

Plant and Animal Quarantine Regulations

PART I. GENERAL PROVISIONS

1.1 Short title

These regulations may be cited as the Plant and Animal Quarantine Regulations.

1.2. Authority and repealer

In accordance with the authority conferred by the Palau National Code, Title 34, section 2002, the Director of the Bureau of Agriculture has adopted these Plant and Animal Quarantine Regulations. All plant and animal quarantine controls and regulations previously promulgated are superseded and hereby repealed.

1.3 Effective date

The Plant and Animal Quarantine Regulations shall take effect thirty (30) days after approval by the President of the Republic of Palau, in accordance with Palau National Code, Title 6, Section 127.

1.4 Purpose

The purpose of the Plant and Animal Quarantine Regulations is to protect the agricultural activities and general well-being of the people of the Republic of Palau. These regulations are promulgated as a method of preventing the introduction and further spread of injurious insects, pests, and diseases into and within the Republic of Palau, to provide procedures and conditions to ensure the safe movement of plants and animals and plant and animal products into and out of the Republic of Palau; and to fulfill international obligations to prevent the movement of pests in international trade and traffic.

1.5 Definitions

Unless the context otherwise requires, the following definitions shall apply in the interpretation and enforcement of the provisions of these regulations:

- (a) "abattoir" means premises approved by the veterinary administration of the exporting country and conforming with internationally accepted standards.
- (b) "agent" includes any person performing functions on behalf of or instead of an owner or importer in relation to an import, or an exporter in relation to the export, of a live plant, plant material, live animal, animal product or goods which include plant or animal product in their composition.

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- (c) "agricultural quarantine facility" means a certified government facility, equipped and specifically designed and set aside for holding or for growing imported plants or plant materials or for holding imported animals.
- (d) "ai center" means an artificial insemination facility for the production of semen approved by the veterinary administration of the exporting country and used exclusively for donor animals and conforming with internationally accepted standards.
- (e) "animal" means any living stage of the animal kingdom except human beings; and, in the case of any mammal, bird, insect, fish, crustacean or reptile, includes the egg, larva, semen or the carcass thereof.
- (f) "animal product" means any part of an animal (including the flesh, wool, hair, skin, hide, bones, horns, hooves, feathers, and other parts of the carcass), and any product that is wholly, or partly derived from an animal or any part of an animal, being part of any animal or a product that has not been treated or sterilized to the stage where it is rendered free from any disease and from carrying any disease.
- (g) "approved establishment" means an establishment approved by the administration of the exporting country which operates under government supervision and conforms with internationally accepted standards for the slaughter and processing of animals.
- (h) "approved place for the performance of quarantine" means a place other than an agricultural quarantine facility where the quarantine of plants, animals or goods may take place.
- (I) "approved treatment" means any treatment approved by the Chief of Agriculture.
- (j) "as prescribed" means any procedure or treatment specified by the Chief of Agriculture or incorporated in a manual or official treatment schedule.
- (k) "authorized official" means the Chief of Agriculture, inspectors, or any other person designated by the Chief of Agriculture.
- (l) "certificate of origin" means a certificate issued by an official of the exporting country, certifying that the plants, plant material, animals, and animal products or other goods have been produced and processed in the exporting country and may include where applicable, in the absence of an official veterinarian of the exporting country, particulars of the measures taken to prevent the spread of disease.
- (m) "Director of Agriculture" means the Director of the Bureau of Agriculture.

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- (n) "contaminate" means infestation or infection by plant or animal pests or having in association with it animals, animal products, unauthorized plant material or soil adhering to or in company with the goods.
- (o) "contraband goods" means any goods imported into or transported within the Republic of Palau by any person in contravention of these regulations.
- (p) "conveyance" means any carrier such as a vessel, aircraft, lighter, barge, truck, van, vehicle, and transport or shipping container.
- (q) "cutting up establishment" means a slaughterhouse, export cutting plant, export cold store, butchery, cannery, or poultry plant where meat is cut into smaller cuts than half carcasses, cut into three wholesale cuts, prepared for retail sale or totally deboned.
- (r) "culture" means any plant or animal tissue, or any planting material or parts thereof on nutrient media.
- (s) "declaration" refers to a written or oral statement certifying as to plants, plant material, animals, and animal products or other prohibited or restricted goods under these regulations which accompanied a person on their arrival from overseas or arrived as their cargo.
- (t) "disease in relation to animals," means any disease, parasite or pest affecting animals that is included on the OIE List A or List B or is declared by the President or his designee to be a disease, parasite or pest of socio-economic or public health importance or which is significant in the international trade of animals or animal products. For the purposes of these regulations, goods of animal origin shall be deemed to be diseased if they are in a deteriorated or abnormal condition, whether or not that condition is dependent on the presence of, or is due to the operation, development, growth or effect of a disease.
- (u) "disease in relation to plants," means any disease, pest or plant affecting plants, or a noxious plant that is included on the OIE List A or List B or is declared by the President or his designee to be a disease, pest or plant of socio-economic or public health importance or which is significant in the international trade of plants or plant materials. For the purposes of these regulations, goods of plant origin shall be deemed to be diseased if they are in a deteriorated or abnormal condition, whether or not that condition is dependent on the presence of, or is due to the operation, development, growth or effect of a disease.
- (v) "domestic ruminants" means cattle, buffalo, goats and sheep.

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- (w) "dunnage" means any timber used in the stowage of goods in conveyances such as vessels or cargo containers.
- (x) "examination" includes inspection and shall include the inspection of any document, the taking of any sample, the conduct of any test or other procedure used to determine the conformity or otherwise with the conditions under which an importation of plants, plant materials, animal or animal material or other regulated goods has been approved.
- (y) "export" means to take a thing or cause it to be sent out of the country by any means of conveyance.
- (z) "export inspection" means the inspection or examination of agricultural produce and animals, conveyances, vessels, aircraft or goods, for the purpose of ensuring that the goods comply with the country of destination sanitary and or phytosanitary quarantine requirements.
- (aa) "fish" means any aquatic animal, whether piscine or not, and includes any mollusc, crustacean, coral, sponge, holothurian (beche-de-mer), and reptile and their young and eggs.
- (bb) "free zone" means a clearly defined territory within a country in which no case of a specified disease has been reported during a defined period for such disease, and within which and at the borders of which official veterinary control is effectively applied for animals and animal products, and their transportation.
- (cc) "fruit and vegetables" means the edible portion of any plant, whether attached to the plant or not, and includes any peel, skin, shell or seed, whether edible or not, including vegetables, in the raw or unprocessed state.
- (dd) "garbage" means mixed refuse waste material derived in whole or in part from plants, fruits, vegetables, meats or other plant or animal material, or other refuse of any character whatsoever that has been associated with any fruits, vegetables, meats or other plant or animal material and includes vessel or aircraft galley scraps.
- (ee) "goods" means any movable property and includes plants and plant material, animals and animal products.
- (ff) "handicrafts" shall include native artifacts, decorative goods or adornments made from or containing plant material, including but not limited to, seeds, vines, leaves, wood, grass, gum, dried flowers; animal materials, including but not limited to, untreated feathers, skin, hair, fur, wool, dried flesh, teeth, bones; sea shells and other items such as

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the external shells of animals, coral and like materials.

(gg) "import" means to bring a thing or cause it to be brought into the Republic of Palau from any place outside of the Republic of Palau, or moved within the Republic of Palau by any conveyance.

(hh) "infected" means a condition caused by a plant or animal disease pathogen.

(ii) "infested" means the presence of plant or animal pests other than a plant or animal disease pathogen.

(jj) "inspection" means the examination of plants or plant material, animals or animal products, goods or other regulated material for the purpose of determining conformity with these regulations and any other Republic of Palau entry requirements. Inspection shall include the examination of any conveyance, container or packaging of any kind on which or in which such goods have been carried or stored or on or in which it is intended to carry or store such goods and any place where such goods, conveyance or packaging have been or are being held prior to clearance by an inspector.

(kk) "inspector" means an inspector appointed by the President to enforce the provisions of the Plant and Animal Quarantine Regulations, quarantines and controls. Inspector also includes temporary inspectors appointed by the President.

(ll) "intermediate quarantine" in the case of plants, means the growing of plants intended for consignment to the Republic of Palau in a place approved by the Chief of Agriculture, where the plants are screened for plant pests, including disease, and certified by the plant health authority to the effect that the plants have been grown in the approved place and as far as can be determined are free of plant pests. In the case of animals, intermediate quarantine means the performance of prescribed quarantine conditions by animals or animal products intended for import into the Republic of Palau in a place approved for the purpose by the Chief of Agriculture.

(mm) "international animal health certificate" means a certificate issued by an official veterinarian of the exporting country, certifying the state of good health of the animal, and giving particulars where applicable of any tests to which the animal has been subjected, the vaccinations carried out on the animal which is the subject of the certificate and giving particulars of the measures taken to prevent the spread of disease.

(nn) "international health certificate" means a certificate issued by an official veterinarian of the exporting country, certifying the wholesomeness of animal products, and giving particulars where applicable of the measures taken to prevent the spread of disease.

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(oo) "in transit" means the importation into the Republic of Palau, the storage, transfer or movement within the Republic of Palau of plants, plant material, animals or animal products, goods or regulated material which are not intended for importation into Republic of Palau and which are intended to be on forwarded to a destination outside of the Republic of Palau, irrespective of the duration of the temporary stay in the Republic of Palau.

(pp) "land" includes any surface area, building, wharf or port facility.

(qq) "noxious weed" means any plant declared by the Chief of Agriculture to be a noxious weed.

(rr) "OIE" means the Office International des Epizooties.

(ss) "OIE List A disease" means a list of transmissible diseases, identified from time to time by the OIE, which have the potential for very serious and rapid spread irrespective of national borders, which are of serious socio-economic or public health consequence and which are of major importance in the international trade of animals and animal products.

(tt) "OIE List B disease" means a list of transmissible diseases, identified from time to time by the OIE, which are considered to be of socio-economic and/or public health importance within countries and which are significant in the international trade of animals and animal products.

(uu) "official veterinarian" means a civil service veterinarian or a veterinarian appointed or authorized by the veterinary administration of the exporting country.

(vv) "owner" means the person responsible for plants, plant materials, animals, animal products or any goods, or regulated material, and may include the owner, owner's agent, the person to whom the goods are consigned or by whom they are being exported or the person in charge of any conveyance in which plants, plant material, goods are being carried or have been carried into the Republic of Palau.

(ww) "person" means both singular and plural and shall include individuals, corporations, companies, associations, societies, partnerships, governments, and natural persons.

(xx) "part of the territory of a country" means a geographical or administrative entity possessing an authorized administrative veterinary organization capable of taking and controlling the appropriate measures.

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(yy) "phytosanitary certificate" means an official certificate issued by a plant protection authority, substantially in the format of the current Model Certificate of the International Plant Protection Convention.

(zz) "plant" includes a dead plant and any part of a plant.

(aaa) "plant and animal quarantine permit" means a written authorization for the purpose of facilitating the movement of any plants, plant materials, animals, animal products or goods as designated in these regulations as requiring a permit for such movement and where such plants, plant materials, animals, animal products or other regulated goods are intended for importation from overseas issued by the Chief of Agriculture.

(bbb) "plant material" means all goods of plant origin and shall include but not be limited to, timber, wooden articles, and other items manufactured or not, wholly or in part from material of plant origin.

(ccc) "plant pest" means an organism of animal or plant origin that can directly or indirectly cause injury or damage to plants and includes any living stage of insect, mite, nematode, snail, slug or other invertebrate animal, bacteria, fungi, virus or similar organism, and noxious weeds known, or suspected to be harmful to plants and any other organism not known to occur in any part of the Republic of Palau.

(ddd) "point of entry" means the designated, official seaport, airport or post office in the Republic of Palau through which any conveyance or goods must first enter the Republic of Palau.

(eee) "poultry" means any fowl, duck, geese, turkey, pigeon, pheasant, quail, guinea fowl, and other avian species normally consumed by man and the viable eggs of the same.

(fff) "quarantine" means a restriction or other control method imposed upon the production, movement or existence of plants, plant material, animals, animal products or any other goods; or measures which are put in place to prevent, or limit the introduction or spread of a quarantine pest.

(ggg) "quarantine area" means any land which has been declared by the Chief of Agriculture to be a quarantine area on account of the presence or suspected presence of a quarantine pest or in or on which measures are to be taken to prevent the entry to, exit from or spread of a quarantine pest.

(hhh) "quarantine pest" means a pest of potential national economic importance to the endangered country and is not yet present there or is present but not widely distributed

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and being actively controlled.

(iii) "quarantine station" includes a temporary quarantine station, a quarantine check point, a pre-entry or post-entry quarantine station, a place approved by the Chief of Agriculture for intermediate quarantine and all facilities and services related to a quarantine station or check point.

(jjj) "regulated material" means garbage, soil, pest and other materials, substances or goods, including but not specific to, plant or plant material, animals or animal products, the importation or movement of which is controlled under these regulations.

(kkk) "re-ship or re-export" in relation to any imported plant, plant material, animal or animal product, or regulated material, means to remove or to take a thing or cause it to be sent out of the Republic of Palau by any conveyance.

(lll) "soil" means the loose surface material of the earth in which plants grow and which may serve to harbor plant pests, in most cases consisting of disintegrated rock with an admixture of organic material and soluble salts including among other things gravel, rock aggregate, compost, clay, sand or silt.

(mmm) "timber" includes logs, poles, dunnage, branchwood, firewood and all wood, which has been split, hewn, sawn or dressed or otherwise manufactured and includes furniture partly or wholly manufactured with timber, pre-fabricated building units, shakes, shingles, wooden cases or boxes and the like.

(nnn) "tissue culture" means plants in a clear aseptic medium in a sealed, transparent container.

(ooo) "treatment" means the use of remedial measures to ensure the removal of injurious or objectionable materials, or the elimination, sterilization or destruction of any plant or animal pest or contamination including among other measures the fumigation, cleaning, incineration, disinfection, disinfestation of plants, plant material or other goods or regulated materials and in the case of animals, treatment means the use of remedial measures to ensure the removal of injurious animal pest contamination, any immunization, medication, vaccination, insecticidal dipping or spraying or any other practice carried out for the removal of such pest or contamination including destruction and disposal of affected animals or animal products.

(ppp) "veterinarian" means a qualified veterinarian resident in the Republic of Palau and approved by the Chief of Agriculture for the purposes of these regulations.

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1.6 Codes of practice

Except in so far as the following are contrary to the provisions of these regulations, they shall be adopted as codes of practice and their provisions shall generally be applied in the Republic of Palau:

- (a) The International Animal Health Code of the Office International des Epizooties;
- (b) The Manual of the International Embryo Transfer Society;
- (c) The International Air Transport Association Live Animal Regulations.

PART II. PLANT AND ANIMAL GENERAL REQUIREMENTS

2.1 Points of entry

No plant, plant material, animal, animal product or other regulated material may be imported into the Republic of Palau except through a designated official point of entry. The following are designated official points of entry:

- (a) Airports: Palau International Airport (Airai Airstrip)
- (b) Seaports: Malakal Commercial Port
- (c) Post Offices: Koror

2.2 Requirements of all persons entering the Republic of Palau

- (a) Every person, on entering the Republic of Palau, shall be required to make a written or oral declaration with respect to plants, plant material, animals, animal products, soil, cultures or any other thing that is the subject of these regulations.
- (b) No person may introduce into the Republic of Palau any plant, plant material, animal, animal product, or any other thing that is the subject of these regulations unless the provisions of these regulations have been duly complied with in respect of such plants, plant material, animal, animal product, or other regulated material.
- (c) No person shall make any false declaration or give false certification.

2.3 Notification of the arrival of regulated materials into the Republic of Palau

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It is the duty of the importer, agent, Customs Officials, Port Manager, Postmaster and/or Airport Manager to notify the Chief of Agriculture or his delegate of the intended arrival of regulated material under these regulations and provide such information as the Chief of Agriculture may require.

2.4 Availability of documents, manifests and conveyance movement information

The master or agent of any conveyance entering or moving within the Republic of Palau shall on the request of an inspector provide cargo manifests, ship's logs, crew lists and such other documents as are considered necessary to determine the quarantine status of such conveyance.

2.5 Powers of the Chief of Agriculture

In addition to any powers granted under these regulations, the Chief of Agriculture

(a) may delegate in writing specific powers designated in these regulations to authorized officials and these delegations will remain effective until revoked in writing. The Chief of Agriculture may not delegate his power of delegation;

(b) shall determine appropriate conditions for the entry of plants, plant products, animals, animal products and goods so as to prevent the introduction of plant and animal diseases and quarantine pests into the Republic of Palau as far as is reasonably practicable and desirable for the benefit of public, plant and animal health, and animal production generally and to preserve the flora and fauna.

2.6 Language of documents and labeling of goods

(a) All documents and certificates accompanying imports made under these regulations shall be presented in the English language.

(b) No goods may be imported into the Republic of Palau under these regulations unless evidence of origin and contents is presented in the English language.

(c) No person shall import or offer for entry any plant, plant material, animal product or other regulated material unless the case, box, package, crate, container is plainly and correctly marked to indicate the country of origin, name and address of shipper and name and address of consignee.

2.7 Inspection, examination and treatment of any conveyance arriving from overseas

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(a) Immediately upon the arrival of any conveyance from any overseas country the conveyance, together with its cargo, baggage, garbage and provisions may be inspected, examined and ordered for treatment by an inspector for the purpose of enforcing these regulations, and no person shall enter the conveyance or remove any baggage or cargo from the conveyance without the authority of the inspector until such inspection, examination or treatment is completed.

(b) Inspection, examination and treatment of a conveyance may include:

(I) inspection of the conveyance, its cargo and stores as well as treatment if necessary at the expense of the owner or agent of the conveyance;

(ii) spraying or fumigation of every compartment of the conveyance;

(iii) inspection of a document certifying that a treatment has been carried out or is purported to have been carried out in relation to the conveyance for the control of pests in any conveyance; and

(iv) any other inspection or examination deemed by an inspector to be necessary to prevent the introduction or spread of pests into or within the Republic of Palau.

(c) In the case of a conveyance entering an unofficial port of entry, all costs associated with the quarantine inspection are to be met by the owner or agent of the conveyance.

2.8 Disposal of garbage

(a) It is prohibited to land any garbage in the Republic of Palau from any conveyance without the express authorization of an inspector.

(b) All garbage arriving on board conveyances, including vessels and aircraft must be retained on the conveyance in leakproof, covered containers and in the case of sea vessels, kept inside the vessel's railing.

(c) Garbage must not be dumped at sea within the area which extends a distance of twelve (12) miles beyond the outer reef or atoll of any island within the Republic of Palau.

(d) All costs associated with the supervision, treatment or destruction of garbage shall be at the expense of the importer.

2.9 Placement into quarantine

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Where an inspector is not satisfied that the imported plants, plant material, animals, animal products and/or goods are free of disease or quarantine pests, which in his opinion constitute a risk to the Republic of Palau, he shall advise, where appropriate, the importer or his agent, the Chief of Customs, the Port Manager and/or the Postmaster that the plants, plant material, animals, animal products and/or regulated goods are to be held under quarantine and not released to the importer or his agent until such time as an inspector or authorized officer is satisfied that the disease or quarantine pest has been eliminated.

2.10 Security of quarantine area

(a) No person shall enter a quarantine area or quarantine station without the permission of the inspector in charge.

(b) No person shall damage, interfere with or in any way reduce the effectiveness of any measures taken to secure a quarantine area or quarantine station, or of any plants, plant material, animals, animal products and related articles therein.

(c) An inspector may lock, seal or otherwise prevent the entry to and exit from any quarantine area or quarantine station, regardless of the ownership of such quarantine area or quarantine station.

2.11 Removal from quarantine

(a) No plants, plant material, animals or animal products or other regulated goods may be removed from any quarantine area, quarantine station or other place where quarantine detention or treatment is or has been performed without written permission from an inspector.

(b) No person shall remove any plant, plant material, animal, animal products or other regulated material in contravention of these regulations or take from the control of an inspector any plant, plant material, animal, animal products or other regulated material.

2.12 Samples and testing

An inspector or authorized official may take any sample, make any test, fumigate, disinfect, or in any way treat any plants, animals, or goods subject to quarantine and any conveyances carrying the same at any time that such plants, animals or goods are subject to quarantine control or may order that such action is taken, and shall give written notification of such action to the owner or agent.

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2.13 Release of plants, plant material, animals, animal products or goods

Provided all requirements of these regulations for the import and clearance of plants, plant materials, animals, animal products or goods have been met and subsequent to satisfactory inspection or satisfactory conclusion of a treatment, an inspector shall advise the importer or his agent, the Chief of Customs, the Port Manager and/or Postmaster, as the case may be, that such imported plants, plant materials, animals, animal products or goods may be released to the importer or the owner.

2.14 Plant and animal quarantine entry permits

(a) It shall be unlawful to import into the Republic of Palau any plants, plant material, animals, animal products or other regulated material except in conformity with the conditions of a permit issued for such movement.

(b) Applications for plant and animal quarantine entry permits shall provide specific information including:

(I) full name, residential and postal address of the importer;

(ii) name and address of the exporter of the goods;

(iii) the origin of the goods;

(iv) the quantity, the common and scientific name (where applicable) of the goods proposed to be imported;

(v) the mode of transport, point of entry, and the approximate date of arrival; and

(vi) such other information as the Chief of Agriculture may from time to time specify.

(c) Applications for plant and animal quarantine entry permits shall be made prior to importation.

(d) In the granting of any plant and animal quarantine entry permit the Chief of Agriculture may specify such conditions as he considers necessary to take into account the risks of importing plant disease, animal disease and quarantine pests.

(e) Plant and animal quarantine entry permits may be issued for single or multiple importations and the alternative shall be indicated on the permit.

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- (f) The Chief of Agriculture may grant or authorize the granting of general import permits valid for unlimited importations of a specified commodity by unspecified importers where it is in his opinion expedient so to do, providing at all times that such permits do not result in an increased quarantine risk.
- (g) The following items may be imported without a permit:
- (I) fully manufactured foods, hermetically sealed and not requiring refrigeration for permanent storage, but excluding foods derived from animals and preserved only by drying;
 - (ii) fully manufactured personal clothing and footwear;
 - (iii) fully tanned or processed leather, feather, fleece and hair goods except used saddlery, harnesses and other equipment used with animals;
- (h) Where the animal or plant disease or pest status of the exporting country has changed or has been reported to have changed since the issue of a plant and animal quarantine entry permit or if any other condition prevails whereby the entry of the plants, plant material, animals, animal products or other regulated goods would constitute a quarantine risk, such permits may be cancelled at any time without notice, whether or not the importer has a pre-existing contractual obligation to import.
- (i) If an applicant applies for a permit to import a plant or animal species that is not on any schedule, and for which there is no record of presence in Palau, the Director shall send the National Invasive Species Subcommittee a copy of such application. The National Invasive Species Subcommittee shall provide to the Director a recommendation on the permit within 30 days of such notice. Such recommendation shall be based on the assessment of the environmental risk of introducing the species into Palau. The Director shall not issue a decision on the permit until receiving the recommendation of the National Invasive Species Subcommittee, or if no such recommendation is offered, until after the 30 days has passed. If the National Invasive Species Subcommittee requests, the Director may allow a longer time for the National Invasive Species Subcommittee to issue its recommendation. In the event that the Director requests that further study is required for an import, the applicant may be required to pay for such study under Part 2.29(a) of these Regulations.

Note

Subsection (i) was added by an amendment approved by the President on July 7, 2006.

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2.15 Goods ordered back into quarantine

(a) An inspector may examine any imported plant, plant material, animal, animal products, goods or regulated material that has been released from quarantine.

(b) Where, after examination of any imported plant, plant material, animals, animal products, goods or regulated material that has been released from quarantine, the inspector is of the opinion that there is a danger of spreading pests and/or diseases, the inspector may order such plant, plant material, animal, animal product, goods or regulated material back into quarantine for tests or treatment as prescribed, and the owner shall be responsible for all costs.

2.16 Seizure and destruction

(a) Any plants, plant material, animals, animal products, or other regulated material introduced or attempted to be introduced into the Republic of Palau without a permit may be seized by an inspector and destroyed by order of the inspector provided the declared value of such goods does not exceed two hundred dollars. Where the value of such goods exceeds two hundred dollars the goods may be destroyed by order of the Chief of Agriculture, and such destruction shall be at the owner's expense.

(b) Before destruction of any plants, plant material, animals, animal products, or other regulated material seized or ordered to be destroyed is carried out, the Chief of Agriculture shall ensure that evidence of any violation of law or of these regulations is preserved.

2.17 Disposal of regulated material carrying or suspected to be carrying a pest

(a) Any plant, plant material, animal, animal product or goods imported in accordance with these regulations which on examination or re-examination by an inspector is shown to be or is suspected to be carrying a pest which in his opinion cannot be effectively treated shall:

(I) in the case of an animal infected or believed to be infected with an OIE List A disease or other disease not present at that time in the Republic of Palau be ordered by an inspector to be destroyed immediately; and

(ii) in all other cases the importer or owner shall be ordered by an inspector to re-export or destroy the plants, plant material, animal, animal product or other regulated goods within a specified period, and in default of such order, such plants, plant material, animal, animal product or other regulated goods shall be

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destroyed at the importer's expense.

(b) Where the importer or owner of goods which have been ordered for destruction in accordance with subsection (a) fails to take action to destroy the goods within the prescribed time, an inspector may arrange for such goods to be destroyed, and the Republic may recover the costs of such destruction through an action in the Trial Division of the Supreme Court.

(c) The importer or owner of goods which have been ordered for destruction in accordance with subsection (a) shall have no claim, cause of action, or other legal proceeding of any nature against the Republic or any of its officers in respect of such destruction.

2.18 Quarantine forms and documents

(a) The Chief of Agriculture may introduce forms at any time to facilitate the safe import into the Republic of Palau and export from the Republic of Palau of plants, plant material, animals, animal products and goods.

(b) The Chief of Agriculture may impose fees for the issuance of any forms.

2.19 Official importations by Government

(a) Official importations of plants, plant material, animals, animal products, or goods by the Government of the Republic of Palau are exempt from the prohibitions hereafter in these regulations. Such importations shall be made subject to the conditions set out in a permit issued by the Chief of Agriculture.

(b) Official importations of organisms of plant or animal origin, including any living stage of insect, mite, nematode, snail, slug, or other invertebrate animal, bacteria, fungi, virus or other organism or plant or animal may be imported under permit issued by the Chief of Agriculture.

2.20 Approved places for quarantine to be performed

(a) The Chief of Agriculture may, in writing, approve a place other than a quarantine station as a place where the quarantine of any plant, plant material, animal, animal product or other regulated material may take place and any quarantine action as an inspector may direct may be undertaken at such approved place.

(b) Applications for registration of a place as an approved place for the performance of

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quarantine shall be made in writing on the approved form and submitted to the Chief of Agriculture.

(c) The Chief of Agriculture may apply such conditions or require such facilities as he deems necessary for the proper performance of quarantine related activities and when satisfied that such conditions have been met or are being met and that such required facilities are available, he shall approve such place as a place for the performance of quarantine subject to such conditions or restrictions as he deems necessary.

(d) On payment of the prescribed fee the owner or operator of a place which has been approved for the performance of quarantine shall be issued with a certificate of registration.

(e) A certificate of registration of an approved place for the performance of quarantine shall remain current for a period of one year from the date of registration unless previously canceled by the Chief of Agriculture or there is a change in the ownership of such approved place or such approved place ceases to operate.

2.21 Quarantine seal

(a) At any time after the arrival of a conveyance or goods in the Republic of Palau an inspector may place a quarantine seal on any container or package of imported goods or on any cabin or locker in any conveyance from outside of the Republic of Palau, either for subsequent quarantine inspection, or for the holding of goods under quarantine while the conveyance remains in the territorial waters of the Republic of Palau.

(b) An inspector may place a quarantine seal or lock on any container or package of imported goods which has been discharged from any conveyance arriving from outside of the Republic of Palau, either for subsequent quarantine inspection, treatment or detention prior to release or re-export of goods as the case may be.

(c) No person may interfere with or remove a quarantine seal or lock without the permission of an inspector.

2.22 Official stamp(s)

(a) The official quarantine stamps shall be used in conjunction with the signature of an authorized officer to authenticate documents issued under these regulations.

(b) No person, other than an authorized official, may use an official quarantine stamp for

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any purpose.

2.23 Quarantine screening of live plants and live animals

(a) The Chief of Agriculture may prescribe, as a condition of importation into the Republic of Palau, a period of quarantine at an approved quarantine station or quarantine area where live plants or live animals are to be detained and undergo any inspection or examination or treatment as prescribed. Animals or plants detained in such quarantine shall be released when an inspector is satisfied that the plant or animal is free from pest and disease.

(b) The Chief of Agriculture may prescribe, as a condition of entry into the Republic of Palau, the completion of a specified period of quarantine at an approved quarantine facility located outside of the Republic of Palau, where plants or animals are screened for prescribed pests and diseases, prior to entry into the Republic of Palau.

2.24 Treatment

Where imported plants, plant material, animals, animal products, regulated material or goods have been detained in quarantine on the evidence of infection, infestation of a pest, or suspected infection or infestation of a pest, an inspector may order a treatment as prescribed to be carried out at the importer's expense.

2.25 Transport, storage, unpacking, treatment, growth in quarantine, Importer's expense

(a) Prior to the release from quarantine detention of any imported plants, plant material, animal, animal product and/or goods, the importer or owner shall pay the prescribed fees including the cost of transport, examination, unpacking, security, storage, treatment, cleaning, sorting, and in the case of live plants, growth and care in post-entry quarantine, and in the case of live animals in post-entry quarantine, care and feeding of such animals.

(b) Upon notification by an inspector of the release from quarantine detention of imported plants, plant material, animals, animal product and/or goods, such imported plants, plant material, animals, animal product and/or goods must be removed from the place of detention within five working days, and if they are not so removed, the importer or owner shall be required to pay prescribed fees for each additional day or part thereof during which the imported plants, plant material, animals, animal product and/or goods remain at the place of quarantine.

(c) Notwithstanding the provisions of (b) the owner or importer of any live animal which has been released from post-entry quarantine but which has not been removed

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immediately following release shall be responsible for meeting the cost of all food provided to such animal/s until they are removed from quarantine.

2.26 In-transit movement of regulated material and goods

Any plants, plant material, animals, animal products, or goods in transit through the Republic of Palau to another country may be subject to quarantine safeguard measures and permission to transit shall be required.

2.27 Declaration of national quarantine emergency

The President, on the advice of the Chief of Agriculture, may declare a state of national quarantine emergency for the eradication or control of a quarantine pest of economic, public health or environmental importance.

2.28 Emergency measures for the eradication/control of a quarantine pest

(a) During a declared state of national quarantine emergency the Chief of Agriculture may take such actions as are deemed necessary to control or eradicate a pest or disease affecting plants, animals or goods, and such measures may include but not be limited to:

(I) declaring specific pests including noxious weeds to be a quarantine pest;

(ii) defining a geographic area within the Republic of Palau as a quarantine area;

(iii) controlling the movement of persons, plants, animals, conveyances or goods into or out of a quarantine area;

(iv) notifying the owner or occupier of the land, in writing, of the measures to be taken to eradicate or control any quarantine pest; and

(v) undertaking or arranging to undertake measures to eradicate or control any quarantine pest if the owner or occupier of land on which the quarantine pest occurs, or is believed to occur, cannot be contacted.

(vi) Where it is deemed necessary for an inspector to carry out control measures or destruction or to arrange to carry out control measures or destruction of plants, plant material, animals or animal material in the absence of the owner the cost of such control measures or destruction may be recovered through an action brought by the Republic in the Trial Division of the Supreme Court.

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(b) Any emergency quarantine measures taken by the Chief of Agriculture must either be incorporated into regulation or rescinded as soon as practicable after issuance, but in no case more than thirty (30) days after the emergency quarantine measures are taken.

2.29 Expenses, fees and charges for importers and exporters

(a) All costs and expenses of, and attendant upon, any importation or exportation including any documentation, tests, inspections, treatments, detention in quarantine, destruction or re-export, or of any other procedure or action taken or brought about under the provisions of these regulations shall be borne by the importer or exporter as the case may be and no compensation shall be payable by the Government of the Republic of Palau for any loss or reduction in value caused by such action.

(b) If any plants, plant materials, animal, animal products or goods are required by these regulations to be permitted, inspected, examined, treated, destroyed or held in quarantine, the importer or consignee in the case of imports and, in the case of Part IX of these regulations the exporter, shall pay the appropriate fee as determined by the Chief of Agriculture.

(c) The Director has determined that the following fees shall apply:

A. INSPECTION AND CLEARANCE	
Inspection and Documentation - issuance of Phytosanitary Certificates, Health Certificates, and Certificates of Origin	\$5.00
Certificate of personal use (less than 20 lbs.)	\$2.00
Issuance of Import Permit for Plant and Animal products (Single Importation)	\$5.00
Issuance of Import Permit for Plant and Animal Products (Multiple importation)	\$20.00
B. WASTE DISPOSAL	
Disposal/Incineration of quarantinable items (per pound)	\$2.00
C. FUMIGATION TREATMENT	
Small fumigation chamber	\$25.00
D. DIP TREATMENT	
Dip treatment for plants	\$20.00
E. OVERTIME	

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For inspection or clearance of any conveyance or cargo outside regular working hours or during holidays, the Agent/Airline/Company/Consignee is responsible for the payment of overtime.

Note

Subsection (c) was added by an amendment approved by the President on July 7, 2006.

2.30 Exclusion of liability

Neither the Division of Agriculture and Mineral Resources nor the Chief of Agriculture, Authorized Officers or inspectors shall be liable for any loss or damage resulting from the exercise of their authority under these regulations unless the loss or damage was caused otherwise than in the reasonable exercise of their authority.

PART III. APPOINTMENT & POWERS OF INSPECTORS

3.1 Appointments

The President may appoint such inspectors or temporary inspectors as may be necessary for the purposes of these regulations.

3.2 Search and examine

(a) An inspector may enter any conveyance, land or building, other than a dwelling house, to search for and examine plants, plant materials, animals, animal products or any other goods the subject of these regulations which he reasonably believes may be infested with a quarantine pest or disease or is likely to have come into contact with a quarantine pest or disease.

(b) An inspector may only enter a dwelling house for the purpose of conducting an inspection where he has the expressed permission of the owner or under the authority of a search warrant issued for such inspection by the Trial Division of the Supreme Court.

(c) When requested to do so, an inspector shall present written evidence of his appointment as an inspector.

3.3 Access to documents

An inspector may examine any log, manifest, cargo stowage plan, passenger list, crew list or other necessary document in carrying out his functions under these regulations.

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3.4 Power to open shipment

An inspector may require the importer or the agent to open any mail, box, case, receptacle, space, or container, and if the importer or agent fails to do so, the inspector may arrange for the opening of such mail, box, case, receptacle, space, or container at the importer's expense.

PART IV. PLANT QUARANTINES

4.1 General Plant Quarantines

The following prohibitions and restrictions apply to each particular plant or plant material listed below:

QP I For the entry of fresh fruits and vegetables

- (a) The entry of fresh fruit and vegetables into the Republic of Palau is prohibited except under permit issued by the Chief of Agriculture prior to the importation.
- (b) All importations of fresh fruits and vegetables from a place outside the Republic of Palau shall be accompanied by a phytosanitary certificate issued by the exporting country.
- (c) All fresh fruits and vegetables must be imported in new, clean packages which must state the country of origin and a description of the produce.
- (d) The entry of fruit fly susceptible species of fruits and vegetables is prohibited from all countries where fruit flies exotic to the Republic of Palau are known to occur unless such fruits or vegetables have been subjected to an approved quarantine treatment and/or conditions.
- (e) It is prohibited to import into the Republic of Palau any fruits or vegetables after they have transited through areas known to be infested with any fruit fly specie or other quarantine pests not established within the Republic of Palau, unless such fruits and vegetables are maintained in the original package and such packages have not been exposed to any quarantine pests between the point of origin and the entry point into the Republic of Palau.
- (f) All imported fresh fruits and vegetables shall be examined by an inspector on arrival and if a pest is detected, a treatment as prescribed shall be applied before the consignment is released to the importer. In the absence of a suitable treatment the fruits and/or vegetables shall be directed to be destroyed or re-exported at the importer's expense.

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(g) Fruits and vegetables which have been cooked, hermetically canned, frozen, dried or candied, preserved or otherwise processed in such a manner as to preclude a pest risk and to render the product non-viable are exempt from the provisions of this Regulation.

QP 2 Entry of live plants or parts thereof (other than seeds) for propagation

(a) The importation of plants or planting material which can be propagated, other than seed, may be limited to the smallest quantity of propagating material consistent with standard horticultural practices to enable the satisfactory establishment and reproduction of the introduced cultivar.

(b) All imported plants shall be free from soil.

(c) An approved packing material may be used around the roots of imported plants. Approved packing material may consist of sterile peat moss, sphagnum moss, perlite, vermiculite, sawdust, shredded paper or other inert materials.

(d) All importations of live plants and planting material from a place outside the Republic of Palau shall be accompanied by a phytosanitary certificate issued by the exporting country and such certificate shall state details of any treatment given to the plants or planting material in the place of origin and include any other endorsements required as a condition of the importation.

(e) Plant tissue cultures may be imported in aseptic, sealed flasks in a sterile medium such as agar. They shall be subject to inspection on arrival and any contaminated flasks and their contents shall be destroyed.

QP 3 Importation of seed

(a) Small commercial packets of flower and vegetable seeds may be imported without a permit at the discretion of the Chief of Agriculture.

(b) With the exception of seeds imported without a permit under QP 3 (a), all seeds shall be accompanied by a phytosanitary certificate. The Chief of Agriculture may also require an official seed analysis report.

(c) Upon arrival, samples of seed may be drawn for examination and if necessary, in the opinion of the inspector, treatment shall be applied.

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(d) All seeds shall be pure and free from injurious extraneous matter, including soil, noxious weed seeds, insects and diseases and shall be subject to such conditions as are determined by the Chief of Agriculture.

QP 4 Cut flowers and foliage

(a) Subject to other relevant provisions of these regulations, any cut flower and/or foliage, excluding members of the family Heliconiaceae (which are prohibited), may be imported, if on inspection at the point of entry the cut flowers are free from pests and contain no material capable of propagation.

(b) Any cut flower that can be propagated may be treated as prescribed to prevent propagation.

(c) Subject to relevant provisions of these regulations, any imported dried flower and/or foliage shall be subject to inspection at the point of entry, and if found to contain pests or viable seeds, shall be subject to treatment as prescribed to remove any quarantine pest or viable seeds before release.

QP 5 Timber

(a) Notwithstanding the provisions of QP 5 (d), all consignments of timber imported from overseas shall be subject to inspection on arrival and treatment as prescribed if necessary. If such prescribed treatment is not available, the consignment may be ordered to be re-shipped or destroyed. If treatments or re-shipment are not performed within 30 days of the order the consignment shall be destroyed.

(b) The importation of bark and timber with bark attached is prohibited unless treated for pests.

(c) The importation of previously used timber shall be subject to mandatory treatment for pests before release.

(d) Imported timber that has been subjected to an approved treatment for the prevention of insect attack prior to entry to the Republic of Palau may be imported subject to the provision of an official certificate of treatment and to inspection of the timber on arrival to verify the efficacy of the treatment.

QP 6 Grass, bamboo, cane, palm fronds and goods manufactured from such materials

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(a) Grass, bamboo, cane and palm fronds, including wall and roof thatching materials, are prohibited entry into the Republic of Palau.

(b) Manufactured bamboo and cane furniture may be imported subject to inspection on arrival and treatment if necessary.

QP 7 Soil, sand and gravel

(a) The importation of soil, sand or gravel into the Republic of Palau is prohibited except by permit issued prior to such importation by the Chief of Agriculture.

(b) Soil used as ballast in any conveyance shall not be discharged within the Republic of Palau or within the territorial waters of the Republic of Palau.

QP 8 Stored dried food products

If on inspection stored dried food products including polished rice, spices, and other dried food products are found to be infested with pests or contaminated in any way, an inspector may order that such infested goods be treated, destroyed or re-exported on the expense of the owner or agent.

QP 9 Packing material, dunnage and second-hand bags

(a) Importation into the Republic of Palau of any packing materials other than an approved packing material is prohibited.

(b) Approved packing materials shall include wood shavings, sawdust, sphagnum moss, sterile peat moss, wood wool, ground cork, charcoal, shredded paper, plastics, perlite, vermiculite, non-plant and non-animal based materials and any other material approved by the Chief of Agriculture as a packing material.

(c) No second-hand bags, sacks, containers, wrapping or packing materials which has previously been used for the transport of plant or animal material or which was manufactured to be used for that purpose shall be used for the importation of any kind of goods.

(d) Any imported timber dunnage, including skids, pallets, racks, stickers, etc. is subject to inspection and treatment as prescribed, re-shipment or destruction at the expense of the importer or agent.

QP 10 Handicrafts made from plant material

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Provided handicrafts do not contain any material prohibited or restricted under these regulations, such handicrafts may enter subject to inspection and treatment as required.

QP 11 Bacteria, viruses, vaccines, cultures and organisms

(a) It is prohibited to import, any living culture or organism including parasites, arachnids, molluscs, nematodes, fungi, bacteria, virus, viroids, vaccines intended for use with animals, mycoplasma, parasitic plant organisms, plant pests or other invertebrate animals unless a permit has been issued for such importation by the Chief of Agriculture prior to such importation of the consignment and only in compliance with the conditions imposed by such permit.

(b) The importation into the Republic of Palau of commercial yeast and yogurt cultures shall be exempt from all provisions of QP 11 (a).

PART V. SPECIFIC PLANT AND ANIMAL PROHIBITIONS

5.1 Specific plant and animal quarantines; prohibitions

(a) Importation: The importation into the Republic of Palau of the plants listed in the First Schedule and of animals listed in the Second Schedule to these Regulations is prohibited. Violators shall be subject to all penalties authorized under law.

(b) Possession: Importation and/or Possession of the animals or plants, or other living organisms, listed in the Third Schedule is prohibited. In addition to other penalties allowed by law, this regulation authorizes the following:

(1) The Director, at his discretion, may order the removal or destruction of the animal or plant, or other living organism. Where practicable, such removal or destruction shall be the responsibility of the owner, and if so ordered, the owner shall have 30 days from the date of the order to accomplish the removal or destruction. In lieu of destruction or removal, the Director may, in his discretion, order that an animal be spayed or neutered, and treated or vaccinated as he deems necessary.

(2) If the Director determines that removal, destruction, spaying, neutering or treatment must be accomplished by the Bureau, Agriculture inspectors may enter any premises or building not a dwelling house to perform the removal or destruction. Where such species is located in a dwelling house, Agriculture inspectors may carry out the order of the Director only upon the issuance of a

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search warrant by the Supreme Court of the Republic of Palau.

(3) Where the Bureau or other governmental agency performs the removal, destruction, spaying, neutering, or treatment, the Director may recover from the Violator the costs thereof through an action brought by the Republic of Palau in the Trial Division of the Supreme Court.

(4) For purposes of criminal prosecution, an alleged violator may prove that he is in innocent possession of a species by establishing that he did not know, and had no reason to know, that the species was present on his property, or that he could not control the presence of the species.

(c) Special Purposes: Notwithstanding the above, a permit may be issued in accordance with these regulations in respect to an animal or plant required to be imported and/or possessed in the Republic of Palau for:

(1) The purpose of research or experiment to improve the quality of animals or plants in the Republic of Palau and the products to be derived therefrom; or

(2) The purpose of any zoological and/or botanical garden or display approved by the Chief[sic] of Agriculture.

Notes

Part V 5.1 was amended entirely by an amendment approved by the President on July 7, 2006. Amended January 30, 2008.

PART VI. MINIMUM REQUIREMENTS FOR LIVE ANIMAL IMPORTATION

6.1 Minimum conditions to be applied to live animal importations

(a) For the importation of live animals generally, including embryos and ova, the conditions specified shall include, but shall not be limited to, the following minimum requirements:

(i) the first port of entry into the Republic of Palau shall be specified in the import permit and shall be a designated, official point of entry;

(ii) the time and date of embarking, the estimated time and date of arrival in the Republic of Palau and the airline/flight number or ship/voyage number shall be communicated to the Chief of Agriculture at the earliest possible time and no later than one working day before embarkation of the animals for the Republic of

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Palau;

(iii) all animals shall be consigned to the Republic of Palau as manifested cargo unless otherwise specified in the import permit;

(iv) the facilities for the transport of animals shall conform with internationally accepted codes of practice as appropriate;

(v) all importations of animals are to be accompanied by:

(1) the import permit issued for that importation;

(2) a declaration signed by the owner or exporter of the animals providing such information and guarantees as may be required regarding the identification, history and origin of the animals; and

(3) an international animal health certificate signed and stamped by an official veterinarian of the exporting country certifying the state of good health of the animals and giving particulars where applicable of the biological tests to which the animal have been subjected and the vaccinations carried out on the animals which are the subject of the certificate and of any measures taken to prevent the spread of disease.

(vi) all animals shall be transported directly without trans-shipment, off-loading or contact with animals not the subject of the same import permit or animals not of equivalent certified health status from the port of departure to the port of arrival in the Republic of Palau unless other provisions have been made in the import permit;

(vii) notice of the death, loss or sickness of any animals during the voyage shall be given to an inspector immediately on arrival in the Republic of Palau by the person in charge of the vessel or aircraft;

(viii) all foodstuffs, litter, manure, straw or bedding and packing material, crates, containers or any other related articles shall be off-loaded only on the instructions of an inspector, who may order their cleaning, disinfection, destruction, incineration or other means of disposal;

(ix) all animals and documents shall be inspected on arrival by an inspector;

(x) no animal shall be released from quarantine unless the Chief of Agriculture, or

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his delegate is satisfied, following the inspection that the import is in accordance with the provisions of these regulations, that all conditions of the import permit have been met up to the time of arrival in the Republic of Palau and that no period of quarantine detention, treatments or tests are required;

(xi) unless an imported animal is released from quarantine following its arrival in the Republic of Palau, it shall be detained under quarantine control until further notice and may be subjected to any test or treatment required to satisfy the conditions of entry for such animal;

(xii) any import permit granted is not transferable;

(xiii) any import permit may be canceled or amended at any time after issue and before arrival of the animal/s in the Republic of Palau should the animal health and/or quarantine status of the country of origin change or be reported to have changed prior to arrival;

(xiv) all costs and expenses of, and attendant upon, any importation including any documentation, tests, inspections, treatments, detention in quarantine, destructions or re-export, or of any other procedure or action taken or brought about under the provisions of these regulations shall be borne by the importer and no compensation shall be payable by Republic of Palau for any loss or reduction in value caused by such action;

(b) In the case of any OIE List A or List B disease or for any communicable: disease which is considered to be of socio-economic or public health importance or which is significant. in the international trade of animals and animal products or for any communicable diseases with important socio-economic or sanitary influence at the national level and which affect live animals and for which export health certification conditions have not been prescribed in these regulations; either

(I) the exporting country is free from such disease, and no case of such disease was officially reported during the six months immediately preceding the importation of the animals concerned; or

(ii) in the case where the country of export is not free from any such disease referred to in the preceding subsection (b) and for which export health certification conditions have not been prescribed in these regulations, the Chief of Agriculture shall attach such conditions on the import permit sufficient in his opinion to safeguard against the introduction of such disease. Such conditions shall not be less than those recommended in the International Animal Health Code

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of the O.I.E.

6.2 Bonding of animals (ship's pets)

The master of every conveyance arriving in the Republic of Palau shall be required to enter into a bond with the Government of the Republic of Palau whereby any animal on board such conveyance may not be introduced into the Republic of Palau while such conveyance remains in the Republic of Palau unless permitted by an inspector and subjected to quarantine safeguards.

PART VII. ANIMAL QUARANTINES

7.1 General animal quarantines

The following prohibitions and restrictions apply to each particular animal or animal product listed below:

QA 1 Importation of dogs

(a) For the importation of dogs, the presentation of an international animal health certificate is required, attesting that the animals:

(I) were examined within 48 hours of shipment, found to be in good health and showed no sign of any infectious disease;

(ii) have been effectively vaccinated against distemper, hepatitis and canine parvovirus at least one month and not more than three months before shipment;

(iii) have been effectively treated against echinococcosis-hydatidosis, round, hook and whip worms within three days of shipment;

(iv) have been effectively treated against, and found on examination to be visibly free of, all ectoparasites within three days of shipment;

(v) showed no clinical sign of rabies on the day of shipment, and were kept from birth or for six months prior to shipment in the exporting country, or a part of the territory of the exporting country where no case of rabies was officially reported during the two years immediately preceding the importation of the animals concerned; and

(vi) have been vaccinated with an inactivated rabies virus more than thirty days

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prior to entry into the Republic of Palau.

(b) animals originating from a country or a part of a country where rabies occurs or is reported to occur or where rabies vaccination is routinely practiced, either

(I) must undergo a period of not less than 120 days in an approved quarantine facility in a territory or part of a territory recognized by the Republic of Palau as a rabies free area prior to entry to the Republic of Palau; or

(ii) must meet the entry requirements of the State of Hawaii.

(c) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, where the animals shall remain until they are released by an inspector.

QA 2 Importation of cats

(a) For the importation of cats, the presentation of an international animal health certificate is required attesting that the animals:

(I) were examined within 48 hours of shipment, found to be in good health and showed no sign of any infectious disease;

(ii) have been effectively vaccinated against Feline Panleucopaenia at least one month and not more than twelve months before shipment, and Feline Viral Rhinotracheitis / Calici virus at least one month and not more than six months before shipment;

(iii) have been effectively treated against echinococcosis-hydatidosis, round, hook and whip worms within three days of shipment;

(iv) have been effectively treated against, and found on examination to be visibly free of, all ectoparasites within three days of shipment;

(v) showed no clinical sign of rabies on the day of shipment, and were kept from birth or for six months prior to shipment in the exporting country, or a part of the territory of the exporting country where no case of rabies was officially reported during the two years immediately preceding the importation of the animals concerned; and

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(vi) have been vaccinated with an inactivated rabies virus more than thirty days prior to entry into the Republic of Palau.

(b) animals originating from a country or a part of a country where rabies occurs or is reported to occur or where rabies vaccination is routinely practiced, either

(I) must undergo a period of not less than 120 days in an approved quarantine facility in a territory or part of a territory recognized by the Republic of Palau as a rabies free area prior to entry to the Republic of Palau; or

(ii) must meet the entry requirements of the State of Hawaii.

(c) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, whereat the animals shall remain until they are released by an inspector.

QA 3 Importation of cattle

(a) For the importation of cattle the presentation of an international animal health certificate is required attesting that the cattle:

(I) were examined in daylight within 24 hours of shipment, found to be in good health and showed no clinical sign of any disease, including skin diseases and external parasites;

(ii) were kept since birth or for at least the six months prior to shipment in the exporting country, or part of the territory of the exporting country which is internationally recognized as free from rabies and all OIE List A diseases which affect cattle or may be carried by cattle and rabies and where these diseases are notifiable;

(iii) In the case of any OIE List A or List B disease or for any communicable disease which is considered to be of socio-economic or public health importance or which is significant in the international trade of animals and animal products or for any communicable diseases with important socio-economic or sanitary influence at the national level and which affect live animals and for which export health certification conditions have not been prescribed in these regulations; either

(1) that the exporting country is free from such disease and that no case of such disease was officially reported during the six months immediately

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preceding the importation of the animals concerned; or

(2) in the case where the country of export is not free from any such disease referred to in the preceding sub-section and for which export health certification conditions have not been prescribed in these regulations, the Chief of Agriculture shall attach such conditions on the import permit sufficient in his opinion to safeguard against the introduction of such disease. Such conditions shall not be less than those recommended in the International Animal Health Code of the O.I.E.

(iv) have undergone dipping or spraying with an effective insecticide on two occasions at seven day intervals, the last being within forty-eight hours of shipment.

(v) have been treated with an effective anthelmintic on two occasions at 21 day intervals, the last being within 48 hours of shipment;

(vi) have for the thirty days prior to shipment been held in an approved establishment during which time the animals were maintained in complete isolation, subjected to regular veterinary observation and at no time during which did either they or any other animals in the same quarantine establishment show any sign of disease;

(vii) come from a herd in which no clinical sign of bovine brucellosis was officially reported during the six months prior to shipment;

(viii) come from a country or part of the territory of a country free from bovine brucellosis, and showed negative response to effective tests for bovine brucellosis during the thirty days prior to shipment,

(ix) come from a country or part of the territory of a country officially free from bovine tuberculosis, and showed negative response to an effective test for bovine tuberculosis during the thirty days prior to shipment; and

(b) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, where the animals shall remain until they are released by an inspector.

QA 4 Importation of small ruminants (sheep and goats)

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(a) For the importation of small ruminants the presentation of an international animal health certificate is required attesting that the animals:

(I) were examined in daylight within 24 hours of shipment, found to be in good health and showed no clinical sign of any disease, including skin diseases and external parasites;

(ii) were kept since birth or for at least the six months prior to shipment in the exporting country or part of the territory of the exporting country which is internationally recognized as free from rabies and all OIE List A diseases which affect small ruminants or which may be carried by small ruminants and where these diseases are notifiable;

(iii) in the case of any OIE List A or List B disease or for any communicable disease which is considered to be of socio-economic or public health importance or which is significant in the international trade of animals and animal products or for any communicable diseases with important socio-economic or sanitary influence at the national level and which affect live animals and for which export health certification conditions have not been prescribed in these regulations; either

(1) that the exporting country is free from such disease and that no case of such disease was officially reported during the six months immediately preceding the importation of the animals concerned; or

(2) in the case where the country of export is not free from any such disease referred to in the preceding sub-section and for which export health certification conditions have not been prescribed in these regulations, the Chief of Agriculture shall attach such conditions on the import permit sufficient in his opinion to safeguard against the introduction of such disease. Such conditions shall not be less than those recommended in the International Animal Health Code of the O.I.E.

(iv) have undergone dipping or spraying with an effective insecticide on two occasions at seven day intervals, the last being within forty-eight hours of shipment.

(v) have been treated with an effective anthelmintic on two occasions at 21 day intervals, the last being within 48 hours of shipment;

(vi) have for the thirty days prior to shipment been held in an approved quarantine establishment during which time the animals were maintained in complete

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isolation, subjected to regular veterinary observation and at no time during which did either they or any other animals in the same quarantine establishment show any sign of disease; and either

(1) come from a country or part of a country free from caprine or ovine brucellosis; or

(2) come from a sheep or goat flock free from caprine or ovine brucellosis.

(b) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, where the animals shall remain until they are released by an inspector.

QA 5 Importation of domestic horses, mules and donkeys

(a) For the importation of domestic horses, mules and donkeys an international animal health certificate is required attesting that the animals:

(I) were examined in daylight within 24 hours of shipment, found to be in good health and showed no clinical sign of any disease, including skin diseases, mange and external parasites;

(ii) were kept since birth or for the six months prior to shipment in the exporting country, or part of the territory of the exporting country, which is internationally recognized as free from OIE List A diseases which affect horses, mules and donkeys or may be carried by horses, mules and donkeys and rabies, where rabies is a notifiable disease and no case of rabies was officially reported during the past two years;

(iii) have undergone dipping or spraying with an effective insecticide; on two occasions at seven day intervals, the last being within forty-eight hours of shipment.

(iv) have been treated with an effective anthelmintic on two occasions at 21 day intervals, the last being within 48 hours of shipment; and

(v) have for the thirty prior to shipment been held in an approved quarantine establishment during which time the animals were maintained in complete isolation, subjected to regular veterinary observation and at no time during which did either they or any other animals in the same quarantine establishment show

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any sign of disease.

(b) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by y the Chief of Agriculture, where the animals shall remain until they are released by an inspector.

QA 6 Importation of domestic pigs

(a) For the importation of domestic pigs the presentation of an international animal health certificate is required attesting that the animals:

(I) were examined in daylight within 24 hours of shipment, found to be in good health and showed no clinical sign of any disease, including skin diseases, mange and external parasites;

(ii) were kept since birth or for the six months prior to shipment in the exporting country which is internationally recognized as free from rabies and all OIE List A diseases which affect pigs or which may be carried by pigs and where these diseases are notifiable and no case of any of these diseases was officially reported during the past two years;

(iii) have for the thirty days prior to shipment been held in an approved quarantine establishment during which time the animals were maintained in complete isolation, subjected to regular veterinary observation and at no time during which did either they or any other animals in the same quarantine establishment show any sign of disease.

(iv) have undergone dipping or spraying with an effective insecticide on two occasions at seven day intervals, the last being within 48 hours of shipment;

(v) have been treated with an effective anthelmintic on two occasions at 21 day intervals, the last being within 48 hours of shipment;

(vi) In the case of any OIE List A or List B disease or for any communicable disease which is considered to be of socio-economic or public health importance or which is significant in the international trade of animals and animal products or for any communicable diseases with important socio-economic or sanitary influence at the national level and which affect live animals and for which export health certification conditions have not been prescribed in these regulations; either

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(1) that the exporting country is free from such disease and that no case of such disease was officially reported during the six months immediately preceding the importation of the animals concerned; or

(2) in the case where the country of export is not free from any such disease referred to in the preceding sub-section and for which export health certification conditions have not been prescribed in these regulations, the Chief of Agriculture shall attach such conditions on the import permit sufficient in his opinion to safeguard against the introduction of such disease. Such conditions shall not be less than those recommended in the International Animal Health Code of the O.I.E.

(b) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, where the animals shall remain until they are released by an inspector.

QA 7 Importation of birds

(a) Birds shall be identified in their scientific name by genus and species in both the application to import and in the international animal health certificate;

(b) For the importation of domestic birds the presentation of an international animal health certificate is required attesting that the birds:

(I) showed no clinical sign of disease on the day of shipment;

(ii) come from establishments which are regularly inspected by the official government veterinary authority of the country of export;

(iii) have been kept in a country, or a part of the territory of the exporting country which is internationally recognized as free from OIE List A diseases which affect domestic birds or may be carried by domestic birds since they were hatched or for at least the past twenty-one days prior to export; and either

(1) have not been vaccinated against Newcastle disease (ND), highly virulent avian influenza; or

(2) have been vaccinated against Newcastle disease (ND), highly virulent avian influenza, using a vaccine complying with internationally accepted standards, the nature of the vaccine used and the date of vaccination to be

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stated in the international animal health certificate;

(iv) if they have not been vaccinated against infectious bursal disease, that they come from an establishment free from infectious bursal disease;

(v) come from establishments free from avian infectious bronchitis, infectious laryngo-tracheitis (ILT) and fowl cholera;

(vi) come from establishments free from pullorum-typhoid disease, and have been tested negative to pullorum-typhoid disease and have been kept in an approved quarantine station for not less than twenty-one days prior to shipment;

(c) As soon as the birds arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, where the birds shall remain until they are released by an inspector.

QA 8 Importation of day-old chicks

For the importation of day-old chicks, turkey, poultry and other newly-hatched avian species, an international animal health certificate is required attesting that the newly hatched birds:

(a) come from establishments which are regularly inspected by the official veterinary authority of the country of export;

(b) come from hatcheries situated in a country which is internationally recognized as free of OIE List A diseases which affect domestic poultry or may be carried by domestic poultry;

(c) either -

(I) come from hatcheries situated in a country free from infectious bursal disease (Gumboro disease); or

(ii) come from establishments which are recognized as being free from infectious bursal disease following tests for the detection of precipitating antibodies and in which vaccination against infectious bursal disease is not practiced on the parent stock and have not been vaccinated against infectious bursal disease; or

(iii) were vaccinated against infectious bursal disease using a vaccine complying with internationally accepted standards, the nature of the vaccine used and the date of vaccination to be stated in the international animal health certificate; or

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(iv) come from a flock in which vaccination against infectious bursal disease is practiced on the parent stock;

(d) were vaccinated against Marek's disease, the nature of the vaccine to be stated in the international animal health certificate;

(e) either -

(I) come from establishments or hatcheries which are recognized as being free from pullorumtyphoid disease, avian infectious bronchitis, avian infectious laryngotracheitis (ILT) and fowl cholera; or

(ii) come from establishments or hatcheries in which vaccination against avian infectious bronchitis, ILT and fowl cholera is not practiced on the parent stock: or have not been vaccinated against avian infectious bronchitis, ILT and fowl cholera; or

(iii) were vaccinated against avian infections bronchitis, ILT and fowl cholera, the nature of the vaccine used and the date of vaccination to be stated in the international animal health certificate; or

(iv) come from establishment; or hatcheries in which vaccination against avian infectious bronchitis, ILT and fowl cholera is practiced on the parent stock.

(f) come from establishments or hatcheries which are recognized as being free from avian tuberculosis; (g) showed no sign of mycoplasmosis on the day of shipment, originate exclusively from eggs produced by birds from establishments free from mycoplasmosis, and are shipped in clean, not previously used packages.

QA 9 Importation of hatching eggs

For the importation of hatching eggs the presentation of an international animal health certificate is required attesting that the hatching eggs:

(a) come from hatcheries situated in a country which is internationally recognized as free of OIE List A diseases which affect domestic poultry or may be carried by domestic poultry;

(b) come from establishments or hatcheries which are regularly inspected by the official veterinary authority of the exporting country;

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- (c) come from establishments in which vaccination against Marek's disease is practiced, the nature of the vaccine used shall also be stated in the certificate;
- (d) originate exclusively from birds kept in establishments free from mycoplasmosis;
- (e) come from establishments and/or hatcheries which are certified as being free from pullorum-typhoid disease and avian tuberculosis; and
- (f) have been disinfected in accordance with accepted international standards, are correctly identified and are shipped in clean and unused packages.

QA 10 Importation of domestic rodents and rabbits

- (a) For the importation of domestic rodents and rabbits the presentation of an international animal health certificate is required attesting that the rodents or rabbits:
 - (I) were examined within 24 hours of shipment, found to be in good health and showed no sign of any infectious disease;
 - (ii) have been effectively treated against endoparasites within three days of shipment;
 - (iii) have been effectively treated against, and found on examination to be visibly free of, all ectoparasites within three days of shipment;
 - (iv) have been treated with an effective anthelmintic on two occasions at 21 day intervals, the last being within 48 hours of shipment;
 - (v) were kept since birth or for at least the six months prior to shipment in the exporting country, or part of the territory of the exporting country which is internationally recognized as free from rabies and all OIE List A diseases which may be carried by rodents or rabbits.
- (b) As soon as the animals arrive in the Republic of Palau they shall immediately be taken under the control of an inspector to the quarantine premises previously approved by the Chief of Agriculture, where the animals shall remain until they are released by an inspector.

QA 11 Importation of embryos/ova of domestic ruminants and pigs

- (a) For the importation of embryos/ova of domestic ruminants and pigs, the presentation

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of an international animal health certificate is required attesting that:

- (i) the donor females and all other animals in the herd of origin showed no clinical sign of disease during the twenty-four hours prior to departure to the collection unit and for the following thirty days;
- (ii) the donor females were kept in a country or part of the territory of a country internationally recognized as free from OIE List A diseases affecting domestic ruminants and pigs since birth or for the preceding 2 years and were kept in the same herd for at least the forty days prior to departure to the collection unit;
- (iii) the donor females were fertilized with semen meeting the requirements for the importation of semen into the Republic of Palau; and
- (iv) the collection unit remained free from OIE List A diseases affecting domestic ruminants and pigs since birth during the forty days following collection;

(b) embryos/ova must be collected, washed, treated, examined for intact zona pellucida, otherwise handled and transported according to International Codes of Practice.

QA 12 Importation of semen of domestic ruminants

For the importation of the semen of domestic ruminants the presentation of an international animal health certificate is required attesting that the donor animals:

- (a) showed no clinical sign of disease on the day of collection and, except for fresh semen, for the following thirty days;
- (b) were kept in a country internationally recognized as free from OIE List A diseases which affect domestic ruminants and pigs, since birth or for not less six months prior to collection;
- (c) for bovine semen the following additional conditions apply:
 - (I) were kept in the exporting country for the thirty days prior to collection, in an establishment or artificial insemination center [ai center] where all animals are officially free from bovine tuberculosis; and
 - (ii) either -
 - (1) when the semen comes from an artificial insemination center [ai

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center], the testing program includes appropriate and effective tests for bovine brucellosis; or

(2) when the semen does not come from an artificial insemination center [ai center], the donor animals come from a country or part of the territory of a country free from bovine brucellosis.

QA 13 Importation of semen of pigs

For the importation of the semen of domestic pigs the presentation of an international animal health certificate is required attesting that the donor animals:

- (a) showed no clinical sign of disease on the day of collection and, except for fresh semen, for the following thirty days; and
- (b) were kept in a country internationally recognized as free from OIE List A diseases affecting domestic ruminants and pigs since birth or for not less than six months prior to collection.

QA 14 Importation of non-commercial consignments of food products of animal origin being imported as accompanied passengers' baggage and for personal use

Subject to the provisions of Subsection (d), the importation of consignments of food products of animal origin being imported as accompanied passengers' baggage and for personal use is subject to the following conditions:

- (a) all food products of animal origin imported by a passenger must have been slaughtered in an approved establishment, packaged and sealed, and must be labeled in English by the manufacturer clearly stating the contents and country of origin;
- (b) the total quantity of food products of animal origin which may be imported by a passenger on any single occasion shall not exceed 55 lbs per adult passenger; and
- (c) food products imported hereunder must not be resold.
- (d) notwithstanding the provisions of (a), (b) and (c), a permit may be issued in accordance with the provisions of these regulations in respect of any meat products imported into the Republic of Palau for ceremonial purposes consistent with the customs of Palauan citizens.

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QA 15 Importation of unsterilized meat and meat products derived from domestic ruminants

For the importation of unsterilized meat and meat products derived from domestic ruminants, the presentation of an international health certificate or other approved certification is required. Where required, the international health certificate shall attest that the entire consignment of meat comes from animals:

- (a) which have been kept in a country internationally recognized as free from OIE List A diseases affecting domestic ruminants and pigs since birth; and
- (b) which were slaughtered in an abattoir, found to be healthy before and after slaughter, cut up in a cutting-up establishment under supervision of the government of the exporting country and considered to be fit for human consumption.

QA 16 Importation of unsterilized meat and meat products derived from pigs

For the importation of unsterilized meat and meat products derived from pigs the presentation of an international health certificate or other approved certification is required. Where required the international health certificate shall attest that the entire consignment of meat comes from animals:

- (a) which have been kept in the country since birth, or have been imported from a country internationally recognized as free from OIE List A diseases affecting domestic pigs since birth; and
- (b) which were slaughtered in an abattoir, found to be healthy before and after slaughter, cut up in a preparation establishment and considered to be fit for human consumption.

QA 17 Importation of unsterilized meat and meat products derived from poultry

For the importation of unsterilized meat and meat products derived from poultry the presentation of an international health certificate or other approved certification is required. Where required the international health certificate shall attest that the entire consignment of meat comes from birds:

- (a) which have been kept in establishment free from Newcastle disease and highly pathogenic avian influenza and not situated in an infected zone of these diseases;
- (b) which were slaughtered in an abattoir not situated in an infected zone of Newcastle disease and highly pathogenic avian influenza, found to be healthy before and after slaughter, cut up in a preparation establishment and considered to be fit for human

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consumption.

QA 18 Importation of eggs and egg products for consumption and processing

It is prohibited to import into the Republic of Palau eggs in the embryonic stages, (such as Balot). For the importation of eggs and egg products the presentation of an international health certificate or other approved certification is required. Where required the international health certificate shall attest that the entire consignment comes from birds:

(a) which have been kept in an establishment free from Newcastle disease and highly pathogenic avian influenza and not situated in an infected zone of these diseases;

(b) for eggs, the certificate must attest that the eggs have been disinfected in accordance with OIE standards, are correctly identified, and are shipped in clean and unused packages.

(c) for egg products, the certificate must attest that the eggs were sterilized by conventional heat treatment regimes during the manufacturing process.

QA 19 Importation of milk and milk products

(a) Unless otherwise varied by the issuance of a general import permit under Section 2.14(f) of these regulations, an international animal health certificate or other approved form of certification is required for the importation of milk and milk products. Where required the international health certificate shall attest that the animals from which the milk and milk products were derived:

(i) were kept since birth or for at least 12 months prior to the collection of milk which was used in the manufacture of this shipment in an exporting country which is free from foot and mouth disease where this disease is notifiable;

(ii) that vaccination against foot and mouth disease is not practiced; and

(iii) that the milk and milk products were pasteurized or sterilized at conventional heat treatment regimes during the manufacturing process.

(b) Persons arriving in the Republic of Palau with infants shall be exempt from the provisions of subsection (a) with respect to a liquid milk or milk containing formula, in which case a maximum of one gallon may be allowed for each accompanied child under two years of age. In case of a powdered milk or milk containing formula a maximum of two pounds shall be permitted for each accompanied child under two years of age.

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QA 20 Importation of honey bees and apiary equipment

For the importation of honey bees (*Apis mellifera*) the presentation of an international animal health certificate is required attesting that:

- (a) the honey bees in the consignment come from apiaries which are regularly inspected by government officers empowered for that purpose by the exporting country;
- (b) the exporting country or part of the territory of the exporting country is free from Varroasis and Acariasis;
- (c) the exporting country or part of the territory of the exporting country is free from American Foul Brood, European Foul Brood and Chalk Brood;
- (d) that the exporting country or part of the territory of the exporting country is free from evidence of Africanized bees; and
- (e) the entry of used bee keeping equipment including hives, frames, and tools, is prohibited.

QA 21 Importation of all other animal products and other related articles

For the importation of all other animal products and other related articles:

- (a) the first port of entry in the Republic of Palau shall be specified in the import permit;
- (b) all animal products shall be consigned to the Republic of Palau as manifested cargo unless specific provision has been made in the import permit otherwise;
- (c) all importations of animal products and related goods are to be accompanied by;
 - (I) the import permit issued for that importation; and
 - (ii) an international health certificate signed and stamped by an official veterinarian of the exporting country certifying the state of good health of the animal products and related articles and giving particulars where applicable of any measures taken to prevent the spread of disease;
- (d) all animal products shall be inspected on arrival by an inspector;
- (e) only when the inspector is satisfied, following the inspection prescribed in (d) above,

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that the import is in accordance with the provisions of these regulations, that all conditions of the import permit have been met up to the time of importation, and that no period of quarantine detention, treatments or tests are required shall a Quarantine Release be issued;

(f) unless a Quarantine Release is issued according to the provisions of (e) above, all animal products and related articles will be detained under quarantine control until further notice and be subjected to any test, treatment, disinfection or fumigation required;

(g) notwithstanding the provisions of Sections 2.2 and 2.14(f) of these regulations, an inspector may order animal products that are imported or introduced into the Republic of Palau in contravention of the provisions of any regulation made hereunder, or of any conditions of the import permit, to be seized, destroyed, disposed of or re-exported at the owner's expense;

(h) any import permit granted may be canceled or amended at any time after issue and before arrival of the animal products and related articles in the Republic of Palau should the animal health and/or quarantine status of the country of origin change or be reported to have changed in the meantime.

PART VIII. VACANT

Notes

Part VIII 8.1 Specific Animal Prohibitions was incorporated into Part V by an amendment approved by the President on July 7, 2006 which left Part VIII 8.1 vacant.

PART IX. EXPORT REQUIREMENTS

9.1 Power to examine and certify export consignments of plants and plant products

(a) An inspector, at the request of an exporter, may sample and inspect any plants or plant products intended for export from the Republic of Palau.

(b) An inspector may withhold or detain any plants or plant products intended for export until such time as he is satisfied that plants or plant products meet with any and all terms and conditions of the importing country and are of sufficient quality and wholesomeness.

(c) An inspector may apply official seals to any packages on the completion of any inspection of plants or plant products intended for export from the Republic of Palau.

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(d) An inspector may issue a certificate or other documentation setting out the result of his inspection or certifying as to the origin of the plants or plant products, provide details of any treatments applied to the plants or plant products or any other matter of which he is aware in relation to the plants or plant products.

(e) The exporter shall be responsible for the payment of any fees or charges associated with the inspection and/or certification of plants or plant material intended for export from the Republic of Palau.

9.2 Phytosanitary certificates and other documentation relating to plants and plant products

(a) An inspector may issue a phytosanitary certificate for plants or plant products produced in the Republic of Palau where such certificate is a condition of importation into the country of destination and where he believes that such plants or plant products conform with the import requirements of the importing country.

(b) The phytosanitary certificate issued is to be substantially based on the Model adopted by the International Plant Protection Convention of 1951, as amended from time to time.

(c) The issuance of a phytosanitary certificate shall not release the importer or exporter from compliance with any quarantine import regulations of the country to which the plants or plant material are consigned.

9.3 Examination of exports - animals and animal products

(a) The Chief of Agriculture may require that any animals, animal products, and related goods being exported be inspected by an inspector prior to export.

(b) An inspector may withhold or detain any animals or animal products being exported until such time as he is satisfied that they meet with any and all terms and conditions of the importing country and are of sufficient quality and wholesomeness.

(c) The Chief of Agriculture shall inspect any meat being exported commercially prior to export in accordance with the Export Meat Inspection Act, Title 34 of the Palau National Code, Chapter 21.

9.4 Re-export of plants and plant materials, animals and animal products

All plants and plant materials, animals and animal products intended for re-export from the Republic of Palau must clearly be identified as such and the country of origin stated on the accompanying certification.

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- (a) An inspector may issue a re-export phytosanitary certificate for plants and plant products which have arrived in the Republic of Palau but which are not intended for importation into the Republic of Palau.
- (b) An inspector shall only issue a re-export phytosanitary certificate where he is satisfied that such plants, plant products or other regulated materials are accompanied by a phytosanitary certificate issued by the plant health authority of the country of origin and that such goods comply generally with the goods described on such certificate.
- (c) An inspector may issue a re-export international animal health certificate in the case of a live animal or a re-export international health certificate in the case of an animal product where such animal or animal product as the case may be has arrived in the Republic of Palau but is not intended for importation into the Republic of Palau.
- (d) An inspector may issue a re-export international animal health certificate in the case of a live animal or a re-export international health certificate in the case of an animal product, where he is satisfied that such animal or animal product as the case may is accompanied by an international animal health certificate in the case of an animal, or an international health certificate in the case of an animal product issued by the animal health authority of the country of origin and that such animal or animal product conforms generally with the description printed on such certificate.

PART X. PENALTIES

10.1 Penalties

- (a) Pursuant to Title 34 of the Palau National Code, Section 2010, any person who violates any provision of these regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to the penalties provided by law.
- (b) Each plant, class of plant product or animal or class of animal product imported, held, used, or transported in violation of these regulations shall constitute a separate offense under this provision.
- (c) The Chief of Agriculture shall have the authority to impose fines by citation for particular violations of these regulations or any other quarantine controls. Such fines may not exceed \$1000 for each violation.
- (d) The Director has determined that following fines shall apply to these listed violations:

VIOLATION - Failing to declare quarantine risk items:

1 st Offense	\$250.00
2 nd Offense	\$500.00
3 rd Offense	\$1,000 and/or 6 months in jail.

VIOLATION - Releasing Cargo without proper authorization:

1 st Offense	\$250.00
2 nd Offense	\$500.00
3 rd Offense	\$1,000 and/or 6 months in jail.

VIOLATION - Unauthorized Breaking of Quarantine Seals:

1 st Offense	\$250.00
2 nd Offense	\$500.00
3 rd Offense	\$1,000 and/or 6 months in jail.

VIOLATION - Departing of Vessels without Quarantine Clearance/Authorization:

1 st Offense	\$250.00
2 nd Offense	\$500.00
3 rd Offense	\$1,000 and/or 6 months in jail.

Note

Subsection (d) was added by an amendment approved by the President on July 7, 2006.

PART XI. CHANGES TO PLANT AND ANIMAL SCHEDULES

11.1 Schedules

(a) The animal and plant schedules listed in this part set forth the species subject to the prohibitions and penalties authorized by these Regulations. The schedule lists are subject to addition and deletion in accordance with the procedures and criteria set forth in parts (b) and (c) below.

(b) Procedure for adding or removing living organisms from the Schedules: The Director shall determine whether or not an organism meets any of the criteria for listing on the schedules and also determine when the criteria are no longer met so that an organism can be removed from the list. The National Invasive Species Committee (NISC), a Subcommittee of the National Environmental Protection Council (NEPC), will provide advice and recommendations to assist the Director in the decision-making process.

(c) One or more of the following criteria shall apply to a living organism for listing on the Schedules:

1. There is a record documenting the organism's potential to cause injury to human health or the environment including agriculture, aquaculture, terrestrial or marine resources or any other local ecosystems.
2. The living organism is determined to be causing, or about to cause damage to the above listed resources.
3. The living organism transmits diseases that have the potential to adversely impact the above listed resources.

11.2 First Schedule

Importation of the following plant species is prohibited:

Species	Scientific Name	Plant material prohibited
Banana, Abaca and Heliconia	<i>Musaceae family and heliconiaceae family</i>	Plants, corms and cut flowers except tissue culture certified free from bunchy top disease, mosaic virus, Panama disease, banana streak disease and bacterial diseases including moko disease, black leaf streak and Sigatoka disease.
Citrus	Citrus Species and the following genera: <i>Citropsis</i> , <i>Citrus</i> , <i>Eremocitrus</i> , <i>fortunella</i> , <i>Microncitrus</i> , <i>Monanthocitrus</i> , <i>Pleurocitrus</i> , <i>Poncirus</i>	All except fruit and seeds. Fruit from areas where citrus canker (<i>Xanthomonas campestris p. v. citri</i> (Hasse) Dye) and other diseases not present in Palau occur. All of <i>Murraya</i> spp.
Maize/Popcorn	<i>Zea Mays L.</i>	All except seed
All palms including Coconut and Betel Nut	<i>Cocos species</i> and all members of the family <i>palmae</i>	All except seeds nuts and pollen from areas approved by the Chief of Agriculture
Sweet Potato	<i>Ipomoea batatas</i>	All except pathogen tested tissue cultures and seed
Tapioca/cassava	<i>Manihot esculenta</i>	All except stems and tissue cultures from pathogen tested sources
Taro and edible aroids	<i>Alocasia macrorrhiza L.</i> ; <i>Colcasia esculenta L.</i> ; <i>Cryptosperma chamissonis</i> (Schott); and <i>Xanthosoma sagittifolium</i>	All except seed and tissue culture
Tomato	<i>Lycopersicon esculentum</i> (Miller)	All except fruit and seed

Yams	<i>Dioscorea spp.</i>	All except seed and tissue culture
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And any other plant which the Director may specify as likely to become a nuisance to the environment or public health.

11.3 Second Schedule

Importation of the following live animal species is prohibited:

- (i) any snake of any species
- (ii) any living stage of any venomous reptile, venomous amphibian, venomous fish or venomous invertebrate
- (iii) any red vented bulbul (*Molpaster cafer L*) or Mynah bird (*Aeriodothes fuscus*)
- (iv) any American grey squirrel (*Sciurus carolensus gmelin*);
- (v) any mongoose (*Herpestes sp.*);
- (vi) any mink; (*Mustela vison*);
- (vii) any parrot;

And any other animal which the Director may specify as likely to become a nuisance to the environment or public health.

Note

The second schedule was added by an amendment approved by the President on December 27, 2002. Further amended by an amendment approved by the President on July 7, 2006. Amended January 30, 2008.

11.4 Third Schedule

Importation and/or Possession of the following live species is prohibited:

- (I) Tilapia - any species in the genus *Oreochromis*, or any hybrids thereof;
- (ii) Mile a minute weed - *Mikania micrantha*
- (iii) African tulip tree - *Spathodea campanulata*;
- (iv) City pigeon/rock dove - *Columba livia*
- (v) Monkeys - *Macaca fascicularis*

And any other plant, animal, or other living organism, which the Director may specify as likely to become a nuisance to the environment or public health.

Note

Changes to Plant and Animal Schedules now enumerated as Part XI Section 11.1 thru 11.4 was added by an amendment approved by the President on July 7, 2006. Amended January 30, 2008.