

On the basis of Article 24 of the Plant Health Act (Official Gazette of the Republic of Slovenia, no. 45/01) the Government of the Republic of Slovenia hereby issues this

DECREE

On designation of points of entry and on minimum conditions for carrying out inspections of plants, plant products and regulated articles at the points of entry*

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I. GENERAL PROVISIONS

Article 1 (content)

This Decree shall designate points of entry, lay down minimum conditions for carrying out inspections with regard to capability of phytosanitary inspectors, with regard to facilities, equipment and working time, and other conditions at the points of entry where inspections of consignments of plants, plant products and regulated articles shall take place, which are imported into the Republic of Slovenia (hereinafter referred to as: “consignments”).

II. POINTS OF ENTRY

Article 2 (points of entry)

Consignments which must be subject to inspection shall be imported only through the points of entry at the border crosses at places indicated in the List of points of entry in Annex 1, which is a constituent part of this Decree.

II. CONDITIONS FOR CARRYING OUT THE INSPECTIONS

Article 3 (qualification of inspectors)

The phytosanitary inspector shall meet the prescribed requirements with regard to professional and technical qualifications prescribed in the Plant health Act (hereinafter referred to as: “the act”). The phytosanitary inspector shall also be professionally qualified so as to be able to detect and determine harmful organisms, and shall have access to the professional support.

The phytosanitary inspection ensures that the inspections of consignments at the points of entry shall be carried out uniformly.

Article 4

* This Decree is contextually including the whole of the Directive no. 98/22/EC

¹ original title: Regulations on minimum conditions for carrying out **phytosanitary control** of plants, plant products and regulated objects at **border crosses**

(access to facilities, equipment and aids / appliances)

At the point of entry or in its immediate vicinity, the phytosanitary inspector shall have access to:

- Appropriate facilities, aids / appliances and equipment, referred to in Articles 6, 7 and 8 of this Decree, for carrying out administrative procedures and inspections, and for taking and inspecting the samples,
- up-to-date written inspection guidelines which are in compliance with the valid regulations and are in the form of a manual, issued by the Director of the Inspectorate of the Republic of Slovenia for Agriculture, Forestry, Hunting and Fisheries (hereinafter referred to as: “the Inspectorate”),
- up-to-date recommendations of the European Union for inspections (Vademecum),
- Up-to-date collections of the plant-health legislation,
- Up-to-date list including the addresses and telephone numbers of laboratories, which are authorised, in compliance with the act, for carrying out diagnostic examinations of samples with the aim to establish the presence of harmful organisms or to diagnose the same,
- Instructions on appropriate procedure for ensuring the conformity (integrity) and safety (security) of samples when moved into a laboratory and during the testing procedure carried out in a laboratory,
- Up-to-date records of consignments which have been either officially intercepted or officially tested in the authorised laboratories, including the results of diagnostic examinations.

Phytosanitary inspector shall have access to facilities for proper storage of consignments under customs and inspection control, and to facilities for eventual destruction or corresponding treatment, of the whole or of a part of the intercepted consignment.

Article 5 (system of inspections)

In the case of a special plant health risk in the country or in case of any changes in the number of consignments, which must be subject to a plant health inspection, the phytosanitary inspection shall be able to adapt its established system of inspections as quickly as possible in such a way as to meet new conditions and needs, as provided by the instructions of the Director of the Inspectorate.

Article 6 (facilities and equipment for carrying out inspections)

For the inspections carried out to be of good quality and safe, the following shall have to be ensured at the point of entry:

1. an adequate place where the plant health inspection shall take place, provided with appropriate lightning (500 lux), depending on the category of the point of entry (road, railway, sea, air, postal) or on the kind of consignment:

- At road point of entry, a marked parking area, and a platform for carrying out the inspections, with a roofing;

- at railway point of entry, the consignment shall be positioned on a separate track for inspection, or on the platform for carrying out the inspections; before the inspection, the tracks shall be protected by derailment locks and the high-voltage network shall be switched off;
- for inspection of sea consignments, the ship shall be docked, and the consignments shall remain on board or, with the permission of the phytosanitary inspector, moved to the customs warehouse;
- air consignments and consignments by post shall be inspected in the adequate storage place under custom's supervision;
- passenger consignments by private individuals shall be inspected at the border crossing;- container consignments shall be inspected at the point of entry or at a specified container terminal where the containers can be opened;

2. an adequate closed place for carrying out inspections, provided with appropriate lightning (500 lux) and equipped with an inspection working table, for:

- visual checks,
- disinfection of facilities and equipment used for inspections,
- taking and preparation of official samples for eventual further tests in the authorised laboratories (packaging for samples, devices for identification of the samples, packaging for sending the samples to the authorised laboratories, sealing tongs, stamps).

Article 7
(equipment for administrative procedures)

For carrying out administrative procedures by a phytosanitary inspector, the facilities at the point of entry shall be equipped with:

- adequate communication system enabling rapid connecting with other points of entry, with the Inspectorate, Administration of the Republic of Slovenia for Plant Protection and Seeds, with authorised laboratories and customs authorities, as well as with the Commission of the EU and the Member States of the EU,
- Photocopying machine or other suitable device for photocopying documents.

IV. OTHER CONDITIONS

Article 8
(responsibilities of importers and hauliers)

Importers, hauliers or their representatives, and persons introducing the consignments into the Republic of Slovenia, shall facilitate the inspection of the means of conveyance and of the consignment to be carried out, unlimited access to whichever part of the consignment, and provide personnel to open the means of conveyance and all parts of the consignment.

Article 9
(safety at work)

Besides the conditions prescribed with this Decree, also other conditions must be satisfied, provided by the regulations on safety at work.

Article 10
(working hours)

Inspections of consignments shall be done during the working hours of the phytosanitary inspection. Working hours shall be decided by the Director of the Inspectorate, who shall make them public.

As an exception, inspection may be conducted also outside working hours under conditions determined by the Director of the Inspectorate in compliance with the regulations on labour relations.

V. TRANSITIONAL AND FINAL PROVISIONS

Article 11
(points of entry)

Until the date of accession of the Republic of Slovenia to the European Union, points of entry, provided by this Decree, shall be deemed only points of entry which are to be indicated as such with the agreement on the membership of the Republic of Slovenia in the European Union.

Article 12
(access to aids and appliances)

Provisions of the third indent of the first paragraph of Article 4 of this Decree, regarding access to the up-to-date recommendations of the European Union in respect of the inspections (Vademecum), shall begin to apply on the date of accession of the Republic of Slovenia to the European Union.

Article 13
(communication system)

Provisions of the first indent of the first paragraph of Article 7 of this Decree, regarding equipment of the facilities at the point of entry with adequate communication system, enabling rapid connection with the European Union's Commission and with the Member States of the European Union, shall begin to apply on the date of accession of the Republic of Slovenia to the European Union.

Article 14
(regulations which cease to apply)

With the effective date of this Decree, the following documents shall cease to apply:

- Articles 11 and 12 of the Rules on Phytosanitary Inspection of Plant Consignments in International Trade and on the Domestic Market (Official Gazette of RS, no. 38/96, 57/00, 45/01- Plant Health Act-1, 69/01 and 93/01);

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Article 15
(effective date of the Decree)

This Decree shall take effect fifteen days after publication in the Official Gazette of the RS.

No. 325-11/2002-1
Ljubljana, 10th of January 2002

**The Government of the
Republic of Slovenia**

Dr. Sc. Janez Drnovšek
The President

ANNEX 1

LIST OF POINTS OF ENTRY

Border-crossing points in the following cities shall be considered points of entry:

1. for rail transport: Dobova, Hodoš, Jesenice, Ljubljana, Maribor, Nova Gorica, Pragersko and Sežana;
2. for road transport: Dolga vas, Dragonja, Fernetiči, Gruškovje, Holmec, Jelšane, tunnel of Karavanke, Obrežje, Središče ob Dravi, Šentilj, Škofije and Vrtojba;
3. for sea transport: Port Koper;
4. for air transport: Airport Ljubljana - Brnik;
5. for postal consignments: Ljubljana.