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ACCESSION OF THE REPUBLIC OF MOLDOVA

Information on Sanitary and Phytosanitary Measures

Revision

The Ministry of the Economy and Reforms of the Republic of Moldova has submitted the following revised information on Sanitary and Phytosanitary Measures¹.

¹ New text is indicated in bold, deleted text in strike-through.

Information on Sanitary and Phytosanitary Measures

1. The description of relevant laws and regulations, administrative orders etc, relating to the implementation and administration of the SPS Agreement of the WTO.

The Government of the Republic of Moldova herewith submits information on the status of Moldova's legislation and regulations and its institutional infrastructure in the field of sanitary and phytosanitary measures.

Hereafter is presented the legal and institutional framework regarding SPS regulation in the Republic of Moldova and measures undertaken to meet WTO provision, as follows:

- i. SPS measures concerning phytosanitary protection;
- ii. SPS measures regarding veterinary activity;
- iii. SPS measures concerning sanitary-epidemiological protection.

A. SPS MEASURES CONCERNING PHYTOSANITARY PROTECTION

1. Legal and institutional framework

The Law No. 506-XIII of 22 June 1995 "On Phytosanitary Quarantine" (a translated copy **is available** ~~will be provided~~ - **document WT/ACC/MOL/23/Rev.1 refers**) establishes the State Phytosanitary Quarantine Service as the body specially enabled in the field of phytosanitary quarantine which is constituted by the State Main Inspectorate for Phytosanitary Quarantine and district, municipal and border phytosanitary quarantine inspection and fumigation teams. **The Law No. 1156 – XIV of 26 July 2000 "On amending and completing the Law on phytosanitary quarantine" was adopted in order to improve the existing law.**

Article 5 of the Law enables the Phytosanitary Service to approve rules and instructions regarding phytosanitary quarantine, to approve the list of phytosanitary quarantine objects, to perform phytosanitary quarantine control and laboratory expertise, etc.

Article 6 lists the objects of **concern as regards** phytosanitary quarantine ~~concern~~: seeds and seedling material, planting material, live mushrooms, bacteria, viruses, agricultural **products**, vehicles, transportation means, storing spaces, etc.

The Law also establishes the procedure for setting up and removing ~~the~~ a phytosanitary quarantine.

The Governmental Decision No. 697 of 10 October establishing the Statute of the State Phytosanitary Quarantine Service (a translated copy **is available** ~~will be provided~~ – **document WT/ACC/MOL/23/Rev.1 refers**) foresees a more comprehensive list of items subject to phytosanitary quarantine, stipulates in more detail the obligations and rights of the Phytosanitary Quarantine Service and establishes the importation, exportation and ~~transition~~ regulations concerning phytosanitary quarantine control.

Governmental Decision No. 1154 of 15 December "On improvement of the activity of the control services at the border" (a translated copy **is available** ~~will be provided~~ – **document WT/ACC/MOL/23/Rev.1 refers**) was enacted to increase the efficiency of the control activity of all services at the border. It stipulates that starting on 1 January 1998, the sanitary-quarantine, veterinary, phytosanitary and ecological services, located within border control zones, will be subject to direct control and will certify within their competence only imported goods.

Another important document regulating phytosanitary quarantine activity is “The Rules on the protection of the territory of the Republic of Moldova against the entry or introduction from other countries of quarantine pests, pathogenic agents of plant diseases and weeds” (a translated copy **is available** ~~of the Rules is provided~~ – **document WT/ACC/MOL/23/Rev.1 refers**). The Rules were issued by the Phytosanitary State Inspectorate and establishes the objects of ~~the~~ phytosanitary quarantine; **identify** items forbidden for import, **and** items allowed for import; stipulates regulations concerning usage of the imported seeds and seedling material; establishes the rules for ~~exportation of~~ **exporting** fresh fruits, grapes, vegetables and seedling material, establishes special regulations for prevention of the spread of potatoes quarantine objects; sets regulations for importation and ~~use~~ **usage** of fresh citrus fruits; and **establish** regulations concerning **the** transportation of products subject to phytosanitary quarantine.

The Main Inspectorate issues other specific phytosanitary regulations, instructions and standards that are approved by the Chief of the Inspectorate. District or municipal phytosanitary inspection **entities** cannot issue phytosanitary regulations, they can only make proposals on enacting new regulations. Moldova recognizes and applies international phytosanitary standards or recommendations issued by the European Plant Protection Organization. Currently, Moldova is making considerable efforts to become a full member of this organization.

2. Measures undertaken in order to comply with ~~the~~ WTO provisions

~~The Main Phytosanitary State Inspectorate elaborated a Draft Governmental Decision amending the Annex 1 of Governmental Decision 697 has been amended by Governmental Decision No. 408 of 27 April 2000 through a Supplement (a translated draft copy is provided) that was added to the Annex 1 of the Governmental Decision 697 (establishing the Statute of the State Phytosanitary Service – document WT/ACC/MOL/31 refers). This measure is designed to bring Moldova into conformity with WTO rules and is described in detail in the Checklist of SPS Requirements. The Supplement implements the provisions of the WTO SPS Agreement as is indicated in the SPS Checklist (document WT/ACC/MOL/20).~~

B. MEASURES REGARDING VETERINARY ACTIVITY

1. Legal and institutional framework

The main regulatory document of the veterinary activity is the Law No. 1539-XII of 22 June 1993 “On veterinary activity” (a translated copy **is available** ~~will be provided~~ – **document WT/ACC/MOL/23/Rev.1 refers**). The Law defines under Article 4 the Veterinary Service as being a system of unified veterinary institutions, organizations, enterprises, cooperatives and small enterprises with a veterinary orientation, as well as veterinary specialists, realizing a set of special measures for the prevention of diseases and treatment of animals, the sanitary-veterinary expertise of products and raw material of animal and vegetal origin and establishes its area of competence. The Ministry of Agriculture establishes the structure of the State Veterinary Service in accordance with the necessity of formation of veterinary institutions, taking into consideration the territorial-administrative division of the Republic, and the distribution of animals. The central body of the State veterinary service is the Direction of Veterinary Medicine with the State Veterinary Inspectorate subjected to the Ministry of Agriculture and Processing Industry. The Law lays out the requirements to obtain the right to exert veterinary activity. According to the Law foreign citizens are allowed to exert veterinary activity after they pass a special test. The Law also establishes the obligations and responsibilities of specialists providing veterinary activity. The Law stipulates the obligation of the animal owners and actions that the Veterinary Service is entitled to undertake in cases of depicting diseases and zoonanthroposes.

The Statute of the **State** Veterinary Service was enacted through the Governmental Decision No. 378 of 22 June 1993 “On Adoption of the Veterinary Statute of the Republic of Moldova” (a translated copy will be provided). The Statute describes in a more comprehensive manner the Veterinary Service, establishes the obligations of the veterinary specialists, animal owners, enterprises producing, processing, storing, transporting and marketing animal ~~and animal~~ products, fodder and preparations of veterinary usage. The Statute also gives instructions on establishment and removal of the quarantine in cases of animal infectious illnesses, regulates the sanitary-veterinary survey of the processing, traffic and marketing, of animals, products and raw materials of animal origin.

The State Veterinary Inspectorate is entitled to issue specific veterinary measures which are approved by the Chief of the Veterinary Inspectorate. Moldova also applies recommendations or guidelines contained in the International Code of Epizootics, elaborated by the International Office of Epizootics. Moldova has become a member of this organization in 1994.

Measures undertaken in order to comply with the WTO provisions

~~As stated in the SPS Checklist (document WT/ACC/MOL/20) a Supplement is being drafted and will be added to the~~ **Amendments are being introduced to Governmental** Governmental Decision No. 378 of 22 June 1993 “On Adoption of the Veterinary Statute of the Republic of Moldova” **and the Law No. 1539-XII of 22 June 1993 “On Veterinary Activity”**. **The amendments will bring both documents into full compliance with WTO requirements.** ~~This supplement will be fully analogous to the draft Supplement on phytosanitary measures, and will bring Decision 378 into compliance with WTO.~~

C. SPS MEASURES CONCERNING SANITARY-EPIDEMIOLOGICAL PROTECTION.

1. Legal and institutional framework

The Law “On Sanitary-Epidemiological Protection of the Population” **No. 1513-XII of 16 June 1993** (a translated copy **is available** ~~will be provided~~) was enacted in 1993 and sets the background for the sanitary-epidemiological protection activity in the Republic of Moldova. The Law establishes the rights and obligations of natural and ~~juridical persons~~ **legal entities** as regarding **the** insurance of sanitary-epidemiological protection; provides the general sanitary epidemiological requirements with regard to building activity, domestic production, processing technologies, raw materials, food ~~products~~, imported products, the maintenance of spaces and territories, the quality of potable water, etc.

The Law also establishes the State Sanitary-Epidemic Services ~~which~~ **that** constitute a uniform system of hierarchically organized bodies and establishments headed by the Ministry of Health.

The State Sanitary-Epidemic Service includes the Scientific-Practical National Centre of Preventive Medicine which made up of:

- Main sanitary - epidemic administration of the Ministry of Health;
- The Department of Hygiene and Epidemiology of the Research Institute of Prophylactic and Clinical Medicine;
- Republican Centre of Hygiene and Epidemiology;
- Republican Centre of Prophylaxis and AIDS Control;
- Republican Centre of Hygiene and Epidemiology in Transport, regional and urban centres of hygiene and epidemiology, other sanitary-prophylactic establishments, and

district and municipal centres of hygiene and epidemiology and other institutions of preventive medicine.

The National Committee Codex Alimentarius was formed and approved by Governmental Decision No. 866 of 21 September 1999. According to Governmental Decision No. 816 of 12 December 1995 (a translated copy is available – document WT/ACC/MOL/31 refers), “On the Rules on Sanitary-Epidemiological State Supervision in the Republic of Moldova” (to be translated). According to this Governmental Decision, the sanitary-epidemiological protection of the population is undertaken by the State Sanitary-Epidemiological Service of the Ministry of Health which includes the National Scientific-Practical Centre of Preventive Medicine, district and municipal centres of hygiene and epidemiology and other institution of preventive medicine.

The Decision establish the obligations of the State Sanitary-Epidemiological Service:

- to organize scientific researches in the field of hygiene, epidemiology, health protection;
- to find out the environmental factors of negative influence on human health;
- to elaborate normative acts in the field of epidemiological protection;
- to supervise the fulfilment of the national programs of sanitary-epidemiological protection;
- to elaborate and to enforce sanitary-hygienic regulations and supervise their fulfilment;
- to authorize the use of chemical preparations, **et new technologies for food production, packing, additives.**
- Article 10 stipulates that natural and juridical ~~persons~~ **entities** that are culpable for apparition of illnesses shall compensate the costs for their removal to the sanitary-epidemiological institutions;
- Moldova also applies sanitary-epidemiological measures issued by the World Health Organization.

Measures undertaken in order to comply with the WTO provisions

~~As stated in the SPS Checklist (document WT/ACC/MOL/20) a Supplement is being drafted and will be added to The Governmental Decision No. 423 of 3 May 2000 (document WT/ACC/MOL/31 refers) 816 of December 1995 “On Approval of the Rules on Sanitary-Epidemiological State Supervision in the Republic of Moldova”~~ **replaces Governmental Decision No. 816 of 12 December 1995 and was adopted in order to bring it into full compliance with the SPS Agreement. This supplement will be fully analogous to the draft Supplement on phytosanitary measures, and will bring Decision 816 into compliance with the WTO.**

2. Information regarding:

- (a) Names of publications, of any, on work relating to SPS measures:
 - (i) “Monitorul Oficial” publishes information, instruction on SPS measures.
- (b) the name and address of the inquiry point(s) foreseen Annex B, Articles 3 and 4 of the WTO Agreement on Sanitary and Phytosanitary (the Agreement) with and indication as to whether it is/they are fully operational;

The inquiry point created within the Department of Standards, Metrology and Technical Supervision (DSMTS), is named Information Centre of Standardization and Certification. This Centre is also the inquiry point for SPS measures.

The official address is:

28, E. Coca St.
Chisinau, MD-2039
Phone: (373-2) 75 04 60 int. 219
Fax: (373-2) 75 05 81
E-mail: standart@standart.mldnet.com
Contact person: Pavel CHEPTENE

Currently the database of the inquiry point is being elaborated and it is expected to be fully operational by the day of accession.

(c) The name and address of the agency dealing with consultations as foreseen in Article 11 of the Agreement;

(i) Phytosanitary measures

State Main Inspectorate for
Phytosanitary Quarantine
Street: Ialoveni, 100B, 2070
Chisinau,
Republic of Moldova
Phone: (+373 2) 72 71 55

(ii) Veterinary measures

Ministry of Agriculture and
Processing Industry
Street: Stefan cel Mare, 162, 2012
Chisinau,
Republic of Moldova
Phone: (+373 2) 24 80 90

(iii) Sanitary measures

Ministry of Health
Street: V.Alexandri 1, 2009
Chisinau,
Republic of Moldova
Phone: (+373 2) 72 96 18
Fax: (+373 2) 73 87 81

(d) The name and address of agencies that are dealing with other specific functions foreseen in the Agreement;

(i) Phytosanitary measures

State Main Inspectorate for
Phytosanitary Quarantine
Street: Ialoveni, 100B, 2070
Chisinau,

Republic of Moldova
Phone: (+373 2) 72 71 55

(ii) Veterinary measures

Ministry of Agriculture and
Processing Industry
Street: Stefan cel Mare, 162, 2012
Chisinau,
Republic of Moldova
Phone: (+373 2) 24 80 90

(iii) Sanitary measures

Ministry of Health
Street: V.Alexandri 1, 2009
Chisinau,
Republic of Moldova
Phone: (+373 2) 72 96 18
Fax: (+373 2) 73 87 81

National Committee Codex Alimentarius
Street: Gh. Asachi 67, A, 2028
Chisinau,
Republic of Moldova
Phone (+373 2) 73 58 22
Fax: (+373 2) 72 97 25
e-mail: nopopol@mednet.md

- (e) Measures and arrangements to ensure that national and sub-national authorities preparing new SPS regulations or substantial amendments to existing ones, provide early information on their proposals.

~~Principles applied concerning early publication are laid out in Article 4, paragraph (i) of the Supplement, which says:~~ **are laid out in Annex 1 of Governmental Decision No. 408 of 27 April 2000 and Governmental Decision No. 423 of 3 May 2000 (document WT/ACC/MOL/31 refers).**

~~The Main State Phytosanitary Inspectorate:~~

~~will notify the other members, through the WTO Secretariat, of products, intended to be regulated, together with a short description of the objective and motivation for the proposed regulation. Such notifications are to be done during an early stage, when it is still possible to introduce amendments, and when it is still possible to take into account comments.~~

~~An identical provision will be included in the draft Supplements being prepared to Decisions 378 and 816.~~