

FOOD/FEED SAFETY, VETERINARY AND PLANT PROTECTION CODE

Title I - General Provisions

Chapter I - Introductory Provisions

Article 1 - Purpose and scope of the Code

1. The purpose of this Code is to protect human life and health, consumer interests, animal health and welfare, and plant health, as well as to define the unified principles of state regulation and to form an effective system of state control in the fields of food/feed safety, veterinary and plant protection.
2. This Code applies to the production, processing and distribution of food/feed, animals, plants, products of animal and plant origin in the territory of Georgia, to primary production, animal health and welfare, plant health, veterinary drugs, pesticides and agrochemicals, as well as to environmental protection based on the purpose of this Code.
3. Food/feed safety, veterinary and phytosanitary controls related to the movement (import, re-export, export and transit) of goods across the customs border shall be regulated by this Code, the Tax Code of Georgia and other relevant normative acts.
4. This Code regulates and determines:
 - a) the basic principles and requirements for food/feed safety;
 - b) the types of state control in the fields of food/feed safety, veterinary and plant protection;
 - c) the general requirements for the traceability of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals at the stages of production, processing and distribution;
 - d) the competences of authorities in the areas of food/feed safety, veterinary and plant protection;
 - e) the obligations of business operators;
 - f) the basic requirements and conditions for animal health and welfare, and plant protection and health;
 - g) veterinary and plant quarantine in the territory of Georgia;
 - h) the requirements for the export and import of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals;
 - i) responsibility for violations of the requirements of this Code.
5. In addition to the requirements of this Code, the simplified requirements approved by an ordinance of the Government of Georgia shall apply to business operators that:
 - a) according to this Code, have the status of small business and are engaged in the production, processing and distribution of food/feed, and in primary production;
 - b) use traditional methods for the production, processing and/or distribution of food/feed, and for primary production;
 - c) in high mountain regions are engaged, on a non-factory basis, in the production, processing and/or distribution of food/feed, and in primary production.
6. State control of food/feed as provided for by this Code shall not apply to the production of food/feed and to primary production by natural persons that are household producers ('a household producer') according to this Code.
7. As part of veterinary and phytosanitary controls, the provisions under this Code related to household producers shall apply to such household producers.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 2 - Definition of terms

For purposes of this Code, the terms used in it have the following meanings:

- a) food - any processed, partially processed or unprocessed product intended for human consumption. Food also includes all types of beverages (including drinking water), chewing gums and any substance to be used in food (including water), which is used as part of food during its production and processing. Food does not include: feed, live animals (except for animals intended for the placement on the market with the purpose of human



consumption), plants (pre-harvest plants), healing and homeopathic remedies, tobacco and tobacco products, narcotic drugs and psychotropic substances, cosmetics, residues and contaminants;

b) primary production - the process that encompasses: plant cultivation (including harvesting, fruit picking); pre-slaughter raising, breeding of animals, and milking. Primary production also includes hunting, fishing and gathering of wild plants;

c) veterinary medicine - activities that are intended to prevent and treat diseases for the health and welfare of animals (including domestic animals), to produce safe products of animal origin, as well as to protect the population from zoonotic diseases and to ensure veterinary well-being in the country;

d) bioproduction - a unified system of economic management with the use of the production methods that preserve biodiversity and ecological balance, environmental protection, the efficient use of natural resources and that comply with the bioproduction requirements at the stages of production, processing, storage, packaging, transportation, labelling/markings, distribution and sale, and such compliance is confirmed by a certificate of conformity;

e) genetically modified organism - any organism (except human beings) whose genetic material has been altered with the use of modern biotechnological methods. These methods do not fall within traditional selection and breeding methods;

f) primary product - a product intended for human or animal consumption obtained from primary production before being processed (including from the soil), as a result of animal breeding, hunting or fishing;

g) animal feed - any processed, partially processed or unprocessed substance or product (including food additives) to be used as animal feed;

h) product of animal origin - a food product of animal origin, as well as a non-food product of animal origin;

i) product of plant origin - a food product of plant origin, as well as a non-food product of plant origin that, based on its nature or specificity of processing, may create a risk of the occurrence and spread of pests;

j) animal - any vertebrate or invertebrate animal (all species of animals, birds, fish, bees, amphibian mammals, amphibians, crustaceans, molluscs, hatching eggs, fertilized roe);

k) pet - any species of animal that is kept under human care and is not used for the production of food (including meat, milk and eggs), fur, down, skins or any other product of animal origin;

l) identification and registration of animals - assigning an individual identification number to an animal and/or a group of animals, marking and entering it into a unified register;

m) animal welfare - creating the conditions necessary for care and maintenance of animals, as well as for their natural behaviour, which includes the availability of feed and water for animals and their protection from diseases, pain, fear and other stress;

n) plant - live plants and their parts (including seeds and genetic material);

o) state control - actions performed by an authorised person to establish the compliance of the activities of business operators in the fields of food/feed safety, veterinary and plant protection with the requirements defined by the legislation of Georgia;

p) competent body - a state body authorised to exercise state control;

q) controlling body - a legal person, to which a competent body has delegated the performance of a specific task related to state control;

r) authorised person - a person exercising state control, which is authorised by a competent body;

s) processing - any process that significantly changes a primary product (including heating, smoking, drying, ripening, exsiccation, salting, pressing, extraction, extrusion or any combination of these processes);

t) unprocessed food/feed - a product that has not undergone processing and that has been slaughtered, skinned, portioned, chopped, cut into chunks, cut into pieces, boned, ground, minced, cleaned, cut down, cleaned from burry parts, peeled, chilled, frozen, quickly frozen or unfrozen;

u) processed food/feed - a product resulting from the processing of an unprocessed food/feed. Processed food/feed may contain ingredients necessary for their production or for giving them specific properties;

v) food additive - a substance that is not normally consumed as a food/feed, but is added to food/feed during its production, processing, packaging and storage, as a result of which this substance or its by-product becomes an ingredient of the food /feed;

w) harmful food/feed - a food/feed that does not satisfy the safety requirements for food/feed as defined by the legislation of Georgia;

x) business operator - a person whose activities are related to the production, primary production, processing, distribution of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides, agrochemicals, as well as to services in the fields of veterinary and plant protection, and who is responsible for the compliance of his/her/its activities with the requirements defined by the legislation of Georgia;

y) small business - activities of business operators whose annual turnover does not exceed GEL 200 000;

z) recognition - confirmation of the compliance of activities of registered business operators with the requirements defined by the legislation of Georgia;

z¹) stages of production, processing and distribution - each step of a process, including import, export, primary production, processing, storage, collection, transportation, sale and delivery to a final consumer of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides, or agrochemicals;

z²) traditional method - production, processing and/or distribution, as well as primary production of food/feed with the use of historically formed methods transmitted from one generation to another, including traditional local farming and other traditional economic activities;



z³) high mountain region - a high mountain settlement defined by the Law of Georgia on the Development of High Mountain Regions;

z⁴) household production - production and/or primary production of food/feed in an unorganised manner and/or for self-consumption;

z⁵) household producer - a natural person carrying out the production and/or primary production of food/feed in an unorganised manner and/or for self-consumption;

z⁶) site for producing plants or products of plant origin - a land or a construction unit or a combination of such units arranged in accordance with phytosanitary requirements;

z⁷) placement on the market - supply by business operators of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and/or agrochemicals for a fee or free of charge, as well as other forms of delivery;

z⁸) retail outlet - a facility where food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and/or agrochemicals are supplied to a final consumer;

z⁹) final consumer - a customer who does not use food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and/or agrochemicals for sale;

z¹⁰) hazard - the presence of such biological, chemical or physical agents in food/feed, animals, plants, products of animal and plant origin, or such condition of food /feed, animals, plants, products of animal and plant origin, which may prejudice the health and/or life of humans and animals, and the health of plants;

z¹¹) risk - judging by a hazard, the probability and severity of harmful effect on the health of humans, animals or plants;

z¹²) veterinarian (veterinary surgeon) - a natural person who holds a document certifying an appropriate higher education, issued by a relevant accredited higher education institution;

z¹³) veterinary technician - a person holding a relevant professional diploma or certificate;

z¹⁴) traceability - the possibility to establish data and information on food/feed, any substance to be used in them, on tare and packaging materials related to food/feed, on animals, plants, products of animal and plant origin, veterinary drugs, pesticides or agrochemicals at the stages of their production, processing and distribution;

z¹⁵) batch - an identifiable quantity of food/feed, products of animal and plant origin, veterinary drugs, pesticides or agrochemicals of the same type and denomination, produced by the same business operator during the same shift and labelled identically; z¹⁶) label - any information, trademark, name, illustration or symbol associated with food/feed, products of animal and plant origin, veterinary drugs, pesticides or agrochemicals, which is placed on the package and/or document accompanying it;

z¹⁷) non-compliance - non-compliance of the activities of business operators in the fields of food/feed safety, veterinary and plant protection with the requirements defined by the legislation of Georgia;

z¹⁸) accredited laboratory - a laboratory accredited as determined by the legislation of Georgia, which is entered in the state register of the accreditation system, or an internationally accredited laboratory;

z¹⁹) disease - clinical and/or pathological manifestations of an infection, as well as disruption of normal functioning (life-giving) of an organism as a result of various impacts;

z²⁰) infection - penetration, adaptation, reproduction of a pathogenic agent in a human or animal body and the host body's response to it;

z²¹) nidus of infection - an area where the presence of a contagious disease or its pathogen has been confirmed; z²²) epizootics - simultaneous outbreaks of contagious disease in a large number of animals at a certain time and in a certain area;

z²³) contagious disease - an infectious or invasive disease of animals transmitted from a diseased organism into a healthy one;

z²⁴) zoonotic disease - a contagious animal disease that is naturally transmitted from animals to humans and from humans to animals;

z²⁵) veterinary well-being - the absence of diseases in a certain area;

z²⁶) crisis situation- a natural or man-made unexpected and dangerous situation, which poses a serious threat to the health and life of humans and animals, the health of plants, infrastructure, the environment and requires a timely response;

z²⁷) veterinary drug - any substance or combination of substances with a pharmacological, immunological or metabolic effect, which is used to diagnose animal diseases or eliminate the disease symptoms, treat and prevent them, and to recover and/or change the vital and physiological functions of animals;

z²⁸) phytosanitary certificate - an official document corresponding to the form of a certificate established by the International Plant Protection Convention, which certifies that the cargo complies with phytosanitary requirements;

z²⁹) safety and health certificate - a document certifying the compliance of the safety of food/food-related tare with hygiene requirements;



z³⁰) veterinary certificate - a document certifying veterinary well-being, which is issued by a competent body of the country of origin and/or the exporting country, in accordance with the codes of the World Organisation for Animal Health (OIE);

z³¹) pesticide - a chemical or biological preparation used against plant diseases and their vectors, pests and weeds, against diseases and pests, rodents, zooparasites of stored agricultural products, as well as for regulating plant growth, removing the leaves from plants prior to harvest (defoliant) and for drying plants (desiccants), for disinfecting storage facilities, warehouses, vehicles, greenhouses, soil, products of plant origin and other products subject to phytosanitary control;

z³²) agrochemical - a fertiliser and/or a chemical ameliorant defined by the Law of Georgia on Pesticides and Agrochemicals. This term shall apply to peat if it is used as a fertilizer for crops;

z³³) quarantine zone - a geographical area where there was or is a diseased animal or an animal suspected to be diseased and where appropriate measures are being implemented, as well as a zone where there are quarantine pests and state control is being implemented;

z³⁴) plant quarantine - a set of measures aimed at preventing the penetration and/or spread of quarantine pests or ensuring state control over them;

z³⁵) veterinary quarantine - a measure or a set of measures intended to detect contagious diseases and/or prevent their spread;

z³⁶) phytosanitary measure - a procedure that is used to prevent the penetration and/or spread of quarantine pests or to reduce the economic damage caused by non-quarantine pests;

z³⁷) regulated phytosanitary object - a plant, product of plant origin or other organism, storage place, packaging, vehicle, container, soil or material in which a pest may be present and/or which contributes to its spread, and to which phytosanitary measures must be applied, particularly in the case of international transportation;

z³⁸) quarantine animal disease - a disease that is characterised by the rapid spread over a wide area, by high morbidity or mortality of animals;

z³⁹) pest - any species, variety or biotype of plant, animal or pathogenic agent harmful to plants or products of plant origin. Pests may be quarantine or non-quarantine;

z⁴⁰) quarantine pest - a pest of potential economic importance to the area exposed to a danger, where it is not yet present, or is present but is not widely spread and is under state control;

z⁴¹) non-quarantine pest - a pest that is not a quarantine pest for a given zone;

z⁴²) cargo - a certain number of plants or products of plant origin, which is transported under the appropriate phytosanitary certificate. A cargo may consist of one or more batches;

z⁴³) substance subject to special control - a substance defined by the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance;

z⁴⁴) Hazard Analysis and Critical Control Point (HACCP) system - a system that enables production of safety food through identifying and monitoring hazards;

z⁴⁵) animal waste - waste associated with the keeping and maintenance of animals, carcasses, aborted or stillborn fetuses of animals, or non-food products of animal origin;

z⁴⁶) Agency - a Legal Entity under Public Law - the National Food Agency under the state control of the Ministry of Agriculture of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Law of Georgia No 4038 of 16 July 2015 - website, 28.7.2015

Chapter II - Basic Principles of Food/Feed Safety, Animal Health and Plant Protection

Article 3 - Basic principles of food/feed safety, animal health and plant protection

The basic principles of food/feed safety, animal health and plant protection are:

- a) risk analysis
- b) prevention
- c) transparency
- g) protection of consumer interests.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014



Article 4 - Principle of risk analysis

1. The measures and actions provided for by this Code shall be based on risk analysis.
2. The risk analysis includes three interrelated components:
 - a) risk assessment
 - b) risk communication
 - c) risk management.
3. The activities related to risk analysis are:
 - a) providing relevant authorities and other interested parties with scientific findings on a potential risk, as needed;
 - b) facilitating and coordinating the development of risk assessment and state control methods;
 - c) finding, collecting, recording and analysing scientific and technical data, as needed;
 - d) identifying and describing new hazards, as needed; e) promoting the cooperation of interested parties;
 - f) providing scientific and expert assistance in taking emergency measures according to Article 51 of this Code;
 - g) other activities related to risk analysis.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 5 - Risk assessment

1. Risk assessment includes four steps:
 - a) hazard identification
 - b) hazard description
 - c) hazard impact evaluation
 - d) risk description.
2. Risk assessment shall be based on available, scientifically substantiated results and data.
3. Risk assessment shall be carried out independently, impartially and transparently.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 6 - Risk communication

Risk communication is the timely and unhindered exchange of impartial information and findings among risk evaluators, persons responsible for risk management, consumers and business operators about hazards, risks and risk assessment outcomes received in the risk analysis process and about decisions made in the risk management process.

Article 7 - Risk management

1. Risk management is a process different from the risk assessment that aims to select appropriate measures of risk prevention and control through the selection of proper alternatives, based on the outcomes of risk assessment.
2. The measures taken to reduce, eliminate and prevent risks shall be effective, objective and proportionate to the risks.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 8 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 9 - Principle of prevention



1. In exceptional circumstances, when on the basis of available information, there are doubts about the existence of a threat to the health of humans, animals or plants, but it is currently impossible to scientifically substantiate this information, temporary risk management measures may be taken.

2. The measures taken pursuant to paragraph 1 of this article shall be proportionate to a hazard and shall be reviewed within a reasonable period of time based on the nature of a risk related to the health of humans, animals or plants.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 10 - Principle of transparency

1. A process of risk assessment, development and review of risk management measures shall be open to the public, except as determined by the legislation of Georgia.

2. In the case of a reasonable doubt about the risk, based on the nature, scale and gravity of the risk, the Agency shall provide the public with relevant information about the impact of the hazard on the health of humans, animals or plants and about measures that are taken to reduce or eliminate the risk.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 10¹ - Principle of the protection of consumer interests

1. Consumers shall be provided with necessary, accurate, complete information related to food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals that will allow them to make the right choice.

2. Based on the requirements of this Code, consumers shall be protected from attempts to be deceived and misled.

3. No labelling, advertising or presentation (including packaging, packing, and placement) of food/feed, which may mislead consumers as to the true nature of the food/ feed, its composition, properties or other characteristics, shall be admissible.

4. All other acts that may mislead consumers shall be eliminated and/or prevented.

5. To protect the interests of consumers, the Agency shall establish the compliance of information declared by business operators about food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals with information defined by the legislation of Georgia.

6. To protect the interests of consumers, the Agency shall respond promptly to messages that make it possible to identify a notifier and the information provided in a message.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Chapter III - Requirements for Food/Feed Safety, Veterinary and Plant Protection

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 11 - Requirements for food safety

1. Food placed on the market shall satisfy the food safety requirements defined by the legislation of Georgia.

2. Harmful food may not be placed on the market.

3. Food is deemed harmful if:

a) it poses a threat to human life and/or health; b) it is not appropriate for human consumption.

4. When determining whether food is safe, the following shall be taken into account:

a) the compliance of food production, processing and distribution, as well as its primary production with requirements defined by the legislation of Georgia;

b) the possibility of using food by a final consumer for intended purposes;

c) any information (including information on the label) provided to consumers to prevent the harmful effects of food (including certain categories of food) or other information available to consumers; d) not only a possible momentary, short-term or long-term effect of food on consumers, but also its impact on future generations;

e) a possible toxic cumulative effect;

f) the level of a food effect on the health of a particular category of consumers if the food is intended for this category of consumers.

5. To establish the appropriateness of food consumption by humans, the degree of acceptability for its intended use by humans when there are signs of



its contamination, mould, rot or visible damage shall be taken into account.

6. If food is harmful, the whole batch containing this food shall be deemed harmful, except when a thorough inspection of the batch confirms that the rest of the batch complies with the food safety requirements. Business operators shall cover inspection expenses.

7. The compliance of food with the food safety requirements defined by the legislation of Georgia does not preclude the Agency to take appropriate measures to limit/prohibit the placement of the food on the market or to withdraw it from the market if there are reasonable doubts that the food is harmful, irrespective of its compliance with the food safety requirements defined by the legislation of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 12 - Requirements for feed safety

1. Feed shall not be placed on the market or used for animal nutrition if it is harmful.

2. Feed that complies with the feed safety requirements established by the legislation of Georgia shall be deemed harmless.

3. Feed shall be deemed harmful for its intended use if:

a) it poses a risk to animal health;

b) a food product derived from animals that have been fed this feed is harmful to human health.

4. If feed does not satisfy the feed safety requirements, the whole batch containing this feed shall be deemed harmful, except when the thorough inspection of the batch confirms that the rest of the batch satisfies the feed safety requirements. Business operators shall cover inspection expenses.

5. The documented compliance of feed with the feed safety requirements established by the legislation of Georgia shall not preclude the Agency from taking appropriate measures to limit/prohibit the placement of the feed on the market or to withdraw it from the market if there are reasonable doubts that the feed is harmful, irrespective of the documented compliance of the feed with the feed safety requirements established by the legislation of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 12¹ - Veterinary requirements

1. Veterinary requirements are requirements that are established to ensure the protection of the life and health of animals and/or humans, to preserve veterinary well-being in the country, in the case of diseases to localise and eliminate the niduses of disease, to identify and evaluate the epizootic state, to prevent animal diseases, to control products of animal origin and to ensure animal welfare.

2. The veterinary requirements include:

a) protection of the country's territory from penetration, importation and spread of causative agents of contagious diseases;

b) achievement and/or maintenance of veterinary welfare in the country;

c) protection of people from zoonotic diseases;

d) ensuring the health and welfare of animals (including pets);

e) implementation of diagnostic, preventive and liquidation measures against animal diseases;

e) certification of animals and products of animal origin;

f) controlling products of animal origin;

g) identification and registration of animals;

h) ensuring compliance of veterinary drugs with requirements defined by the legislation of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 12² - Requirements for plant protection

1. The territory of the country shall be protected from penetration, importation and spread of quarantine pests.

2. Plants, products of plant origin and other regulated phytosanitary objects shall be protected from pests through the application of phytosanitary measures.

3. The following shall be provided:

a) prevention of harmful effects of pesticides and agrochemicals on human and animal health and the environment;



b) phytosanitary certification of regulated phytosanitary objects.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 13 - Registration and recognition as a business operator

1. Business operators shall be properly registered according to the legislation of Georgia.
2. Business operators may not carry out activities without registration.
3. Business operators whose activities are related to the production (except for primary production) and/or processing of food products of animal origin shall be subject to recognition.
4. The Agency shall ensure the recognition of a business operator based on the results of state control if the activities of the business operator fully comply with the requirements defined by the legislation of Georgia.
5. Business operators that are subject to recognition may not carry out their activities without recognition.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 14 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 15 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 16 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 17 - Traceability requirements

1. Traceability shall be ensured at the stages of production, processing and distribution of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals.
2. To perform traceability, business operators shall have appropriate information and shall maintain the relevant documents and records. For this purpose, business operators shall introduce systems and procedures that provide competent bodies with such information upon request.
3. To perform traceability, food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals shall be labelled as determined by the Government of Georgia, while genetically modified organisms or food/feed made from them shall be labelled according to the Law of Georgia on the Labelling of Genetically Modified Organisms and Genetically Modified Products Made from Them, which are Intended for Use as Food /Feed.
4. The general principles and requirements for traceability in the fields of food/feed safety, veterinary and plant protection shall be defined by an ordinance of the Government of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Law of Georgia No 2877 of 11 December 2014 - website, 23.12.2014

Article 17¹ - Requirements related to the Hazard Analysis and Critical Control Points (HACCP) system

1. Food business operators shall have food safety procedures introduced in accordance with the principles of the Hazard Analysis and Critical Control Points (HACCP) system.
2. The principles of the HACCP system are:
 - a) identification of any hazard to prevent, eliminate or reduce it to an appropriate level;
 - b) establishment of critical control points at the stage/stages when control shall be carried out to prevent, eliminate or reduce a hazard to an appropriate level;



- c) establishment of critical limits for critical control points to prevent, eliminate or reduce a hazard to an appropriate (acceptable) level;
- d) introduction and implementation of effective monitoring of critical control points;
- e) determination of corrective actions if the monitoring identifies that the critical control point exceeds the established critical limit;
- f) development of procedures for regular checking of the actions under sub-paragraphs (a-c) and (e) of this paragraph;
- g) maintaining records of actions under sub-paragraphs (a)-(f) of this paragraph.

3. In the case of any change in food, at any stage and in the process of food production, a business operator shall make respective changes in the HACCP system.

4. The HACCP system shall not be required for business operators carrying out primary production.

5. The types of food/feed production and processing, for which the HACCP system is to be introduced, shall be determined by an ordinance of the Government of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 18 - Labelling procedure

1. Food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals intended for sale shall be labelled as determined by the Government of Georgia, while genetically modified organisms or food/feed made from them shall be labelled according to the Law of Georgia on the Labelling of Genetically Modified Organisms and Genetically Modified Products Made from Them, which are Intended for Use as Food /Feed.

2. Compliance of a label with the requirements defined by the legislation of Georgia shall be determined during state control.

3. It shall be inadmissible to indicate any combination with terms 'biological', 'ecological', 'eco', 'bio', 'organic' on the label or accompanying documents of food/feed if it does not comply with the bioproduction procedure established by the Government of Georgia and this compliance is not confirmed by a certificate of conformity.

4. It shall be inadmissible to place on the market such food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals that do not satisfy the requirements established by the Government of Georgia, and in the case of the violation of these requirements business operators shall have to prevent their placement on the market or to withdraw from the market those already placed on the market.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Law of Georgia No 2877 of 11 December 2014 - website, 23.12.2014

Chapter III¹ - Obligations of Business Operators

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 18¹ - Obligations of business operators in the field of food/feed safety

1. Business operators shall, within the scope of their activities, ensure the compliance of food/feed with the requirements of this Code and the relevant legislation at all stages of food/feed production, processing and distribution.

2. If business operators have reasonable doubts that the food/feed imported, produced, processed, distributed, or placed on the market by them does not satisfy certain safety requirements for food/feed as defined by the legislation of Georgia, they shall take immediate measures to prevent the placement of such food/feed on the market or to withdraw from the market the food/feed that has already been placed on the market. If a final consumer has been supplied with such food/feed, the business operator shall effectively, in a form understandable to the consumer, provide him/her/it with full information about the reasons for the withdrawal of the food/feed from the market. If the measures taken to protect health are insufficient, the business operator shall recall the food/feed that has been supplied to the consumer.

3. If the Agency has a reasonable doubt that the food/feed imported, produced, processed, distributed, or placed on the market by a business operator is harmful, the business operator shall, according to the instructions of the Agency, take immediate measures to prevent the placement of such food/feed on the market, to withdraw the food/feed already placed on the market and/or to recall the food/feed that has been supplied to the consumer.

4. A business operator shall immediately notify the Agency in writing of measures taken as provided for by paragraphs 2 and 3 of this article.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 18² - Obligations of business operators in the field of veterinary

1. Business operators carrying out animal breeding, driving, transportation, sale and/or slaughter shall: a) implement preventive and liquidation



measures against epizootic diseases, including vaccinations, diagnostic examinations, treatment and other measures against contagious diseases;

b) slaughter animals under veterinary supervision for further sale;

c) fulfil the Agency's instructions to implement preventive and liquidation activities against epizootic diseases;

d) cooperate with the relevant authorities in the implementation of diagnostic, preventive and liquidation measures against animal diseases and of measures for the identification and registration of animals;

[e) ensure the welfare of animals (including pets); (*shall become effective as from 1 January 2020*)]

f) ensure animal driving, transportation and sale as determined by the legislation of Georgia;

g) ensure the destruction of animal waste according to the legislation of Georgia;

h) immediately inform the Agency about cases of infectious diseases and mass poisoning of animals.

2. Paragraph 1(c)-(h) of this article shall also apply to household producers.

3. Business operators carrying out production, processing and distribution of products of animal origin shall within the scope of their activities:

a) ensure that the products of animal origin do not pose a risk to the health or life of humans and/or animals;

b) fulfil the Agency's instructions to implement preventive and liquidation activities against epizootic diseases; cooperate with the relevant authorities in the implementation of diagnostic, preventive and liquidation measures against animal diseases;

c) ensure the movement and sale of products of animal origin with the relevant accompanying veterinary documents.

4. Paragraph 3(b) of this article shall also apply to household producers.

5. Business operators carrying out the production and distribution of veterinary drugs shall:

a) ensure that veterinary drugs intended for sale are registered as determined by the legislation of Georgia;

b) comply with the requirements related to the quality/safety and sale of veterinary drugs.

6. Other business operators carrying out veterinary activities shall operate according to the requirements established by the Government of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 18³ - Obligations of business operators in the field of plant protection

1. Business operators carrying out production, processing and/or distribution of plants and products of plant origin shall:

a) protect plants and products of plant origin, as well as the site of production of plants and products of plant origin from quarantine pests;

b) prevent harmful effects of used pesticides and agrochemicals on human and animal health and the environment;

c) fulfil the Agency's instructions to prevent a mass spread of particularly dangerous and/or quarantine pests that pose a threat to the health of humans or plants;

d) cooperate with the relevant authorities in the implementation of preventive and liquidation measures against the spread of pests;

e) immediately inform the Agency in the case of detecting quarantine pests and/or a reasonable doubt about them;

f) record the measures taken on the site of production of plants and products of plant origin against the spread of pests and the remedies used for the protection of plants.

2. Paragraph 1(c)-(e) of this article shall also apply to household producers.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Chapter IV - Powers and Obligations of State Bodies

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 19 - Powers and obligations of state bodies in the fields of food/feed safety, veterinary and plant protection

1. The Government of Georgia and the Ministry of Agriculture of Georgia shall, within their authority, implement the national policy on food/feed safety, veterinary and plant protection.



2. The Agency shall exercise state control in the fields of food/feed safety, veterinary and plant protection in the territory of Georgia in accordance with this Code, while in the case of movement of goods across the customs border of Georgia - the Legal Entity under Public Law - the Revenue Service ('the Service') in accordance with this Code, the Tax Code of Georgia and other relevant normative acts.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 20 - Powers and obligations of the Ministry of Agriculture of Georgia in the fields of food/feed safety, veterinary and plant protection

The powers and obligations of the Ministry of Agriculture of Georgia in the fields of food/feed safety, veterinary and plant protection shall be to:

- a) participate in the determination of national policy within its powers;
- b) participate in drafting legal acts;
- c) implement measures and appropriate actions to ensure the management of crisis situations under Article 52 of this Code;
- d) cooperate with international, educational, scientific organisations and organisations protecting the interests of consumers;
- d) organise risk analyses.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 21 - Authority and obligations of the Ministry of Labour, Health and Social Affairs of Georgia in the fields of food safety and veterinary

The authority and obligations of the Ministry of Labour, Health and Social Affairs of Georgia in the fields of food safety and veterinary shall be to:

- a) participate in the determination of food safety standards and parameters;
- b) participate in the determination of requirements for special groups of consumers (including the requirements related to safe baby and infant foods, and food);
- c) monitor, study and control diseases caused by food and maintain a relevant database, prepare recommendations and develop procedures for the prevention, epidemic supervision and control of diseases;
- d) inform the Agency as determined by the legislation of Georgia in the case of detecting zoonotic diseases and diseases caused by food;
- e) within its authority, participate in the management of crisis situations under Article 52 of this Code and ensure the exchange of information in accordance with the requirements of the International Health Regulations (IHR-2005).

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 22 - Authority and obligations of the Agency in the fields of food/feed safety, veterinary and plant protection

The authority and obligations of the Agency shall be:

- a) in the field of food/feed safety:
 - a.a) to exercise state control over the compliance of food/feed at all stages of production, processing and distribution with the requirements determined by the legislation of Georgia;
 - a.b) to check traceability requirements to determine their compliance with the requirements defined by the legislation of Georgia;
 - a.c) to check the HACCP system to determine its compliance with the requirements defined by the legislation of Georgia;
 - a.d) to supervise the destruction of expired food/feed and/or those deemed to be unsuitable for consumption in the case of failure to eliminate the violation of the procedures established by the legislation of Georgia for labelling of genetically modified organisms and genetically modified products made from them;
 - a.e) to timely inform the population about food/feed placed on the market if this food/feed has been confirmed to be harmful to human or animal health;
- b) in the field of veterinary:
 - b.a) to exercise monitoring to ensure the health and epizootic welfare of animals;
 - b.b) to diagnose contagious diseases, to develop, organise and implement the programmes of preventive and liquidation measures against such diseases;
 - [b.c) to control over the welfare of animals; (shall become effective as from 1 January 2020)]**
 - b.d) to register and control veterinary drugs, to supervise the destruction of counterfeit, unregistered and expired veterinary drugs and those deemed to be unsuitable for use;



- b.e) to supervise collection, disposal and destruction of animal waste as determined by the legislation of Georgia;
- b.f) to supervise animal transportation and driving (including to seasonal pastures);
- b.g) to identify and register animals;
- b.h) in the case of detecting zoonotic diseases, to inform the Ministry of Labour, Health and Social Affairs of Georgia as determined by the legislation of Georgia;
- b.i) within its powers, to organise veterinary quarantine;
- b.j) to coordinate business operators involved in the field of veterinary;
- b.k) to prepare a list of troubled countries due to the spread of infectious diseases, epidemics and epizootics;
- b.l) to timely inform the population about veterinary drugs placed on the market if their harmful effects on animal health and welfare are confirmed;
- b.m) to exercise control over the use of substances subject to special control in Georgia, which are necessary for the activities of veterinary service and animal trapping;
- c) in the field of plant protection:
 - c.a) to register pesticides and agrochemicals, to control over their use and circulation as determined by the legislation of Georgia;
 - c.b) to exercise control for ensuring the protection of plants;
 - c.c) to develop and implement programmes of preventive and liquidation activities against the spread of pests;
 - c.d) to organise plant quarantine;
 - c.e) to monitor the spread and development of particularly dangerous and quarantine pests, their detection and diagnostics;
 - c.f) to prepare a list of quarantine pests;
 - c.g) to forecast a mass spread and development of particularly dangerous and quarantine pests, diseases and weeds;
 - c.h) to develop and implement preventive and localisation/liquidation measures against the spread of pests;
 - c.i) to supervise processing of regulated phytosanitary objects in the case of international transportation;
 - c.j) to timely inform the population about agrochemicals and pesticides placed on the market if their harmful effects on the health of humans, animals, plants and the environment are confirmed;
 - c.k) to assign the status of a pest-free area or the status of an area of low pest prevalence;
 - c.l) before leaving the state border of Georgia following phytosanitary certification of goods, to implement appropriate procedures to prevent their re-infestation and substitution of their composition;
- d) to recognise business operators;
- e) to ensure a risk management and risk communication in the fields of food/feed safety, veterinary and plant protection;
- f) to inform business operators and consumers of legal requirements in the fields of food/ feed safety, veterinary and plant protection;
- g) to ensure professional development of authorised persons;
- h) to cooperate with state agencies, international, educational, scientific organisations and those protecting the interests of consumers;
- i) to issue permits, certificates and licences as determined by the legislation of Georgia;
- j) during crisis situations in the country, to prepare crisis management plans and submit them to the Ministry of Agriculture of Georgia;
- k) to inform the relevant authorities in the case of pollution;
- l) to ensure the publicity of the results of state control, except for the confidential information determined by the legislation of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Law of Georgia No 2877 of 11 December 2014 - website, 23.12.2014

Article 22¹ - Agency relationship with local self-government bodies

The principle of the Agency relationship with local self-government bodies is mutual assistance and cooperation to jointly resolve common problems when implementing activities in the fields of phytosanitary and veterinary, which include:



a) during a plant quarantine and a veterinary quarantine, the institution and lifting of quarantine or other restrictions, and facilitation of their implementation to localise and liquidate quarantine pests and diseases;

b) the facilitation of implementation of preventive and compulsory measures against animal diseases in an administrative territory;

c) the facilitation of implementation of measures against non-quarantine pests.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 23 - Authority of the Service in the fields of food/feed safety, veterinary and plant protection

According to procedures established by the Government of Georgia, during the movement of goods across the customs border of Georgia, the Service shall exercise:

a) border control over food/feed safety;

b) veterinary border control;

c) phytosanitary border control.

Article 24 - Cooperation between the Agency and the Service

1. To efficiently exercise state control, the Agency and the Service shall cooperate during the circulation of food/feed, animals and/or plants in the territory of Georgia, and when goods are crossing the customs border of Georgia.

2. The Agency and the Service shall cooperate based on the following principles:

a) exchange of information - the Agency and the Service shall, within their authority, regularly provide each other with information about existing and potential risks associated with food/feed, animals and/or plants, as well as about measures implemented or to be implemented during the movement of goods across the customs border of Georgia or after they are imported into or placed in the territory of Georgia;

b) access to a database - the Agency and the Service shall, as determined by the legislation of Georgia, ensure the mutual access to and availability of the relevant database maintained by them, which is necessary for the exercise of state control by the Agency and the Service;

c) a rapid exchange of information through a quick response system - the Agency and the Service shall organise the efficient operation of the quick response system, and ensure through the system the rapid exchange of information on the measures implemented or to be implemented to eliminate hazards related to food/feed, animals and/or plants, as determined by the legislation of Georgia.

3. The Agency and the Service shall, on the basis of cooperation and close coordination, create a unified system of state control. It shall be inadmissible to implement contradictory, uncoordinated actions or actions that clash with the principles defined by this article and the requirements of the Tax Code of Georgia.

Title II - State Control

Chapter V - Types of State Control and Implementation Mechanisms for State Control

Article 25 - Types of state control

The types of state control include:

a) food/feed safety control - actions that are carried out to establish the compliance of food/feed safety and labelling with the requirements defined by the legislation of Georgia;

b) veterinary control - actions that are carried out to establish compliance with the requirements defined by the legislation of Georgia in the field of veterinary;

c) phytosanitary control - actions that are carried out to establish compliance with the phytosanitary requirements defined by the legislation of Georgia in the field of plant protection.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 26 - Implementation mechanisms for state control

1. The implementation mechanisms for food/feed safety, veterinary and phytosanitary controls are:



- a) inspection
- b) monitoring
- c) supervision
- d) documentary check
- e) sampling.

2. The Agency may delegate specific tasks related to state control to one or more controlling bodies if:

- a) there is an accurate description of the tasks that can be performed by a controlling body;
- b) a controlling body is impartial and free from conflict of interest in terms of the performance of delegated tasks.

3. A controlling body shall be accredited by the relevant body of Georgia or of the Member States of the European Union and the Organisation for Economic Co-operation and Development (OECD).

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 26¹ - State control mechanisms for food/feed safety

1. Inspection is a state control mechanism, through which the study of certain aspects of the stages of food/feed production, processing and distribution is carried out to determine compliance with the requirements and procedures defined by the legislation of Georgia, without prior notice to a business operator, and which includes:

- a) inspecting the activities of business operators at the stages of food/feed production, processing and distribution;
- b) performing a documentary check;
- c) taking samples and studying them in an accredited laboratory according to the established procedure.

2. Monitoring is a state control mechanism, through which pre-planned observations and measurements are carried out to assess the compliance of food/feed with the requirements defined by the legislation of Georgia, within the frame of an annual programme of state control, during the development of which the following factors shall be taken into account:

- a) the cases of occurrence of food poisoning, intestinal infections caused by food /feed, epidemics and other mass foodborne diseases among people and animals in previous years;
- b) the cases of microbiological, chemical or physical contamination of food/feed;
- c) the cases of environmental pollution;
- d) the cases of deceiving and misleading consumers;
- e) a comparative analysis of the activities carried out by the Agency during the reporting year and in previous years.

3. The current condition shall be studied, within the framework of monitoring, by taking samples and studying them in an accredited laboratory to carry out a risk assessment, during which:

- a) the compliance of food/feed safety indicators, labelling and presentation with the requirements defined by the legislation of Georgia is being verified;
- b) a documentary check is performed.

4. Supervision is a state control mechanism, through which the activities of food/feed business operators are being monitored. The supervision is exercised over:

- a) food destruction;
- b) the prevention of placing by business operators of food on the market, and food recalls from the market and consumers;
- c) the fulfilment by business operators of the Agency's instructions.

5. A documentary check is a state control mechanism, through which the documents related to the activities of food/feed business operators are checked independently or using other state control mechanisms.

6. Sampling is a state control mechanism, which is performed to study organoleptical, microbiological, parasitological, toxicological, physiochemical, radiological, disease and/or other indicators to determine a potential risk to the health and life of humans and animals.

7. Sampling may be carried out during the inspection, supervision, monitoring or independently.

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Article 26² - Mechanisms for veterinary state control

1. Inspection is a state control mechanism, through which the study of the stages of production, processing and distribution of animals, products of animal origin, veterinary drugs, and of certain aspects of animal health and welfare is carried out to determine their compliance with the requirements and procedures defined by the legislation of Georgia, which includes:

- a) inspecting the activities of business operators at the stages of production, processing and distribution, as well as to assess the health status and welfare of animals;
- b) performing a documentary check;
- c) taking specimens, samples or pathological materials and carrying out laboratory studies to assess the health status of animals.

2. Monitoring is a state control mechanism, through which pre-planned observations and data mining are carried out to assess the compliance of the health status and welfare of animals, products of animal origin and veterinary drugs with the requirements defined by the legislation of Georgia, and which includes:

- a) taking specimens, samples or pathological materials for a risk assessment;
- b) taking samples of veterinary drugs;
- c) checking the labels of animals, products of animal origin, and veterinary drugs;
- d) inspecting the habitats of animals and collecting information;
- e) verifying the compliance with the procedure for the application of substances subject to special control in Georgia, which are needed for the activities of veterinary service and animal trapping.

3. Supervision is a state control mechanism, through which animals, products of animal origin, veterinary drugs and the activities of business operators are monitored. The supervision is exercised over:

- a) the slaughter, pre-slaughter and post-slaughter processes;
- b) the implementation of quarantine measures;
- c) the implementation of measures against infectious diseases and mass non-contagious diseases;
- d) the destruction of counterfeit, unregistered, expired, sub-quality veterinary drugs and those recognised as unsuitable for use;
- e) the collection, disposal and destruction of animal waste;
- f) the course of transportation and driving of animals (including to seasonal pastures);
- g) feed destruction;
- h) the fulfilment by business operators of the Agency's instructions.

4. A documentary check is a state control mechanism, through which the documents related to the activities of business operators in the field of veterinary are checked independently or using other state control mechanisms.

5. A veterinarian shall exercise veterinary control as defined by an ordinance of the Government of Georgia.

6. Sampling is a state control mechanism, which is carried out to study organoleptical, microbiological, parasitological, toxicological, physiochemical, radiological, disease and/or other indicators to determine a potential risk to the health and welfare of animals and to the health and life of humans.

7. Sampling may be carried out during the inspection, supervision, monitoring or independently.

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Article 26³ - Mechanisms for phytosanitary state control

1. Inspection is a state control mechanism, which includes the visual inspection (oversight) of plants, products of plant origin and other regulated phytosanitary objects to detect pests and/or establish the compliance with phytosanitary requirements during the export, import, transit and re-export, as well as in a quarantine area:

- a) checking documents related to plants, products of plant origin and other regulated phytosanitary objects;
- b) verifying the identity and integrity of a cargo;
- c) checking the effectiveness of treatment;
- d) physical inspection and, if necessary, taking samples.

2. During the inspection, one of the types of inspection provided for by paragraph 1 of this article or the combination of several types of inspection is



carried out.

3. Monitoring is a long process of checking phytosanitary condition and/or a long-term study to test the characteristics of pest populations. Monitoring includes:

- a) forecasting the development of quarantine pests, timely warning land users of the appearance of quarantine pests and of the time frames for implementation of phytosanitary measures;
- b) taking samples of pesticides and agrochemicals placed on the market;
- c) studying agricultural and non-agricultural lands, forests to determine the area of spread of quarantine pests, establish their harmfulness and implement measures against them.

4. Supervision is a state control mechanism that includes:

a) a formal process of collecting and registering data on the presence or absence of quarantine pests through researches, based on the outcomes of monitoring and through other procedures to adjust the list of quarantine pests and specify zones free from quarantine pests. The process covers:

a.a) overseeing agricultural and non-agricultural lands, as well as forests;

a.b) collecting data and conducting surveys to obtain information about the presence or absence of quarantine pests;

a.c) sampling;

a.d) monitoring the processing and destruction of plants, products of plant origin and other regulated phytosanitary objects (including wooden containers, packaging material);

b) verifying the fulfilment of the requirements for storage, transportation, sale, import, packaging, labelling and use of pesticides and agrochemicals as determined by the legislation of Georgia.

5. A documentary check is a state control mechanism, through which the documents related to the activities of business operators in the field of plant protection are checked independently or using other mechanisms of state control.

6. Sampling is a state control mechanism, which is carried out to detect pests, and to establish the compliance of the characteristics of pesticides and agrochemicals with consumer requirements.

7. Sampling may be carried out during the inspection, supervision, monitoring or independently.

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Article 27 - Annual programme and report on state control

1. The Agency shall implement state control under the annual programme of state control developed on the basis of a risk analysis. The Minister of Agriculture of Georgia shall approve the annual programme by an order.

2. The annual program includes the types of state control to be implemented during the year, its mechanisms and frequency.

3. The Agency shall annually submit to the Government of Georgia and the Ministry of Agriculture of Georgia an annual report on the results of state control containing:

- a) the types of the state control implemented, the mechanisms and frequency of its implementation;
- b) the number of non-compliances identified, with indication of the type of violation;
- c) the measures taken to respond to the non-compliances identified.

Chapter VI - (Deleted)

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Article 28 - (Deleted)

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Article 29 - (Deleted)

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Article 30 - (Deleted)

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Article 31 - (Deleted)

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Article 32 - (Deleted)

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Article 33 - (Deleted)

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Article 34 - (Deleted)

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Article 35 - (Deleted)

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Article 36 - (Deleted)

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Chapter VII - (Deleted)

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Article 37 - (Deleted)

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Article 38 - (Deleted)

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Chapter VIII - (Deleted)

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Article 39 - (Deleted)

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Chapter IX - (Deleted)

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Article 40 - (Deleted)

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Article 41 - (Deleted)

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Article 44 - (Deleted)

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Article 45 - (Deleted)

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Chapter X - (Deleted)

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Article 47 - (Deleted)

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Chapter XI - State Registration of Veterinary Drugs, Pesticides and Agrochemicals

Article 48 - State registration of veterinary drugs

1. The Agency shall carry out state registration of veterinary drugs produced in or imported into Georgia.
2. Veterinary drugs that have not been registered in Georgia as determined by the legislation of Georgia may not be produced, sold or used.
3. Veterinary drugs may enter the territory of Georgia under the following regimes:
 - a) the recognised regime of state registration of veterinary drugs, which applies to those veterinary drugs that have been permitted into the respective market by a state or interstate authority of a foreign country that regulates veterinary drugs, as defined by the Government of Georgia;
 - b) the national regime of state registration of veterinary drugs, which includes the issuance by the Agency of a registration certificate on the basis of expertise and registration examination, and the entry of veterinary drugs into the state registry.

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Article 49 - State registration of pesticides and agrochemicals

1. The Agency shall carry out state registration of pesticides and/or agrochemicals produced in or imported into Georgia.
2. Pesticides and/or agrochemicals that have not been registered in Georgia as determined by the legislation of Georgia may not be produced, sold or used.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 50 - Importing veterinary drugs, pesticides and agrochemicals into the territory of Georgia without registration

Veterinary drugs, pesticides and agrochemicals may be imported into the territory of Georgia without registration:

- a) for experimental studies;
- b) as a sample for registration;
- c) as a sample for exhibitions, symposiums, conferences, forums, and congresses, without the right to sell;
- d) for re-export;
- e) for storing goods in a warehouse/ terminal and/or for placing them under a transit transaction;
- f) under particular circumstances (a natural disaster, mass injury of people, epidemic, epizootic, epizootic danger, rare disease) for humanitarian purposes, and in the case of additional special state interest, with the consent of the Ministry of Agriculture of Georgia;
- g) if these are intermediate and/or bulk veterinary drugs;
- h) if these are diagnostic agents to be used in veterinary.

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Chapter XII - Emergency Measures and Crisis Management Plans

Article 51 - Emergency measures for ensuring the safety of food/feed

If it is substantiated that a food/feed involves a serious risk to human or animal health and the available means and resources may not prevent it, the Agency shall, based on the gravity of the situation, take the following measures as determined by the legislation of Georgia:

- a) in respect of food/feed of local origin:
 - a.a) suspend for a specified period the placement of food/feed on the market;
 - a.b) timely provide people with information about a temporary abstinence from food/feed;
 - a.c) determine specific requirements for food/feed containing high risks identified on the basis of a risk analysis;
 - a.d) take other appropriate emergency measures provided for by the legislation of Georgia;
- b) in respect of imported food/feed:
 - b.a) suspend for a specified period the import of food/feed from an exporting country or any part of it, and, if necessary - from a country of transit;
 - b.b) determine specific requirements for exporting countries, any of their regions or countries of transit with regard to food/feed containing high risks identified on the basis of a risk analysis;
 - b.c) take other appropriate temporary emergency measures provided for by the legislation of Georgia.

Article 52 - Crisis management plan

1. The Agency shall prepare a plan for the management of a crisis situation in the fields of food/feed safety, veterinary and plant protection, and shall submit it for approval to the Ministry of Agriculture of Georgia.
2. The crisis management plan shall specify a level of risk, the prevention, elimination or reduction of which to an acceptable level is associated with certain difficulties.
3. The crisis management plan shall specify a list of actions and measures necessary for managing the crisis, including the setting up of a crisis management group, adherence to the principles of transparency and proportionality, and provision of relevant information to consumers.



4. In times of crisis, a crisis management group shall be set up and, if necessary, the representatives from academia shall be involved in its work to provide scientific advice.

5. A crisis management group shall be tasked with collecting and evaluating all available information and identifying various options of actions to timely and effectively eliminate, mitigate and prevent risks of the impact on the life and health of humans and animals, the health of plants and the environment.

6. A crisis management group may seek assistance of any person whose knowledge and experience will be necessary to effectively regulate the crisis.

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Chapter XIII - Veterinary Quarantine and Plant Quarantine

Article 53 - Veterinary quarantine

1. A veterinary quarantine shall be instituted if a quarantine disease occurs, to prevent its spread.

2. A veterinary quarantine shall be declared if a disease has been reported.

3. In certain areas where a quarantine animal disease that is included in the list approved under the legislation of Georgia is detected, a compulsory quarantine shall be immediately instituted for a quarantine period established for the respective disease.

4. A preventive quarantine period for imported animals shall not be more than 30 days, and for export animals - not more than 21 days unless otherwise specified by an importing country. A preventive quarantine procedure shall be determined by an ordinance of the Government of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 54 - Plant quarantine

1. A plant quarantine in the territory of Georgia shall be based on the requirements of the International Plant Protection Convention (IPPC) and the International Standards for Phytosanitary Measures (ISPM).

2. The main objectives of a plant quarantine are to:

a) protect the territory of Georgia from the importation of quarantine pests from other countries and their spread;

b) provide early detection of penetrated quarantine pests and to organise localization and elimination of the niduses of their spread, and to exercise control over the implementation of these measures;

c) provide phytosanitary certification of plants, products of plant origin and other regulated phytosanitary objects.

3. A plant quarantine shall apply to:

a) seeds and planting materials of agricultural, forest and decorative crops, plants and their parts, and any product of plant origin and other regulated phytosanitary objects that may be carriers of quarantine pests;

b) fungi and their cultures, bacteria, viruses, nematodes, mites and insects;

c) a collection of insects, pathogens and disease patterns, and a collection of herbaria and seeds;

d) vehicles imported into Georgia;

e) agricultural machinery and tools, containers and packaging facilities;

f) the territories and buildings of the institutions and organisations that produce, process, store and sell products of plant origin, as well as to agricultural and non-agricultural lands, forests, homestead and summer cottage plots.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 55 - Institution and lifting of veterinary quarantines and plant quarantines

1. If any quarantine pest and contagious disease is detected, the specific area shall be declared as a quarantine zone.

2. In the territory of Georgia, a veterinary quarantine and a plant quarantine, except for preventive quarantine under Article 53(4) of this Code, shall be instituted and lifted at the request of the Agency:

a) in the territory of a self-governing unit - by a state trustee - governor;

b) in the territory of more than one self-governing unit - by a state trustee - governor of the respective self-governing unit or by the Government of



Georgia.

3. The procedure for the implementation of quarantine measures shall be determined by an ordinance of the Government of Georgia.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 56 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 57 - Food/feed safety, veterinary and phytosanitary border controls at the customs border of Georgia

1. When implementing the procedures under the Tax Code of Georgia related to the movement of goods across the customs border of Georgia, prior to the release of foreign goods into the zone of control provided for by the Tax Code of Georgia, the Service shall exercise food/feed safety, veterinary and phytosanitary border controls based on procedures established by the Food and Agriculture Organisation of the United Nations (FAO), the International Plant Protection Convention (IPPC), the World Organisation for Animal Health (OIE) and based on the policy defined by the Ministry of Agriculture of Georgia.

2. Goods subject to border control may be imported into the customs border of Georgia under the relevant certificate issued for these goods by the authorised body of an exporting country and, if necessary, under permission of the Agency or the Service.

3. The movement of goods subject to border control across the customs border of Georgia shall be subject to border control.

4. The goods subject to border control, which do not satisfy the import requirements established by the legislation of Georgia, shall be returned to an exporting country or processed (if they are to be disinfected), or shall be processed or destructed at the expense of the owner.

5. Food/feed intended for export, and goods subject to veterinary and phytosanitary controls, shall satisfy the requirements of an importing country, for which the Service or the Agency shall issue safety and health, veterinary or phytosanitary certificates.

Chapter XIII¹ - Export, import and re-export of food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 57¹ - Export, import and re-export requirements

1. Food/feed, animals, plants, products of animal and plant origin, veterinary drugs, pesticides and agrochemicals that are intended for export shall satisfy the requirements of an importing country. For export purposes, the Agency or the Service shall issue safety and health, veterinary and phytosanitary certificates.

2. Food/feed, animals, plants, products of animal and plant origin, and products subject to veterinary and phytosanitary controls, which have been imported into Georgia, shall satisfy the requirements defined by the legislation of Georgia.

3. Animals, plants, products of animal and plant origin, to be imported into the territory of Georgia, as well as products subject to veterinary and phytosanitary controls shall satisfy the requirements defined by the legislation of Georgia.

4. Food/feed, animals, plants, products of animal and plant origin that are being re-exported from Georgia, as well as products subject to veterinary and phytosanitary controls shall satisfy the requirements established by this Code, unless a recipient country requires otherwise.

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Title III - General Rules of Conduct for Authorised Persons

Chapter XIV - General Rules of Conduct and Principles of Behaviour for Authorised Persons

Article 58 - Purpose and scope of the general rules of conduct for authorised persons

1. The purpose of the general rules of conduct for authorised persons is the introduction of general principles governing the conduct of authorised persons when exercising official powers.

2. The special rules of conduct may apply to certain categories of authorised persons, subject to the compliance with the general rules of conduct determined by this chapter.



3. The heads of the Agency and of the controlling body shall provide access to the general rules of conduct for authorised persons and communicate them to the authorised persons subordinate to them.

4. Authorised persons shall comply with the general rules of conduct.

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Article 59 - Basic principles for authorised persons exercising state control

1. Authorised persons shall exercise state control based on the following principles:

a) professional independence - state control shall be carried out independently of influence by interested groups;

b) objectivity - reliability and impartiality shall be observed during the preparation of opinions, evaluations, recommendations and/or other relevant documents as a result of state control;

c) reliability - state control shall be carried out correctly, accurately and consistently, as determined by the legislation of Georgia;

d) confidentiality - the confidentiality of any information related to a business operator, which has been collected for implementing state control, including information that may damage the business operator's reputation associated with entrepreneurial activities, shall be maintained. The use of such information for unprofessional purposes or its illegal dissemination shall be prohibited;

e) good faith - authorised persons shall carry out professional activities in good faith. Their relationship with business operators shall be fair and equitable, which shall be the basis for building confidence of business operators in the bodies exercising state control.

2. The requirement of paragraph (1)(d) of this article shall not apply to the cases where it is confirmed that the food/feed placed on the market is dangerous to human life.

Article 60 - Duties and responsibilities of authorised persons

1. An authorised person shall within his/her authority:

a) timely and fully implement state control over food/feed safety to ensure the protection of animal health and plant protection;

b) strictly and consistently comply with the legislation of Georgia, including this Code;

c) use official authority and a document certifying his/her official authority, symbols and other means of identification in good faith, only for official use and not to gain any other benefits;

d) prevent any action that may prejudice him/her personally or the reputation of his/her office;

e) exercise state control in accordance with the instructions received.

2. When performing the duties under paragraph 1 of this article, an authorised person shall, at the request of any person related to the respective action, present a document certifying his/her official authority.

3. If an authorised person fails to perform the duties under this article, he/she shall be held responsible in accordance with the legislation of Georgia.

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Article 61 - Confidentiality of information

1. An authorised person shall not disseminate unreliable, unverified and/or false information.

2. An authorised person shall take necessary measures to ensure the confidentiality of information established by the legislation of Georgia.

3. An authorised person may not disclose information related to entrepreneurial activities, obtained as a result of implementing state control or risk analysis, without a prior written consent of a person authorised to head or represent a business operator, except as determined by the legislation of Georgia. The above procedure shall also be applicable after the dismissal of an authorised person.

4. An authorised person shall be governed by the criteria defined by the legislation of Georgia with regard to limiting the publicity of information. If necessary, he/she shall immediately raise the question of limiting the publicity of this information as determined by the legislation of Georgia.

Article 62 - Conflict of interest

1. An authorised person shall be independent of interested parties in carrying out his/her professional activities, evaluation and in decision-making.

2. An authorised person shall not be in kinship or other business relationship with business operators under his/her control. The head of a controlling body and the head of a business operator, or a person authorised to represent, may not have common economic interests.



3. An authorised person shall not carry out other activities that may affect the independence and impartiality of his/her decision.

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Title IV - Responsibility

Chapter XV - Responsibility

Article 63 - Grounds for responsibility

1. Personal responsibility for violation of the requirements in the fields of food /feed safety, veterinary and plant protection shall be defined by this Chapter and the Code of Administrative Offences of Georgia.

2. An authorised person of the Agency shall have the right to review administrative offence cases in connection with the violation of the requirements established by this Code, and to impose administrative penalties.

3. An authorised person of the Agency shall issue notice of a fine to an offender for the violation of the requirements established by this Code, which is simultaneously a record of an administrative offence.

4. The Minister of Agriculture of Georgia shall approve the form of the fine receipt provided for by this Code and the procedure for its completion and issuance.

5. If non-compliance is identified in the course of inspection, a business operator shall be fined only on the basis of Article 68 of this Code.

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Article 64 - Activities of a person without registration and/or recognition as a business operator

1. The activities of a person without registration as a business operator according to Article 13 of this Code shall be subject to a fine on the person in the amount of GEL 500.

2. The activities of a person without recognition as a business operator according to Article 13 of this Code shall be subject to a fine on the person in the amount of GEL 500.

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Article 65 - Failure by a business operator to fulfil the obligation to prevent the placement of harmful food /feed on the market or to withdraw them from the market

1. In the cases provided for by Article 181(2) and (3) of this Code, the placement by a business operator of harmful food/feed on the market or the failure by a business operator to fulfil the obligation to withdraw from the market harmful food/feed that have already been placed on the market or supplied to consumers

shall be subject to a fine on the business operator in the amount of GEL 1 000.

2. In the case provided for by Article 181(4) of this Code, the avoidance of a business operator of withdrawing food/feed from the market and of giving mandatory notice to the Agency on the measures taken for this purpose

shall be subject to a fine on the business operator in the amount of GEL 200.

3. The failure to fulfil the requirement of the Agency in connection with an immediate withdrawal from the market of harmful products identified during the monitoring

shall be subject to a fine on the person in the amount of GEL 1 000.

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Article 66 - The failure to fulfil instructions, obligations and decisions related to the protection of animal health and plants from pests

1. In the case provided for by Article 182(1)(b) of this Code, the slaughter without veterinary supervision of animals intended for sale

shall be subject to a fine on a business operator in the amount of GEL 1 000.

2. In the cases provided for by Article 182(1)(c) and Article 183(1)(c) of this Code, the failure to fulfil the Agency's instructions to implement preventive



and liquidation measures against epizootic diseases and to prevent a mass spread of especially dangerous and/or quarantine pests shall be subject to a fine on a household producer in the amount of GEL 100, and on a business operator - in the amount of GEL 500.

3. The sale of meat without a document certifying that veterinary supervision has been carried out shall be subject to a fine on the business operator in the amount of GEL 1 000 and to prevention of placing meat on the market or its withdrawal from the market.

4. The failure to abide by the decisions and instructions of an authorised body within the veterinary quarantine and plant quarantine shall be subject to a fine on a household producer in the amount of GEL 100, and on a business operator - in the amount of GEL 500.

[5. The failure to comply with requirements related to animal welfare shall be subject to a fine on a person in the amount of GEL 150. (*shall become effective as from 1 January 2020*)

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Article 67 - Failure, identified during the monitoring, to comply with the requirements related to the traceability of food/feed and primary production

The failure, identified during the monitoring, to comply with the requirements of Article 17 of this Code related to the traceability of food/feed and primary production shall be subject to a fine on the business operator in the amount of GEL 200.

Article 68 - Responsibility of a business operator for non-compliance or failure to comply with instructions in the case of detecting non-compliance

1. The failure to comply with the instructions given by an authorised person in the case of detecting non-compliance that does not directly pose a threat to the life and health of humans and/or animals, and that may be reduced to an appropriate level or eliminated without the temporary suspension of a specific production process shall be subject to a fine on the business operator in the amount of GEL 400.

2. In the case of detecting non-compliance provided for by paragraph 1 of this article, the failure to comply with the instructions of an authorised person after a new reasonable period elapses shall be subject to a fine on the business operator in the amount of GEL 1 200.

3. The existence of such non-compliance, when the food/feed harmful to the life and health of humans and animals are detected, which may not be reduced to an appropriate level or eliminated without the temporary suspension of a specific production process shall be subject to a fine on the business operator in the amount of GEL 1 000 and suspension of the production process.

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Article 69 - Violation of the procedure for the application of substances subject to special control in Georgia, which are necessary for the activities of the veterinary service and trapping of animals

1. The violation of the procedure for the application of substances subject to special control in Georgia, which are necessary for the activities of the veterinary service and trapping of animals,

shall be subject to a fine in the amount of GEL 1 000.

2. The same act committed repeatedly within one year

shall be subject to a fine in the amount of GEL 2 000.

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Article 70 - Hindering the implementation of state control

The refusal to cooperate with an authorised person implementing state control, or otherwise hindering him/her from exercising his/her powers, including the failure to provide documents requested by him/her within the frame of the documentary check shall be subject to a fine on the business operator in the amount of GEL 400.

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Article 71 - Sale of unregistered, counterfeit, expired veterinary drugs, agrochemicals or pesticides and those deemed unsuitable for use

The sale of unregistered, counterfeit, expired veterinary drugs, agrochemicals or pesticides and those deemed unsuitable for use shall be subject to a fine on a person in the amount of GEL 1 000.

Article 72 - (Deleted)

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Article 73 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 74 - (Deleted)

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 74¹ - Violation of the procedure for food/feed labelling

1. The violation of the procedure for food/feed labelling shall be subject to a fine in the amount of GEL 400.
2. The same act committed repeatedly within one year shall be subject to a fine in the amount of GEL 1 200.
3. The violation by a business operator of the procedure for labelling veterinary drugs shall be subject to a fine on the business operator in the amount of GEL 200, and in the case of repeated violation - in the amount of GEL 600.

Law of Georgia No 1915 of 27 December 2013 - website, 30.12.2013

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Article 74² - Sale of expired food/feed

The placement of expired food/feed on the market for supply to a final consumer shall be subject to a fine on small business operators in the amount of GEL 200, and on other business operators - in the amount of GEL 500.

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

Title V - Transitional and Final Provisions

Chapter XVI - Transitional and Final Provisions

Article 75 - Transitional provisions

1. The Government of Georgia shall, within three years after this Code enters into force, ensure the compliance with this Code of effective normative acts in the fields of food/feed safety, veterinary and plant protection.
2. The Government of Georgia shall adopt normative acts regulating the fields of food/feed safety, veterinary and plant protection.
3. The Government of Georgia shall, within one year after this Code enters into force, adopt:
 - a) an ordinance on Bioproduction;
 - b) (deleted - 17.4.2014, No 2285).
- 3¹. By 1 April 2015, the Government of Georgia shall approve the list of normative acts to be adopted in the fields of food/feed safety, veterinary and plant protection.
4. In the case of detecting, in the course of inspection, non-compliance of traceability and the HACCP system with the requirements of this Code, an authorised person shall only give recommendations to correct the non-compliance. The detection of this non-compliance shall not be subject to a fine in accordance with Article 68 of this Code before 1 January 2015.
5. The violation of Article 64(1) of this Code shall not be subject to a fine before 1 January 2015, except for persons whose activities are related to food/feed production, processing and distribution.
6. The activities of business operators that are subject to recognition shall not be fined according to Article 64(2) of this Code before 1 January 2015.
7. The violation of Article 18(3) of this Code shall not be subject to a fine according to Article 74¹ of this Code before 1 August 2014.

Law of Georgia No 144 of 21 December 2012 - website, 30.12.2012

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014



Article 76 - Final provisions

1. Upon entry into force of this Code, the following normative acts shall be deemed invalid:
 - a) the Law of Georgia of 27 December 2005 on the Safety and Quality of Food Products (Legislative Herald of Georgia, No 4, 18.1.2006, Art. 30);
 - b) the Law of Georgia of 14 June 1995 on Veterinary (Parliamentary Gazette of Georgia, 1994 - 1995, No 27-30, Art. 635);
 - c) the Law of Georgia of 12 October 1994 on the Protection of Plants from Pests (Parliamentary Gazette of Georgia, 1994, No 21-22, Art. 450);
 - d) Law of Georgia of 15 May 1997 on Agricultural Quarantine (Parliamentary Gazette, No 23-24, 7 June 1997, p. 12).
2. The Government of Georgia shall be assigned to declare void the normative acts in the fields of food /feed safety, veterinary and plant protection, the compliance of which with this Code will not be ensured within three years after this Code enters into force.
3. This Code, except for Article 67 of this Code, shall enter into force on the fifteenth day after its promulgation.
4. Before 1 January 2020, this Code and the responsibility established by the legislation of Georgia shall not apply to the activities and services of natural persons provided for by Article 2(x) of this Code.
5. Article 67 of this Code shall enter into force on 31 December 2014.

Law of Georgia No 144 of 21 December 2012 - website, 30.12.2012

Law of Georgia No 1915 of 27 December 2013 - website, 30.12.2013

Law of Georgia No 2285 of 17 April 2014 - website, 2.5.2014

President of Georgia

M. Saakashvili

Tbilisi

8 May 2012

No 6155- IS

