

Federal Law No. 5

Issued on 19/03/1979

Corresponding to 20/04/1399 H.

CONCERNING AGRICULTURAL QUARANTINE

Amended by:

Federal Law no. 6/1992 dated 13/01/1992.

We, Zayed Bin Sultan Al Nahyan, President of the United Arab Emirates State,
Pursuant to the perusal of the provisional¹ Constitution; and
Law no. 1 of 1972 concerning the Jurisdiction of the Ministries and the Powers of the Ministers
and the amending laws thereof; and

Acting upon the proposal of the Minister of Agriculture and Fisheries, the approval of the
Cabinet and the Federal National Council, and the ratification of the Federal Supreme Council,
Have promulgated the following Law:

Article 1

The terms and phrases shall have the meanings assigned for each of them unless the
context requires otherwise:

Minister : The Minister of Agriculture and Fisheries.

Competent Authority : The administrative entity in charge of agricultural quarantine.

Quarantine : The place where the examination and the treatment of the agricultural
imports and exports take place in pursuance of the provisions hereof.

Entity : Every company, trade house, university, governmental institution, private facility,
diplomatic entity, or any other institutions dealing with agricultural products whether
through import or export.

Vegetation: Any type of vegetables or parts thereof, whether dead or living, and in any
state whatsoever, including hays, branches, tubers, bulbs, crusts, sprouts, heads, rubber,
roots, leaves, flowers, fruits, seeds, rhizomes and seedlings.

Agricultural products: Products of agricultural origins prepared in a way that does not
alter the vegetable nature thereof.

¹ The word "provisional" has been deleted from the Constitution of the United Arab Emirates, wherever mentioned, by virtue of Article One of the Constitutional Amendment no. 1/1996 dated 2/12/1996; this Constitution has become the permanent Constitution of the State.

Imperfections : Seeds of any type of vegetations, or any harmful grasses or living or dead parts thereof.

Agricultural Imports and Exports: All types of vegetations, parts thereof or agricultural products subject to the provisions hereof and entering or leaving the country.

Contamination: The existence of diseases or insectile symptoms or others inside or on vegetations or agricultural products.

Article 2

As amended by Federal Law no. 6 dated 13/01/1992:

All types of vegetations and agricultural products shall be subject to the regulations of agricultural quarantine, and shall not be allowed to enter should a similar product contaminate such products with pests or one of the diseases set forth in the list no. 1 enclosed herewith. By virtue of a Cabinet decision upon the proposal of the Minister, the said list may be amended by adding or deleting any of the pests or agricultural diseases.

Nevertheless, the Minister, upon the request of the persons concerned, may allow the entry of contaminated vegetations or agricultural products should the eradication of all types of pests be possible according to the method determined by the Ministry with the knowledge thereof and on the charge of the persons concerned.

Article 3

The entry of vegetations and agricultural products contaminated with pests present in the country shall be prohibited unless after the sterilization thereof on the charge of the owner before the release thereof with the knowledge of the Ministry.

The entry of the soil and organic fertilizers along with agricultural imports shall be prohibited unless the competent authority issues a license thereof.

Article 4

Upon the proposal of the competent authority, the Minister shall issue a decision allowing the entry of a few types of vegetations and agricultural products contaminated with pests should such entry not have adverse economic effects on the agriculture and crops of the country.

Article 5

No party shall be allowed to import living insects, bacteria, viruses, moss, or any agricultural products contaminated or suspected to be or contaminated with agricultural pests, and such for the purposes of scientific research and experiments without the authorization of the competent authority.

Article 6

No agricultural imports shall be allowed to enter the country unless accompanied by a health certificate issued by the competent entities of the country of origin, and authenticated by the Embassy of the United Arab Emirates in such country – if any – proving that such imports are free of imperfections and have been sterilized.

Article 7

The competent authority shall give a certificate proving that the exported agricultural products are free of pests, agricultural diseases and imperfections, only after an examination thereof and that they are in conformity with the regulations of agricultural quarantine in the importing country. The competent authority shall have the right to treat the agricultural exports on the charge of the exporting party should it suspect the existence of pests or diseases therein.

Article 8

All imported and exported vegetations and agricultural products shall be inspected by the competent authority that has the right to reject such imported or exported products should they not be in conformity with the regulations and instructions of agricultural quarantine, and with the provisions set forth herein. In such case, the competent authority may restore the product on the charge of the owner thereof or destroy them as the case may be.

Article 9

All types of vegetation and agricultural products transported in transit shall be subject to the regulations of agricultural quarantine and shall not stay in quarantine for more than seven days.

The entry of any agricultural products transiting the country shall be prohibited should it be contaminated with any of the pests set forth in the list no. 1 enclosed herewith.

Article 10

The competent authority shall establish procedures and instructions that guarantee the implementation of the regulations of the internal quarantine, in order to restrict the outbreak of agricultural pests and diseases among developing crops, forests, arboretums and gardens, and such in pursuance of the rules determined by the Minister in this concern.

Article 11

Without prejudice to any severer sanction set forth in the Criminal Law or any other law, whoever violates the provisions hereof and the decisions issued in execution thereof, shall be sentenced to imprisonment for a period of three months at most and to a fine of AED 5.000 at most, or to either penalties. Moreover, a judgment shall be issued to confiscate all vegetations, agricultural products, imports and exports, subject of the violation.

Article 12

The employees of the agricultural quarantine appointed by the Minister for the inspection of the execution of the provisions hereof and the decisions issued in execution thereof shall have the capacity of judicial inspection. With the said capacity, they shall have the right to enter the customs zones and inspect all the vehicles of transportation suspected of transporting agricultural products.

The customs authorities, ports authorities and otherwise shall provide such officials with all necessary facilities to enable them to accomplish their work.

Article 13

The Minister shall issue the necessary decisions for the execution of the provisions hereof, mainly for the following matters:

- 1- To prohibit the export¹ of vegetations and agricultural products not in conformity with the regulations of agricultural quarantine in the importing country.
- 2- The conditions of authorization of import or export of vegetations and agricultural products and the cases of exemption from such authorization.
- 3- To determine the charges occurring upon the execution of the procedures provided for herein, and the decisions issued in execution thereof, as well as the conditions of exemption therefrom.

¹ This word has been wrongly spelled in the original Arabic text published in the Official Gazette. Therefore a mention is in order.

Article 14

The present Law shall be published in the Official Gazette and shall enter into force three months from the date of publication thereof.

Promulgated by Us at the Presidential
Palace in Abu Dhabi
On 20/04/1399 H.
Corresponding to 19/03/1979

Zayed Bin Sultan Al Nahyan
President of the United Arab Emirates State

This Federal Law has been published in the Official Gazette, issue no. 67, p. 34.

LIST OF INSECTS AND DISEASES PROHIBITED TO ENTER THE UNITED ARAB EMIRATES

SCIENTIFIC NAME	COMMON NAME
1. <i>Phylloxera vitifolia</i> / <i>vastarix</i>	Grape phylloxera Aphid
2. <i>Leptinotrsa decemlineata</i>	Colorado potato Beetle
3. <i>Cryptorrhachus magifera</i>	Mango Fruit Weevil
4. <i>Synchytrium endobioticum</i>	Potato wart disease
5. <i>Phutophaga destructor</i>	Hessian Wheat Fly
6. <i>Aspidiotus perniciosus</i>	Sanjose Scale
7. <i>Popillia japonica</i>	Japanese Beetle (vegetable & trees)
8. <i>Heterodera rostochiensis</i>	Golden Nematode
9. <i>Iridomyrmex humilis</i>	Argentine Ant
10. <i>Pectinophora gossypiella</i>	Tink Boll Worm

