

Instructions No. (G / 43) for the year 2016

Instructions for licensing, importing, producing, breeding, displaying and trading of fruitful, forest and pastoral plantations, vegetable seedlings, medicinal and aromatic plant seedlings, and ornamental plants and cut flowers plantations and seedlings issued under Article 19 of the Agriculture Law No. 13 of 2015 and its amendments

Article (1)

These instructions shall be called (Instructions for licensing, importing, producing, breeding, displaying and trading of fruitful, forest and pastoral plantations, vegetable seedlings, medicinal and aromatic plant seedlings, and ornamental plants and cut flowers plantations and seedlings for the year 2016) and shall be effective from the date of its publication in the Official Gazette..

Article (2)

Subject to the definitions contained in Article 2 of the Agricultural Law No. (13) for the year 2015 and its amendments, the following words and phrases shall have the meanings assigned to them below, unless the context indicates otherwise:

Facility: Any of the places mentioned in the definitions below.

Nursery: The place or facility used for the production and breeding of fruitful plantations, forest plantations, pastoral plantations, ornamental plants and cut flowers plantations and seedlings, medicinal plants, aromatic plants and vegetables.

Production nursery: The place or facility used for the production and breeding of fruitful, forest and pastoral plantations, and ornamental plants and cut flowers plantations and seedlings.

Breeding nursery: The place or facility used for the breeding of fruit plantations, forest and pastoral plantations and ornamental plants plantations and seedlings.

Vegetable nursery: The place or facility used for the production of vegetables seedlings as well as medicinal and aromatic plants seedlings.

Exhibition: The place or facility designated for the display and trade of plants mentioned

in these instructions.

Ornamental plants and seeds shop: The place or facility dedicated to the display and trade of flowers and ornamental plants and their seeds.

Mother orchards: The land allocated to growing plants with technical specifications and sanitary conditions in order to be used in providing origins, grafts and cuttings for the purpose of propagation.

Plant propagation material: A part of a plant that may be branches, leaves, roots, tubers, rhizomes, corms or bulbs, bearing in mind that the whole plant is not treated as propagation material but as a source of propagation material, unless it is a new variety introduced for planting within the mother orchards propagation and not for marketing.

Plants imported for breeding purposes: A whole plant containing the total vegetation and the total root without or within artificial soil free from natural soil and agricultural pests, not exceeding 3-6 months old and requiring a period of time for raising and breeding inside or outside protected houses in the production or breeding nursery.

Plants imported for direct marketing purposes: a whole plant consisting of total vegetation (stem or branches) and a total root, without or within an artificial soil free from natural soil and agricultural pests, for which the general conditions shall apply for the importation of fruitful plants and ornamental plants.

Plantations: refer to fruitful, forest and pastoral trees and out door ornamental plants.

Seedlings: refer to vegetables, medicinal and aromatic plants and in door ornamental plantlets.

Cut flowers: refer to flowers or flowering flowers suitable for commercial picking.

Flower arrangement shop: The place or facility for the trade of cut flowers and arrangement of flower.

Article (3)

It shall be prohibited to establish any of the above types of facilities, transfer them from one location to another, or change their work status without obtaining a license from the affiliated agriculture directorate in accordance with the conditions mentioned in these instructions.

Article (4)

The area of any of the above mentioned buildings shall not be less than the following minimum limits:

Production nursery	6 dunums
Breeding nursery	2 dunums
Vegetable nursery	2 dunums
Exhibition	250 square meters

Article (5)

The following conditions shall be met in the license application for any of the above mentioned facilities:

- Be registered in the Ministry of Industry and Trade and authorized to practice agricultural activity.
- The applicant shall be an agricultural engineer who is a member of the Agricultural Engineers Association, have a certificate of practicing a valid profession, and be a specialist in plant production, plant protection, general division or any agricultural engineer in any specialization, provided that he has practiced production and / or breeding of seedlings for at least three years. If the applicant is not scientifically qualified, he / she shall contract with an agricultural engineer within the above mentioned

conditions and qualifications. with the exception of flower arrangement shops that do not require the existence of agricultural engineer

- The agricultural engineer who is allowed to practice work in the event of his retirement in accordance with the regulations of the Agricultural Engineers Association, shall be excluded from the provisions of paragraph (B) of this Article, provided that the conditions referred to in paragraph (B) apply to him.
- The agricultural engineer supervising any of the facilities shall work full-time in one facility or its branches if they have the same name and the same owner.
- A special nursery may be licensed for graduates of agricultural institutes with a practical experience of not less than three years and graduates of the agricultural secondary certificate with practical experience of not less than five years, provided that he is the owner and shall not be entitled to supervise other facilities owned by others.

Article (6)

The license application shall be submitted for the first time to the main directorates of agriculture in the governorates, along with the following documents:

- A. A new registration deed, a land plan and a site plan for the land plot on which the facility is to be constructed or duly certified copies thereof.
- B. A duly licensed lease contract from an official entity for a period of not less than five years from the date of submitting the application, if the plot of land intended for the construction of the nursery is leased for nurseries, and an annual lease contract for exhibitions and shops selling ornamental plants and seeds.

- C. An employment contract with the agricultural engineer supervising the facility, certified by the official authority if the applicant is not qualified as stated in Article (5).
- D. A certified copy of the scientific qualifications of the agricultural engineer or the agricultural technician, showing the specialization.
- E. Duly certified experience certificate of the agricultural engineer, graduates of agricultural institutes and graduates of secondary agricultural certificate.
- G. A copy of the (ID) of the owner and the supervisor engineer.
- H. A certified copy of the certificate of registration made in the Ministry of Industry and Trade.
- I. A site inspection report from the affiliated main directorate of agriculture.
- J. the Director of Agriculture shall authorize the appropriate person to verify the validity of the place. The Director of Agriculture shall make the suitable decision within two weeks from the date of submitting the application. The license shall be issued by the Director of Agriculture and a copy of the license shall be sent to the Ministry, while the renewal of the annual license shall be carried out by the relevant agricultural directorates in the districts.

Article (7)

For the purpose of licensing, the following general conditions shall be met for all nurseries:

- 1- The area of the nursery shall be surrounded by a natural or artificial fence.
- 2- The nursery shall be close to public transport roads.
3. A sign shall be placed on the site, clearly showing the name and the owner of the nursery.
4. An appropriate irrigation system shall be available.
- 5 - A suitable lighting and ventilation system shall be available for the seedlings produced and traded in the agricultural houses designated for this

purpose.

6 - A place shall be allocated in the facility to keep plastic waste and empty packages of fertilizers and pesticides, to be disposed periodically without damaging the surrounding environment.

7- The nursery shall have equipment to sterilize the used agricultural mixtures.

Article (8)

The following special conditions shall be met in the exhibitions for licensing purposes:

- One of the fronts of the land shall be located on a specific street on the organizational board.
- 2. The exhibition shall have a cooled storage area or trenches equipped with clean, humid sand to keep the pulled off deciduous seedlings.
- 3. An agricultural house (plastic, protective netting or shading) shall be available in the exhibition for the plants that need it.

Article (9)

In addition to what stated in Article (7) of these instructions, the vegetable nursery shall have the following special conditions for the purpose of licensing:

1. The trays or cubes shall be placed on racks raised above the soil.
2. The structure of the nursery shall be covered by glass, fiberglass, plastic sheet or protective nets. The number of openings for the protection net shall not be less than 200 openings (20 x 10 / square cm) and shall be preserved against breakage and holes that allow the entry of insects carrying viral diseases.

3. Doors and ventilation openings shall be sealed and covered with the protective netting specified in the above paragraph when opened for ventilation.
4. A double outer door closing automatically shall be placed with a distance of not less than two meters between the inner and outer door. The double door shall be mandatory for all vegetable species, medicinal plants and aromatic plants nurseries.

Article (10)

The following conditions shall be met in the shops selling ornamental plants for the purpose of licensing:

- 1 - A suitable place for displaying on the front of a specific street on the organizational board.
2. A suitable environment for plants (good ventilation, lighting, humidity, cooling and heating).

Article (11)

Nurseries and exhibitions shall meet the following conditions:

1. Signs or stickers shall be placed on the nursery or exhibition sections, showing the names of produced and traded species, varieties and assets.
2. Plantations and plants prepared for sale shall have good gardening specifications as stated in Article (27) of these instructions.
3. The owner of the facility shall keep records and invoices showing the sources, species, varieties and trading of plantations and plants, and the facility records shall specify the source and location of the origins and grafts (root stocks and scions) used for the production of seedlings and plants.
4. The land of the nursery or the exhibition shall be free of weeds.
5. During the display at the exhibition for sale, the evergreen vegetation shall be kept in a soil container any other vessels that will keep the roots and the adjacent soil in good condition and in a size proportional to the total vegetation of the plantation.

6. The vegetable seedlings shall be produced in seedling trays or cubes using sterile agricultural soil.

7. The seeds used in the seedling shall be taken from the varieties registered in the Ministry of Agriculture, except for the experimental varieties and other non-registered species.

Article (12)

The owner of the facility shall notify the Directorate of Agriculture in case of dissolution or termination of the contract of employment with the supervising agricultural engineer. The owner shall correct the situation within one month from the date of dissolution or termination of the contract. Otherwise, the license shall be null and void and the fines provided for in the applicable agriculture law shall be met.

Article (13)

In addition to what mentioned in Article No. (11), the owners of production nurseries and breeding nurseries shall comply with the following:

1 - The production or breeding of fruitful seedlings shall only be made from the species, varieties and origins introduced under the knowledge of the Ministry of Agriculture and shall not be protected to another party.

2 - Propagation materials and used tools shall be sterilized to ensure that they are free from any contaminants.

3 - The agricultural mixtures and nursery soil used for propagation purposes shall be sterilized to ensure the absence of soil pests.

4 - A sufficient part of the nursery land shall be allocated as mothers orchard in relation to production nursery.

Article (14)

The ornamental plants and their seeds offered for sale shall meet the following conditions:

- Ornamental plants shall be in good health and free from agricultural pests.
- 2. Seeds shall be of good vitality and free from agricultural pests.
- 3. The seeds offered for sale shall be within suitable packages that show the species, the variety and the planting instructions.
- 4. The plants shall be planted in a soil ball that is proportional to the size of the vegetative total of the plant.

Article (15)

Specification of vegetable seedlings produced in vegetable nurseries and allowed to be sold to farmers:

- 1 - The seedlings shall be of good planting specifications (fresh, standing, fully developed, with strong stem), and a non-wrapped root total outside the packages.
- 2 - The incidence of infection with fungal, bacterial, nematode, insect, mit, and spider diseases, individually or collectively, shall not exceed 10%.
- 3 - Free of infection with viral diseases.
- 4- The age of the seedlings when delivered to the farmer shall be within the following limits:

A. Tomato, cabbage and cauliflower	3-5 weeks
B. Cucumber	1-3 weeks
T. Melon	2-3 weeks
W. Watermelon and lettuce	3-4 weeks
C. Eggplant and pepper	4-6 weeks
H. Cut flowers	3-12 weeks

5. The number of seedlings in a tray shall not be less than 95% of the number of the tray openings.

6 - A label shall be placed on the trays, indicating the grower name, the species and the seedling date of each variety.

Article (16)

The owners of vegetable nurseries shall keep records showing species, varieties, lot numbers of the cultivated seeds, number of seedlings, dates of cultivation, the bodies to which they would be sold or raised as seedlings, the types of fertilizers and pesticides used and the dates of their use.

Article (17)

The farmer shall be entitled, after notifying the owner of the vegetable nursery, to send a sample of the seedlings, before receiving them from the nursery, to the plant wealth laboratories of the Ministry of Agriculture or any laboratory approved by the Ministry of Agriculture to detect the various infections. If the infection is proven and is higher than that stated in Article (15), the owner of the nursery shall bear all financial liability for the value of damage according to the applicable law of agriculture.

Article (18)

The licenses issued by the directorates of agriculture under these instructions shall be valid for one year from the first of January until the end of December of the same year, regardless of the date on which the license was issued, provided that the license shall be renewed annually by the directorates of agriculture in the governorates and districts, each according to its region, after verifying that the documents are complete and include a valid lease contract if the owner of the facility is a tenant. The period between the first of January and the end of March of each year shall be set for the renewal of the license.

Article (19)

The licensing and renewal of license fees for the facilities mentioned in these instructions shall be collected in accordance with the applicable agricultural services allowance decision. In case of delay in renewing the annual license after the date specified in Article (18) of these instructions, the violator shall be punished under the provisions of Article 19 / B of the Agricultural Law No. (13) for the year 2015 and its amendments.

Article (20)

If the license is lost or destroyed, the concerned agriculture director shall issue a new replacement license, in exchange for the agricultural services, and shall be effective for the remainder of the relevant fiscal year.

Article (21)

The staff of the Ministry of Agriculture shall have the right to enter the facilities, access to records and invoices, roam therein, make written observations and organize seizures and fines, and the facility owner and its employees shall facilitate their tasks.

Article (22)

Seedlings and plantations in the nursery, exhibition or mother orchards of origins and varieties shall be subject to sensory and lab examination. The commissioners in the Ministry of Agriculture shall have the right to take the necessary samples for testing in the plant health laboratories and to reserve any number of seedlings or plants showing any diseases, infections or any symptoms contrary to the horticultural specifications, by virtue of a form signed by the official officer in the nursery and the commissioners of the Ministry of Agriculture. These plants shall be reserved until the results of laboratory tests appear, provided that the duration of reservation does not exceed thirty days.

Article (23)

If any of the plants or seeds offered for sale has been found unsuitable for planting or infected with agricultural pests that are difficult to be treated, the Minister may, at the

recommendation of the competent authority, destroy them at the expense of the owner and without compensation.

Article (24)

Mother orchards shall be completely free from viral and bacterial diseases.

Article (25)

The application for importation shall be submitted to the Directorate of Plant Production in the Ministry indicating the name of the nursery or the exhibition, the grower, the required species and varieties, their numbers and sources. The application shall be accompanied by a copy of the valid facility license or the nomination of the concerned agriculture director for the farmers. The applications are then transferred to the directorate of licenses and border centers after being approved by the Directorate of Production to issue the necessary license.

Article (26)

A. Production nurseries, breeding nurseries and exhibitions shall be allowed to import fruitful, forest, pastoral and ornamental plants and cut flowers under prior approvals of the Ministry, through which the approval of species, varieties, numbers and source shall be granted, subject to the instructions set by the ministry, and cut flower growers shall be allowed to import cut flowers.

B. Farmers of fruit trees shall be allowed to import fruit trees in the numbers necessary for their farms, based on a letter from the concerned agriculture director indicating the available areas equipped for their plantation. The Ministry's prior approvals shall be taken on species, varieties, numbers and source, subject to the instructions specified by the ministry

C. Owners of premises licensed as shops for selling ornamental plants shall be allowed to import their ornamental plants and cut flowers.

D. Licensed nursery owners and farmers shall be allowed to import strawberry seedlings

with the prior permission of the Ministry. The seedlings shall be subject to plant quarantine checks and laws and shall be delivered under a delivery permit from the Ministry.

Article (27)

The following specifications shall be available in the locally produced, ready to sale fruitful plantations, which have been imported for the purpose of sale or propagation:

- 1 - The fruitful plantation shall be intact, well-branched root system.
- 2 - The plantation shall be of high vitality, non - dry and free of agricultural pests according to the instructions of plant quarantine.
- 3 - The grafts (stocks and scions) shall be combined well with the origin and free of abnormal swelling in the fruitful plantations and the height of the grafts from the crown area shall not be less than 20 cm.
- 4 - The species, variety and origin shall be shown on moisture-proof labels from the country of origin and be affixed to each bundle of imported and locally produced fruitful plantations.
- 5 - When importing the plantations of deciduous species (without soil ball), their roots shall be clean, intact and free of natural dust.
- 6 - When importing the plantations of evergreen species, it is necessary to be planted or preserved within peatmoss, perlite or compost, and shall not be introduced planted in natural soil or natural organic fertilizer or both.

Article (28)

Subject to the provisions of Article (27) of these Instructions, the following conditions shall be satisfied when importing fruitful plantations:

- 1- The importer shall arrange the plantations and the seedlings in the conveyer vehicle by making a middle corridor that allows preliminary inspection of all the plants.
2. The consignment shall be accompanied by the following documents:

- A. An original phytosanitary certificate or certified copy thereof and / or valid phytosanitary certificate for re-export with a copy of the original certificate showing that plantations and seedlings are free from stone pests and coronary tuberculosis.
- B. An original certificate of origin or a certified copy thereof.
- C. An invoice showing species, varieties, quantities and source of imported plants.
- D. The import license granted by the Ministry.

3. Plantations, seedlings, cut flowers and ornamental plants shall be subject to the following border measures:

Preliminary virtual inspection shall be carried out at the first border center. In the case of clearance in this center, random samples representing the consignment shall be taken so that the samples are representative of the species and varieties, and the sample shall be selected from (0.002-0.02) according to the size of the consignment and not less than four plants per species then shall be sent to the Plant health Laboratories in the Ministry of Agriculture. In case of necessity to be taken out from the center, this shall be done by virtue of a legal declaration of the value of the consignment, in which the owner undertakes not to dispose of until the results of the laboratory examination appear. In case they violate the instructions, they shall be re-exported or destroyed at the expense of the importer.

Article (29)

The consignment shall completely be free from the standing quarantine pests (A1). As for the standing quarantine pests (A2), the instructions of the Directorate of plant protection and Phytosanitary shall be applicable.

Article (30)

The imported or locally produced consignment prepared for sale shall be rejected if the viral infection rate is more than 7% collectively, and 5% individually, except as provided for in Article (29).

Article (31)

The Directorate of Plant Health Laboratories shall submit its report to the Directorate of Plant Production, which in turn shall recommend to the Minister to destroy the seized and infected numbers which shall be immediately damaged after approval of the Minister, under the supervision of the authorized destruction committee and without any compensation.

Article (32)

The Ministry is entitled to reject any consignment if there has been a health condition requiring this at any time during the validity of the license.

Article (33)

For date palm and ornamental palm seedlings and sugar cane, it shall be prohibited to import them from the countries affected by the red palm weevil, with the exception of the seedlings produced by tissue culture of no more than 50 cm in length, and a certificate shall be attached to prove that.

Article (34)

A- The minister shall form a committee of specialists in the Directorate of Plant Protection and the Directorate of Prevention and Phytosanitary, which will conduct a sensory inspection for the imported plantations and seedlings and take the samples necessary for the laboratory inspection, if required.

B- If the committee finds that the imported seedlings and plants do not comply with the specifications contained in these instructions and the plant quarantine instructions, they shall be re-exported or destroyed at the expense of the importer.

Article (35)

It shall be prohibited to import seedlings of vegetables of all kinds, except in the following cases:

- In the case of natural disasters by vegetable nurseries.
- Species and varieties that cannot be produced locally, with the prior approval of the Ministry indicating the quantity, variety and source.

Article (36)

Anyone who violates the provisions of these instructions shall be punished by the penalty provided for in Article (19) of the Agriculture Law No. (13) for the year 2015 and its amendments.

Article (37)

Any instructions inconsistent with these instructions shall be canceled.

Minister of Agriculture

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