**DECREE Number 524**

THE LEGISLATIVE ASSEMBLY OF THE REPUBLIC OF EL SALVADOR

WHEREAS:

1. That the protection of the environment, natural resources and human health is closely related with the activities carried out in the agricultural sector and particularly the measures of prevention, control and eradication of pests and diseases of plants and animals that affect national production;
2. That phytosanitary and zoosanitary standards, are prerequisites for promoting agricultural technology development, as the basic element of the integration process;
3. That the economic recovery and regional integration processes, require the modernisation of the State in its organisation and phytosanitary and zoosanitary structure, to meet the demands of liberalising international agricultural trade;
4. That being the obligation of the State to create conditions to ensure food security of the population, to increase national wealth and to ensure it benefits the greatest number of people, it is necessary to enact legislation pertaining to plant and animal health that allows sustainable development of agriculture, one of the important items of the economy of El Salvador.

THEREFORE,

in exercise of his constitutional powers and on the initiative of the President of the Republic through the Minister of Agriculture,

Decrees as follows:

**LAW ON PLANT AND ANIMAL HEALTH**

**TITLE ONE**

**PRELIMINARY PROVISIONS**

**CHAPTER I**

**THE OBJECTIVES OF THE LAW**

Article 1 – This law aims to establish basic rules for the protection of health of plants and animals.

The actions developed by the Ministry of Agriculture in connection with the implementation of this law should be consistent with the protection of natural resources, protection of the environment and human health.

**CHAPTER II**

**JURISDICTION OF THE MINISTRY OF AGRICULTURE AND LIVESTOCK**

Article 2 – The Ministry of Agriculture and Livestock, which in the text of this law shall be called MAG or Ministry, will have the jurisdiction to apply this law and its regulations, as well as to ensure compliance, for such purposes shall have the following functions:

1. Diagnosis and surveillance of pests and diseases in plants and animals;
2. The quarantine control of plants and animals, their products and by-products, as well as equipment, materials and means of transport used in their mobilisation;
3. Registration of commercial inputs for agricultural use and quality control;
4. Registration and inspection of establishments that produce, distribute, sell, import or export inputs for agricultural use;
5. Prevention, control and eradication of pests and diseases of plants and animals;
6. Formulation and application of sanitary measures for growing vegetables and raising animals and for trade in inputs for agricultural use;
7. Planning, development and evaluation of activities, national or international relevant to agricultural health;
8. The phytosanitary and animal health certification of areas, regions and farms for vegetable production and rearing of large and small domestic animals in the country. For import purposes, this function may be performed by MAG abroad;
9. The introduction and production of biological agents to control pests and diseases in agriculture and livestock, as well as the regulation of their use;
10. Phytosanitary and animal health accreditation and registration of persons to carry out official phytosanitary and animal health actions;
11. The development of programs and campaigns for prevention of pests and diseases, as well as the mechanisms of national and international harmonisation and coordination in plant protection and animal health aspects;
12. Registration of companies engaged in the provision of plant and animal health services;
13. The genealogical record of cattle, horses, pigs and goats; and,
14. RECOGNISE THROUGH EXECUTIVE DECREE, INSPECTION SYSTEMS, VETERINARY SERVICES, FOOD SAFETY AND PHYTOSANITARY SURVEILLANCE OF QUARANTINED PESTS AND DISEASES OF COUNTRIES EXPORTING PRODUCTS AND BY-PRODUCTS OF ANIMAL OR VEGETABLE ORIGIN, THAT REQUEST AS WELL AS SATISFY THE PROCEDURE ESTABLISHED IN THE REGULATION OF THIS LAW. (1)

Article 3 – The Ministry of Agriculture to plan, regulate and coordinate all activities at the national and local level related to plant and animal health. The MAG will coordinate with other entities in the public and private sector the application of phytosanitary and animal health measures within the concept of integrated pest management.

Article 4 – Advisory Councils on Plant Protection and Animal Health shall be established, which shall be composed of representatives of the Ministry, and farmers’ organisations, professional associations, academic institutions, and legally constituted collaborating agencies.

These councils will aim to strengthen, coordinate, cooperate and advise the MAG in aspects of plant and animal health. Its operation will be regulated by a special regulation.

The chair of the Advisory Councils will be held by the representative of the MAG.

Advisory Councils may set up committees or working groups with other entities or organisations in the public and private sectors on specific topics or areas of plant and animal health.

Article 5 – The MAG will establish services and, where appropriate, the necessary fees related to the following aspects: diagnosis and epidemiological surveillance, inspection of plants and animals, the registration and quality control of inputs for agricultural use, agricultural quarantine, and phytosanitary and animal health registration and accreditation.

Article 6 – The rates are calculated based on the actual costs of operation and expansion of services, while always looking for improvement and modernisation. The proceeds from these tariffs will be administered by the MAG through a fund for special activities.

Article 7 – To exercise the functions of control and oversight in the areas of animal and plant health, MAG will have a staff of inspectors previously trained and accredited.

The technical and administrative aspects related to training, accreditation and work performance of these inspectors will be regulated by a regulation.

**CHAPTER III**

**DEFINITIONS**

Article 8 – For the purposes of this Act and regulations thereunder shall mean:

1. **PLANT OR ANIMAL HEALTH ACCREDITATION**: The authorisation granted by MAG to exercise official functions related to plant and animal health as well as to install and operate companies engaged in such activities or to provide advice and services in the same direction;
2. **RISK ANALYSIS**: Assessment of the likelihood of entry, establishment or spread of pests or diseases in the country or region, in accordance with the sanitary or phytosanitary measures applicable in such cases, as well as the relevant potential biological and economic consequences;
3. **PLANT OR ANIMAL HEALTH HARMONISATION**: The establishment, recognition and application of common phytosanitary and animal health measures in different countries, based on international recommendations, developed within the framework of conventions, codes, or international treaties, guidelines and standards;
4. **PLANT OR ANIMAL HEALTH CERTIFICATION**: The process by which the health status of any consignment affected by phytosanitary regulations or animal health is guaranteed;
5. **DECLARATION OF COUNTRY OR AREA FREE OF PESTS AND DISEASES**: Official information or demonstration based on procedures developed under the framework of conventions, codes or international treaties, by which the Government recognises that there is a specific pest or disease in the entire national territory or part thereof;
6. **PESTS AND ENDEMIC DISEASES**: Those that are in the country and have been officially recognised by national or international diagnosis;
7. **PESTS AND EXOTIC/FOREIGN DISEASES**: Those that are not in the country, or those that if suspected or their presence is reported, has not has been recognised officially through diagnosis national or international;
8. **INTEGRATED PEST MANAGEMENT**: The handling system of pests in the context of the environment and the population dynamics of the pest species, utilises all suitable techniques and methods in a more compatible way with the protection of the natural ecosystem and maintains the pest population at insignificant levels unable to cause significant economic damage;
9. **QUARANTINE PESTS AND DISEASES**: Pest of potential national economic importance to the country endangered thereby and not yet present there, or present but not widely distributed and being actively controlled;
10. **PLANT OR ANIMAL HEALTH INSPECTION**: An examination done physically, visually or by any other means necessary, carried out by technical personnel authorized by the MAG to determine the presence of pests and diseases;
11. **SPECIFIC INSTRUMENTS OF UNDERSTANDING**: The agreements or joint collaboration agreements signed by the MAG and other entities of the public or private sectors, international organisations and partner countries, through which national and international coordination is provided for the implementation of this Act and regulations;
12. **SUPPLIES FOR AGRICULTURAL USE**: The materials used in the control of pests and diseases of plants and animals, such as pesticides, biological products and related substances. Also the materials used in agricultural production including biotechnology, materials such as fertilisers, growth regulators, adjuvants, animal feed, propagative plant or animal materials.
13. **PHYTOSANITARY AND ZOOSANITARY MEASURES**: The provisions and procedures that aim to prevent, control and eradicate pests and diseases of plants and animals;
14. **INTERNATIONAL REGULATIONS**: The conventions, codes or international treaties relating to the definition and application of rules and procedures governing the prevention and control of pests, the international movement of plants and animals, as well as agricultural inputs;
15. **PHYTOSANITARY OR ANIMAL HEALTH STATE OF ALERT**: The declaration by Ministerial Resolution of the initial suspicion or confirmation of the presence of explosive or epidemic outbreaks of endemic and exotic pests and diseases that require alert actions on the part of farmers and the State; and
16. **PHYTOSANITARY OR ANIMAL HEALTH STATE OF EMERGENCY**: The declaration by Executive Decree in the Agriculture and Livestock industry confirming the presence of explosive outbreaks of endemic and exotic pests and diseases that require the execution of emergency actions, and those actions previously established by the MAG in the declaration of Phytosanitary or Animal Health state of alert.

**TITLE TWO**

**PLANT HEALTH**

**CHAPTER I**

**DIAGNOSIS AND EPIDEMIOLOGICAL SURVEILLANCE IN PLANT HEALTH**

Article 9 – The MAG will develop actions to identify and diagnose the level of field and laboratory pests and diseases affecting agricultural production, for this it will have the following powers:

1. Perform the recognition of the incidence and prevalence across space and time, of pests and diseases that affect plants, determining in this way their geographical distribution and population dynamics;
2. Record and analyse the information collected, based on statistical data, maintaining a national information system on the phytosanitary status of the plants;
3. Supervise, inspect and certify the phytosanitary status of areas for cultures, crops, nurseries, and transport of plant products, silos, storage tanks and any other movable or immovable property that serves for protection or storage of such products, specifying in it the degree of infection or infestation, or if they are free of pests and diseases of quarantine significance or that harm human health and the national economy;
4. Determine the economic impact of pests and plant diseases in order to plan and implement programs and campaigns for prevention, control and eradication;
5. Maintain a system of surveillance and phytosanitary warnings, allowing the provision of timely recommendations to producers on appropriate techniques for prevention, control and eradication of pests;
6. Declare a plant and animal health state of alert or state of emergency; and
7. Inspect and certify the phytosanitary status of plants.

**CHAPTER II**

**PHYTOSANITARY PROGRAMMES AND CAMPAIGNS**

Article 10 – The Ministry plans and develops programs and campaigns for prevention, control and eradication of pests and plant diseases, for such purposes it will have the following functions:

1. Plan and execute the necessary actions to combat or eradicate pests and diseases of quarantine character in the following cases:
2. When there is a Phytosanitary State of Emergency;
3. When there is a suspicion of its presence in the country based on evidence or confirmation; and
4. When endemic pests and diseases gain incidence levels beyond the control of producers and that represent a threat to national productivity.
5. Develop technical and financial studies necessary for the implementation of programs and campaigns for the prevention, control or eradication of pests and plant diseases.

**TITLE THREE**

**ANIMAL HEALTH**

**CHAPTER I**

**DIAGNOSIS AND EPIDEMIOLOGICAL SURVEILLANCE IN ANIMAL HEALTH**

Article 11 – The MAG takes action to identify and diagnose pests and diseases that affect the production, trade and transport of animals, for this it will have the following powers:

1. Conduct periodic survey of incidence and prevalence, through space and time, of the main pests and diseases that affect animals, determining in this way their geographical distribution and population dynamics;
2. Register and periodically analyse the information collected about the health of the animals, make corresponding statistical studies and maintain a national animal health information system;
3. Supervise, inspect and certify the health status of herds and respective means of transport, as well as the areas for livestock exploitation;
4. Determine the economic impact of pests and diseases of animals, in order to plan and implement programs and campaigns for prevention, control and eradication of evacuating them;
5. Maintain a system of epidemiological surveillance and animal health alerts, allowing timely provisions of recommendations to producers on appropriate techniques for prevention, control and eradication of pests and diseases of animals;
6. Declare a plant and animal health state of alert or state of emergency; and
7. Inspection and certification of health condition of the animals.

**CHAPTER II**

**ANIMAL HEALTH PROGRAMMES AND CAMPAIGNS**

Article 12 – The Ministry, plans, coordinates and develops programs and campaigns for prevention, control and eradication of animal diseases, for such purposes shall have the following functions:

1. Plan and execute the necessary actions to combat or eradicate pests and diseases of quarantine character in the following cases:
2. When there is an Animal Health State of Emergency;
3. When there is a suspicion of its presence in the country based on evidence or confirmation; and
4. When endemic pests and diseases gain incidence levels beyond the control of producers and that represent a threat to national productivity.
5. Develop technical and financial studies necessary for the implementation of programs and campaigns for the prevention, control or eradication of animal diseases.

**TITLE FOUR**

**CHAPTER I**

**AGRICULTURAL QUARANTINE**

Article 13 – THE MINISTRY OF AGRICULTURE AND LIVESTOCK, WILL MAKE THE RULES AND ESTABLISH PROCEDURES FOR THE ENTRY AND TRANSPORT TO AND WITHIN THE COUNTRY OF PLANTS AND ANIMALS, THEIR PRODUCTS AND BY-PRODUCTS AND EQUIPMENT AND SUPPLIES FOR AGRICULTURAL USE, IN ORDER TO PREVENT THE ENTRY INTO THE COUNTRY OF EXOTIC AND QUARANTINED PESTS AND DISEASES OR ITS DISSEMINATION AND ESTABLISHMENT.

PRODUCTS AND BY-PRODUCTS OF PLANT AND ANIMAL ORIGIN CAN ONLY BE IMPORTED FROM COUNTRIES WHOSE SYSTEMS OF INSPECTION, VETERINARY SERVICES, FOOD SAFETY AND PHYTOSANITARY SURVEILLANCE OF PESTS AND QUARANTINE DISEASES, HAVE BEEN ASSESSED AND APPROVED BY THE GENERAL DIRECTORATE OF PLANT AND ANIMAL HEALTH, THE MAG DGSVA; IN CASES IN WHICH THE SYSTEM OF THE EXPORTING COUNTRY WAS NOT EVENTUALLY APPROVED, THE IMPORTATION CAN ONLY COME FROM PLANTS OR ESTABLISHMENTS APPROVED BY THE DGSVA, FOR THIS IT SHALL HAVE THE FOLLOWING FUNCTIONS:

1. ISSUE BY EXECUTIVE AGREEMENT RULES AND PROCEDURES FOR THE IMPORTATION, TRANSPORTATION, PRODUCTION, STORAGE AND EXPORT OF VEGETABLES AND ANIMALS, THEIR PRODUCTS AND BY-PRODUCTS;
2. SET UP THE HYGIENE REQUIREMENTS FOR IMPORTS OF ANIMALS AND PLANTS, THEIR PRODUCTS AND BY-PRODUCTS, AS WELL AS FOR MOBILISING THEM WITHIN THE COUNTRY;
3. ESTABLISH PLACES FOR THE IMPORT AND EXPORT OF PLANTS AND ANIMALS AND THEIR PRODUCTS AND BY-PRODUCTS;
4. ESTABLISH AVENUES FOR THE MOBILISATION OF ANIMALS AND PLANTS, THEIR PRODUCTS AND BY-PRODUCTS, IN TRANSIT THROUGH THE COUNTRY;
5. INTERCEPT, SEIZE AND IMPOSE PERIODS AND QUARANTINE PLACES FOR ANIMALS AND PLANTS, AS WELL AS THEIR PRODUCTS AND BY-PRODUCTS, ON GROUNDS OF SUSPICION OR ON FINDING PESTS AND EXOTIC DISEASES; UPON CONFIRMATION OF THE SUSPICION, WILL PROCEED TO REGAIN, REMOVE, TREAT OR DESTROY THE QUARANTINED GOODS;
6. DETERMINE CROP AREAS, TIMES OF PLANTING AND MANAGEMENT OF QUARANTINED ANIMALS. ESTABLISH TIME LIMITS FOR THE DESTRUCTION OF WASTES AND RESIDUES AND FOR THE SLAUGHTER OF ANIMALS SUBJECT TO QUARANTINE, AS WELL AS DEFINE THE LOCATION OF INTERNAL QUARANTINE JOBS AND OTHER QUARANTINE OPERATIONS WHICH ARE NECESSARY;
7. SUBJECT TO CONSIDERATION OF THE RELEVANT INTERNATIONAL BODIES, THE DECLARATION OF COUNTRY OR AREA FREE OF PESTS AND DISEASES; AND
8. CREATE A RECORD FOR THE COUNTRIES WHOSE SYSTEMS HAVE BEEN RECOGNISED, AS WELL AS THE REGISTRATION OF PRODUCTS AUTHORISED FOR IMPORTATION TO EL SALVADOR, WHICH SHALL BE PUBLISHED IN THE OFFICIAL JOURNAL AND ITS WEB SITE, WHOSE LIST IS WILL BE EXPANDED TO THE EXTENT THAT RECOGNITION OF NEW SYSTEMS OR NEW PRODUCTS BE GIVEN THE ELIGIBLITY FOR IMPORTATION.

ANIMALS, VEGETABLES, THEIR PRODUCTS AND BY-PRODUCTS WHICH ENTERED THE COUNTRY, AS WELL AS INPUTS FROM ANIMAL AND PLANT ORIGIN OR ANY OTHER PRODUCT REGULATED BY THE MINISTRY OF AGRICULTURE AND LIVESTOCK, WITHOUT THE PERMISSION OF THE RESPECTIVE GENERAL DIRECTORATE OF PLANT AND ANIMAL HEALTH; THOSE WHICH AVOIDED INSPECTION POINTS OR THE ORIGIN THEREOF COULD NOT BE ESTABLISHED; WILL BE SUBJECT TO THE CORRESPONDING ANALYSIS IN SUCH DIRECTION. IF FROM THE ANALYSIS MADE BY THE DGSVA, THEY ARE UNFIT FOR HUMAN CONSUMPTION OR REPRESENT A RISK TO THE ANIMAL HEALTH STATUS OF THE COUNTRY, THIS WILL DESTROY THEM, UPON DULY SUBSTANTIATED RESOLUTION WHICH CONTAIN THE REASONS DESCRIBED ABOVE AND DILLIGENT ORDER WITH THE DUE EFFECTS, WHICH MUST BE DULY NOTIFIED. IF FROM THE ANALYSIS THEY ARE SUITABLE FOR HUMAN CONSUMPTION OR IT IS DETERMINED THAT THEY DO NOT REPRESENT A RISK TO THE ANIMAL HEALTH STATUS OF THE COUNTRY, THESE WILL BE MADE AVAILABLE TO THE ORDER OF THE COMPETENT AUTHORITY FOR THE PURPOSES OF LAW. (1)

**TITLE FIVE**

**CHAPTER I**

**REGISTRATION AND SUPERVISION OF SUPPLIES FOR AGRICULTURAL USE**

Article 14 – The Ministry records the inputs for agricultural use and monitors the quality and use of them, depending on which it will have the following powers:

1. Issue rules and procedures for registration, import, manufacture, formulation, transport, storage, sale, use, management and export;
2. Issue rules and procedures for the registration of establishments that produce, distribute, dispense, import, export or implement;
3. Issue directly or in coordination with other government institutions, prohibitions or restrictions on imports, production, sale and application of inputs for agricultural use which result in high risk to plant health, animal health, the environment and human health;

The high risk will be determined by Executive Agreement in the Field of Agriculture and Livestock with bases in studies and research of national and international scientific institutions; and

1. Intercept, treat, seize, return, destroy altered, adulterated, or expired products for agricultural use, as well as toxic, polluting, products which could pose a danger to plant health, animal health, human health and the environment. It may also impose quarantines; the costs caused by these actions, shall be borne by the owner of the product.

INPUTS FOR AGRICULTURAL USE ARE ANALYSED FOR QUALITY CONTROL WITHIN THE FRAMEWORK OF THE AUDIT FUNCTION AND RESULTS OUTSIDE THE RANGE, WILL BE DESTROYED AT THE EXPENSE OF THE OWNER OF THESE INPUTS, UNDER THE SUPERVISION OF THE MINISTRY, AT THE LATEST 15 WORKING DAYS AFTER THE RESULTS OF THE LABORATORY OF THE MAG ARE ISSUED. (2)

**TITLE SIX**

**CHAPTER I**

**PHYTOSANITARY AND ANIMAL HEALTH ACCREDITATION**

Article 15 – There will be a National Accreditation System to be regulated by the Executive Branch in the Field of Agriculture.

Article 16 – Professional Veterinary Medicine, Agricultural Engineering and other sciences that relate to agricultural health, may obtain phytosanitary or animal health accreditation to perform official duties of Plant and Animal Health. The Ministry will identify and regulate the areas that may be granted accreditation.

Article 17 – The analyses or tests for official purposes of the MAG may be performed in any laboratory of the National System of Laboratories accredited by the National Council of Science and Technology.

Article 18 – The MAG may cancel the accreditation when companies and professionals do not meet the standards set out in this law or the procedures referred to in the respective regulations.

**TITLE SEVEN**

**CHAPTER I**

**COORDINATION**

**NATIONAL AND INTERNATIONAL COORDINATION**

Article 19 – The MAG, by the signing of specific instruments of understanding, may formulate coordination mechanisms with institutions of research and transfer of technology, universities, guilds of producers, agricultural associations, international organisations and any other public or private, national or international entity that facilitates the exercise of the powers in accordance with this law and its corresponding regulations.

Article 20 – The MAG will be responsible for the integration and harmonisation of phytosanitary and animal health procedures and activities based on regional and international regulations.

Article 21 – The actions derived from the powers under this Act and its regulations given to the MAG, may be developed by the Secretary of State in coordination and with the participation of public or private entities, whether these be national or foreign. In this sense, the public sector entities will be obliged to render assistance to the Ministry.

**TITLE EIGHT**

**CHAPTER I**

**OBLIGATIONS OF PERSONS**

Article 22 – Any public or private natural or legal person must permit the entry of the inspectors of the MAG, to any commercial establishment supplying inputs for agriculture use or property intended for that purpose, in order to:

1. Practice inspections;
2. Obtain samples;
3. Verify the existence of pests, diseases, toxic waste and adulterated or altered agricultural inputs, and expired;
4. Surveillance activities and check the result of quarantine treatments, and
5. Perform any other activity related to the exercise of the powers under this Act and its regulations given by the Ministry.

For the purposes indicated the inspection and registration of furniture must also be allowed.

Article 23 – The owners, tenants, usufructuaries, occupants or managers in any capacity, movable and immovable, crops and animals; and any professional or agricultural technician, are obliged to immediately inform the MAG of the appearance of pests and diseases, the presence of toxins and pollutants of plants, animals, their products and the environment. They must also report the facts, acts or omissions that threaten plant and animal health.

The aforementioned people should participate in the alert or emergency actions to be established when necessary.

**TITLE NINE**

**OFFENCES, PENALTIES AND PROCEDURES**

**CHAPTER I**

**OFFENCES AND PENALTIES**

Article 24 – Violations of this Act shall be punished by the Ministry in accordance with the procedure laid down in the respective regulations.

Article 25 – The MAG will know of violations of this Act and its regulations and impose the appropriate sanctions.

Article 26 – The following are violations of this Act:

1. Prevent the practice of animal plant inspections, denying entry to MAG inspectors to areas of crops and farms of large and small domestic animals, to agriculture service centres and any establishment listed in Article 2 Letter e) of this Act; in which case a fine of twenty to ten thousand times the salaries will be imposed;
2. Deliberately concealing or omitting information about the presence of pests or diseases of an exotic nature or those not nationally recognised, in plants, animals, or on farms; in which case a fine of one hundred to twenty thousand times the salaries will be imposed;
3. Market nationally or internationally with plants and animals, or materials and equipment that are obviously infested or infected with any pest or quarantine or zoonotic disease, or disease that harm the national economy, without proper preventive or curative treatment if any; in which case a fine of one hundred to twenty thousand times the salaries will be imposed;
4. BREACHING THE PHYTOSANITARY AND ZOOSANITARY REQUIREMENTS SPECIFIED BY THE MAG FOR THE IMPORT OR EXPORT OF VEGETABLES AND ANIMALS, THEIR PRODUCTS AND BY-PRODUCTS AND AGRICULTURAL INPUTS; IN WHICH CASE A FINE OF ONE HUNDRED TO TEN THOUSAND TIMES THE SALARIES WILL BE IMPOSED; (1)
5. Alter or adulterating inputs for agricultural use and packaging or labels authorised by the MAG for the sale of them; in which case a fine of one hundred to twenty thousand times the salaries will be imposed;
6. OFFER ON SHELF OR DISPLAY FOR SALE, PRODUCTS EXPIRED OR BANNED FOR AGRICULTURAL USE; IN WHICH CASE A FINE OF ONE HUNDRED TO TEN THOUSAND TIMES THE SALARIES WILL BE IMPOSED; (2)
7. SELL PRODUCTS EXPIRED OR BANNED FOR AGRICULTURAL USE OR ENTER THEM INTO THE COUNTRY THROUGH UNOFFICIAL CHANNELS; IN WHICH CASE A FINE OF TEN TO TWENTY THOUSAND TIMES THE SALARIES WILL BE IMPOSED; (2)
8. Sell products for agricultural use in unauthorised places; in which case a fine of fifty to five hundred times the salaries shall be imposed;
9. Use agricultural inputs failing to heed the recommended directions for use on the label, as a result causing damages to third parties, environmental contamination and human poisoning or that such activity is adversely affecting the flora and fauna; in which case a fine of twenty to fifty thousand times the salaries will be imposed;
10. REPACKAGE INPUTS FOR AGRICULTURAL USE WITHOUT EXPRESS PERMISSION OF THE MINISTRY; IN WHICH CASE A FINE OF ONE HUNDRED TO TEN THOUSAND TIMES THE SALARIES WILL BE IMPOSED; (2)
11. SELL, GIVE, PROVIDE FOOD FROM CONTAMINATED ANIMAL OR VEGETABLE ORIGIN; IN WHICH CASE A FINE OF TEN TO TWENTY THOUSAND TIMES THE SALARIES WILL BE IMPOSED; (2)
12. COMPLY WITH THE PROVISIONS OF SUBSECTION 2 OF ARTICLE 14 OF THIS LAW; IN WHICH CASE A FINE OF ONE THOUSAND TIMES THE SALARIES WILL BE IMPOSED; and, (2)
13. BREACH OTHER PROVISIONS LAID DOWN IN THE PRESENT LAW; IN WHICH CASE A FINE OF TWENTY TO TWENTY THOUSAND TIMES THE SALARIES WILL BE IMPOSED. (2)

For the purpose of this article salary is the minimum daily wage for workers in commerce, industry and service, effective the date of imposition of the respective fines.

Article 27 – Recidivism of the offenses referred to in the article above, if any, shall be punished with suspension or cancellation, as appropriate, temporarily or permanently, of the certifications, accreditations, registrations, authorisations and plant and animal health awards.

Other cases of recidivism shall be punished, with double the fine imposed for the previous offence.

Article 28 – For the imposition of sanctions, the MAG will take into account the seriousness of the offense, the extent of the damages, as well as background, personal circumstances, business assets and socioeconomic status of the offender, having been previously granted hearing, in the terms established by the regulations of this Law.

Article 29 – Any final resolution which imposed sanctions in accordance with this Act and its regulations, the person will have to appeal to the Minister of Agriculture and Livestock, which must be lodged within a period of three working days following the respective notification and according to the procedure laid down in the corresponding regulation.

**TITLE TEN**

**FINAL PROVISIONS**

**CHAPTER ONE**

**GENERAL PROVISIONS**

Article 30 – In the Executive Decree which declares the State of Plant or Animal Health Emergency, when necessary, the terms of compensation or compensation that might arise, as well as the source of extra financing required will be established to deal with the economic consequences of such declaration.

Article 31 – The State shall create a special fund to cover the expenses that may be required, on the occasion of the Declaration of State of Plant or Animal Health Emergency in accordance with this law.

Article 32 – The MAG is the competent authority to demand health certification of plants and animals.

Article 33 – The administrative authorities and the National Civil Police are obliged to provide the Ministry their collaboration and assistance for the effective implementation of this law.

Article 34 – The Ministry of Agriculture and Livestock established by the agreement, is responsible for the implementation of this law.

Article 35 – The powers of the MAG enumerated as they appear in some of the provisions of this law, shall be understood not to have a restrictive nature, because in addition to the aforementioned and each article, the Ministry will have all of them conferred by this Act and their respective regulations in the field of plant and animal health.

Article 36 – The President of the Republic within the period of one hundred and eighty days from the entry into force of this law, shall issue regulations that are necessary for the implementation of the same.

Article 37 – Corresponding with the Directorate General of Animal and Plant Health the applicable decrees are cited below: REGULATIONS FOR THE USE OF IRON OR MARKINGS FOR BRANDING CATTLE AND TRANSFER OF THE LIVESTOCK; Legislative Decree No. 29 of 14 July 1930, published in the Official Gazette No. 167, Volume No. 109 of July 21 of that year. LAW FOR PROMOTION OF HYGIENIC PRODUCTION OF MILK AND MILK PRODUCTS AND REGULATION OF THEIR SALE; Legislative Decree No. 3144 of October 3, 1960, published in the Official Gazette No. 185, Volume 189 of October 6 of that year, LAW OF HEALTH INSPECTION OF MEAT; Legislative Decree No. 588 of December 11, 1969, published in the Official Journal No. 1, Volume 226 of 5 January 1970. LAW OF CERTIFICATION OF SEEDS AND PLANTS; Decree legislative No. 229 of February 2, 1971, published in the Official Journal No. 33, volume 230 17 February of the same year. LAW ON CONTROL OF PESTICIDES, FERTILIZERS AND PRODUCTS FOR AGRICULTURAL USE; Legislative Decree No. 315 of April 25, 1973, published in the Official Journal No. 85, Volume 239 of May 10 of that year. PROHIBITION OF SLAUGHTER FEMALE CATTLE SUITABLE FOR REPRODUCTION; Decree legislative No. 255 of the 29 May 1980, published in Official Journal No. 100, volume 267 of the same date.

Article 38 – The provisions of this Act shall prevail over any that are contrary.

**CHAPTER II**

**REPEAL AND APPLICABILITY**

Article 39 – Revoke the following Legislative Decrees: OBLIGATION TO REQUIRE CERTIFICATES OF HEALTH OF THE LIVESTOCK THAT LEAVE AND ENTER THE COUNTRY; Legislative Decree No. 2 of October 17, 1942, published in Official Journal No. 237, volume 131 of the 23rd of the same month and year. CREATION OF AGRICULTURAL HEALTH SERVICE; Legislative Decree No. 2690 of July 10, 1958, published in the Official Gazette No. 149, Volume 180 of August 14 the same year. BATTLE OF THE COFFEE LEAF MINER; Decree legislative No. 108 of 19 December 1958, published in the Official Journal No. 2, volume 182 of January 6, 1959. AGRICULTURAL HEALTH LAW; Legislative Decree No. 229 of July 27, 1961, published in the Official Gazette No. 142, Volume 192 of August 9 of that year. PROHIBITION OF THE IMPORTATION OF ANIMALS, PRODUCTS AND BY-PRODUCTS DERIVED FROM THEM, FROM COUNTRIES AFFECTED OF RINDERPEST, FOOT AND MOUTH DISEASE AND AFRICAN SWINE FEVER; Legislative Decree No. 22 of May 8, 1962, published in the Official Journal No. 92, vol. 195 on May 24 of that year. REQUIREMENTS FOR THE USE OF INSECTICIDES THROUGH THE SYSTEM CALLED ULTRA LOW VOLUME; Legislative Decree No. 89 of September 10, 1968, published in Official Journal No. 172, volume 220 September 16 of the same year. CONTROL AND PREVENTION OF THE MEDITERRANEAN FRUIT FLY; Legislative Decree No. 31 of April 10, 1975, published in Official Journal No. 264, volume 247 of the same date. AUTHORIZATION TO THE RESPECTIVE MINISTERS TO TAKE APPROPRIATE ACTIONS TO FULL CLOSURE OF LAND BORDERS AND MARITIME REGIONS IN THE DEPARTMENT OF THE UNION TO THE TRAFFIC COMING FROM THE SOUTH OF THE COUNTRY TO PREVENT COFFEE TREE RUST; Executive Decree No. 88 of December 2, 1976, published in Official Journal No. 223, volume 253 of December 3 this year. PREVENTION AND CONTROL OF CARBON AND RUST OF SUGAR CANE; Legislative Decree No. 411 of October 2, 1980, published in the Official Gazette No. 185, Volume 269 of the same date. AS REGARDS THE CREATION OF THE DIRECTORATE OF AGRICULTURAL DEFENSE AND DEVELOPMENT CENTER RANCHER AS A DEPENDENCY OF THE MINISTRY OF AGRICULTURE AND LIVESTOCK AND LEGAL COMPETENCES THEREOF; Decree legislative No. 125 of 17 December 1982, published in Official Journal No. 236, volume 277 of the 22nd of the same month and year.

**ENTRY INTO FORCE**

Article 40 – This Act shall come into force eight days after its publication in the Official Journal.

GIVEN IN THE BLUE ROOM OF THE LEGISLATIVE PALACE: San Salvador, on the thirtieth day of November 1995.

MERCEDES GLORIA SALGUERO GROSS

PRESIDENT