

Federal Law No. (39) of 1992
Regarding the Production, Importation, and Circulation of Fertilizers and
Agricultural Conditioners

We, Zayed Bin Sultan Al Nahyan

President of the United Arab Emirates,

- Having reviewed the Provisional Constitution;
- Federal Law No. (1) of 1972 Regarding the Competencies of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (2) of 1974 Regarding the regulation of importing Agricultural seedlings and seeds, as amended;
- Federal Law No. (4) of 1979 Regarding the Combating of Fraud and Deception in Commercial Transactions;
- Federal Law No. (5) of 1979 Regarding the Agricultural Quarantine, as amended;
- Federal Law No. (3) of 1987 Promulgating the Penal Code; and
- Based upon the Proposal of the Minister of Agriculture and Fisheries, the approval of the Cabinet, and the ratification of Federal Supreme Council,

Hereby promulgate the following law:

Article (1)

The following words and expressions shall have the meanings assigned to each of them, unless the context otherwise requires:

State : The United Arab Emirates.

Establishment : The Emirates Drug Establishment.

Chairman : The Chairman of the Establishment.

Competent : The Competent Organizational unit of the Establishment.

Department

Competent Authority : The Competent Authority for organizing production, importing and circulation of fertilizers and agricultural conditioners in each Emirate.

Circulation : Offering for sale, selling, storing or transporting by any means of transportation.

Article (2)

The provisions of this law shall apply to the following:

First: Fertilizers:

Materials that provide plants with their nutrient requirement while preserving the fertility and productivity of soil including:

1. Chemical fertilizers:

Chemical compounds manufactured industrially containing nutrients for plants. They are divided into two types:

- a. Simple fertilizers: They contain a single fertilizer element.
- b. Compound fertilizers: They contain multiple fertilizer elements.

2. Organic fertilizers:

Residues of plants or animals or a mixture thereof containing nutrients for plants and organic materials, which are necessary to improve natural properties of the soil.

Second: Agricultural Conditioners:

Materials that serve to restore or improve the properties of the soil, as well as beneficial microorganisms which, when added to the soil or seeds, contribute to increasing crop production. They include the following:

1. Soil conditioners: They are added to soil to improve its properties, thereby resulting in increased crop production.
2. Beneficial Microorganisms: These are microscopic living organisms, added to agricultural soil, to assist seeds in fixing atmospheric nitrogen in plant roots, decomposing existing soil materials to render them bioavailable to plants, or improving soil properties.

Article (3)

The Competent Department, in coordination with the competent Authority shall determine the types of permitted fertilizers and agricultural conditioners, their specifications, and the conditions and procedures for their production, manufacture, use, importation, circulation, and announcement within the State.

In particular, it shall determine the following:

1. Conditions and procedures for the announcement of fertilizers and agricultural conditioners.
2. Specifications of the packaging of fertilizers and agricultural conditioners, including their labels and the information that must be included therein.
3. Conditions and procedures for testing and analyzing fertilizers and agricultural conditioners, assessing their suitability, the methods for objecting to and adjudicating the results of such tests and analyses.
4. The procedures to be followed with respect to fertilizers and agricultural conditioners that violate the provisions of this Law and the implementing resolutions thereof.

Article (4)

The production, manufacture, importation, or circulation of fertilizers and agricultural conditioners as stipulated in the preceding article shall not be permitted except after obtaining prior approval from the competent authority. The following are exempt:

1. Fertilizers and agricultural conditioners designated for universities and research centers for scientific research purposes, provided that these entities follow the necessary procedures to prevent their circulation in the local market.
2. Fertilizers and agricultural conditioners imported for re-export purposes, provided they do not cross the State's ports of entry. After taking the necessary precautions, and in coordination between the Customs Authorities and the Agricultural Quarantine Authority, the shipment may be transferred from one port of entry to another for the purpose of export.

Article (5)

The Chairman may prohibit the production, manufacture, export, import, and circulation of any type of fertilizers or agricultural conditioners on temporarily or permanently, whenever the public interest so requires.

Article (6)

The persons currently operating in the State and whose activities or part thereof fall under the provisions of this Law shall regularize their status on accordance with its provisions and the Executive Resolutions thereof within six months from the date of its entry into force; otherwise, they shall be subject to the penalties prescribed therein.

Article (7)

The employees responsible for monitoring the implementation of the provisions of this Law and the Executive Resolutions decisions whose designation is issued by a decision of the Minister of Justice in agreement with the Chaiman and the Head of the Competent Authority, shall have the capacity of judicial enforcement officers.

In such capacity, they shall have the right to access any premises, which activities fall under the provisions of this Law, except for residential premises, for the purpose of verifying compliance with its provisions and the Executive Resolutions thereof, and detecting violations. The local authorities in the Emirates shall provide the necessary support to enable such employees to carry out their duties.

Article (8)

Whoever violates the provisions of this Law shall be punished by imprisonment for a period not exceeding six months and a fine not less than dirham (20,000) twenty thousand dirhams and not exceeding (100,000) one hundred thousand dirhams or by either of these penalties. If the violation results in the death of a person or causes harm to their health, the violator shall accordingly be punished according to the penalties stipulated in Articles (342) and (343) of the Penal Code.

Besides that, the material subject of the violation shall be confiscated.

Article (9)

The payable fees according to the provisions of this Law shall be determined by a resolution of the cabinet.

Article (10)

The Chairman shall issue the necessary Executive Regulations and Resolutions for the implementation of this Law.

Article (11)

This Law shall be published in the official Gazette, and shall enter into force from the date of its publication.

Zayed Bin Sultan Al Nahyan
President of The United Arab Emirates

Issued by Us in the presidential palace in Abu Dhabi
On the 1st of Rabee Awal 1413 H
Corresponding to 28 September 1992 AD