

Animal and Plant Inspection Act [8 MIRC 1]

8 MIRC 1

MARSHALL ISLANDS REVISED CODE 2004

TITLE 8. - ANIMAL QUARANTINE AND PROTECTION OF ENDANGERED SPECIES¹

CHAPTER 1.

QUARANTINE RESTRICTIONS

ARRANGEMENT OF SECTIONS

Section

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¹ [Heading modified to reflect the laws remaining under this Title [Tobolar Copra Processing Authority, re-codified as 10 MIRC Ch.13; Agriculture Supplies Account, re-codified as 11 MIRC Ch.14; Outer-Islands Boat Building Fund re-codified as 11 MIRC Ch.15. Remaining chapters re-numbered[Rev.2003]

An Act to provide for the regulation of importation of agricultural and animal products in the Republic and for matters connected therewith. [This Act was formerly 8 MIRC Ch.3, re-numbered as Ch. 1, [Section numbering style modified to conform to new Code format (Rev.2003)]

Commencement: (Ed: no date in original)

Source: TTC 1966
25 TTC 1970
COM P.L. 4C-32 (1972)
25 TTC 1980

§101. Short title.

This Act may be cited as the '[Animal and Plant Inspection Act](#).'

§102. Purpose

In order to protect the agricultural and general well-being of the people of the Republic, quarantine regulations are promulgated as a means of preventing the introduction and further dissemination of injurious insects, pests, and diseases into and within the Republic. [TTC 1966, §730; 25 TTC 1970, §1; 25 TTC 1980, §1, modified.]

§103. Promulgation of plant and animal quarantine regulations.

(1) With the prior approval of the Cabinet, the Chief of Agriculture shall issue plant and animal quarantines and regulations, relating to the administration and enforcement of the controls established by this Act. Letters and memoranda may be issued from time to time by the Chief of Agriculture and Cabinet relating to the administration and enforcement of such controls, quarantines and regulations.

(2) Emergency orders relating to domestic quarantine may be issued from time to time by the Chief Secretary, providing such emergency orders are not in conflict with the controls, quarantines and regulations issued pursuant to Subsection (1) of this Section. [TTC 1966, §731; 25 TTC 1970, §2; COM P.L. 4C-32, §1(1972); 25 TTC 1980, §2, modified.]

§104. Administration and enforcement.

(1) The Chief of Agriculture shall administer the provisions of the plant and animal quarantine controls, quarantines and regulations.

(2) Agricultural quarantine inspectors may be appointed by the Public Service Commission, and shall, under the direction of the Chief of Agriculture, enforce the provisions of the plant and animal quarantine controls, quarantines and regulations. [TTC 1966, §732; 25 TTC 1970, §3; COM P.L. 4C-32, §2 (1972); 25 TTC 1980, §3, modified.]

§105. Emergency measures authorized.

(1) Upon the discovery of a situation not covered by the controls, quarantines or regulations issued under this Act, or any other situation warranting immediate action, emergency quarantine measures may be made at any time by an agricultural quarantine inspector or the Chief of Agriculture.

(2) Such emergency quarantine measures must be reviewed by the Chief of Agriculture and either incorporated into existing regulations in the manner which is or may be provided by law, or rescinded as soon as practicable after issuance, and in no case shall such action be taken later than thirty (30) days after the measure is taken. [TTC 1966, § 733; 25 TTC 1970, §4; COM P.L. 4C-32, §3 (1972); 25 TTC 1980, §4, modified.]

§106. Inspection.

(1) All animals and plants or parts thereof, including seeds, fruits, vegetables, cuttings, etc., entering or transported within the Republic are subject to inspection by agricultural quarantine inspectors and may be refused entry into or movement within the Republic if they are known to be, or are suspected of being, infected or infested with disease or pests.

(2) All aircraft and vessels or their cargoes, including baggage, ship's stores and ballast, entering or

moving within the Republic, are subject to inspection by agricultural quarantine inspectors for the purpose of enforcing the controls, quarantines and regulations established pursuant to this Part, provided, that such inspections of U.S. military aircraft and vessels shall be subject to existent military security regulations.

(3) It shall be a petty misdemeanor for anyone to interfere with or refuse to submit to the inspections authorized by this Section. [TTC 1966, §734; 25 TTC 1970, §5; 25 TTC 1980, §5, modified]

§107. Manifests and information.

Cargo manifests and other similar documents concerning aircraft and vessels traveling in the Republic will be made available to the agricultural quarantine inspectors upon request. Those authorities having information as to the movements of aircraft and vessels will furnish such information to agricultural quarantine inspectors upon request; provided, that the provisions of this Section are subject to military security regulations. [TTC 1966, §735; 25 TTC 1970, §6; 25 TTC 1980, §6, modified.]

§108. In-transit material.

Any animals, plants, or other quarantinable material in-transit through the Republic on aircraft or vessels shall be kept aboard such aircraft or vessels while in port or on any island of the Republic, unless such material is otherwise enterable. If it is necessary to transfer such quarantinable material from one vessel or aircraft to another, such transfer shall be made under the direction of an agricultural quarantine inspector, and with such safeguards as he deems necessary. [TTC 1966, §736; 25 TTC 1970, §7; 25 TTC 1980, §7, modified.]

§109. Disposition of contraband material.

Anything attempted to be brought into or transported within the Republic in contravention of the controls, quarantines or regulations established pursuant to this Part shall be seized by an agricultural quarantine inspector and destroyed by fire or other appropriate means, or expelled from the Republic, or returned to its place of origin, at the shipper's expense, depending on the pest risk involved. [TTC 1966, §737; 25 TTC 1970, §8; 25 TTC 1980, §8, modified.]

§110. Treatment for insects or other pests.

Vessels and aircraft traveling into or within the Republic and known or suspected upon reasonable grounds to be harboring insects or other agricultural pests will be subject to spraying with insecticides or such other treatment as may be deemed necessary by an agricultural quarantine inspector; provided, that the spraying of aircraft with insecticides and the fumigation of ships is subject to public health regulations. [TTC 1966, §738; 25 TTC 1970, §9; 25 TTC 1980, §9, modified.]

§111. Penalties.

A person who violates any of the provisions of this Part or any properly issued plant and animal controls, quarantines or regulations shall be guilty of a misdemeanor. [TTC 1966, §739; 25 TTC

1970, § JO; 25 TTC 1980, §10, modified.]
