Osaka, Saga, Shimane, Tottori, Tokushima, Wakayama, Yamaguchi Prefectures)	1 June – 10 August
Far South Japan (Okinawa Prefecture)	25 May – 30 June

The areas indicated above can be modified by the Service, on the basis of new information on distribution and the female flight period.

- The vessel should come issued with an Official Phytosanitary Certificate by the phytosanitary authority of the country of origin, corresponding with the last port of permanence or departure located in an area of pest presence, or another Certificate issued under the supervision or authorization of the Phytosanitary Authority and with previous SAG approval. The following statement must be present in each of the aforementioned documents:

“The vessel (vessel name) was inspected and is considered to be free from AGM”.

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4. The Certificate should be presented at the first docking port in Chilean territory and should be written in Spanish or English.
5. The vessels that have departed or remained in areas with AGM presence out with a female flight period are not required to present this Certificate.
6. All maritime carriage that arrives in the country from areas with AGM presence should provide the SAG with a copy of the logbook or port list, of where the vessel has docked during the last two years. The copy of this document should be provided by the vessel representative with a minimum of 24 hours before reaching the Chilean port.
7. If the SAG determines that the vessel requires inspection, it must take place in daylight. Otherwise, the SAG will request a denial of free pratique from the corresponding authority until the required lighting conditions are available.
8. When the vessel arrives without a Certificate or the Certificate does not meet the requirements specified in the Resolution, the vessel will be inspected and will undergo the following corresponding phytosanitary measures or others determined by the Service.
 - 8.1 If masses of eggs are found, cleaning, phytosanitary treatment and a reinspection of the vessel must be requested.
 - 8.2 If live larvae are found, the vessel will be sent immediately to anchor for cleaning, phytosanitary treatment and a subsequent reinspection.
 - 8.3 If it is impossible to carry out the cleaning and treatment ordered by SAG, a denial of free pratique will be requested from the corresponding authority.
9. The Service may randomly inspect vessels that have docked in areas where AGM is present over the last two years and during times out with the female flight period.
10. Infractions of the rules present in the Resolution will be penalized according to Decree Law No. 3.557 of 1980 of the Agricultural Protection and Organic Law No. 18.755 of the Service.

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11. The current Resolution will come into effect 6 months after its publication in the Official Journal and will not be applied to vessels which have been stationed in areas with AGM presence before said publication date.

TO BE NOTED, COMMUNICATED AND PUBLISHED

ANÍBAL ARIZTÍA REYES
NATIONAL DIRECTOR
AGRICULTURAL AND LIVESTOCK SERVICE

OHC/PWA/AMRJ/VLAR/CCS/SCD/PGE/MTA

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