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:

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

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

(2) "Section 2. Plant and animal quarantines—Regulations.

(1) With the prior approval of the President of the Federated States of Micronesia, the Director of Resources and Development, shall issue plant and animal quarantines and regulations, relating to the administration and enforcement of the controls established by this Chapter.

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

(2) Emergency State Orders relating to domestic quarantine may be issued from time to time by the different Governors, providing such Orders are not in conflict with the
controls, quarantines and regulations issued pursuant to Subsection (1) of this Section.

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

(3) "Section 3. Administration and enforcement.

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

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

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

(4) Nothing in this act shall be deemed to prohibit
continuation of performance of the agricultural quarantine
inspection function within each state of the Federated States of
Micronesia by state Inspectors appointed for that purpose by the
Governor of each state."

(4) "Section 4. Emergency measures authorized.

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

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

(5) "Section 5. Inspection.

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

(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 move-
ments 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
of the Trust Territory, and the acceptance of those functions by the
Federated States of Micronesia.

December 17, 1979

Tosiwo Nakayama
President
Federated States of Micronesia