

Order of the Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests No. 2279-22 of 27 Moharam 1444 (25 August 2022) enacting *Xylella fastidiosa* bacteria monitoring, prevention and control measures.

(OG n°7166 of 2 February 2023, page 288)

THE MINISTER OF AGRICULTURE, MARITIME FISHERIES, RURAL DEVELOPMENT AND WATER AND FORESTS,

Considering Law No 76-17 relating to plant protection, promulgated by Dahir No1-21-66 of 3 Hijja 1442 (14 July 2021), in particular its articles 6 and 28;

Having regard to Law No 25-08 establishing the National Food Safety Office, promulgated by Dahir No 1-09-20 of 22 Safar 1430 (18 February 2009), in particular its article 2;

Having regard to Decree No 2-22-243 of 21 Hijja 1443 (21 July 2022) taken for the application of certain provisions of Law No 76-17 relating to the protection of plants, in particular its articles 4, 6, 7, 8, 10 and 11;

Considering the provisions of the International Convention for the Protection of Plants (IPPC), made in Rome on 6 December 1951, published by Dahir No. 1-73-439 of 14 Hijja 1393 (8 January 1974),

ORDERS:

Chapter one: General provisions

ARTICLE 1 - In application of the provisions of the above-mentioned Decree No. 2-22-243, this Order establishes the modalities for the implementation of monitoring, prevention and control measures to fight against the harmful quarantine organism called "*Xylella fastidiosa*", appearing in Appendix II of the Order of the Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests No. 593-17 of 15 Kaada 1438 (8 August 2017) relating to the health inspection of plants, plant products and other imported objects, as amended and supplemented.

The provisions of this Order shall not apply to seeds or plant products intended for human or animal consumption.

Chapter II: Phytosanitary measures on import

ARTICLE 2 - Only plants and plant products originating from countries free from the bacteria *Xylella fastidiosa* can be imported into Morocco.

These plants and plant products shall, for their importation, meet the following conditions:

- 1) come from a country having previously communicated, in writing, to the National Food Safety Office (ONSSA):
 - a statement indicating that the *Xylella fastidiosa* bacteria is not present in its territory;
 - the list of production sites for said plants and plant products, registered and controlled by the competent authority of this country for export to Morocco;

- 2) have been subjected to the phytosanitary inspection referred to in article 6 of the Decree No. 2-22-243 at the border post concerned, including the documentary control and the physical control referred to in articles 7 and 8 of the said decree, for the purposes of ensuring that the said plants and plant products are free from the *Xylella fastidiosa* bacteria. The phytosanitary inspection may include laboratory analyzes of said plants and plant products, where applicable;
- 3) have the phytosanitary certificate or the phytosanitary re-export certificate referred to in article 10 or article 11 of the Decree No. 2-22-243, which accompanies the plants and plant products, subject of the shipment and which indicates, in the “Additional Declaration”, that:
 - the country of origin is free from *Xylella fastidiosa* bacteria;
 - plants and plant products are produced in a production site registered and controlled by the competent authority of the country of origin, with an indication of the name and location of the production site.

ARTICLE 3 - By way of derogation from the provisions of article 2 above, plants intended for the planting of fruit species originating from a country infested by the *Xylella fastidiosa* bacteria, can be imported into Morocco if all the following conditions are met:

- 1) the competent authority of the country of origin has previously communicated, in writing, to ONSSA:
 - a) the list of areas of its territory free from the *Xylella fastidiosa* bacteria established in accordance with the provisions of the International Standard for Phytosanitary Measures (ISPM) No. 4 “Requirements for the establishment of pest-free zones” of the IPPC and,
 - b) the list of production sites registered and controlled by the competent authority of this country for export to Morocco;
- 2) the plants come from the sites mentioned in b) above, located in the perimeters defined by ONSSA, bearing in mind the list provided for in a) above;
- 3) the phytosanitary certificate or the phytosanitary re-export certificate referred to, as the case may be, in article 10 or article 11 of the Decree No 2-22-243, which accompanies the plants, object of the shipment, shall indicate in the “Additional declaration” that the plants of the shipment:
 - are produced in a production site appearing on the list mentioned in b) above and located in the perimeters defined in accordance with 2) above with an indication of the name and location of the production site;
 - were treated with a plant protection product with a broad spectrum of action before their shipment to Morocco and that they have been protected from any source of contamination by the *Xylella fastidiosa* bacteria;
 - are free from the *Xylella fastidiosa* bacteria, according to analyzes carried out in a laboratory recognized by the competent authority of the country of origin, on a sample taken by said authority, in the case of plants intended for planting fruit species host to the said bacteria;
- 4) the phytosanitary inspection referred to in article 6 of the Decree No. 2-22-243 was carried out at the border post concerned, including documentary control and physical control, as well as laboratory analyses, where applicable;
- 5) laboratory analyses in the case of plants, intended for planting fruit species host to the *Xylella fastidiosa* bacteria.

In addition to the conditions indicated above, shipments of plants intended for planting fruit species, hosts of the bacteria *Xylella fastidiosa*, shall be accompanied by an analysis report, issued by a laboratory recognized by the competent authority of the country of origin attesting that they are free from the *Xylella fastidiosa* bacteria.

ARTICLE 4 - If the phytosanitary situation of plants or plant products or that of the country of origin has changed, the ONSSA may take any appropriate phytosanitary measure to avoid the introduction of the *Xylella fastidiosa* bacteria on the national territory.

Chapter III: Monitoring, prevention, control and fight against *Xylella fastidiosa* bacteria

Section one: Phytosanitary monitoring of plants

ARTICLE 5 - As part of the monitoring, prevention, control and fight against harmful organisms, provided for in article 6 of the Law No 76-17, the competent services of the ONSSA shall ensure a monitoring of plants and plant products likely to be infested by the *Xylella fastidiosa* bacteria as follows:

- 1) monitoring of plants and plant products imported in their places of destination;
- 2) the visual examination of plants and plant products, particularly at the level of nurseries and agricultural operations;
- 3) taking samples and analyzing them in the laboratory.

Section 2: Actions taken if the presence of *Xylella fastidiosa* bacteria is suspected

ARTICLE 6 - Following the declaration referred to in article 1 of the Decree No 2-22-243, the relevant department of the ONSSA responsible for plant protection shall carry out a visit to the place(s) where the plants or plants products suspected of being infested are located, with a view to:

- carry out a visual examination of said plants or plant products;
- take samples necessary for laboratory examinations;
- carry out a survey to collect all useful information related to plants or plant products.

Section 3: Actions taken if the presence of *Xylella fastidiosa* bacteria is confirmed

ARTICLE 7 - When the presence of bacteria *Xylella fastidiosa* is confirmed, the ONSSA service responsible for plant protection in the area where the presence of said bacteria has been confirmed, shall promptly inform the regional director of ONSSA.

The area where the infested plants or plant products are spotted shall be declared a “quarantine zone” by a decision of the Director General of ONSSA or the person delegated by him for this effect.

The quarantine zone, provided for in article 31 of the Law No 76-17, shall include:

- the infested area of a radius of one hundred (100) meters around the place where the presence of said bacteria is confirmed;
- the buffer zone around the infested zone, with a minimum radius of ten (10) kilometers.

The infested zone and the buffer zone shall be signaled by posts at their entrance on the access roads to these zones.

ARTICLE 8 - In the infested zone or outbreak spot, the following phytosanitary measures, provided for in article 28 of the Law No. 76-17, shall be implemented:

- the treatment of plants or plant products with a broad-spectrum plant protection product against insect vectors;
- uprooting and destroying infested plants, plant products and plant species host to *Xylella fastidiosa* bacteria. The destruction is carried out on site or at a nearby location designated for this purpose within the infested area so as to avoid the spread of the bacteria;

- cleaning and disinfection, under the supervision of the ONSSA plant protection service, of all means of transport and equipment likely to harbor insect vectors, such as cutting, pruning and lifting equipment;
- the prohibition of entry and exit of plants and plant products. However, the service in charge of plant protection referred to above may, if necessary, authorize these entries and exits via a pass established in accordance with the model set out in the appendix to this order, at the request of the owner of said plants or plant products or its representative;
- the ban on planting host plants to avoid the spread of said bacteria;
- communication and awareness raising on the measures taken.

Additionally, an investigation shall be carried out to determine the origin of the *Xylella fastidiosa* bacteria infestation and identify possible other outbreaks.

ARTICLE 9 - In the buffer zone, the following phytosanitary measures, provided for in article 28 of the Law No 76-17, shall be put in place:

- the treatment of plants or plant products with a broad-spectrum phytopharmaceutical product against insect vectors of the *Xylella fastidiosa* bacteria;
- the prohibition of entry and exit of plants and plant products. However, the service in charge of protection referred to above may, if necessary, authorize these entries and exits via a pass established in accordance with the model set out in the appendix to this order, at the request of the owner of said plants or plant products or its representative;
- monitoring of plants and plant products, by means of visual inspection and laboratory analyses, to detect possible *Xylella fastidiosa* bacteria infestations;
- communication and awareness raising on the measures taken.

ARTICLE 10 - The measures referred to in articles 7, 8 and 9 above shall be terminated when the infested zone is declared a “*Xylella fastidiosa*-free zone” by a decision of the Director General of ONSSA or the person delegated by him for this purpose.

ARTICLE 11 - This order shall come into force as of the date of its publication in the Official Gazette.

However, the provisions relating to phytosanitary measures on import shall come into force six (6) months from the date of publication of this order.

ARTICLE 12 - This order shall be published in the Official Gazette.

Rabat, Moharrem 27, 1444 (25 August 2022).

**The Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests,
Mohammed SADIKI**

ANNEX

To the Order of the Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests No. 2279-22 of 27 Moharrem 1444 (25 August 2022) enacting the monitoring, prevention, control and fight against *Xylella fastidiosa* bacteria

**Model of the pass for plants and plant products
from quarantine zones of the bacteria *Xylella fastidiosa***

National Food Safety Office Plant Protection Service of	ال غذائية للمنتجات الصحية للسلامة الوطني المكتب ل..... النباتات حماية مصلحة								
<p align="center">PASS</p> <p align="center"><i>Xylella fastidiosa</i> quarantine zones</p> <p>(Articles 8 and 9 of Order No. 2279-22 of 27 Moharrem 1444 (25 August 2022))</p> <p>Plants _ <input type="checkbox"/></p> <p>Plant products <input type="checkbox"/></p> <p>Others <input type="checkbox"/></p>	<p align="center">المرور جواز</p> <p>ال المتأتية من مناطق لنقل النباتات والمنتجات النباتية صالح Xylella fastidiosa حجر الصحي ل بكتيريا (المادتين 8 و 9) From 2279.22 to 27 to 1444 (August 2022 25) ال نباتات منتجات نباتية مواد أخرى</p>								
The plants and plant products of the shipment detailed below Originating from (1):... Located at (2): Going to (3): have undergone a phytosanitary control and are authorized to circulate. Date of shipment: Means of transport and registration number:	إن النباتات والمنتجات النباتية موضوع الإرسال المفصلة بياناته أسفله والمتأتية من (1) : الواقع ب (2) : والموجهة إلى (3) : قد خضعت لمراقبة الصحة النباتية وسمح لها بالمرور . تاريخ الإرسال: وسيلة النقل ورقم تسجيلها:								
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Quantity of plants or plant products (Number, weight, etc.)</th> <th style="width:30%;">Species</th> <th style="width:20%;">الأصناف</th> <th style="width:20%;">كمية النباتات أو المنتجات النباتية) (عدد ، وزن، ...)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Quantity of plants or plant products (Number, weight, etc.)	Species	الأصناف	كمية النباتات أو المنتجات النباتية) (عدد ، وزن، ...)					
Quantity of plants or plant products (Number, weight, etc.)	Species	الأصناف	كمية النباتات أو المنتجات النباتية) (عدد ، وزن، ...)						
Name and signature of the owner or representative اسم المالك أو من يمثله وتوقيعه Date التاريخ	Phytosanitary police Name and signature of agent Stamp of the plant protection service شرطة الصحة النباتية اسم العون وتوقيعه - خاتم مصلحة حماية النباتات Date التاريخ								
(1) Sender 's name (2) Exact location of place of origin (3) Name and exact address of recipient	(1) اسم المرسل (2) موقع المكان المتأتي منه بالضبط (3) اسم المرسل له وعنوانه								