



NATIONAL SERVICE OF AGRICULTURAL HEALTH AND QUALITY

Resolution 764/2020

RESOL-2020-764-APN-PRES # SENASA

City of Buenos Aires, 10/11/2020

HAVING SEEN File N ° EX-2019-55883443- -APN-DGTYA # SENASA, Law No. 27,233, Resolutions No. RESOL-2018-130-APN-PRES # SENASA of April 17, 2018 and RESOL-2019-77-APN-PRES # SENASA of January 30, 2019, both from the NATIONAL SERVICE OF AGRICULTURAL HEALTH AND QUALITY, and

CONSIDERING:

That Law No. 27,233 declares the health of animals and plants to be of national interest, as well as the prevention, control and eradication of diseases and pests that affect the national agricultural and forestry production, flora and fauna.

That, in addition, establishes the primary and unavoidable responsibility of any natural or legal person linked to the production, obtaining or industrialization of products, by-products and derivatives of silvo-agricultural and fishing origin, having to ensure and respond to health, safety, hygiene and quality of its production. This responsibility includes those who produce, elaborate, fraction, conserve, deposit, concentrate, transport, commercialize, sell, import or export animals, vegetables, food, raw materials, food additives, reproductive material, animal feed and its raw materials, products of fishing and other products of animal and / or vegetable origin that act individually, jointly or successively, in the agri-food chain.

That, also, provides that the NATIONAL SERVICE OF AGRICULTURAL HEALTH AND QUALITY (SENASA), is the enforcement authority of the aforementioned law, empowering it to establish the procedures and systems for the public and private control of the health and quality of animals and plants and federal traffic, imports and exports of products, by-products and derivatives of animal and plant origin, the latter in the stages of production, transformation and storage, which correspond to their jurisdiction, agri-food, drug-veterinary and phytosanitary products, fertilizers and amendments, adapting the hygiene-sanitary control and certification systems currently used.

That by Resolution N ° RESOL-2018-130-APN-PRES # SENASA of April 17, 2018 of the aforementioned National Service, the phytosanitary alert is declared throughout the territory of the ARGENTINE REPUBLIC with respect to the *Lymantria dispar* Asian race plague. , commonly known as the Asian Gypsy Moth (PGRA), a quarantine pest absent in the country.

That in the world there is a significant increase in the introduction of non-native species to new areas and from one place to another in the same region, which has been both an unforeseen consequence and an unintended cost of the intensification of trade, world travel and transportation.

That there are various ways in which pests associated with plant products can spread outside their places of origin, over long distances, reaching new areas, countries and continents.

That the means that transport all types of merchandise and even passengers, whether by land, air or sea, have proven to be effective ways for pests to move and pose potential direct and indirect dangers to susceptible plant resources in new areas.

That in order to strengthen the prevention of the entry of diseases and pests through waste from abroad, through Resolution No. RESOL-2019-77-APN-PRES # SENASA of January 30, 2019 of the aforementioned National Service, it is approved the Computerized Waste Management System (SIG-RES), where, among others, the "Ship Arrival Notice", the "Sworn Statement of Reception upon Arrival of Ships in Port" and the "Sworn Statement of Regulated Waste" are approved. "

That through the risk analysis for *Lymantria dispar* Asian race (PGRA) and Japanese race (Gypsy Moth Raza Japónica - PGRJ-), maritime transport vessels, such as cargo, fishing, scientific and passenger ships, are identified, as the main potential route of introduction of these pests to the country.

That the PGRA and PGRJ present a high proliferation rate, due to the high number of eggs that each adult female can lay, added to the viability of egg masses of up to TWENTY-FOUR (24) months and the flight capacity of the females .

That, in turn, the PGRA and the PGRJ present a wide range of hosts that would favor their establishment in our country, causing impacts on forestry and agricultural productions, the environment and foreign trade activities related to maritime transport.

That, in addition, the PGRA and the PGRJ have a high probability of being introduced throughout the National Territory because they find adequate conditions for their establishment and dispersal in the country.

That there is a history of ships that have arrived at the Argentine port after having stayed in ports with the presence of PGRA and / or PGRJ.

That the countries with the presence of these pests have been identified, together with the flight periods of the females, which allows SENASA to adopt measures to prevent their entry, adapting the phytosanitary requirements of the maritime

transport vessels that arrive in the country .

That the International Plant Protection Convention (IPPC) is a multilateral treaty that develops provisions for the application of measures by governments, in order to protect their plant resources from harmful pests (phytosanitary measures) that can be introduced through international trade .

That within this framework the official services (National Plant Protection Organizations –ONPF–) established by each government to perform the functions specified by the IPPC are recognized.

That, consequently, in order to safeguard the country's phytosanitary status, prevent the entry of pests and collaborate with the member countries of the IPPC, it is necessary to implement preventive measures in relation to the Asian and Japanese race *Lymantria dispar* plague.

That the Directorate of Legal Affairs has taken the appropriate intervention.

That the undersigned is empowered to enact this act by virtue of the provisions of Article 8, subsections e) and f) of Decree No. 1,585 of December 19, 1996 and its amendments.

Thus,

THE PRESIDENT OF THE NATIONAL SERVICE OF AGRICULTURAL HEALTH AND QUALITY

RESOLVES:

ARTICLE 1.- Maritime transport vessels. Phytosanitary requirements in relation to the Asian and Japanese pest *Lymantria dispar* race. Phytosanitary requirements are established for maritime transport vessels that have set sail or remained in areas with the presence of *Lymantria dispar* Asian and Japanese races during the last TWENTY-FOUR (24) months, counted from the moment of arrival of the vessel to the Argentine port.

ARTICLE 2.- Free Ship Certificate. The ship must arrive with the protection of a Certificate of Ship Free of Gypsy Moth Race Asiatic (PGRA) or Gypsy Moth Race Japónica (PGRJ), issued by the Phytosanitary Authority of the country or other institution under its control, corresponding to the last port of permanence or departure of the vessel located in areas with the presence of the aforementioned pests.

ARTICLE 3.- Requirements of the PGRA or PGRJ Free Ship Certificate. The Certificate of Free Ship of Gypsy Moth Asian or Japanese Breed must:

Item a) Be written in Spanish and / or English.

Subsection b) Enter the following legend: "The vessel (name of the vessel), from IMO (IMO identification) has been inspected and is free of PGRA or PGRJ (Lepidoptera: Lymantriidae)" and / or "The vessel (vessel name) , the IMO (IMO identification), was inspected and is considered to be free from Asian Gypsy Moth (AGM) or Japanese Gypsy Moth (JGM) ".

Subsection c) Contain at least the detailed information in the PGRA / PGRJ free ship inspection certificate model that, as Annex I (IF-2020-64980950-APN-DTINF # SENASA), forms an integral part of this resolution.

ARTICLE 4.- Areas of origin and certification periods. The Certificate of Inspection of the ship free of Gypsy Moth Asian or Japanese Breed is required for ships that come from ports located in the northeast and extreme east of Asia, between SIXTY DEGREES (60 °) and TWENTY DEGREES (20 °) of North latitude, and that they have remained in them at times that coincide with the flight periods of the female of the aforementioned pests, according to the table "Areas of origin and flight periods of females" which, as Annex II (IF- 2020-64982393-APN-DTINF # SENASA), is an integral part of this resolution.

ARTICLE 5.- Exempt vessels. Vessels that have set sail or remained in areas with the presence of PGRA and / or PGRJ in a period other than the flight times of the female referred to in Annex II of this resolution, are exempt from presenting the certification required in this standard. .

ARTICLE 6.- Advance notice. Any maritime transport vessel that arrives in the country from areas with the presence of PGRA and / or PGRJ, must be indicated by its Maritime Agent in the Waste Information Management System (SIG-RES) of the NATIONAL SERVICE OF AGRICULTURAL HEALTH AND QUALITY (SENASA), or another computer system that the aforementioned National Service determines, SEVENTY-TWO HOURS (72 h) before the arrival of the ship to the Argentine port.

ARTICLE 7.- Presentation of the certificate. When it corresponds that the ship arrives with the protection of the PGRA or PGRJ Free Certificate, the maritime transport agent must inform the National Directorate of Plant Protection of the aforementioned National Service, through the documentary or computer system that this Agency determines, and be presented at the first port of call to Argentine Territory, complementing the information with the list of ports where the ship has called during the last TWENTY-FOUR (24) months. This period may be less if it is documented that the vessel has less than TWENTY-FOUR (24) months of navigation or that the vessel changed owner.

ARTICLE 8.- Evaluation of the risk of entry of ships. SENASA, through the aforementioned National Directorate, will assess the risk of entry of vessels that have called during the last TWENTY-FOUR (24) months in areas with the presence of PGRA and / or PGRJ, either at times of the period of Flight referred or not, within SEVENTY-TWO HOURS (72 h) prior to the reported arrival.

The minimum variables to consider in the risk assessment are:

Item a) periods of navigation in risk areas,

Item b) official certificates of PGRA and / or PGRJ-free vessels,

Item c) variations in population dynamics of pests In its area of origin,

Item d) record of population outbreaks in the area of origin,

Subsection e) history of interceptions in the country, and

Subsection f) notification of interceptions by other National Phytosanitary Protection Organizations (NPPO).

ARTICLE 9.- Result of the risk assessment. The risk assessment can give the following results:

Item a) No inspection. As a result of the risk assessment, the free navigation of the ship through the country's ports is allowed.

Subsection b) With inspection. As a result of the risk assessment, a physical inspection of the ship is required, prior to the start of its operations in the country.

ARTICLE 10.- Inspection of the ship. Those vessels that have a risk of entry of the PGRA and / or PGRJ pests according to the evaluation established in this resolution, will be inspected at the first mooring port by SENASA personnel.

If as a result of the inspection the pest / s are not detected, the Maritime Authority will be informed so that it authorizes the free navigation of the ship through the country's ports.

In case of detection of the plague / s, the procedures and phytosanitary measures provided in this resolution must be applied.

ARTICLE 11.- Phytosanitary measures. After the inspection of the aforementioned National Service in which the presence of the pest / s is detected, one of the following phytosanitary measures may be indicated depending on the risk detected:

Subsection a) In the presence of egg masses, the cleaning and phytosanitary treatment of the ship in the port will be ordered; then it will be again inspected by SENASA, prior to the Maritime Authority authorizing free navigation through the country's ports.

Subsection b) In the presence of larvae of the first stage, the Maritime Agency will be notified and the Maritime Authority will be requested to send the ship immediately to a suitable turn for cleaning and phytosanitary treatment. Afterwards, the ship will be inspected again by SENASA, before free navigation through the country's ports is authorized.

Subsection c) Given the impossibility of applying the phytosanitary measures indicated in subparagraphs a) or b) of this article, the Maritime Agency will be notified and the Maritime Authority will be requested not to authorize the entry of the ship to the country's ports.

ARTICLE 12.- Cleaning and phytosanitary treatment of the ship. The cleaning and phytosanitary treatment ordered by the aforementioned National Service must be carried out by a company duly accredited for it before SENASA. For the purposes of accreditation of the cleaning and phytosanitary treatment carried out, a certificate of treatment and a description of the procedure applied to the ship must be presented.

ARTICLE 13.- Accreditation of companies for treatment of PGRA and PGRJ. For the purposes of being accredited to the aforementioned National Service, companies that wish to carry out cleaning and phytosanitary treatment tasks as established in this standard, must:

Subsection a) be authorized and registered with the Maritime Authority,

Subsection b) comply with the training of its personnel through attendance and approval of the courses offered by the National Directorate of Plant Protection, and

Subsection c) present a procedure manual for the phytosanitary treatment of the PGRA and the PGRJ, which must be approved by the mentioned National Directorate.

ARTICLE 14.- Costs. The costs that are generated derived from the cleaning of the ship and the application of the phytosanitary measure will be in charge of the ship and / or its Maritime Agency.

ARTICLE 15.- Notification. The interception of PGRA and / or PGRJ in ships will be notified by the aforementioned National Directorate, to the corresponding ONPF.

ARTICLE 16.- Procedure manual. The procedure for notification through the SIG-RES or the computer system that SENASA determines, and the procedures that the implementation of this regulation contemplates, will be described in the Procedures Manual that will be published on the official website of the said Organization, in the consultation section of phytosanitary import requirements.

ARTICLE 17.- Faculty. The National Directorate of Plant Protection is empowered to issue complementary regulations that allow the implementation of the operational changes that are necessary to optimize the procedures established in this regulatory body.

ARTICLE 18.- Infractions. In the event of noncompliance or transgression of this resolution, the offender is liable to the sanctions established in Chapter V of Law No. 27,233 and its regulatory decree. Notwithstanding this, preventively, the

actions provided for in the SENASA Violation Procedures Manual, approved by Resolution No. 38 of February 3, 2012 of the then MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES, can be adopted.

ARTICLE 19.- Model of Inspection Certificate of the PGRA / PGRJ free ship. Approval. The PGRA / PGRJ free ship inspection certificate model is approved, minimum information of the official certification, which, as Annex I (IF-2020-64980950-APN-DTINF # SENASA), forms an integral part of this resolution.

ARTICLE 20.- Areas of origin and flight periods of females. The table "Areas of origin and flight periods of females" is approved, which, as Annex II (IF-2020-64982393-APN-DTINF # SENASA), forms an integral part of this standard.

ARTICLE 21.- Incorporation. This resolution is incorporated into Book Three, Part Two, Title V, Chapter III, Section 1 of the Thematic Index of the Normative Digest of the NATIONAL SERVICE OF AGRICULTURAL HEALTH AND QUALITY, approved by Resolution No. 401 of June 14, 2010 and its Supplementary No. 416 of September 19, 2014, both from the aforementioned National Service.

ARTICLE 22.- Validity. This resolution will take effect NINETY (90) days after its publication in the Official Gazette.

ARTICLE 23.- Communicate, publish, wish to the NATIONAL ADDRESS OF THE OFFICIAL REGISTRY and file. Carlos Alberto Paz

NOTE: The Annex (s) that make up this (a) Resolution are published on the BORA web edition -www.boletinoficial.gob.ar-

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(Nota Infoleg: *Los anexos referenciados en la presente norma han sido extraídos de la edición web de Boletín Oficial. Los mismos pueden consultarse en el siguiente link: [AnexoI](#), [AnexoII](#))*