

LAW OF GEORGIA ON PESTICIDES AND AGROCHEMICALS

(Last amended as of may 7, 2003, #2182)

CHAPTER I GENERAL PROVISIONS

Article 1. Purpose of the Law and Scope of Regulation

1. The purpose of this Law is to ensure legal bases for the effective use of pesticides and agrochemicals, as well as safe application for the person and the environment.
2. The Law regulates the relations originating within the scope of effective use and safe application of chemicals intended for agricultural use and of biological agents during the state administration, development, registration, manufacture, labeling, packaging, marketing, storage, handling, use decontamination, disposal, information exchange, advertising, and export-import of pesticides and agrochemicals.

Article 2. Legal Bases for Effective Use and Safe Application of Pesticides and Agrochemicals

Legal basis for the effective use and safe application of pesticides and agrochemicals encompass the Constitution of Georgia, the laws of Georgia "On the Protection of Plants against Harmful Organisms", "On the Protection of Soil", "On the Veterinary Practice", "On the Agricultural Quarantine", FAO's International Code of Conduct on the Distribution and Use of Pesticides, international treaties and agreements, this Law, and other normative acts.

Article 3. Definition of Terms used in the Law

The terms used in this Law have the following meanings:

- a) *Chemicals intended for agricultural use* means the category of chemical substances which includes pesticides and agrochemicals and is used in agriculture, forestry and municipal economy;
- b) *Pesticides* means the chemical and biological preparations being used against plant diseases and their carriers, pests, weeds, warehouse pests and domestic predators, animal parasites, as well as the plant growth regulators, thinning agents (defoliant), and plant desiccants before harvesting, as for decontamination of storehouses, stores, transport vehicles, hothouses, soil, other products subject to the plant and phytosanitary control;
- c) *Agrochemicals* means fertilizers, chemical ameliorates, agronomic ores, feed additives which are intended for nutrition of plants, soil productivity regulation, and additional feeding of animals;
- d) *Pesticide active ingredient* means the biologically active part of a pesticide whose use in the form of various preparations affects the growth/development of a harmful organism or a plant;
- e) *State registration of pesticides and agrochemicals* means the process whereby the national government authority responsible for arranging registration tests and registration grants the right to manufacture, import, store, market, use and advertise pesticides and agrochemicals in Georgia following the evaluation of comprehensive scientific data;
- f) *Re-registration of pesticides and agrochemicals* means the renewal of registration of pesticides and agrochemicals after the certificate of registration has expired;
- g) *Registration tests of pesticides and agrochemicals* means the regulated system of studying the biological and economic effectiveness of pesticides and agrochemicals and their safety to human health and the environment;

- h) *Regulations governing the use of pesticides and agrochemicals* means the mandatory requirement to the procedure and conditions of using pesticides and agrochemicals;
- i) *Developer* means the natural and legal person who creates a pesticide or agrochemical, studies its activity, toxicological properties, and its environmental impact;
- j) *Manufacturer* means the natural or legal person who produces a pesticide or agrochemical;
- k) *Responsible national government authorities* means the Ministry of Agriculture and Food, the Ministry of the Environment and Natural Resources Protection, the Ministry of Health of Georgia;
- l) *Respective services* means the Plant Protection Service, the Agrochemistry and Soil Productivity Service under the Ministry of Agriculture and Food of Georgia, and the Veterinary Department of Georgia;
- m) *Phytosanitary situation* means the state of arable lands, forests and plant cover conditioned by the population of crop pests, the spread of plant diseases and the existence of weed plants;
- n) *Phytosanitary monitoring* means the determination and forecast of the intensity and the expected damage degree of the spread, population and development of harmful organisms;
- o) *Comprehensive protective measures* means the system of protective measures against harmful organisms according to which the existing mutually complementary efficient techniques and methods are applied to determine such level of the population of harmful organisms where infliction of the economically material damage is excluded;
- p) *Safe application of pesticides and agrochemicals* means the operating norms and standards which exclude adverse impact on human and animal health and the environment during the use, development, testing, examination, registration, manufacture, labeling, packaging, marketing, storage, handling, decontamination, disposal, advertising and export-import of a specific pesticide or agrochemical;
- q) *Effective use of pesticides and agrochemicals* means their regulated, scientifically justified purposeful use with the end to raise agricultural production, to supply the population with food products, to improve plant and animal health, and to increase soil productivity;
- r) *Packing* means any container with protective pack which is used for handling pesticides and agrochemicals;
- s) *Danger* means the probability of adverse impact on the person and the environment;
- t) *Risk* means the probability degree of realizing the danger of a pesticide or agrochemical during its use under specific conditions;
- u) *Residue* means the active ingredient or derivatives (by-products, metabolites), impurities, nitrates, etc. in food products, farm produce or animal feed, the existence of which has been conditioned by the use of pesticides and agrochemicals;
- v) *Maximum permissible residue of pesticides and agrochemicals (MPR)* means the maximum permissible residue concentration prescribed by normative acts or universally adopted in food products, farm produce or animal feed;
- w) *Banned pesticide* means the pesticide whose use for the purpose of protecting human health and the environment has been prohibited by the decision of the registration agency;
- x) *Severely restricted pesticide* means the pesticide whose use for the purpose of protecting human health and the environment has been practically prohibited by the decision of the registration agency, except for some of its specified uses;
- y) *Prior reasoned consent* means the principle in international trade according to which banned or severely restricted pesticides may not be imported without a respective agreement or by avoiding the registration agency's decision, in contravention of the prior reasoned consent procedure;
- z) *Control measure* means the measure for banning or severely restricting the use of pesticides;

- z.a.) *Antidotes* mean the agents against intoxication due to the improper use of pesticides and agrochemicals;
- z.b) *State catalogue* means the list of pesticides and agrochemicals permitted for use on the territory of Georgia;
- z.c) *Unified state register of chemical substances for agricultural use* means the standardized system of information data on new or applicable chemical or microorganism-produced biologically active substances, their products;
- z.d) *Applicant* means the natural or legal person who submits an application for registration of pesticides and agrochemicals;
- z.e) *FAO* means the Food and Agriculture Organization of the United Nations;
- z.f) *Registration agencies* means the state agencies responsible for registration of plant protection agents and growth regulators, agrochemicals, agricultural animal feed additives and pesticides (the Plant Protection Service, the Agrochemistry and Soil Productivity Service under the Ministry of Agriculture and Food, the Veterinary Department of Georgia);
- z.g) *Decontamination* means the measures of desinsection, disinfection, and deratization directed against pests, plant diseases and rodents.

Article 4. Distribution of Pesticides and Agrochemicals

1. The process of supplying pesticides and agrochemicals to the local or international market through trade channels and their circulation is based on the following principles:
 - a) pesticides and agrochemicals may be disposed of or circulated among natural and legal persons pursuant to the norms provided for in Georgian legislation, unless they are removed from use or their circulation is restricted;
 - b) the importation and circulation of the pesticides and agrochemicals that have not entered into the State Catalogue of Pesticides and Agrochemicals are prohibited;
 - c) the circulation of banned and severely restricted pesticides which after the registration tests have been established as having the high possibility of adversely affecting human health and the environment is effected by a special permit, in compliance with international requirements to information dissemination, the responsibility of which is imposed on the respective services of the Ministry of Agriculture and Food of Georgia.
2. For the purpose of liquidating the emergency situation in agriculture in the absence of alternative techniques and methods and upon danger of delaying the conduct of necessary measures, the permit for importation, circulation and use of banned and severely restricted pesticides shall be granted by the Ministry of Agriculture and Food in agreement with the Ministry of the Environment and Natural Resources Protection and the Ministry of Health of Georgia.
3. The permit shall indicate the method, purpose, kind of use, time, place, quantity, the pre-harvesting rest period.
4. The natural and legal persons whose activities relate to the manufacture, importation, handling, storage, marketing and use of pesticides and agrochemicals are obliged to provide the respective services of the Ministry of Agriculture and Food of Georgia with objective information about supplies, circulation of pesticides and agrochemicals and applications thereof.

CHAPTER II

POWERS OF THE STATE AGENCIES OF GEORGIA IN THE SPHERE OF EFFECTIVE USE AND SAFE APPLICATION OF PESTICIDES AND AGROCHEMICALS

Article 5. Powers of the State Agencies of Georgia in the Sphere of Effective Use and Safe Application of Pesticides and Agrochemicals

Powers of the state agencies of Georgia in the sphere of effective use and safe application of pesticides and agrochemicals encompass:

- a) the issue of normative acts;
- b) the pursuance of a single state policy;
- c) the state control over the implementation of Georgian laws;
- d) the establishment of the licensing procedure;
- e) the arrangement of registration tests and examination of results, state registration of pesticides and agrochemicals;
- f) the organization of pesticides and agrochemicals standardization and certification works;
- g) the taking of corresponding measures for organization and financing of research and other works in compliance with the existing standards;
- h) the accomplishment of international relations;
- i) information exchange with international organizations and dissemination of information about pesticides and agrochemicals within the country;
- j) the exercise of other powers prescribed by Georgian legislation.

CHAPTER III

STATE ADMINISTRATION, SUPERVISION AND CONTROL OVER EFFECTIVE USE AND SAFE APPLICATION OF PESTICIDES AND AGROCHEMICALS

Article 6. State Administration in the Sphere of Effective Use and Safe Application of Pesticides and Agrochemicals

1. The Ministry of Agriculture and Food of Georgia exercise the state administration in the sphere of effective use and safe application of pesticides and agrochemicals through the respective services.
2. The processes of safe application of pesticides and agrochemicals are governed by the Ministries of the Environment and Natural Resources Protection and of Health of Georgia within the scope of their competence.

Article 7. State Control and Supervision over Effective Use and Safe Application of Pesticides and Agrochemicals

1. The state control over the effective use and safe application of pesticides and agrochemicals is exercised by the Ministries of Agriculture and Food, of the Environment and Natural Resources Protection, and of Health of Georgia within the scope of their competence.
2. The state control and supervision are exercised in the manner established by Georgian legislation, in compliance with FAO's international requirements.
3. The control bodies, within the scope of their competence, for the purpose of effective use and safe application of pesticides and agrochemicals have the right to inspect in the manner

prescribed by Georgian legislation land plots, warehouses, shopping premises, as well as production buildings and structures, means of transport irrespective of the form of ownership.

4. Natural and legal persons are obliged to observe the requirements of Georgian legislation in the sphere of effective use and safe application of pesticides and agrochemicals, to furnish, upon request, the control bodies with necessary information and documents.
5. The respective services of the Ministry of Agriculture and Food of Georgia are obliged to ensure registration of the imported, used and remained pesticides and agrochemicals in the established manner and to submit the data to the bodies of statistics.
6. The Ministry of Agriculture and Food of Georgia is obliged to exercise control over observance of the requirements of the International Code of Conduct on the Distribution and Use of Pesticides and submit information of the work performed to FAO.

Article 8. Arrangement of Test in the Sphere of Effective and Safe Application of Pesticides and Agrochemicals, Implementation of State Registration and Coordination

1. The single state policy in the sphere of effective use and safe application of pesticides and agrochemicals, the parameters of registration tests and examinations, state registration and coordination are exercised by the Ministry of Agriculture and Food of Georgia through respective service.
2. The registration agencies shall:
 - a) be guided in their activities by FAO's International Code, this Law, and Georgian legislation;
 - b) carry out coordination of the activities associated with pesticides and agrochemicals;
 - c) within the scope of their competence, work out special statutes and regulations concerning registration tests and registration of pesticides and agrochemicals in Georgia to be approved by the Ministry of Agriculture and Food in agreement with the Ministries of the Environment and Natural Resources Protection and of Health of Georgia.

Article 9. Tasks and Powers of Registration Agencies

1. The registration agencies shall specify a list of pesticides and agrochemicals permitted for use on the territory of Georgia and their application regulations, methods of control, shall arrange and coordinate registration tests, examination, shall conduct state registration and issue certificates of registration, shall establish the prohibition lists and keep the State Catalogue, shall exercise other powers provided for in Georgian legislation.
2. The registration agencies, within the scope of their competence, shall:
 - a) consider proposals of natural and legal persons concerning registration of pesticides and agrochemicals, carry out initial examination of an application for registration and the examination of test matters;
 - b) carry out the arrangement of registration tests, their coordination and methodological support, the entry into the test network of scientific institution laboratories;
 - c) prohibit the use of pesticides and agrochemicals upon revealing the unfavorable to the person and the environment properties (danger) thereof;
 - d) for the purpose of selecting economically efficient and ecologically safe means, consider the earlier registered and practically tested pesticides and agrochemicals and their application regulations, ensure, where necessary, the conduct of demonstration tests and make appropriate amendments, carry out re-registration of perspective means;
 - e) according to the operation results of research institutions and manufacturing companies, once in 5 years renew and publish the lists of pesticides and agrochemicals applicable in various spheres on the territory of Georgia with the indication of their application regulations and hygiene standards in farm produce, environmental objects, while in the

case of their prohibition, remove from use. In case of necessity, shall publish additional lists, temporary prohibition or restrictions until specification of the available data relating to the application regulations;

- f) determine and publish the list of facilities applying pesticides and agrochemicals;
- g) develop and approve the single methods, ensure the application of modern equipment and standardized methods in research;
- h) pursuant to Georgian legislation, work out statutes, instructions, regulations, methodological instructions, state standards, specifications;
- i) establish business contracts with foreign legal persons engaged in the manufacture of pesticides, agrochemical and technical facilities;
- j) take reasoned decisions on the manufacture in Georgia of new effective substances or preparation forms, agrochemicals, or on their prohibition;
- k) participate in the promotion of the proper use of regulations of pesticides, agrochemicals and technical facilities.

Article 10. State Registration Tests of Pesticides and Agrochemicals

1. A new pesticide (effective substance) and an agrochemical other than an exception specified by the registration agencies, shall be subject on the territory of Georgia to registration tests to be arranged, coordinated and methodologically supported by the registration agencies.
2. The laboratory network of research shall carry out the registration tests of pesticides and agrochemicals and other related institutions approved by the registration agencies. which has the appropriate material and technical base and is staffed with specialists of the appropriate qualification.
3. The registration tests encompass:
 - a) the determination of the effectiveness of the use of pesticides and agrochemicals and the working out of the application regulations thereof;
 - b) the assessment of their possible adverse impact on human health, hygiene standards, the working out the sanitary norms and regulations;
 - c) the ecological assessment of application regulations;
 - d) examination of the registration tests results.
4. The natural and legal persons who have applied for the state registration of pesticides and agrochemicals are obliged to present free of charge specimens of those pesticides and agrochemicals, which are to undergo the state registration.
5. The state registration tests shall be carried out at the state's or the applicant's expenses, according to the contract.
6. In the course of registration tests the researchers are obliged to minimize the number of experiments on animals.

Article 11. Examination of Pesticides and Agrochemicals Registration Test Results

1. The examination of the pesticides and agrochemicals registration test results encompasses: the examination of the economic effectiveness of pesticides and agrochemicals, the examination of application regulations, the ecological examination, the sanitary-toxicological examination to be carried out by groups of experts set up by the responsible national government authorities.
2. To carry out an independent examination, the registration agencies of the Ministry of Agriculture and Food of Georgia shall invite experts of the appropriate qualification and profile.

3. The examination of the pesticides and agrochemicals registration tests result shall be based on the following principles:
 - a) the conduct necessity;
 - b) the scientific substantiation of opinions;
 - c) the independence of experts in exercising their powers.
4. The procedure for the registration test results' examination shall be defined and its conduct arranged by the registration agencies in the manner established by Georgian legislation.
5. The examination term shall not exceed 3 months.
6. The natural or legal persons who have applied for the state registration of pesticides or agrochemicals, as well as their developers, have no right to take part in the examination of the pesticides and agrochemicals registration test results.
7. An expert opinion may be appealed in court.
8. If the registration test data testify the revealing of the pesticide's or agrochemicals unfavorable for the person or the environment properties, the registration agencies are entitled to prohibit them.
9. The obtained scientific and technical information concerning prohibition or severe restriction of pesticides and agrochemicals and control measures in terms of the protection of human health or the environment shall be sent to FAO, for which the Ministry of Agriculture and Food of Georgia shall be responsible.

Article 12. State Registration of Pesticides and Agrochemicals

1. State registration shall only apply to those pesticides and agrochemicals that have been favorably assessed in the course of a registration test. Pursuant to the FAO's International Harmonization Principles, the general standard "risk/benefit" is being established, according to which the benefit or the economic, social and ecological outcomes from its application shall be necessarily taken into account during the pesticide's or agrochemicals registration.
2. The period of state registration shall be defined by the registration agencies. The period shall, as a rule, be defined as 5 years. After expiration of the certificate of registration, the registration of the pesticide or agrochemical may be renewed.
3. In individual cases, a shortened registration period may be fixed, provided that the removal of the pesticide or agrochemical from use by the manufacturer, the stoppage of production are expected, the submission for renewed registration is delayed, the incomplete package of the regulatory data is submitted, the necessity of an additional research has arisen.
4. Registration may be restricted or suspended before due, provided that new data on the danger of pesticides or agrochemicals have been obtained, which were not known before. The references to restrictions the registration agency shall indicate in the supplements to the annual list. The Ministry of Agriculture and Food of Georgia shall send the notification of the taken control measures to the appropriate international organization in the established manner.
5. An application for registration may be submitted by:
 - a) the developer;
 - b) the manufacturer;
 - c) the natural or legal person engaged in marketing of the pesticide or agrochemical.
6. Applicants for registration of pesticides and agrochemicals are obliged to submit:
 - a) data on the applicant;
 - b) name of the pesticide or agrochemical;
 - c) data on the pesticide's or agrochemical's composition;

- d) data on the scope of application of the pesticide or agrochemical and on its effectiveness;
 - e) data on the possible damage to human health, or the environment and natural balance by the pesticide or agrochemical;
 - f) data on the pesticide's or agrochemical's liquidation or neutralization methods;
 - g) instructions for use of the pesticide or agrochemical;
 - h) data on the type of labeling and packaging;
 - i) data on the methods of analysis by which the pesticide's and agrochemical's composition and residue may be reliably determined.
7. If a test shows that the pesticide and agrochemical comply with modern scientific requirements and are distinguished with effectiveness, do not run counter to human, plant and animal health protection principles, have no adverse impact on the natural balance, the elimination of which in terms of the available scientific level is impossible, they shall be registered.
 8. The registration agencies shall issue to natural or legal persons the certificate of registration of the approved form concerning the registered pesticide or agrochemical.
 9. The pesticide or agrochemical whose use is permitted on the territory of Georgia (in rural, forest and municipal economies; on medicinal plants and oil-bearing crops) shall be entered into the State Catalogue, which encompasses regulations of their use (by agricultural crops, animals), sanitary and environmental standards.
 10. The Ministry of Agriculture and Food of Georgia shall maintain the State Catalogue.
 11. Registration shall not apply to: the pesticides and agrochemicals that are intended for export or are under customs supervision as customs cargo, the growth regulators intended for decorative flowers, the agents being used for sanitary purposes against microorganisms.
 12. The respective services of the Ministry of Agriculture and Food of Georgia are entitled to issue a permit for importing non-registered pesticides or agrochemicals if:
 - a) they are intended for purposes of scientific research;
 - b) a danger of delaying the taking of measures against specific (especially dangerous) harmful organisms arises.

Article 13. Licensing of Activities Associated with Pesticides and Agrochemicals

Activities of natural and legal persons in the sphere of effective use and safe application of pesticides and agrochemicals shall be carried out on the basis of a license and permit to be granted by the respective services of Ministry of Agriculture and Food of Georgia.

Article 14. Standardization and Certification of Pesticides and Agrochemicals

1. The manufacture of pesticides and agrochemicals shall take place in compliance with state standards and specifications coordinated with the Ministry of Agriculture and Food of Georgia and other appropriate institutions of executive power of Georgia to be approved by the State Department of Standardization, Metrology and Certification of Georgia.
2. Pesticides and agrochemicals shall be subject to certification in the manner established by Georgian legislation and in compliance with the FAO's international requirements concerning the inspection of their quality and purity.

CHAPTER IV
**GENERAL REQUIREMENTS TO THE EFFECTIVE USE AND SAFE APPLICATION OF
PESTICIDES AND AGROCHEMICAL**

Article 15. Development of New Pesticides and Agrochemicals

1. The methods, which include danger of the adverse impact on human health and the environment, shall be applied in developing new pesticides and agrochemicals.
2. The developer is obliged to study in full the effectiveness, toxicological properties of pesticides and agrochemicals and their environmental impact.

Article 16. Manufacture of Pesticides and Agrochemicals

1. In manufacturing pesticides and agrochemicals, the manufacturer shall:
 - a) ensure the manufacture of pesticides and agrochemicals in accordance with Georgian legislation and FAO specifications;
 - b) observe technological discipline and technical safety regulations;
 - c) ensure suitable for retail trade and consumer packing of pesticides and agrochemicals;
 - d) comply with international requirements to the packing, labeling and storage of pesticides and agrochemicals;
 - e) regularly inspect the purity and quality of pesticides and agrochemicals intended for marketing;
 - f) ensure the issue of analytical standards for controlling the quantity of pesticides and agrochemicals in agricultural production, food products, medicinal raw material and the environment;
 - g) suspend marketing of pesticides and agrochemicals and effect their utilization at own expense where the safe application, handling and storage of said pesticides and agrochemicals become impossible, in spite of observing all the recommendations and regulations;
 - h) furnish information about the quantity of pesticides and agrochemicals in manufacture to the respective services of the Ministry of Agriculture and Food of Georgia and to the responsible national government authorities;
 - i) manufacture pesticides and agrochemicals according to the actual demand.
2. Prohibited is the manufacture of the pesticides and agrochemicals, which have not undergone state registration.
3. A license for manufacture of pesticides and agrochemical shall be issued by the Plant Protection Service of the Ministry of Agriculture and Food of Georgia, while a license for manufacturing agrochemicals – the Agrochemical and Soil Productivity Service of the Ministry of Agriculture and Food of Georgia.
4. If in manufacturing pesticides and agrochemicals the manufacturer fails to meet the requirements of Georgian legislation, the Ministry of Agriculture and Food and the responsible national government authorities are entitled to take decisions on the restriction, suspension or prohibition of the manufacture of pesticides or agrochemicals.

Article 17. The Unified State Register of Chemical Substances Intended for Agricultural Use

1. The Unified State Register of Chemical Substances Intended for Agricultural Use shall join the international information network.
2. The maintenance of the Unified State Register of Chemical Substances Intended for Agricultural Use in compliance with the requirements of Georgian legislation, their

registration/description for the purpose of information exchange with the respective state institutions and international organizations, including about the chemicals banned or severely restricted in international trade shall be carried out by the Ministry of Agriculture and Food of Georgia.

3. The principal information given in the Register comprises the data concerning the properties, effects, impact on the man and the environment of chemical substances, biologically active substances produced by microorganisms, the data on manufacturers, suppliers, categories of the used substances, their quantity, application purposes and scope, safety rules, measures to be taken in emergency, etc.
4. The Unified State Register of Chemical substances Intended for Agricultural Use shall include the data on the life cycle - from the creation/manufacture of a substance to its final disposal .
5. Manufacturers, importers, storekeepers, marketers, and other persons are obliged to submit to the registration agencies information about the manufactured, imported, and used pesticides in the established form and volume.
6. The obtained data on safety measures shall be furnished to all those persons whose activities are associated with pesticides and agrochemicals.
7. The Register shall separately record the data on the banned and severely restricted pesticides.
8. The data on chemical substances intended for agricultural use, biologically active substances produced by microorganisms, and their products shall be kept for the indefinite time.

Article 18. Information about Effective Use and Safe Application of Pesticides and Agrochemicals

1. For the purpose of providing consumers with full information about the effective use and safe application of pesticides and agrochemicals the persons having applied for state registration of pesticides and agrochemicals are obliged to ensure delivery of recommendations to the registration agencies concerning their handling, effective use and storage, as well as data on package labeling and marketing.
2. The procedure for approval of recommendations and the form of package labels shall be defined by the registration agencies.
3. The putting of pesticides and agrochemicals into circulation by the manufacturer (supplier) and the seller is allowed in the event when the products are accompanied with recommendations on their use, handling and storage, and when the packing is labeled in compliance with the applicable international rules.
4. Advertising of marketing and use of pesticides and agrochemicals shall be in line with FAO's international standards and requirements of the Law of Georgia "On Advertising".

Article 19. Labeling of Pesticides and Agrochemicals

1. Pursuant to FAO's international instructions, while handling pesticides and agrochemicals, the packaging/container shall bear the following information on the labeling:
 - a) the trade name of the pesticide and agrochemical;
 - b) the purpose;
 - c) the registration certificate number;
 - d) the name and address of the manufacturer;
 - e) the active ingredient and its quantity;
 - f) the product's shelf-life;
 - g) the instructions for use of the pesticide or the agrochemical;
 - h) the pesticide toxicity class and a danger symbol;
 - i) antidotes;

- j) restrictions.
2. The packaging/container shall bear a precautionary symbol, pictogram and the written precautionary instruction.
 3. The packing/container of a pesticide or agrochemical shall bear in several international languages the inscription on the non-permissibility of its reuse and the instruction on the container's safe utilization and its rendering harmless.
 4. The supplier and marketer of pesticides and agrochemicals are obliged to ensure translation of their application recommendations and the container's labeling into Georgian, for which authenticity the registration agencies shall be liable.
 5. The procedure for packing and labeling pesticides and agrochemicals shall be worked out and approved by the Ministry of Agriculture and Food of Georgia.
 6. Control over observance of the labeling rules is imposed on the respective services of the Ministry of Agriculture and Food of Georgia and on the responsible national government authorities within the scope of their competence.

Article 20. Transportation/Handling of Pesticides and Agrochemicals

1. Transportation/handling of pesticides and agrochemicals, including in transit, is permissible only by specialized means of transport.
2. In transporting pesticides and agrochemicals by marine, air, railway, motor transport, the observance of special requirements envisaged by Georgian legislation shall be necessary.

Article 21. Storage of Pesticides and Agrochemicals

1. The storage of pesticides and agrochemicals is allowed only in special stores intended for their storage, where specialists of the agricultural sector ought to be employed.
2. It is prohibited to store pesticides unpacked.
3. The conditions, which exclude harmful effects on human health and the environment, shall be necessarily observed when storing pesticides and agrochemicals.
4. The Ministry of Agriculture and Food of Georgia shall define the requirements for packing and storage procedure of pesticides and agrochemicals, pursuant to FAO instructions, for natural and legal persons.
5. Control over the storage of pesticides and agrochemicals shall be exercised by the Ministries of Agriculture and Food, of the Environment and Natural Resources Protection, and of Health of Georgia within the scope of their competence.

Article 22. Marketing of Pesticides and Agrochemicals

1. Persons who, according to Georgian legislation, are engaged in wholesale and retail trade of pesticides and agrochemicals on the basis of a license granted by the Ministry of Agriculture and Food of Georgia are authorized to acquire, store, sell the pesticides and agrochemicals that have undergone state registration and are recorded in the State Catalogue of Pesticides and Agrochemicals.
2. A permit for marketing banned or severely restricted pesticides shall only be issued to a person of the appropriate specialty.
3. Retail trade in pesticides and agrochemicals shall be effected through a specialized network, the coordination of which shall be exercised by the Ministry of Agriculture and Food of Georgia.
4. If the marketer of pesticides or agrochemicals lacks the appropriate qualification to provide the consumer with the proper instruction/explanation on the efficient use and safe application of

pesticides and agrochemicals, he shall, by the appropriate services of the Ministry of Agriculture and Food of Georgia, be prohibited to market pesticides and agrochemicals.

5. For the purpose of preventing the marketing of low-grade and outdated pesticides and agrochemicals, inspectors of the competent services of the Ministry of Agriculture and Food are authorized, upon presentation of the appropriate documents, to take samples, carry out control analysis and, in the event of unfavorable outcomes, to suspend their marketing.
6. The Plant Protection Service of the Ministry of Agriculture and Food of Georgia shall issue a license for marketing pesticides, while a license for marketing agrochemicals – the Agrochemical and Soil Productivity Service of the Ministry of Agriculture and Food of Georgia.

Article 23. Decontamination and Disposal of Pesticides and Agrochemicals

1. Decontamination and disposal of the unfit for use and banned pesticides and of their containers shall be carried out in the manner established by Georgian legislation.
2. The manufacturer of pesticides shall work out the methods and recommendations for disposing of the unfit for use or banned pesticides and their containers/tare in compliance with the FAO specifications, in coordination with the Ministries of Agriculture and Food, of the Environment and Natural Resources Protection, and of Labor, Health Care and Social Protection of Georgia.
3. Natural and legal persons are obliged to effect at own expense the surrender of the unfit for use pesticides for purposes of decontamination and disposal.
4. Control over decontamination and disposal of the unfit for use pesticides and their containers shall be exercised by the Ministries of the Environment and Natural Resources Protection and of Labor, Health Care and Social Protection of Georgia.

Article 24. Export-import of Pesticides and Agrochemicals

1. Export and import of pesticides and agrochemicals shall be executed in the manner established by Georgian legislation.
2. A contract on sale and purchase of pesticides or agrochemicals shall be appended with a certificate of state registration of pesticide or agrochemical to be issued by the competent services of the Ministry of Agriculture and Food of Georgia.
3. Export and import of pesticides are carried out under a permit issued by the Plant protection Service of the Ministry of Agriculture and Food of Georgia, while export and import of agrochemicals – based on a permit issued by the Agrochemical and Soil Productivity Service of the Ministry of Agriculture and Food of Georgia.
4. The necessary range and quantity of importable pesticides and agrochemicals, with regard for the actual state of phytosanitary situation and soil productivity, shall be regulated by the competent services of the Ministry of Agriculture and Food of Georgia. The Ministry of the Environment and Natural Resources Protection of Georgia shall ensure the prevention of the residue accumulation in the environment and pollution.
5. A permit for export-import of banned and severely restricted pesticides shall be by the Plant protection Service of the Ministry of Agriculture and Food of Georgia.
6. Responsibility for the prior reasoned consent procedure with regard to export and import of banned and severely restricted pesticides and agrochemicals shall be imposed on the Ministry of Agriculture and Food of Georgia.

Article 25. Effective Use and Safe Application of Pesticides and Agrochemicals

1. The procedure for the effective use and safe application of pesticides and agrochemicals shall be defined by the competent services of the Ministry of Agriculture and Food of Georgia with regard to the actual state of phytosanitary monitoring and phytosanitary situation, of soil

productivity and the requirements for optimal nutrition of plants in terms of agrochemicals, agricultural animal feeding diet, in compliance with sanitary and ecological standards.

2. The application of pesticides and agrochemicals shall be possible after the appropriate qualification has been acquired, which includes the knowledge of fundamentals and principles of agronomic, agrochemical and plant comprehensive protection, as well of the safe for the person and the environment application rules.
3. The competent services of the Ministry of Agriculture and Food of Georgia are obliged to ensure promotion of the effective use of pesticides and agrochemicals for perfecting agricultural production, improving plant and animal health and raising soil productivity, providing farmers with recommendations concerning modern methods and technologies in agriculture, dissemination of reference/educational materials on the proper and safe application of pesticides and agrochemicals.
4. The pesticides and agrochemicals application layout encompasses: the concentration of active ingredient, the consumption rate, the period of use, intensity, application periods, methods, sites, techniques, additives, application equipment, rest period before harvesting.
5. In using pesticides and agrochemicals, the use regulations and rules as established by the registration agencies, which exclude adverse effects on plant and animal health and the environment shall be observed.
6. The competent services of the Ministry of Agriculture and Food of Georgia are authorized to suspend plant protection and agricultural operations until the existing shortcomings have been eliminated.
7. The binding condition for safe application of pesticides and agrochemicals is the imposition by the competent services of the Ministry of Agricultural and Food of Georgia, the responsible national government authorities of strict control over their residues in the protected crops, soil, water bodies and other environmental objects, food products, farm produce and animal feed.
8. The marketing of food products, farm produce and animal feed on which pesticide and agrochemical residue exceeds the maximum permissible rate is prohibited.
9. The marketing of food products, farm produce and animal feed shall take place subject to a special certificate to be issued by the respective laboratories of the Ministry of Agriculture and Food of Georgia.
10. Pesticides and agrochemicals may not be applied in the immediate vicinity of open water reservoirs, water bodies or seacoast in contravention of sanitary and environmental protection standards.
11. The necessary condition for effective use and safe application of pesticides and agrochemicals shall be the high technical level, labor and the observance of safety rules.
12. The competent services of the Ministry of Agriculture and Food of Georgia are obliged to ensure the arrangement of training for farmers in compliance with the requirements for application of pesticides and agrochemicals, maintenance of technical facilities, storage and handling, environmental protection, sanitary and safety rules.
13. For the purpose of preventing the accumulation of pesticide and agrochemical residue in farm produce, the farmer is obliged, prior to the application of pesticides and agrochemicals, to familiarize with the appropriate information material and to observe instructions, when taking comprehensive protective measures against harmful organisms, concerning the optimum use of pesticides in raising soil productivity and enriching animal feed, as well as upon request for using agrochemicals in the balanced plant feeding to provide the appropriate services with information about the applied pesticides and agrochemicals.
14. The competent services of the Ministry of Agriculture and Food of Georgia are authorized to inspect fitness of the products used by the farmer, and if they do not comply with the established standards, to prohibit their use.
15. For the purpose of ensuring general regulations for use, storage, transportation, marketing, labor safety of pesticides and agrochemicals in agriculture, the Ministry of Agriculture and Food

of Georgia shall, in coordination with the responsible national government authorities, work out the instruction binding upon all natural and legal persons whose activities are associated with pesticides and agrochemicals.

Article 26. Use of Pesticides and Agrochemicals by Special Technical Facilities

1. The use of pesticides and agrochemicals is executed by special technical facilities.
2. Prior to the first application of technical facilities, the manufacturer, trade representatives or importer is obliged to submit notification to the registration agencies, which shall include the following data:
 - a) the full name of the manufacturer, trade representative or importer;
 - b) the equipment type, description, application scope and manual;
 - c) documents necessary for evaluation.
3. The registration agencies shall determine a list of the technical facilities which are applied for plant protection, for protecting agricultural animals against parasites, for applying agrochemicals with a view to feed plants, to increase soil productivity.
4. The registration agencies have the right to demand from the manufacturer, trade representative or importer for the purpose of examination, in the established manner, a specimen of the new-type technical facility. If the examination results do not meet the requirements, the registration agencies are authorized to prohibit operation of this unit of equipment on the territory of Georgia.
5. State supervision in agriculture over the technical condition of the pesticide and agrochemical applying technical facilities shall be exercised by the Ministry of Agriculture and Food of Georgia in the manner established by Georgian legislation.
6. The competent services of the Ministry of Agriculture and Food of Georgia have the right to inspect, by using control facilities, technical facilities applied by farmers, to request elimination of the revealed shortcomings, while in the case of their complete depreciation, to prohibit operation.

CHAPTER V

LIABILITY FOR VIOLATION OF THE LAW

Article 27. Liability for Violation of the Law

Liability for violation of this Law shall be defined in the manner prescribed by Georgian legislation.

CHAPTER VI

TRANSITIONAL PROVISIONS

Article 28. Normative Acts to be Adopted in Connection with this Law

Within 5 months from the putting of this Law into effect, the Ministry of Agriculture and Food of Georgia shall ensure the publication of the following normative acts:

- a) on the procedure for labeling pesticides and agrochemicals;
- b) on the procedure for export-import of pesticides and agrochemicals;
- c) instructions for storage, transportation, marketing and safe applications of pesticides and agrochemicals in agriculture and forestry;
- d) regulations for state registration tests and registration of pesticides and agrochemicals.

CHAPTER VII
FINAL PROVISION

Article 29. Entry into Force of the Law

This Law shall enter into force upon publication.

President of Georgia

Eduard Shevardnadze

Tbilisi,

26 November 1998

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