EXEMPT RESOLUTION Nº 1187/2022

APPROVES THE COORDINATED AND SYSTEMATIZED TEXT OF THE RESOLUTION THAT ESTABLISHES PHYTOSANITARY ENTRY REQUIREMENTS FOR CEREAL SEEDS, ADDS PHYTOSANITARY REQUIREMENTS FOR THE SPECIES TRITICUM MONOCOCCUM AND HORDEUM CHILENSE AND REPEALS RESOLUTION NO. 1.012 OF 2004.

Santiago, 03/08/2022

WHEREAS:

The provisions of Law No. 18.755, Organic Law of the Agricultural and Livestock Service; Law No. 19.880, which establishes the bases of administrative procedures governing the minutes of the bodies of the State administration; Decree Law No. 3.557 of 1980 of the Ministry of Agriculture on Agricultural Protection; Decree Law No. 1. 764 of 1977 that establishes rules for research, production and trade of seeds and its Regulations; Decree No. 545 of 1990 of the Ministry of Foreign Affairs that subscribes agreement between the governments of the Argentine Republic, the Federative Republic of Brazil, the Republic of Chile, the Republic of Paraguay and the Oriental Republic of Uruguay on the constitution of the regional committee of plant health, COSAVE; Decree No. 510 of 2016 of the Ministry of Agriculture that enables ports for the importation of goods subject to review by the Agricultural and Livestock Service (SAG); Decree No. 34 of March 24, 2020 of the Ministry of Agriculture that appoints the National Director (D) of SAG; Resolution No. 7 of 2019 of the Office of the Comptroller General of the Republic; the International Standards for Phytosanitary Measures of the International Plant Protection Convention (IPPC) of the Food and Agriculture Organization of the United Nations, FAO, issued by Decree No. 144 of 2007 of the Ministry of Foreign Affairs; Resolution No. 212/85-16D of COSAVE of 2016; Resolutions Nos. 1.523 of 2001; 3.080 of 2003; 3.139 of 2003; 3.815 of 2003; 1.012 of 2004; 1.833 of 2016; 1.284 of 2021, all of the Agriculture and Livestock Service.

RECITALS:

1. That, the Agriculture and Livestock Service, hereinafter referred to as the Service, is the authority in charge of watching over the country's animal and plant health heritage, and under this framework it is empowered to adopt measures to prevent the introduction into the national territory of pests and diseases that may affect animal and plant health, which may come from imported goods.

2. That, by virtue of this authority, the Service issued Exempt Resolution No. 1.012 of 2004, mentioned above, which establishes phytosanitary requirements for the entry of cereal seeds.

3. That the Service has received requests from interested users to import into the country cereal seeds of *Triticum monococcum* and *Hordeum chilense*, species without sanitary requirements established for their importation from any origin.

4. That, according to the guidelines of the International Phytosanitary Protection Convention (IPPC) and the provisions of Resolutions No. 3.815 of 2003 and 1.284 of 2021, of this Service, the establishment of phytosanitary requirements requires a technical justification, so the Pest Risk Analysis for quarantine pests of *Hordeum chilensis* and *Triticum monococcum L*. seeds has been carried out, which has allowed establishing the corresponding phytosanitary requirements.

5. That, the Service has developed the Pest Risk Analysis (PRA) for *Wheat streak mosaic virus* (WSMV), which determined that it is a quarantine pest for Chile and that, among its potential pathways of introduction of the pest, are the seeds of *Triticum aestivum, Triticum durum* and *Triticum spelta*.

6. That, it is necessary to periodically update the phytosanitary requirements of the regulated articles based on new information available, especially on main hosts and pathways of entry of a given pest.

7. That, according to Resolution No. 3.080 of 2003 that establishes regionalization criteria in relation to quarantine pests for the territory of Chile; *Ditylenchus dipsaci* (except Chilean populations), is a quarantine pest and has among its hosts *Avena spp*.

8. That, in accordance with COSAVE Resolution No. 212/85-16D, mentioned above, it was resolved to harmonize the phytosanitary requirements for wheat (*Triticum*) propagating material in relation to the pest *Tilletia indica*, in the sense of certifying shipments free of this pest, according to the result of the official laboratory analysis (indicate laboratory analysis), or inspection of the place of production during the growing period.

9. That, it is necessary to establish treatments for *Tilletia indica*, to reduce the spread of the inoculum. However, these are not capable of destroying the resistance structures in the infected seeds; therefore, it is necessary to complement with the laboratory analysis described in the preceding recital.

10. That Resolution No. 1.012 of 2004, mentioned above, already has modifications so that, in order to facilitate its understanding by users and the phytosanitary authority of the country of origin, it is necessary to consolidate the phytosanitary requirements so that they remain in a single legal body.

11. That, it is deemed necessary to give a period of six months so that the companies in the area can adapt their processes and comply with the new requirements established in this legal body for the species already regulated, without affecting the commercial exchange of cereal seeds.

12. That, according to the Chile-European Union Association Agreement, the phytosanitary requirements for import regulated articles must be established considering the Member States of the European Community as a single origin.

13. That, according to the Chile-European Union Association Agreement, when a Party wishes the other Party to recognize its decision regarding regionalization, it shall communicate its measures together with a full explanation and supporting information of its determinations and decisions, in accordance with the FAO International Standards for Phytosanitary Measures, in particular No. 4 "Requirements for the Establishment of Pest Free Areas", No. 8 "Determination of Pest Status in an Area" and other international standards on phytosanitary measures that the Parties deem appropriate.

14. That, Resolution No. 4.932 of 2021 was issued in error before the national public consultation and the WTO and was not published in the Official Gazette; reason for which, it should be repealed and replaced by this legal body.

IT IS RESOLVED:

1. The following requirements are hereby established for the importation of the seeds of cereal species listed below:

1.1 Shipments must be covered by the original official Phytosanitary Certificate issued by the National Phytosanitary Protection Organization of the country, which must specify for each species, the additional declarations indicated:

SPECIES	ADDITIONAL DECLARATION
Avena sativa (oat)	1. The shipment is free of *Ditylenchus dipsaci* (except Chilean populations), according to official laboratory analysis (indicate laboratory analysis). 2. For *Barley Stripe Mosaic Virus*: 2.1 The shipment comes from a seedlot that was inspected and tested during the active growing period (indicate laboratory analysis) and found to be free of *Barley Stripe Mosaic Virus*. or, 2.2 The shipment is free of *Barley Stripe Mosaic Virus*, according to the result of the official laboratory analysis, indicating the laboratory analysis used.
Hordeum chilense (cevadilla)	Without additional declarations.

Hordeum vulgare (barley)	1.1 The shipment comes from a seedlot that was inspected and tested during the active growing period (indicate laboratory analysis) and found to be free of *Barley Stripe Mosaic Virus.* or, 1.2 The shipment is free of *Barley Stripe Mosaic Virus*, according to the result of the official laboratory analysis, indicating the laboratory analysis used.
Oryza sativa (rice)	The shipment is free of *Aphelenchoides besseyi*, according to official laboratory analysis (indicate laboratory analysis).
Secale cereale (rye)	The shipment has been treated for the control of *Urocystis occulta*, also indicating the treatment in section III of the Phytosanitary Certificate.

Triticum aestivum, Triticum durum (wheat)	1. The shipment is free of *Anguina tritici,* according to official laboratory analysis (indicate laboratory analysis). 2. For *Barley Stripe Mosaic Virus*: 2.1 The shipment comes from a seedlot that was inspected and tested during the active growing period (indicate laboratory analysis) and found to be free of *Barley Stripe Mosaic Virus*. or, 2.2 The shipment is free of *Barley Stripe Mosaic Virus*, according to the result of the official laboratory analysis, indicating the laboratory analysis used. 3. For *Wheat Streak Mosaic Virus* (WSMV): 3.1 The shipment comes from a seedlot that was inspected during the active growing period, and the extracted samples were subjected to official laboratory analysis (indicate laboratory analysis), being found free of *Wheat streak mosaic virus* (WSMV). or, 3.2 The shipment is free of *Wheat Streak Mosaic Virus* (WSMV), according to the result of the official laboratory analysis, indicating the laboratory analysis used. 4. For *Tilletia indica*: 4.1 The shipment is free of *Tilletia indica*, according to the result of the official laboratory analysis, taking a representative sample of 600 seeds, following the ISTA methodology and finding no *T. indica* spores in the sample. and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution. or, 4.2 The shipment comes from a seedlot that was inspected during the active growing period, at the stage of physiological maturity or close to harvest and found to be free of *Tilletia indica* (indicate diagnostic technique). and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution.

Triticum monococcum L. (Einkorn wheat or spelt)	1. The shipment is free of *Anguina tritici* according to the result of the official laboratory analysis (indicate laboratory analysis). 2. For *Tilletia indica*: 2.1 The shipment is free of *Tilletia indica*, according to the result of the official laboratory analysis, taking a representative sample of 600 seeds, following the ISTA methodology and finding no *T. indica* spores in the sample. and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution. or, 2.2 The shipment comes from a seedlot that was inspected during the active growing period, at the physiological maturity stage or close to harvest and found to be free of *Tilletia indica* (indicate diagnostic technique). and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution.
	1. The shipment is free of *Anguina tritici*, according to the result of the official laboratory analysis (indicate laboratory analysis). 2. For *Xanthomonas translucens* pv. *translucens:* 2.1 The shipment comes from a seedlot that was inspected during the active growth period and the extracted samples were subjected to official laboratory analysis (indicate laboratory analysis) and found to be free of *Xanthomonas translucens pv. translucens*. or, 2.2 The shipment is free of *Xanthomonas translucens pv. translucens*, according to the result of the official laboratory analysis, indicating the laboratory analysis used. 3. For *Barley Stripe Mosaic Virus*: 3.1 The shipment comes from a seedlot that was inspected and tested during the active growing period (indicate laboratory analysis) and found to be free of *Barley Stripe Mosaic Virus*. or, 3.2 The shipment is free of *Barley Stripe Mosaic Virus*, according to the result of the official laboratory analysis, indicating the laboratory analysis used. 4. For *Wheat Streak Mosaic Virus* (WSMV):

Triticum spelta	4.1 The shipment comes from a seedlot that was inspected during the active growing period, and the extracted samples were subjected to official laboratory analysis (indicate laboratory analysis), being found free of *Wheat streak mosaic virus* (WSMV). or, 4.2 The shipment is free of *Wheat Streak Mosaic Virus* (WSMV), according to the result of the official laboratory analysis, indicating the laboratory analysis used. 5. For *Tilletia indica*: 5.1 The shipment is free of *Tilletia indica*, according to the result of the official laboratory analysis, taking a representative sample of 600 seeds, following the ISTA methodology and finding no *T. indica* spores in the sample. and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution. or, 5.2 The shipment comes from a seedlot that was inspected during the active growing period, at the physiological maturity stage or close to harvest and was found to be free of *Tilletia indica* (indicate diagnostic technique). and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution.

Triticum x Secale (Ttriticale)	1.1 The shipment is free of *Tilletia indica*, according to the result of the official laboratory analysis, taking a representative sample of 600 seeds, following the ISTA methodology and finding no *T. indica* spores in the sample. and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution. or, 1.2 The shipment comes from a seedlot that was inspected during the active growing period, at the physiological maturity stage or close to harvest and was found to be free of *Tilletia indica* (indicate diagnostic technique). and subsequently, The shipment has been treated for the control of *Tilletia indica*, indicating, in addition, the treatment in section III of the Phytosanitary Certificate, in accordance with the provisions of the resolve No. 2 of this Resolution.
Zea mays (corn)	Without additional declarations.

1.2. It will be accepted as an alternative Additional Declaration, that:

1.2.1 The pest(s) is (are) not present in the country of origin or,

1.2.2 The shipment comes from an area free of the pest(s), officially recognized by the Service through an exempt Resolution.

1.2.3 In the case of the countries that make up the European Union:

1.2.3.1 The pest(s) is (are) not present in the European Union or,

1.2.3.2 The shipment comes from an area or country in the European Union free of the pest(s), officially recognized by the Service, by means of an exempt Resolution.

2. Any of the following fungicide treatments against *Tilletia indica* will be accepted:

   2.1 Carboxin (0.8 gr A.I./Kg) plus Thiram (0.8 gr A.I./Kg); or

   2.2 Flutriafol (0.05 gr A.I./Kg) plus Imazalil (0.05 gr A.I./Kg); or

   2.3 Triadimenol (0.375 gr A.I./Kg) plus Fuberidazole (0.15 gr A.I./Kg); or

   2.4 Triadimenol (0.23 gr A.I./Kg) plus Imazalil (0.075 gr A.I./Kg) plus Fuberidazole (0.15 gr A.I./Kg); or

   2.5 Tebuconazole (0.025 gr A.I./Kg) plus Imazalil (0.05 gr A.I./Kg).

3. The shipment must be free of plant debris.

4. The shipment must be free of quarantine weeds, according to current regulations.

5. Seeds imported into the country for commercial purposes, in addition to complying with the phytosanitary requirements of resolve 4 above, must comply with the quality requirements (germination and physical purity), variety designation and regulated non-quarantine weeds, established in the regulations in force.

6. The shipment must be free of soil; soil being understood as clods greater than or equal to 3 mm in diameter, a requirement that must be verified by the exporting NPPO (National Plant Protection Organization) prior to issuing the phytosanitary certificate.

7. The containers must be of first use, closed, tamper resistant and labeled with at least the following information: country of origin, name or code of the producer and plant species, in accordance with current regulations.

8. The packaging material must be adequate for eventual quarantine treatment actions at the points of entry, if necessary; the use of containers such as airtight bags or any other material that does not allow the correct penetration and circulation of the fumigant is not allowed.

9. Wood for packaging and pallets, as well as wood used as accommodation material, must comply with quarantine regulations for entry into the country.

10. For Materials Genetically Modified by Modern Biotechnology, the importer must declare their genetic condition and comply with the regulations of the Agriculture and Livestock Service, which establish the requirements for the internment and introduction to the environment of these materials.

11. Each shipment shall be inspected by the Service at the point of entry for the physical and documentary verification of the phytosanitary requirements established for its importation. Upon detection of quarantine pests other than those required in this resolution, listed in Resolution No. 3.080 of 2003 and its amendments, or not listed that are potentially quarantine, according to Risk Assessment, the application of phytosanitary measures to manage the identified risk may be determined.

12. The phytosanitary requirements for the importation of seeds of the following species: *Triticum monococcum L* and *Hordeum chilense*, shall enter into force once this Resolution is published in the Official Gazette.

13. The phytosanitary requirements for the importation of seeds of species regulated in this Resolution, not mentioned in resolve No. 12 above, shall enter into force 180 calendar days after its publication in the Official Gazette.

14. Resolution No. 1.012 of 2004, which "Establishes phytosanitary entry requirements for cereal seeds", is hereby repealed once this Resolution enters into force.

15. Resolution No. 4.932 of 2021, which approves the coordinated and systematized text of the resolution that establishes phytosanitary requirements for the entry of cereal seeds, adds phytosanitary requirements for the species *Triticum monococcum* and *Hordeum chilense* and Resolution No. 1.012 of 2004 are hereby repealed.

ANNOTATE, COMMUNICATE AND PUBLISH

HORACIO BÓRQUEZ CONTI NATIONAL DIRECTOR OF THE AGRICULTURAL AND LIVESTOCK SERVICE

DRP/RAR/RBO/ACV/VLAR/GMV/CCS/RRF/TGR/VCM/LVM

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