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AN ACT

To amend Chapter 1 of Title 25 of the Trust Territory Code, on Quarantine Regulations, by amending Sections 1 through 9 thereof, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1       Section 1. Chapter 1 of Title 25 of the Trust Territory Code, on  
2 Quarantine Regulations, is hereby amended by amending Sections 1 through  
3 9 thereof to read as follows:

4           (1) "Section 1. Purpose. In order to protect the agricultural  
5 and general well-being of the people of the Federated States of  
6 Micronesia, quarantines are promulgated as a means of preventing  
7 the introduction and further dissemination of injurious insects,  
8 pests, and diseases into and within the Federated States of  
9 Micronesia."

10          (2) "Section 2. Plant and animal quarantines-Regulations.

11               (1) With the prior approval of the President of the  
12 Federated States of Micronesia, the Director of Resources and  
13 Development, shall issue plant and animal quarantines and regula-  
14 tions, relating to the administration and enforcement of the  
15 controls established by this Chapter.

16               Letters and memoranda may be issued from time to  
17 time by the Director of Resources and Development relating to  
18 the administration and enforcement of such controls, quarantines  
19 and regulations.

20               (2) Emergency State Orders relating to domestic  
21 quarantine may be issued from time to time by the different  
22 Governors, providing such Orders are not in conflict with the

1 controls, quarantines and regulations issued pursuant to  
2 Subsection (1) of this Section.

3 (3) The plant and animal quarantines and regulations  
4 issued pursuant to this Chapter shall be translated in whole or  
5 in summary from English to the predominant native language of  
6 each local government area, and shall be published by posting in  
7 each local-government office and filing with each Clerk of Courts  
8 a copy of such translation and a copy of the English language  
9 version."

10 (3) "Section 3. Administration and enforcement.

11 (1) The Director of Resources and Development shall  
12 administer the provisions of the plant and animal quarantine  
13 controls, quarantines and regulations.

14 (2) Agricultural Quarantine Inspectors may be appointed  
15 by the Director of Resources and Development and shall enforce the  
16 provisions of the plant and animal quarantine controls, quarantines  
17 and regulations.

18 (3) The Director of Resources and Development, if he  
19 deems it advisable and necessary, may appoint as Agricultural  
20 Quarantine Inspectors the same officials empowered to make customs  
21 and immigration inspections in the Federated States of Micronesia,  
22 who, upon appointment, shall make agricultural quarantine  
23 inspections and shall enforce the provisions of the plant and  
24 animal quarantine controls, quarantines and regulations.

25 (4) Nothing in this act shall be deemed to prohibit



1 continuation of performance of the agricultural quarantine  
2 inspection function within each state of the Federated States of  
3 Micronesia by state Inspectors appointed for that purpose by the  
4 Governor of each state."

5 (4) "Section 4. Emergency measures authorized.

6 (1) Upon the discovery of a situation not covered by  
7 the controls, quarantines or regulations issued under this Chapter,  
8 or any other situation warranting immediate action, emergency  
9 quarantine measures may be made at any time by an Agricultural  
10 Quarantine Inspector or the Director of Resources and Development.

11 (2) Such emergency quarantine measures must be reviewed  
12 by the President of the Federated States of Micronesia and either  
13 incorporated into existing regulations in the manner which is or  
14 may be provided by law, or rescinded as soon as practicable after  
15 issuance, and in no case shall such action be taken later than  
16 thirty days after the measure is taken."

17 (5) "Section 5. Inspection.

18 (1) All animals and plants or parts thereof, including  
19 seeds, fruits, vegetables, cuttings, etc., entering or transported  
20 within the Federated States of Micronesia are subject to inspection  
21 by Agricultural Quarantine Inspectors and may be refused entry  
22 into or movement within the Federated States of Micronesia if they  
23 are known to be, or are suspected of being, infected or infested  
24 with disease or pests.

25 (2) All aircraft and vessels or their cargoes, including

baggage, ship's stores and ballast, entering or moving within the Federated States of Micronesia, are subject to inspection by Agricultural Quarantine Inspectors for the purpose of enforcing the controls, quarantines and regulations established pursuant to this Chapter; PROVIDED, that such inspections of U.S. military aircraft and vessels shall be subject to existent military security regulations.

(3) It shall be a petty misdemeanor for anyone to interfere with or refuse to submit to the inspections authorized by this Section."

(6) "Section 6. Manifests and movements information. Cargo manifests and other similar documents concerning aircraft and vessels traveling in the Federated States of Micronesia will be made available to the Agricultural Quarantine Inspectors upon request. Those authorities having information as to the movements of aircraft and vessels will furnish such information to Agricultural Quarantine Inspectors upon request; PROVIDED, that the provisions of this Section are subject to military security regulations."

(7) "Section 7. In-transit material to be kept on board. Any animals, plants, or other quarantinable material in transit through the Federated States of Micronesia on aircraft or vessels, shall be kept aboard such aircraft or vessels while in port or on any island of the Federated States of Micronesia, unless such material is otherwise enterable. If it is necessary to transfer



such quarantinable material from one vessel or aircraft to another, such transfer shall be made under the direction of an Agricultural Quarantine Inspector, and with such safeguards as he deems necessary."


(8) "Section 8. Contraband material. Anything attempted to be brought into or transported within the Federated States of Micronesia in contravention of the controls, quarantines or regulations established pursuant to this Chapter shall be seized by an Agricultural Quarantine Inspector and destroyed by fire or other appropriate means, or expelled from the Federated States of Micronesia, or returned to its place of origin, at the shipper's expense, depending on the pest risk involved."

(9) "Section 9. Disinsectization. Vessels and aircraft traveling into or within the Federated States of Micronesia and known or suspected upon reasonable grounds to be harboring insects or other agricultural pests will be subject to spraying with insecticides or such other treatment as may be deemed necessary by an Agricultural Quarantine Inspector; PROVIDED, that the spraying of aircraft with insecticides and the fumigation of ships is subject to Public Health Regulations."

Section 2. Upon approval by the President of the Federated States of Micronesia, or upon becoming law without such approval, this act shall take effect upon the transfer of quarantine functions from the Government

1 of the Trust Territory, and the acceptance of those functions by the  
2 Federated States of Micronesia.

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5 December 17, 1979

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9 Tosiwo Nakayama  
10 President  
11 Federated States of Micronesia  
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