

No. 1963

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**AUSTRALIA, AUSTRIA, BELGIUM  
CAMBODIA, CEYLON, etc.**

**International Plant Protection Convention (with annex).  
Done at Rome, on 6 December 1951**

*Official texts: English, French and Spanish.*

*Registered by the Food and Agriculture Organization of the United Nations on  
29 November 1952.*

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**AUSTRALIE, AUTRICHE, BELGIQUE,  
CAMBODGE, CEYLAN, etc.**

**Convention internationale pour la protection des végétaux  
(avec annexe). Conclue à Rome, le 6 décembre 1951**

*Textes officiels anglais, français et espagnol.*

*Enregistrée par l'Organisation des Nations Unies pour l'alimentation et l'agriculture  
le 29 novembre 1952.*

No. 1963. INTERNATIONAL PLANT PROTECTION CONVENTION.<sup>1</sup> DONE AT ROME, ON 6 DECEMBER 1951

PREAMBLE

The contracting Governments, recognizing the usefulness of international co-operation in controlling pests and diseases of plants and plant products and in preventing their introduction and spread across national boundaries, and desiring to ensure close co-ordination of measures directed to these ends, have agreed as follows :

*Article I*

PURPOSE AND RESPONSIBILITY

1. With the purpose of securing common and effective action to prevent the introduction and spread of pests and diseases of plants and plant products and to promote measures for their control, the contracting Governments undertake to adopt the legislative, technical and administrative measures specified in this Convention and in supplementary agreements pursuant to Article III.

2. Each contracting Government shall assume responsibility for the fulfillment within its territories of all requirements under this Convention.

*Article II*

SCOPE

1. For the purposes of this Convention the term "plants" shall comprise living plants and parts thereof, including seeds in so far as the supervision of their importation under Article VI of the Convention or the issue of phytosanitary certificates in respect of them under Articles IV (i), (a), (iv) and V of this Convention may be deemed necessary by contracting Governments ; and the term "plant products" shall comprise unmanufactured and milled material of plant origin, including seeds in so far as they are not included in the term "plants."

<sup>1</sup> In accordance with article XIV, the Convention came into force on 3 April 1952 between Ceylon, Spain and Chile and subsequently on the dates indicated in respect of the following States :

Sweden . . . . .	30 May	1952	New Zealand . . . . .	16 September	1952
India . . . . .	9 June	1952	Trust Territory of		
Cambodia . . . . .	10 June	1952	Western Samoa,		
Dominican Republic . .	23 June	1952	Cook Islands inclu-		
Belgium . . . . .	22 July	1952	ding Niue . . . . .	16 October	1952
Japan . . . . .	11 August	1952	Austria . . . . .	22 October	1952
Australia . . . . .	27 August	1952			

2. The provisions of this Convention may be deemed by contracting Governments to extend to storage places, containers, conveyances, packing material and accompanying media of all sorts including soil involved in the international transportation of plants and plant products.

3. This Convention shall have particular reference to pests and diseases of importance to international trade.

### *Article III*

#### SUPPLEMENTARY AGREEMENTS

1. Supplementary agreements applicable to specific regions, to specific pests or diseases, to specific plants and plant products, to specific methods of international transportation of plants and plant products, or otherwise supplementing the provisions of this Convention, may be proposed by the Food and Agriculture Organization of the United Nations (hereinafter referred to as "FAO") on the recommendation of a contracting Government or on its own initiative, to meet special problems of plant protection which need particular attention or action.

2. Any such supplementary agreements shall come into force for each contracting Government after acceptance in accordance with the provisions of the FAO Constitution and Rules of Procedure.

### *Article IV*

#### NATIONAL ORGANIZATION FOR PLANT PROTECTION

1. Each contracting Government shall make provision, as soon as possible and to the best of its ability, for

(a) an official plant protection organization, with the following main functions :

(i) the inspection of growing plants, of areas under cultivation (including fields, plantations, nurseries, gardens and greenhouses), and of plants and plant products in storage and in transportation, particularly with the object of reporting the existence, outbreak and spread of plant diseases and pests and of controlling those pests and diseases ;

(ii) the inspection of consignments of plants and plant products moving in international traffic, and, as far as practicable, the inspection of consignments of other articles or commodities moving in international traffic under conditions where they may act incidentally as carriers of pests and diseases of plants and plant products, and the inspection and supervision of storage and transportation facilities of all kinds involved in international traffic whether of plants and plant

products or of other commodities, particularly with the object of preventing the dissemination across national boundaries of pests and diseases of plants and plant products ;

(iii) the disinfection or disinfection of consignments of plants and plant products moving in international traffic, and their containers, storage places, or transportation facilities of all kinds employed ;

(iv) the issue of certificates relating to phytosanitary condition and origin of consignments of plants and plant products (hereinafter referred to as "phytosanitary certificates") ;

(b) the distribution of information within the country regarding the pests and diseases of plants and plant products and the means of their prevention and control ;

(c) research and investigation in the field of plant protection.

2. Each contracting Government shall submit a description of the scope of its national organization for plant protection and of changes in such organization to the Director-General of FAO, who shall circulate such information to all contracting Governments.

#### *Article V*

#### PHYTOSANITARY CERTIFICATES

1. Each contracting Government shall make arrangements for the issue of phytosanitary certificates to accord with the plant protection regulations of other contracting Governments, and in conformity with the following provisions :

(a) Inspection shall be carried out and certificates issued only by or under the authority of technically qualified and duly authorized officers and in such circumstances and with such knowledge and information available to those officers that the authorities of importing countries may accept such certificates with confidence as dependable documents.

(b) Each certificate covering material intended for planting or propagation shall be as worded in the Annex to this Convention and shall include such additional declarations as may be required by the importing country. The model certificate may also be used for other plants or plant products where appropriate and not inconsistent with the requirements of the importing country.

(c) The certificates shall bear no alterations or erasures.

2. Each contracting Government undertakes not to require consignments of plants intended for planting or propagation imported into its territories to be

accompanied by phytosanitary certificates inconsistent with the model set out in the Annex to this Convention.

### *Article VI*

#### REQUIREMENTS IN RELATING TO IMPORTS

1. With the aim of preventing the introduction of diseases and pests of plants into their territories, contracting Governments shall have full authority to regulate the entry of plants and plant products, and to this end, may :

(a) prescribe restrictions or requirements concerning the importation of plants or plant products ;

(b) prohibit the importation of particular plants or plant products, or of particular consignments of plants or plant products ;

(c) inspect or detain particular consignments of plants or plant products ;

(d) treat, destroy or refuse entry to particular consignments of plants or plant products, or require such consignments to be treated or destroyed.

2. In order to minimize interference with international trade, each contracting Government undertakes to carry out the provisions referred to in paragraph 1 of this Article in conformity with the following :

(a) Contracting Governments shall not, under their plant protection legislation, take any of the measures specified in paragraph 1 of this Article unless such measures are made necessary by phytosanitary considerations.

(b) If a contracting Government prescribes any restrictions or requirements concerning the importation of plants and plant products into its territories, it shall publish the restrictions or requirements and communicate them immediately to the plant protection services of other contracting Governments and to FAO.

(c) If a contracting Government prohibits, under the provisions of its plant protection legislation, the importation of any plants or plant products, it shall publish its decision with reasons and shall immediately inform the plant protection services of other contracting Governments and FAO.

(d) If a contracting Government requires consignments of particular plants or plant products to be imported only through specified points of entry, such points shall be so selected as not unnecessarily to impede international commerce. The contracting Government shall publish a list of such points of entry and communicate it to the plant protection services of other contracting Governments and to FAO. Such restrictions on points of entry shall not be made unless the plants or plant products concerned are required to be accompanied by phytosanitary certificates or to be submitted to inspection or treatment.

(e) Any inspection by the plant protection service of a contracting Government of consignments of plants offered for importation shall take place as promptly as possible with due regard to the perishability of the plants concerned. If any consignment is found not to conform to the requirements of the plant protection legislation of the importing country, the plant protection service of the exporting country shall be informed. If the consignment is destroyed, in whole or in part, an official report shall be forwarded immediately to the plant protection service of the exporting country.

(f) Contracting Governments shall make provisions which, without endangering their own plant production, will reduce to a minimum the number of cases in which a phytosanitary certificate is required on the entry of plants or plant products not intended for planting, such as cereals, fruits, vegetables and cut flowers.

(g) Contracting Governments may make provision for the importation for purposes of scientific research of plants and plant products and of specimens of plant pests and disease-causing organisms under conditions affording ample precaution against the risk of spreading plant diseases and pests.

3. The measures specified in this Article shall not be applied to goods in transit throughout the territories of contracting Governments unless such measures are necessary for the protection of their own plants.

### *Article VII*

#### INTERNATIONAL CO-OPERATION

The contracting Governments shall co-operate with one another to the fullest practicable extent in achieving the aims of this Convention, in particular as follows :

(a) Each contracting Government agrees to co-operate with FAO in the establishment of a world reporting service on plant diseases and pests, making full use of the facilities and services of existing organizations for this purpose, and, when this is established, to furnish to FAO periodically the following information :

(i) reports on the occurrence, outbreak and spread of economically important pests and diseases of plants and plant products which may be of immediate or potential danger ;

(ii) information on means found to be effective in controlling the pests and diseases of plants and plant products.

(b) Each contracting Government shall, as far as is practicable, participate in any special campaigns for combating particular destructive pests or diseases which may seriously threaten crop production and need international action to meet the emergencies.

*Article VIII*

## REGIONAL PLANT PROTECTION ORGANIZATION

1. The contracting Governments undertake to co-operate with one another in establishing regional plant protection organizations in appropriate areas.

2. The regional plant protection organizations shall function as the co-ordinating bodies in the areas covered and shall participate in various activities to achieve the objectives of this Convention.

*Article IX*

## SETTLEMENT OF DISPUTES

1. If there is any dispute regarding the interpretation or application of this Convention, or if a contracting Government considers that any action by another contracting Government is in conflict with the obligations of the latter under Articles V and VI of this Convention, especially regarding the basis of prohibiting or restricting the imports of plants or plant products coming from its territories, the Government or Governments concerned may request the Director-General of FAO to appoint a committee to consider the question in dispute.

2. The Director-General of FAO shall thereupon, after consultation with the Governments concerned, appoint a committee of experts which shall include representatives of those Governments. This committee shall consider the question in dispute, taking into account all documents and other forms of evidence submitted by the Governments concerned. This committee shall submit a report to the Director-General of FAO who shall transmit it to the Governments concerned, and to other contracting Governments.

3. The contracting Governments agree that the recommendations of such a committee, while not binding in character, will become the basis for renewed consideration by the Governments concerned of the matter out of which the disagreement arose.

4. The Governments concerned shall share equally the expenses of the experts.

*Article X*

## SUBSTITUTION OF PRIOR AGREEMENTS

This Convention shall terminate and replace, between contracting Governments, the International Convention respecting measures to be taken against the *Phylloxera vastatrix* of 3 November 1881,<sup>1</sup> the additional Convention signed at Berne on 15 April 1889<sup>2</sup> and the International Convention for the Protection of Plants signed at Rome on 16 April 1929.<sup>3</sup>

<sup>1</sup> De Martens, *Nouveau Recueil général de Traités*, deuxième série, tome VIII, p. 435.

<sup>2</sup> De Martens, *Nouveau Recueil général de Traités*, deuxième série, tome XV, p. 570.

<sup>3</sup> League of Nations, *Treaty Series*, Vol. CXXVI, p. 305.

*Article XI*

## TERRITORIAL APPLICATION

1. Any Government may at the time of ratification or adherence or at any time thereafter communicate to the Director-General of FAO a declaration that this Convention shall extend to all or any of the territories for the international relations of which it is responsible, and this Convention shall be applicable to all territories specified in the declaration as from the thirtieth day after the receipt of the declaration by the Director-General.

2. Any Government which has communicated to the Director-General of FAO a declaration in accordance with paragraph 1 of this Article may at any time communicate a further declaration modifying the scope of any former declaration or terminating the application of the provisions of the present Convention in respect of any territory. Such modification or termination shall take effect as from the thirtieth day after the receipt of the declaration by the Director-General.

3. The Director-General of FAO shall inform all signatory and adhering Governments of any declaration received under this Article.

*Article XII*

## RATIFICATION AND ADHERENCE

1. This Convention shall be open for signature by all Governments until 1 May 1952 and shall be ratified at the earliest possible date. The instruments of ratification shall be deposited with the Director-General of FAO, who shall give notice of the date of deposit to each of the signatory Governments.

2. As soon as this Convention has come into force in accordance with Article XIV, it shall be open for adherence by non-signatory Governments. Adherence shall be effected by the deposit of an instrument of adherence with the Director-General of FAO, who shall notify all signatory and adhering Governments.

*Article XIII*

## AMENDMENT

1. Any proposal by a contracting Government for the amendment of this Convention shall be communicated to the Director-General of FAO.

2. Any proposed amendment of this Convention received by the Director-General of FAO from a contracting Government shall be presented to a regular or special session of the Conference of FAO for approval and, if the amendment involves important technical changes or imposes additional obligations on the contracting Governments, it shall be considered by an advisory committee of specialists convened by FAO prior to the Conference.



3. Notice of any proposed amendment of this Convention shall be transmitted to the contracting Governments by the Director-General of FAO not later than the time when the agenda of the session of the Conference at which the matter is to be considered is dispatched.

4. Any such proposed amendment of this Convention shall require the approval of the Conference of FAO and shall come into force as from the thirtieth day after acceptance by two-thirds of the contracting Governments. Amendments involving new obligations for contracting Governments, however, shall come into force in respect of each contracting Government only on acceptance by it and as from the thirtieth day after such acceptance.

5. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of FAO, who shall inform all contracting Governments of the receipt of acceptances and the entry into force of amendments.

#### *Article XIV*

##### ENTRY INTO FORCE

As soon as this Convention has been ratified by three signatory Governments it shall come into force between them. It shall come into force for each Government ratifying or adhering thereafter from the date of deposit of its instrument of ratification or adherence.

#### *Article XV*

##### DENUNCIATION

1. Any contracting Government may at any time give notice of denunciation of this Convention by notification addressed to the Director-General of FAO. The Director-General shall at once inform all signatory and adhering Governments.

2. Denunciation shall take effect one year from the date of receipt of the notification by the Director-General of FAO.

A N N E X

MODEL PHYTOSANITARY CERTIFICATE

PLANT PROTECTION SERVICE

OF ..... No. ....

This is to certify that the plants, parts of plants or plant products described below or representative samples of them were thoroughly examined on (date) ..... by (name) ..... an authorized officer of the (service) ..... and were found to the best of his knowledge to be substantially free from injurious diseases and pests ; and that the consignment is believed to conform with the current phytosanitary regulations of the importing country both as stated in the additional declaration hereon and otherwise.

Fumigation or disinfection treatment (if required by importing country) : Date ..... Treatment ..... Duration of exposure ..... Chemical and concentration .....

Additional declaration

..... 19....  
.....  
(SIGNATURE)  
.....  
(RANK)

(Stamp of the Service)

DESCRIPTION OF THE CONSIGNMENT

Name and address of exporter : .....  
Name and address of consignee : .....  
Number and description of packages : .....  
Distinguishing marks : .....  
Origin (if required by importing country) : .....  
Means of conveyance : .....  
Point of entry : .....  
Quantity and name of produce : .....  
Botanical name (if required by importing country) : .....

DONE at Rome, Italy, on the sixth day of December, one thousand nine hundred and fifty-one, in a single copy in the English, French and Spanish languages, each of which shall be of equal authenticity. This document shall be deposited in the archives of the Food and Agriculture Organization of the United Nations. Certified copies shall be transmitted by the Director-General of the Food and Agriculture Organization to each signatory and adhering Government.

IN WITNESS WHEREOF the undersigned, duly authorized to that effect, have signed this Convention on behalf of their respective Governments on the dates appearing opposite their signatures.

FAIT à Rome, Italie, le six décembre mille neuf cent cinquante et un, en un seul exemplaire en anglais, français et espagnol, chaque texte faisant également foi. Les originaux seront déposés dans les archives de l'Organisation des Nations Unies pour l'Alimentation et l'Agriculture. Des copies certifiées conformes seront remises par le Directeur général de l'Organisation des Nations Unies pour l'Alimentation et l'Agriculture à chacun des États signataires ou adhérents.

EN FOI DE QUOI les soussignés, dûment autorisés à cet effet, ont signé la présente Convention au nom de leurs gouvernements respectifs aux dates indiquées en regard de leurs signatures.

HECHO en Roma, Italia, a los seis de diciembre de mil nueve ciento cincuenta y uno, en un solo ejemplar en los idiomas inglés, francés, y español, cada uno de los cuales será igualmente auténtico. La presente Convención quedará depositada en los archivos de la Organización de las Naciones Unidas para la Agricultura y la Alimentación. El Director General de la Organización de las Naciones Unidas para la Agricultura y la Alimentación enviará copias certificadas a cada Gobierno signatario o adherido.

EN FE DE LO CUAL los que suscriben, debidamente autorizados al efecto, firman esta Convención en nombre de sus respectivos Gobiernos, en las fechas indicadas frente a sus firmas.

For Austria :  
Pour l'Autriche :  
Por Austria :

R. Philipp

6th of December 1951

For the Kingdom of Belgium :  
Pour le Royaume de Belgique :  
Por el Reino de Bélgica :

Albert Van HOUTTE

6 décembre 1951

*ad referendum*

For Brazil :  
Pour le Brésil :  
Por el Brasil :

Josué DE CASTRO

6 de dezembro de 1951

*ad ref.*

For Canada :  
Pour le Canada :  
Por el Canadá :

C. S. H. BARTON

Dec. 6, 1951

*ad ref.*

For Ceylon :  
Pour le Ceylan :  
Por Ceilán :

C. C. S. COREA

7th December 1951

For Egypt :  
 Pour l'Égypte :  
 Por Egipto :

On account of the fact that the Royal Egyptian Government does not acknowledge and has not up till now acknowledged the existence of Israel, my signature to this Convention does not bind my Government by any means to Israel and has been allowed with all rights reserved in this connection<sup>1</sup>.

MOHAMED ALI EL-KELANY 6. 12. 51

*ad. ref.*

For France :  
 Pour la France :  
 Por Francia :

André MAYER

6 décembre 1951

*ad referendum*

For India :  
 Pour l'Inde :  
 Por India :

J. N. KHOSLA

30/4/52

For the United States of Indonesia :  
 Pour les États-Unis d'Indonésie :  
 Por los Estados Unidos de Indonesia :

S. SURYO-DI-PURO

December 6, 1951

For Ireland :  
 Pour l'Irlande :  
 Por Irlanda :

Thomas WALSH

6th December 1951

*ad ref.*

[TRADUCTION — TRANSLATION]

<sup>1</sup> Étant donné que le Gouvernement royal égyptien ne reconnaît pas et n'a pas jusqu'à présent reconnu l'existence d'Israël, mon Gouvernement ne se considère aucunement lié à l'égard d'Israël par la signature que j'appose à la présente Convention et qui n'a été autorisée que sous réserve de tous droits à ce sujet.

For Israel :  
 Pour Israël :  
 Por Israel :

D. Moshe ISHAI 6. 12. 1951

For Japan :  
 Pour le Japon :  
 Por el Japón :

R. YAMAZOE 6. 12. 1951  
*ad ref.*

For Lebanon :  
 Pour le Liban :  
 Por el Libánó :

For the Grand Duchy of Luxembourg :  
 Pour le Grand-Duché de Luxembourg :  
 Por el Gran Ducado de Luxemburgo :

BRUCK 16 I 52  
*ad ref.*

For the Kingdom of the Netherlands :  
 Pour le Royaume des Pays-Bas :  
 Por el Reino de Holanda :

S. L. LOUWES 6. 12. 51  
*ad ref.*

For New Zealand :  
 Pour la Nouvelle-Zélande :  
 Por Nueva Zelandia :

C. HOPKIRK 6. 12. 51

For Pakistan :  
 Pour le Pakistan :  
 Por el Pakistán :

For the Republic of the Philippines :  
Pour la République des Philippines :  
Por la República de las Filipinas :

J. S. CAMUS

12/6/51

Subject to confirmation

For Portugal :  
Pour le Portugal :  
Por Portugal :

Antonio DE SOUSA DE CAMARA

6 Dec. 51

For Spain :  
Pour l'Espagne :  
Por España :

Carlos SEGURA

10 diciembre 51

For Switzerland :  
Pour la Suisse :  
Por Suiza :

Louis MAIRE

6 déc. 1951

For Thailand :  
Pour la Thaïlande :  
Por Tailandia :

PHRA CHUANG KASHETRA Dec. 6, '51

For the Union of South Africa :  
Pour l'Union Sud-Africaine :  
Por la Unión Sudafricana :

S. J. DE SWARDT

6th Dec. 1951

For the United Kingdom of Great Britain and Northern Ireland :  
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
Por el Reino Unido de la Gran Bretaña e Irlanda del Norte :

CARRINGTON

6. 12 51

*Ad ref.*

For the United States of America

Pour les États-Unis d'Amérique :

Por los Estados Unidos de América :

P. V. CARDON

6 : 12 '51

*ad ref.*

For Viet-Nam :

Pour le Viet-Nam :

Por Vietnam :

For Yugoslavia :

Pour la Yougoslavie :

Por Yugooslavia :

Delibor SOLDATIĆ

6 Dec. '51

*ad ref.*

For Cuba :

Pour Cuba :

Por Cuba :

Carlos MARTÍNEZ

6 de diciembre de 1951

*ad ref.*

For Denmark :

Pour le Danemark :

Por Dinamarca :

A. P. JACOBSEN

6 Dec. 1951

*ad ref.*

For El Salvador :

Pour le Salvador :

Por El Salvador :

Rod B. SCHÖNENBERG

6 Dec. 1951

*ad ref.*

For Sweden :

Pour la Suède :

Por Suecia :

Johan BECK-FRIIS

11 Dec. 1951



For Italy :  
 Pour l'Italie :  
 Por Italia :

A. FANFANI

2 février 1952  
*ad ref.*

For Ecuador :  
 Pour l'Équateur :  
 Por el Ecuador :

R. JACOME

12 marzo 1952  
*ad referendum*

For Chile :  
 Pour le Chili :  
 Por Chile :

C. CAMPOS R.

3 — Abril 1952

For Guatemala :  
 Pour le Guatemala :  
 Por Guatemala :

F. COSENZA G.

23 abril 1952  
*Ad referendum*

For Costa Rica :  
 Pour le Costa-Rica :  
 Por Costa Rica :

Teodoro B. CASTRO

28 abril 1952  
*Ad referendum*

For Colombia :  
 Pour la Colombie :  
 Por Colombia :

Eduardo ZULETA ANGEL 29 abril de 1952  
 Embajador de Colombia

For the Federal Republic of Germany :  
Pour la République fédérale d'Allemagne :  
Por la República Federal de Alemania :

Clemens VON BRENTANO 30 avril 52  
Ambassadeur d'Allemagne  
*ad referendum*

For the Government of the Commonwealth of Australia :  
Pour le Gouvernement du Commonwealth d'Australie :  
Por el Gobierno del Commonwealth de Australia :

C. V. KELLWAY 30th April 1952

For Uruguay :  
Pour l'Uruguay :  
Por el Uruguay :

C. GIAMBRUNO Roma, 30 de abril de 1952  
*Ad Referendum*