

No. 19062

**NETHERLANDS
and
POLAND**

**Phytosanitary Agreement (with annexes). Signed at Warsaw
on 31 May 1978**

Authentic text: English.

Registered by the Netherlands on 28 August 1980.

**PAYS-BAS
et
POLOGNE**

**Accord phytosanitaire (avec annexes). Signé à Varsovie le
31 mai 1978**

Texte authentique : anglais.

Enregistré par les Pays-Bas le 28 août 1980.

PHYTOSANITARY AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC

The Government of the Kingdom of the Netherlands and the Government of the Polish People's Republic,

Realizing that it is desirable to prevent organisms harmful to plants and plant products being brought into their territories, and

Desiring to facilitate wherever possible cooperation between them in the field of plant protection,

Have agreed as follows:

Article 1. For the purposes of this Agreement

a. "Plants" shall mean living plants and living parts thereof, including seed for sowing;

b. "Plant products" shall mean products of plant origin which have not been processed or have only been subjected to simple treatment;

c. "Harmful organisms" shall mean organisms which are injurious to plants or plant products and which are of an animal or plant nature, including weeds and their seeds.

Article 2. The importation into the territory of the one Contracting Party of plants, plant products and soil, originating from the territory of the other Contracting Party, is permitted only if the items are free from the harmful organisms indicated in annex I, part A and part B respectively, and if they comply with the special requirements referred to in part A and part B respectively of annex II.

Article 3. Every consignment consisting of plants, plant products or soil, as indicated in part A and part B respectively of annex III, and originating from the territory of the other Contracting Party shall, on importation, be accompanied by a health certificate issued by the Plant Protection Service of that Contracting Party, corresponding to the latest model of phytosanitary certificate, as set out in the International Plant Protection Convention, concluded in Rome on 6th December 1951,² under the auspices of the Food and Agriculture Organization of the United Nations.

Article 4. 1. A health certificate shall not be issued earlier than fourteen days before the date on which the consignment leaves the country of the Contracting Party.

2. The certificate shall be in English or German and shall not contain any alterations or deletions.

3. If the consignment consists of soil, the text of the certificate shall be adapted accordingly.

Article 5. The Contracting Parties prohibit the import of plants and plant products and other objects including soil which may be the carriers of harmful organisms, as indicated in annex IV, parts A and B respectively.

¹ Came into force on 1 November 1979, i.e., the first day of the second month following the date on which the Contracting Parties notified each other in writing that the formalities constitutionally required in their respective countries had been complied with, in accordance with article 14(1).

² United Nations, *Treaty Series*, vol. 150. p. 67.

Article 6. The Plant Protection Service of the Contracting Party may subject the plants and plant products imported from the country of the other Contracting Party to phytosanitary examination as determined by the appropriate authorities and decide on any necessary quarantine treatment. If it is established that plants or plant products have been affected by harmful organisms, the other Contracting Party shall be notified immediately of this.

Article 7. Each Contracting Party is entitled to direct that the transit through its territory of plants, plant products and soil, exported from the country of the other Contracting Party, or intended for that country, shall be permitted only if the consignment is accompanied by a health certificate and complies with the phytosanitary regulations applicable in the country of transit.

Article 8. The Contracting Parties undertake:

- a. To facilitate cooperation in the field of research into harmful organisms and the methods of their control, and to facilitate the exchange of information on the results obtained;
- b. To promote the exchange of specialists in order that they may become acquainted with methods applied in plant protection and in the quarantine of plants;
- c. To supply each other with the texts of the phytosanitary regulations in force.

Article 9. The costs of travelling and accommodation incurred under the terms of article 8, shall be borne by each Contracting Party in respect of its own specialists.

Article 10. 1. If one of the Contracting Parties considers it desirable to amend any provision of this Agreement, it may request consultation with the other Contracting Party.

Such consultation, which may be carried out either verbally or in writing, shall take place within a period of two months to be reckoned from the day when the request has been made. The amendments thus agreed upon shall be effective on the first day of the second month following the date on which the Contracting Parties have informed each other in writing that the amendments have been approved in their respective countries in conformity with the constitutional requirements.

2. The competent authorities of the two Contracting Parties may each amend the parts of annexes I, II, III and IV which relate to their own country.

Such amendments shall be communicated to the competent authorities of the other Contracting Party through diplomatic channels. Each Contracting Party shall endeavour to notify the other Contracting Party of the amendments before these become effective.

Article 11. The appropriate authorities of the Contracting Parties shall have direct contact with each other for the purpose of implementing the provisions of this Agreement.

Article 12. This Agreement shall not infringe the rights and obligations the Contracting Parties have acquired or have accepted, or will still acquire or accept by reason of other international agreements.

Article 13. As regards the Kingdom of the Netherlands, the present Agreement shall apply to the Kingdom in Europe.

Article 14. 1. This Agreement shall enter into force on the first day of the second month following the date on which the Contracting Parties have notified each other in writing that the formalities constitutionally required in their respective countries have been complied with.

2. This Agreement shall remain in force initially for five years. After the expiry of its term of operation, it shall be renewed tacitly for one year on each occasion provided neither Contracting Party has denounced it six months before the expiry date of the initial term or of a subsequent annual term.

IN WITNESS WHEREOF the undersigned, having been duly authorised to this effect, have signed this Agreement.

DONE in Warsaw on May 31st 1978 in two original copies in the English language, each of which shall be of equal authenticity.

For the Government
of the Kingdom of the Netherlands:

[Signed]

A. P. J. M. M. VAN DER STEE

[Signed]

E. J. KORTHALS ALTES

For the Government
of the Polish People's Republic:

[Signed]

L. KLONICA

ANNEX I

A. HARMFUL ORGANISMS WHOSE INTRODUCTION INTO THE NETHERLANDS IS PROHIBITED

- a. 1. Live organisms of the animal kingdom at all stages of their development
 1. *Acalla schalleriana* (F.)
 2. *Anarsia lineatella* Zell.
 3. *Cacoecimorpha pronubana* (Hb.) (= *Tortrix*)
 4. *Ceratitis capitata* (Wied.)
 5. *Conotrachelus nenuphar* (Herbst)
 6. *Cydia molesta* (Busck) (= *Laspeyresia*)
 7. *Diarthronomiya chrysanthemi* Ahib.
 8. *Ditylenchus destructor* Thorne
 9. *Ditylenchus dipsaci* (Kühn) Filipjev
 10. *Epichoristodes acerbella* (Walk.) Diak.
 11. *Gracilaria azaleella* Brants
 12. *Hyphantria cunea* (Drury)
 13. *Lampetia equestris* (F.)
 14. *Phthorimaea operculella* (Zell.)
 15. *Popillia japonica* Newman
 16. *Prodenia littoralis* (Boisd.)
 17. *Prodenia litura* (F.)
 18. *Rhagoletis cerasi* (L.)
 19. *Rhagoletis pomonella* (Walsh)
 20. *Scolytidae*
 21. *Viteus vitifolii* (Fitch.)
- a. 2. Organisms of the animal kingdom, at all stages of their development, unless it is proved that they are dead
 1. *Heterodera rostochiensis* Woll.
 2. *Quadraspidiotus perniciosus* (Comst.)
- b. Bacteria
 1. *Agrobacterium tumefaciens* (E. F. Sm. and Town.) Conn.
 2. *Aplanobacterium populi* Ridé
 3. *Corynebacterium sepedonicum* (Spieck. and Kotth.) Skapt and Burkh.
 4. *Erwinia amylovora* (Burr.) Winsl. et al.
 5. *Pectobacterium parthenii* var. *dianthicola* Hellmers
 6. *Pseudomonas caryophylli* Starr and Burkh.
 7. *Pseudomonas marginata* (McCull.) Stapp

8. *Pseudomonas woodsii* (E. F. Sm.) Stev.

9. *Xanthomonas begoniae* (Takimoto) Dows

c. Cryptogamia

1. *Ascochyta chrysanthemi* F. L. Stevens (perf. *Didymella ligulicola* (Baker, Dimock and Davis) Arx)
2. *Botrytis convoluta* Whet. and Drayt. (perf. *Botryotinia convoluta* (Drayt.) Whet.)
3. *Ceratocystis fagacearum* (Bretz.) Hunt.
4. *Chrysomyxa arctostaphyli* Dict.
5. *Cronartium comptoniae* Arth.
6. *Cronartium fusiforme* Hedge and Hunt ex Cumm.
7. *Cronartium quercuum* (Berk.) Miy ex Shirai
8. *Endothia parasitica* (Murr.) P. J. and H. W. Anderson
9. *Fusarium oxysporum* Schlecht. f. *sp. narcissi* Snyder and Hans.
10. *Fusarium oxysporum* Schlecht. f. *sp. gladioli* (Massey) Snyder and Hans.
11. *Guignardia baccae* (Cav.) Jacz.
12. *Guignardia loricata* (Saw.) Yam and Ito
13. *Hypoxyton pruinaum* (Klotzsch) Cke.
14. *Melampsora albertensis* Arth.
15. *Melampsora medusae* Thüm.
16. *Ophiostoma* (*Ceratocystis*) *roboris* C. Georgescu and I. Teodoru
17. *Ovulinia azaleae* Weiss
18. *Peridermium harknessii* J. P. Moore
19. *Phialophora cinerescens* (Wr.)
20. *Phoma exigua* var. *foveata* (Foister) Boerema
21. *Phytophthora fragariae* Hickman
22. *Puccinia horiana* P. Henn.
23. *Puccinia pelargonii* — *zonalis* Doidge
24. *Rhizoctonia tuliparum* Whet. and J. M. Arth. (= *Sclerotium*)
25. *Sclerotium bulbosum* (Wakk.) Rehm
26. *Septoria musiva* Pk. (perf. *Mycosphaerella populorum* G. E. Thompson)
27. *Septoria gladioli* Pass.
28. *Stromatinia gladioli* (Drayt.) Whet. (= *Sclerotinia*)
29. *Synchytrium endobioticum* (Schilb.) Perc.
30. *Uromyces transversalis* (Thüm) Wint.
31. *Verticillium albo-atrum* Reinke and Berth.

d. Viruses and mycoplasmas

1. Viruses of: *Cydonia* Mill., *Fragaria* (Tourn.) L., *Ligustrum* L., *Malus* Mill., *Populus* L., *Prunus* L., *Pyrus* L., *Ribes* L., *Rosa* L., *Rubus* L., *Syringa* L.
2. Potato viruses (*Solanum tuberosum* L.):
 - a. Potato spindle tuber virus
 - b. Potato stunt virus
 - c. Potato witches broom virus
 - d. Potato yellow dwarf virus
 - e. Potato yellow vein virus
3. Vine viruses (*Vitis* L. *Partim*)
4. Phloem necroses of *Ulmus* L.

B. HARMFUL ORGANISMS WHOSE INTRODUCTION INTO THE POLISH PEOPLE'S REPUBLIC IS PROHIBITED

a. Bacteria and cryptogamia

1. *Spongopora subterranea* (Wallr.) Johnson
2. *Synchytrium endobioticum* (Schilb.) Perc. and virulent biotypes

3. *Corynebacterium sepedonicum* (Spieck. and Koth.) Skapt.
 4. *Pseudomonas solanacearum* Smith
 5. *Phoma exigua* var. *foveata* (Foister) Boerema
 6. *Tilletia brevifaciens* G. W. Fischer
 7. *Xanthomonas stewartii* (E. F. Smith) Dowson
 8. *Diplodia zeae* (Sw.) Lev.
 9. *Mycosphaerella linorum* Wr. (*Septoria linicola*) (Speg.) Gar.
 10. *Peronospora tabacina* Adam.
 11. *Erwinia amylovora* (Burr.) Winsl.
 12. *Corynebacterium michiganense* (E. F. Smith) Jensen
 13. *Pseudomonas hyacinthi* (Wakker) Dowson
- b. Live organisms of the animal kingdom at all stages of their development
1. *Heterodera rostochiensis* Woll.
 2. *Heterodera pallida*
 3. *Ditylenchus destructor* Thorne
 4. *Leptinotarsa decemlineata* Say
 5. *Phthorimaea operculella* Zell.
 6. *Phthorimaea ocellatella* Boyd.
 7. *Eriosoma lanigerum* Hausm.
 8. *Phylloxera vastatrix* Planch.
 9. *Quadraspidiotus perniciosus* Comst.
 10. *Popillia japonica* Newm.
 11. *Hyphantria cunea* Drury
 12. *Ceratitidis capitata* Wied.
 13. *Laspeyresia molesta* Busck.
 14. *Rhagoletis pomonella* Walsh.
 15. *Aphelenchoides fragariae* Ritz.
 16. *Tarsonemus fragariae* Zimm.
 17. *Calandra oryzae* L.
 18. *Calandra zea* — *mais* Motsch.
 19. *Tribolium* sp.
 20. *Trogoderma granarium* Everts
 21. *Rhizopertha dominica* F.
 22. *Bruchidae*
- c. Weeds
1. *Cuscuta* sp.
 2. *Orobancha* sp.

ANNEX II

- A. SPECIAL REQUIREMENTS FOR THE INTRODUCTION OF PLANTS, PLANT PRODUCTS AND OTHER OBJECTS INTO THE NETHERLANDS
1. Elmwood (*Ulmus* L.) The wood must have been barked.
 2. Chestnut plants (*Castanea* Mill.) The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of *Endothia parasitica* were observed.
 3. Oak plants (*Quercus* L.) The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of *Endothia parasitica* or *Cronartium quercuum* were observed.

4. Poplar plants (*Populus L.*), except fruits and seeds. The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of *Septoria musiva* were observed. The plants must have been inspected in the field during the previous growing season by an authorized official and found to be free from symptoms of virus diseases.
5. Plants of the genus *Pinus L.*, except fruits and seeds. The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of *Cronartium quercuum* were observed.
6. Potatoes (*Solanum tuberosum*), except seed potatoes. The potatoes must have been grown on a field which, upon inspection by an authorized official, was found to be free from *Synchytrium endobioticum* and *Corynebacterium sepedonicum*.
7. Seed potatoes (*Solanum tuberosum*) The potatoes must have been grown on a field which, upon inspection by an authorized official, was found to be free from *Synchytrium endobioticum*, *Corynebacterium sepedonicum* and *Heterodera rostochiensis*. The potatoes must originate from a crop which upon inspection in the field by an authorized official during the previous growing season was found to be free from the virus diseases of potatoes, listed in annex I, part A, d, 2.
8. Rooted plants in pots or intended for planting and grown outdoors. The plants must have been grown on a field on which, upon inspection by an authorized official, no symptoms of *Synchytrium endobioticum* and *Corynebacterium sepedonicum* were observed and which was found to be free from *Heterodera rostochiensis*.
9. *Crataegus L.*, *Cotoneaster B. Ehrh.*, *Cydonia Mill.*, *Malus Mill.*, *Pyracantha Roem.*, *Pyrus L.*, *Sorbus L.*, *Stranvaesia Ldl.*, except ornamental branches, fruits and seed. The plants must have been grown on a field on which and near which, upon inspection by an authorized official during the previous growing season, no symptoms of *Erwinia amylovora* were observed.
10. *Cydonia Mill.*, *Ligustrum L.*, *Malus Mill.*, *Prunus L.*, *Pyrus L.*, *Ribes L.*, *Rosa L.*, *Rubus*, *Syringa L.*, except cut flowers, ornamental branches, fruits and seeds. The plants must have been inspected in the field by an authorized official during the previous growing period and found to be free from symptoms of virus diseases.
11. Plants of the following species belonging to the genus *Prunus*, except fruits, seeds and ornamental branches: *Prunus cerasifera*, *P. domestica*, *P. insititia*, *P. salicina*, *P. armeniaca*, *P. amygdalus*, *P. persica*, *P. brigantina*, *P. nigracerasifera*, *P. spinosa*, *P. tomentosa*, *P. triloba*. Without prejudice to the requirement under item 10 above, the plants, with the exception of seedlings, must have been derived from motherplants which were tested by an authorized official and found to be free from Sharka virus. The plants must have been grown on a field on which and near which, upon inspection by an authorized official during the previous growing season, no symptoms of Sharka virus were observed.

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| 12. Plants of the genus <i>Vitis</i> L. <i>partim</i> , except fruits and seeds. | The plants must have been inspected in the field by an authorized official during the previous growing season and found to be free from symptoms of virus diseases. |
| 13. Strawberry plants (<i>Fragaria</i> (Tourn.), L.), except fruits and seeds. | <p>The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of <i>Phytophthora fragariae</i> were observed.</p> <p>The plants must have been inspected in the field by an authorized official during the previous vegetation period and found to be free from symptoms of virus diseases.</p> |
| 14. Bulbs of tulip and narcissus (<i>Tulipa</i> L. and <i>Narcissus</i> L.) | The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of <i>Ditylenchus dipsaci</i> var. <i>tulipae</i> were observed. |
| 15. Tubers of gladiolus (<i>Gladiolus</i> L.) | The plants must have been grown on a field on which, upon inspection by an authorized official during the previous growing season, no symptoms of <i>Uromyces transversalis</i> (Thüm.) Wint. were observed. |
| 16. <i>Acer</i> L., <i>cotoneaster</i> B. Ehrh., <i>Crataegus</i> L., <i>Cydonia</i> Mill., <i>Euonymus</i> L., <i>Fagus</i> L., <i>Juglans</i> L., <i>Ligustrum</i> L., <i>Malus</i> Mill., <i>Populus</i> L., <i>Prunus</i> L., <i>Pyrus</i> L., <i>Ribes</i> L., <i>Rosa</i> L., <i>Salix</i> L., <i>Sorbus</i> L., <i>Syringa</i> L., <i>Tilia</i> L., <i>Ulmus</i> L., <i>Vitis</i> L. | Plants for importation, except grafts, cut flowers, ornamental branches, seeds, fruits and subterranean parts, must be disinfected against <i>Quadraspidiotus perniciosus</i> on arrival in the Netherlands. |

ANNEX II

B. SPECIAL REQUIREMENTS FOR THE INTRODUCTION OF PLANTS, PLANT PRODUCTS AND OTHER OBJECTS INTO THE POLISH PEOPLE'S REPUBLIC

None.

ANNEX III

A. FOR IMPORTATION INTO THE NETHERLANDS THE FOLLOWING PLANTS, PLANT PRODUCTS AND OTHER MATERIAL HAVE TO BE COVERED BY A PHYTOSANITARY CERTIFICATE ISSUED BY THE PLANT PROTECTION SERVICE OF THE COUNTRY OF ORIGIN

1. Potatoes.
2. Rooted plants, except aquarium plants.
3. Cuttings and grafts of woody plants.
4. Cuttings of *Chrysanthemum*, *Dianthus*, *Pelargonium* and *Humulus lupulus*.
5. Cut flowers or cut branches for ornamental purposes of *Chrysanthemum*, *Dianthus*, *Gladiolus*, *Prunus*, *Rosa*, *Salix* and *Syringa*.
6. Flower bulbs, corms and tubers, including rhizomes of *Iris*, in dormant condition.
7. Fresh fruit of *Citrus* (except lemons), *Cydonia*, *Malus*, *Prunus*, *Pyrus*, *Ribes*, *Rubus* and *Vitis*.

8. Seeds of *Castanea* and *Quercus*.
9. Soil.
10. Unfinished wood, chopped and sawn wood and wood-shavings of *Ulmus*.

ANNEX III

- B. FOR IMPORTATION INTO THE POLISH PEOPLE'S REPUBLIC ALL PLANTS AND PLANT PRODUCTS HAVE TO BE COVERED BY A PHYTOSANITARY CERTIFICATE, ISSUED BY THE PLANT PROTECTION SERVICE OF THE COUNTRY OF ORIGIN, EXCEPT:
1. Roasted coffee, tea, cocoa, vanilla, nutmeg apple, laurel leaves, pepper, cloves, pimento, cinnamon, ginger, condiments;
 2. Frozen fruits and frozen vegetables.

ANNEX IV

- A. PLANTS AND PLANT PRODUCTS THE INTRODUCTION OF WHICH INTO THE NETHERLANDS IS PROHIBITED
1. Bark of *Ulmus L.*
 2. From 16 April to 1 October:
Acer L., *Cotoneaster B. Ehrh.*, *Crataegus L.*, *Cydonia Mill.*, *Euonymus L.*, *Fagus L.*, *Juglans L.*, *Ligustrum L.*, *Malus Mill.*, *Populus L.*, *Prunus L.*, *Pyrus L.*, *Ribes L.*, *Rosa L.*, *Salix L.*, *Sorbus L.*, *Syringa L.*, *Tilia L.*, *Ulmus L.*, *Vitis L.*, except their grafts, cut flowers, ornamental branches, seeds and subterranean parts.
- B. PLANTS, PLANT PRODUCTS AND OTHER OBJECTS THE INTRODUCTION OF WHICH INTO THE POLISH PEOPLE'S REPUBLIC IS PROHIBITED
1. Leaves, peel and refuse of potatoes and peel and refuse of fruit, except citrus peel and almond shells;
 2. Soil by itself, or adhering to plants, compost and manure;
 3. Consignments of weeds;
 4. Consignments of living plant pests at any stage of development, fungus cultures, bacteria and viruses causing plant diseases and herbarium material.
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