

ንምምጻእ፣ አተሓሕዛ፣ አጠቓቅማ ከምኡውን ንአከዛዝናን ምጉሓፍን ጸረ-ባልዕ ንምውሳኔን ዝወጸ ሕጋጋት

ዓንቀጽ 1 ሓጺር ኣርእስቲ

እዚ ሕጋጋት'ዚ “ንምምጻእ፣ አተሓሕዛ፣ አጠቓቅማ፣ ከምኡውን ንአከዛዝናን ምጉሓፍን ጸረ-ባልዕ ንምውሳኔን ዝወጸ ሕጋዊ ምልክታ ቁጽሪ 114/2006” ባሂሉ ክጥቀስ ይከኣል።

ዓንቀጽ 2 ደረት ተፈጻምነት

እዚ ሕጋጋት'ዚ ኣብ ዘቤታዊ መዓላ፣ ወይ ኣብ መጻባበቂ ወረቐት መጣበቂ ኮላ ዘገልግሉ ንምቁጽጻር ባልዓት፣ ወይ ፈሰስቲ መጣበቂታት፣ ወይ ወን ኣብ ሕብርታት ከገልግሉ ዝተሓሰቡ ጸረ-ባልዓት ተፈጻምነት ኣይህልዎን።

ዓንቀጽ 3 ትርጉም

ኣብ'ዚ ሕጋጋት'ዚ ኣተሓታትውኡ ካልእ ትርጉም ዘወህቦ እንተዘይኮይኑ፡-

“ሚኒስተር” ወይ “ሚኒስትሪ” ማለት ሚኒስተር ወይ ሚኒስትሪ ሕርሻ ማለት ኢዩ።

“ሰብ” ማለት ዝኾነ ባህርያዊ ሰብ ወይ ብሕጊ መሰል ሰብነት ዝተሞሀበ ኣካል ማለት እዩ።

“ጸረ-ባልዕ” ማለት ዝኾነ ንምክልኻል፣ ንምጥፋእን ንምቁጽጻርን ዝኾነ ባልዕ፣ ከምኡውን ናብ ሰብን እንስሳን ሕማማት ዘመሓላልፉ ባልዓት (Vectors) ዘጠቓለለ፣ ዘይድለዩ ዘርእታት ቡቕሊ (ጸህያይ) ወይ ኣብ ምፍራይ፣ ምምስራሕ፣ ምኽዛን ምጉዕዓዝ ወይ መሸጣ መግቢ፣ ናይ ሕርሻ ፍርያት፣ ኣብ ናይ ዕንጻይትን ፍርያት ዕንጻይትን ዝርኣዩ ባልዓት፣ ንመግቢ እንስሳ ወይ ኣብ እንስሳ ዝርኣዩ ባልዓት ዝውዕል ነገር ወይ ሕወስዋስ ነገራት ማለት እዩ። እቲ ቃል ንዕ ብዩት ቡቕሊ ዝቆጸጸሩ፣ ቆጽሊ ዘርግፉ፣ ቡቕሊ ዘንቅጹ ወይ ምስሓዉ ፍረታት ወይ ኣብዘይእዋኑ ከይረግፍ ዝከላኸሉ ነገራት ከምኡውን፣ ቅድምን ድሕርን ምእካብ ቡቕሊ፣ ኣብ መኻዝን ይኹን ኣብ ምጉዕዓዝ ንከይበላሸዉ ንጥቀመሎም ነገራት እውን የጠቓልል።

9ንቀጽ 4 ምእታው ጸረ-ባልዕ

- (1) አብ ንኡስ-9ንቀጽ 2 ናይዚ 9ንቀጽ'ዚ ዝሰፈሩ ድንጋጌታት ዝተሓለዉ ኮይኖም ናብ ኤርትራ ኪኣትዉ ዝፍቀደሎም ጸረ-ባልዕት እቶም አብ ጥብቆ ቁጽሪ 1 ናይዚ ሕጋዳት'ዚ ተዘርዚሮም ዘለዉ ጥራይ እዮም።
- (2) አብ ጥብቆ ቁጽሪ 1 ተዘርዚሮም ካብ ዘለዉ ጸረ-ባልዕት ወጻኢ ምስቲ ሚኒስትሪ ዘውጽኦ መምርሒታትን ቅጥዕታትን ዘሳንዩ ምስገዥኑ ጥራይ ንምርምራዊ ስራሓት ተባሂሉ ክኣትዉ ክፍቀድ ይኽእል።
- (3) ሚኒስትሪ ነዚ አብ ንኡስ-9ንቀጽ 2 ናይዚ 9ንቀጽ'ዚ ዝተደንገገ ስጉምታት ቅድሚ ምውሳዕ ምስቶም እቲ ጉዳይ ዝምልከቶም፣ ከም ሚኒስትሪ ጥዕናን ሚኒስትሪ መሬት፣ ማይን አከባቢን ዝኣመሰሉ አካላት መንግስቲ ክመያየጥን ርእይቶኦም አብ ግምት ከእቲን ኣለዎ።
- (4) ሚኒስትሪ ኣድላዪ ኮይኑ ምስ ዝረኽቦ ምስ ሚኒስትሪ ጥዕና፣ ሚኒስትሪ መሬት፣ ማይን አከባቢን ከምኡ'ውን ምስ ካልኣት ዝምልከቶም አካላት ብምምይያጥ ንሃገራዊ ዝርዝር ጸረ-ባልዕ ክለሳ ክገብረሎምን እንደገና ሓዲሽን እዋናዉን ምግባሩ ይኽእል።

9ንቀጽ 5 ወረቐት ፍቓድ ምእታው ጸረ-ባልዕ

- (1) ዝኾነ አብ ኤርትራ ጸረ-ባልዕ ከእቲ ዝደሊ ኣምጻኢ፣ ወረቐት ፍቓድ ንምርካብ ናብ ሚኒስትሪ ከመልክት ኣለዎ። ኩሎ'ቲ ብሚኒስትሪ ዝድለ ቅጥዕታት ምስተማልአ ከኣ ወረቐት ፍቓድ ምእታው ንኪወሃቦ ናብ ሚኒስትሪ ንግዲን ኢንዱስትሪን ናይ ደገፍ ደብዳቤ ይጸሓፈሉ።

9ንቀጽ 6 ፍቓድ ዋኒን ንጥፈታት ጸረ ባልዕ

ዝኾነ አብ ምእታውን ምሻጥን ዋኒን ጸረ-ባልዕ ኪዋፈር ዝደሊ ሰብ ፍቓድ ዋኒን ንምርካብ ናብ ሚኒስትሪ የመልክት። ኩሎ'ቲ ብሚኒስትሪ ዝድለ ቅጥዕታት ምስተማልአ ድማ ፍቓድ ዋኒን ንክወሃቦ ናብ ሚኒስትሪ ንግዲን ኢንዱስትሪን ናይ ድጋፍ ደብዳቤ ይጸሓፈሉ።

ዓንቀጽ 7 ሕገት፣ ጥቅላልን ካልእ ሓበሬታን

(1) ዝኾነ ናይ ጸረ-ባልዕ መትሓዚ እዞም ዝስዕቡ ሓበሬታታት ናይ፣ቴ ጸረ-ባልዕ ብቋንቋታት ትግርኛ፣ ዓረብን እንግሊዝን ብዘይድምሰስ መንገዲን ይልጠፈሎም፡-

- (ሀ) ንግዳዊ ስም ጸረ-ባልዕ፣
- (ለ) ሓፈሻዊ ስም ጸረ-ባልዕ፣
- (ሐ) ድልዎን ሕፍሰትን ንጡፍ ባእታታት፣
- (መ) ዝተጸረዩ ቅጺ ወይ ክብደት፣
- (ረ) ናይ ኣጠቓቕማ መምርሒ፣
- (ሰ) ከጋጥም ንዝክእል ሓደጋ መጠንቀቕታ፣
- (ቀ) ምምራዝ ኣብ ዘጋጥመሉ እዋን ክውሰድ ብዛዕባ ዝግብእ ስጉምትታት ዝሕብር መምርሒ፣
- (በ) ቁጽሪ ጥምር፣ ዕለተ ምስናዕን ኣገልግሎቱ ዝወድቀሉ ዕለትን፣
- (ተ) ስምን ኣድራሻን ናይ ኣፍራዪ፣ ኣከፋፋሊ ወይ ወኪል ከምኡውን መበቆላዊ ሃገር ናይ፣ቴ ኣፍራዪን ፍርያትን፣
- (ፑ) ቁጽሪ ምዝገባ ፍርያት ኣብ ዝፈረየሉን ዝተሸጠሉን ሃገር፣ ከምኡውን
- (ኘ) ስእላዊ መግለጺ

(2) ዝኾነ ኣምጻኢ ጸረ-ባልዕ ንምርግጋጽ ኣድማዒ ኣጠቓቕማ ጸረባልዕን ኣብ እዋን ምግዕዓዝ ሓደጋታት ንምንካይን ምስ ነፍስ-ወከፍ ጥማር ናይ ጸረ-ባልዕ ብንጹር ቋንቋ ሓበሬታን መምርሒን ክህብ ኣለዎ። ብተወሳኺ ናይ ውድብ ጥዕና ዓለም ናይ ድሕነት ሰነዳት (Material Safety Data Sheets) ዘጠቓልል ናይ ጥዕናን ድሕነትን ደረጃታት መምርሒ ምስቲ ጽዕነት ተታሓሲዞም ክለኻኹ ኣለዎም።

ዓንቀጽ 8 ፈተነ ጸረ-ባልዕ

(1) ዝኾነ ኣምጻኢ ጸረ-ባልዕ ብሚኒስትሪ ምስ ዝሕተት ኣገባባት መርመራ ናይ ዝኾነ ንጡፍ ባእታ (ingredient) ወይ ድልዎ ከምኡውን ደረጃታት መርመራ ከቕርብ ኣለዎ።

(2) ዝኾነ ኣምጻኢ ጸረ-ባልዕ፣ ነፍስ-ወከፍ ጸረ-ባልዕን ፍርያት ጸረ-ባልዕን ኣብ-ቶም እቲ ጸረ-ባልዕ ኣብ መዓላ ክወዕለሎም ዝተሓሰቡሉ ዞባታት ወይ ሃገራት ትጽቢት ንዝግበረሎም ዝተፈላለዩ ኩነታት ብዝምልከት ናይ ኣዕጋቢነቲ፣ ጠባዩ፣ ሓደገኛነቲ፣ ጉድኣቲን ምሉእ ብምሉእ ንምግምጋም ብእተፈለጠ

9ንቀጽ 9 ግዴታታት አምጸኢ ጸረ-ባልዕ

አምጸኢ ወይ አከፋፋሊ ጸረ-ባልዕ እዞም ዝስዕቡ ግዴታታት ይህልዎም፡-

- (ሀ) ብሚኒስትሪ ቅቡል ዝኾነ ድሕነት ዘለዎ ህንጻ መኸዘኒ ምድላው፣
- (ለ) ብዛዕባ ምኽዛን፣ ምግዕዓዝን አጠቓቕማን ጸረ-ባልዕ ንዓደግቲ ምኽሪ ምሃብ፣
- (ሐ) መዓልቲ ዘሕለፈ ወይ ካብ ስራሕ ዝወጸ ጸረ-ባልዕ ዘይምሻጥ ወይ ዘይምክፍፋል፣
- (መ) አድላዪ ኣብ ዝኾነሉ ነቶም ኣብ ሃገር ዘእተዎም ጸረ-ባልዕን መትሓዚታቶምን ንምጉሓፍ ዝሕተት ተክኒካዊን ፋይናንስያዊን ሓገዝ ምብርካት ሓላፍነት ምወሳድ።

9ንቀጽ 10 ቁጽጽርን ምጉሓፍን ጸረ-ባልዕ

- (1) ጸረ-ባልዕ ብግቡእ ምኽዛኑን ኣብ ጥቕሚ ምወዓሉን ንምርግጋጽ፣ ኣብ ናይ ጸረ-ባልዕ መኸዘንን ቀጽሪ ህንጻን ከምኡ'ውን ኣብ ግዜ ምጥቃም ጸረባልዕ ብሚኒስትሪ ስሩዕ ንጥፈታት ኢንስፐክሽን ክግበር አለዎ። ከምኡ'ውን መታን አድላይ ስጉምቲ ክወሰድ ኩነታት ጸረ-ባልዕ ክግምገም አለዎ።
- (2) ሚኒስትሪ ንጥንቁቕ ምጉሓፍ ካብ ስራሕ ዝወጸ ጸረ-ባልዕ ምርግጋጽ ምስ ዝምልከቶም ኣካላት ብምትሕብባር አድላዪ ጻዕርታት ክገብር ይኽእል።

9ንቀጽ 11 ምእጋድ ወይ ምስራዝ ወረቐት ምስክር ብቕዓት

- (1) ሚኒስትር ብሓደ ካብዞም ዝስዕቡ ምኽንያታት ወረቐት ምስክር ብቕዓት ክእግድ ወይ ክስርዝ ይኽእል፡-
- (ሀ) እቲ ወረቐት ፍቓድ ምምጻእ ጸረ-ባልዕ ግጉይ ሓበሬታ ብምቕራብ ዝተዋህበ ምዃኑ ምስዝረጋገጸ፣ ወይ
- (ለ) ኣብ ሃገራዊ ዝርዝር ጸረ-ባልዓት ዘይተመዘገበ ጸረ-ባልዕ ከእቲ፣ ክዝርግሕ፣ ኣብ መኸዘን ንመሸጣ ክሕዝ፣ ክሸይጥ ወይ ዕድሙ መሸጣ ከቕርብ ምስዝርከብ፣ ወይ
- (ሐ) ዝተኸለሰ ወይ ዝመሸመሸ ንጥዕና ሰባትን ኣከባቢን ጎዳኢ ዝኾነን ዝተበላሸወን ጸረ-ባልዕ ከእቲ፣ ክዝርግሕ፣ ኣብ መኸዘን ንመሸጣ ክሕዝ ወይ ክሸይጥ ምስዝርከብ፣
- (መ) ብመሰረት'ዚ ሕጋት'ዚ ካብ ዝተፈቕደ ቀጽርታት ወጻኢ ዝኾነ ጸረ-ባልዕ ከእቲ፣ ክዝርግሕ፣ ንመሸጣ ኣብ መኸዘን ክሕዝ፣ ክሸይጥ ምስ ዝርከብ፣ ወይ

ጥብቆ ቁጽሪ 1 (Annex 1)

ሃገራዊ ዝርዝር ጸረ-ባልቦ (National List of Pesticides)

Insecticides				
A	No	Common Name	Chemical Group	Remarks
	1	acephate	OP	
	2	amitraz	Amidine	
	3	azadirachtin	Biopesticide	
	4	carbaryl	CARB	
	5	bendiocarb	CARB	
	6	carbofuran	CARB	
	7	carbusulfan	OP	
	8	chlorfenvinphos	OP	
	9	chlorpyrifos-methyl	OP	
	10	chloryprifos	OP	
	11	coumaphos	OP	
	12	cythioate	OP	
	13	cypermethrin	PYR	
	14	deltamethrin	PYR	
	15	diazinon	OP	
	16	dimethoate	OP	
	17	fenpropathrin	PYR	
	18	fenthion	OP	
	19	fentrothion	OP	
	20	fenvalerate	PYR	
	21	Fipronil	Phenylpyrazole	
	22	Flumethrin	PYR	
	23	imidacloprid 35% Sc + tebuconazole 25% EW	neonicotinoid	
	24	Ivermectin	Avermectin	
	25	lamda cyhalothrin	PYR	
	26	malathion	OP	
	27	methomyl	CARB	
	28	naphthalene		
	29	permethrin	PYR	
	30	phosmet	OP	
	31	phosphine (Aluminium, Magnizium & Zinc Phosphide)		

32	pirimiphos-methyl	OP	
33	profenofos	OP	
34	propoxur	CARB	
35	pyrethrins	Natural Pyrethrin	
36	temephos	OP	
37	trichlorfon	OP	
B Fungicides			
38	benomyl	Benzimidazole	
39	bupirimate	Pyrimidinol	
40	captan	Phthalimide	
41	carbendazim	Benzimidazole	
42	chlorothalonil	Chloronitrile	
43	copper oxychloride	Inorganic	
44	dodemorph	Morpholine	
45	imazalil	Imidazole	
46	iprodione	Dicarboximide	
47	mancozeb	Dithiocarbamate	
48	metalaxyl	Phenylamide: acylalanine	
49	oxycarboxin	Oxathiin	
50	propiconazole	DMI: Triazole	
51	pyrazophos	Phosphorothiolate	
52	sulfur	Inorganic	
53	thiabendazole	Benzimidazole	
54	thiram	Dimethyldithiocarbamate	
55	triadimefon	DMI: Triazole	
C Herbicides			
56	atrazine	1,3,5-triazine	
57	2,4 D	Aryloxyalkanoic acid	
58	clodinafop-propargyl	Aryloxyphenoxypropionate	
59	fenoxaprop-P-ethyl	Aryloxyphenoxypropionate	
60	fluazifop-p-butyl	Aryloxyphenoxypropionate	
61	glyphosate	Glycine derivative	
62	mefenpyr-diethyl		
63	paraquat dichloride	Bipyridylum	
64	pendimethalin	Dinitroaniline	
D Rodenticides			
65	bromethalin		
66	chlordane		
67	chlorophacinone	Indandion anticoagulant	
68	difenacoum (Coumarin anti Coagulant)	Hydroxycoumarin	
69	flocoumafen	Coumarin anticoagulant	

E		Nematocides	
70	ethoprophos	OP	
71	fenamiphos	OP	
72	phorate	OP	

F		Acaricides	
73	abamectin	Avermectin (Biopesticide)	
74	acrinathrin	PYR	
75	fenbutatin oxide		
76	tetradifon		

G		Adjuvant	
77	white oil		

H		Preservatives and Disinfectant	
78	agral 90		
79	aluminium sulphate		
80	calcium hypochloride		

I		Hormones	
81	Endol acetic acid		

Under Restricted use

1. DDT restricted for controlling malaria –carrying mosquitoes for indoor residual only.
2. Endosulfan restricted for cotton use only.
3. Methyl bromide to be used as fumigant until safe and effective alternative is found.

N.B- Combination of two or more compatible fungicides from the above list are acceptable

Key

- OP- Organophosphorus
- OC- Organochlorine
- CARB- Carbamate
- PRY- Pyrethroid

Legal Notice No. 114/2006

Regulations for Importation, Handling, Use, Storage and Disposal of Pesticides

Article 1. Short Title

These Regulations may be cited as the “Regulations issued to determine the Importation, Handling, Use, Storage and Disposal of Pesticides-Legal Notice No.114/2006”.

Article 2. Scope

These Regulations does not apply to Pesticides which are intended for pest control in the domestic use, or those used in adhesive pastes, decorative paper or textiles, or in paint.

Article 3. Definition

In these Regulations unless the context otherwise requires:

- (1) “**Minister**” or “**Ministry**” means the Minister or the Ministry of Agriculture;
- (2) “**Person**” means any physical or juridical person;
- (3) “**Pesticide**” means any substance or mixture of substances intended for preventing, destroying or controlling any pest, including vectors of human or animal disease, unwanted species of plants or animals causing harm during or otherwise interfering with the production, processing, storage, transport or marketing of food, agricultural commodities, wood and wood products or animal feedstuffs, or substances which may be administered to animals for the control of insects, arachnids or other pests in or on their bodies. The term includes substances used as a plant growth regulator, defoliant, desiccant or agent for thinning fruit or preventing the premature fall of fruit, and substances applied to crops either before or after harvest to protect the commodity from deterioration during storage and transport.

Article 4. Importation of Pesticides

- (1) Without prejudice to the provisions of sub-Article (2) of this Article, only those listed down under Annex 1 of these Regulations may be imported to Eritrea.
- (2) Pesticides other than those appearing in the list under Annex 1 may only be allowed to be imported for purpose of scientific research where they comply with the directives and formalities to be issued by the Ministry.
- (3) The Ministry, before taking any action under sub-Article (2) of this Article, should consult and consider the views of concerned government institutions such as the Ministry of Health and the Ministry of Land, Water and Environment.
- (4) The Ministry in collaboration with the Ministry of Health, Ministry of Land, Water and Environment and other concerned bodies shall revise and update the national pesticide list as and when required.

Article 5. Pesticide Import Permit

Any person who intends to import any pesticide into Eritrea may apply to the Ministry to acquire a permit; when all prescribed terms and conditions are met, the Ministry may write a supporting letter in favor of the applicant to the Ministry of Trade and Industry for an import permit.

Article 6. Pesticide Dealers License

Any person who intends to be engaged in pesticide business involving the import, sale and commercial application of pesticides shall apply to the Ministry for a license. When all the prescribed terms and conditions are met, the Ministry shall write a supporting letter in favor of the applicant to the Ministry of Trade and Industry for a business licenses.

Article 7. Labeling, packaging and other information

- (1) All pesticide containers shall have the following information indelibly marked in Tigrigna, Arabic and English:

- a) trade name of the pesticide;
- b) common name /chemical name of the pesticide;
- c) formulation and concentration of active ingredients;
- d) net volume or weight;
- e) directions for use;
- f) warning of potential hazards;
- g) direction in case of poisoning;
- h) batch number, manufacturing and expiry date;
- i) name and address of the manufacturer, distributor or agent; and also country of origin of the manufacturer and the product;
- j) registration number in the country of production and sale; and
- k) pictograms.

(2) Any pesticide importer shall provide, with each package of pesticide, information and instructions in a form and language adequate to ensure effective use and reduce risks during handling. In addition, a standard health and safety sheet, such as the WHO Material Safety Data Sheets shall be prepared and sent along with the consignment.

Article 8. Pesticide Testing

- (1) Any pesticide importer shall provide, upon the Ministry's request, methods for analysis of any active ingredient or formulation of a pesticide, and the necessary analytical standards.
- (2) Any pesticide importer shall ensure that each pesticide and pesticide product is adequately and effectively tested by recognized procedures and test methods so as to fully evaluate its efficacy, behavior, fate, hazard and risk with regard to the various anticipated conditions in regions or countries of use.

Article 4. Importation of Pesticides

Article 9. Responsibilities of Pesticide Importer

An importer or distributor of a pesticide has the following responsibilities:

- (a) to prepare safe storage facility approved by the Ministry;
- (b) to provide advisory services to purchasers of pesticide with regard to pesticide storage, handling, and application;
- (c) not to sell or distribute expired or obsolete pesticides; and
- (d) be responsible for providing technical and financial support, with respect to disposal of pesticides and used pesticide containers of those imported by him as and when required.

Article 10. Inspection and Disposal

- (1) Regular inspection activities shall be carried out by the Ministry in pesticide stores and premises as well as during pesticide application to ensure that pesticides are properly stored and applied and shall assess the condition of the pesticides in order to take the necessary measure.
- (2) The Ministry may in collaboration with concerned institutions make every effort to ensure the safe disposal of obsolete pesticides.

Article 11. Revocation or Cancellation of a Certificate of Qualification

- (1) The Minister may suspend or cancel a certificate of qualification on any of the following grounds:-
 - a) where the pesticide import permit is proved to have been obtained by submitting false information; or
 - b) where the person has been found importing, distributing, keeping in stock for sale, selling or commercially applying a pesticide not appearing in the National List of Pesticides; or
 - c) where the person has been found importing, distributing, or storing any pesticide which has been adulterated, or which has decomposed or

deteriorated so as to be ineffective, or hazardous to human health or the environment; or

- d) where the person has been found importing, distributing, keeping in stock for sale or selling any pesticide at a premises different from that approved for the purpose under these Regulations; or
- e) where the person has been found obstructing an inspector in the course of her or his duties.

(2) The Minister may request the Ministry of Trade and Industry to suspend or revoke the license pursuant to the provisions of Article 20(2) of the Business Licensing Amendment Proclamation No.128/2002.

Article 12. Appeals

Any person who is aggrieved by a refusal to issue or renew, or a decision of the Minister to revoke or cancel a certificate of qualification may appeal to the High Court within 30 days after the decision is given. The decision of the High court on the appeal shall be final.

Article 13. Effective Date

This Legal Notice shall enter into force on the date of its publication in the Gazette of Eritrean Laws.

Done at Asmara, this 20th day of, September 2006

Government of Eritrea

National List of Pesticides (ሃገራዊ ዝርዝር ጸረ-ባልጻጽ)

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	8	chlorfenvinphos	OP	
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	11	coumaphos	OP	
	12	cythioate	OP	
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