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Ministria e Bujqësisë, Pylltarisë dhe Zhvillimit Rural
Ministarstvo Poljoprivrede, Šumarstva i Ruralnog Razvoja
Ministry of Agriculture, Forestry and Rural Development

Kabineti i Ministrit / Kabinet Ministra / Cabinet of the Minister

**ADMINISTRATIVE INSTRUCTION (MAFRD) – NO. 23/2024 ON
AMENDING AND SUPPLEMENTING ADMINISTRATIVE
INSTRUCTION (MAFRD)-NO. 02/2024 ON SETTING THE CONDITIONS
FOR THE LICENSING OF IMPORTERS, FOR THE TRADING AND
DISPOSAL OF ARTIFICIAL FERTILIZERS**

¹ Administrative Instruction (MAFRD) – No 23/2024 on amending and supplementing the Administrative Instruction (MAFRD) No. 02/2024 on setting the conditions for the licensing of importers, for the trading and disposal of artificial fertilizers signed by the Minister of Agriculture, Forestry and Rural Development with the date 09.08.2024.

Pursuant to article 4, article 17 paragraph 1 of the Law No. 2003/10 on Artificial Fertilizers (Official Gazette of the Republic of Kosovo No. 16/01.09.2007), taking into account article 12 paragraph 1 sub paragraph 1.3 of the Law No. 06/L – 113 on the Organization of State Administration and Independent Agencies (Official Gazette, No. 07, date 01 March 2019), in accordance with article 9 paragraph 2 of the Regulation (GRK) – No. 17/2024 on Rules of Procedure of the Government of the Republic of Kosovo (Official Gazette 21.06.2024), Minister of the Ministry of Agriculture, Forestry and Rural Development,

Issues:

ADMINISTRATIVE INSTRUCTION (MAFRD) – NO. 23/2024 ON AMENDING AND SUPPLEMENTING ADMINISTRATIVE INSTRUCTION (MAFRD)-NO. 02/2024 ON SETTING THE CONDITIONS FOR THE LICENSING OF IMPORTERS, FOR THE TRADING AND DISPOSAL OF ARTIFICIAL FERTILIZERS

GENERAL PROVISIONS

Article 1

Purpose

This Administrative Instruction aims to amend and supplement the Administrative Instruction (MAFRD) No. 02/2004 on setting the conditions for the licensing of importers, for the trading and disposal of artificial fertilizers in order to create a legal base for the implementation of sub – legal acts by the Food and Veterinary Agency which specify the licensing of importers, for trading and storage of artificial fertilizers.

Article 2

Article 2 of the basic Administrative Instruction is deleted and reformulated as follows:

Article 2

1. Persons who deal with import and trade of artificial fertilizers must be registered with Food and Veterinary Agency.
2. To be registered as an importer, trader and disposer of artificial fertilizers, the person must meet the following conditions and criteria:
 - 2.1. for legal entities, the information that they are registered as a business in the relevant business register;
 - 2.2. to have secondary vocational training in the field of agriculture or to have employed the person with secondary school training in the field of agriculture. Proof of education and a copy of the contract proving employment must be provided for this criterion.
 - 2.3. prove that it has relevant facilities for the storage, storage and sale of artificial fertilizers which, in addition to the technical construction conditions, also meet these special conditions:

2.3.1. be covered;

2.3.2. not to have moisture and not to be subjected to atmospheric conditions – not to be exposed to the sun, rain and other precipitation and as such they are not allowed to be sold;

2.3.3. be physically separated from food products

2.3.4. the packages are not damaged.

3. In addition to the conditions defined in paragraph 2 of this article, in order to be registered for the import of artificial fertilizers, the following conditions and criteria must also be met:

3.1. Authorization from the manufacturing company for the types of import of artificial fertilizers that it markets;

3.2. Record of the phytosanitary inspector for the assessment of the condition of the warehouse.

4. In addition to the conditions defined in paragraph 2 of this article, in order to be registered for trading artificial fertilizers, the following conditions and criteria must also be met:

4.1. Diploma of the faculty of Agriculture;

4.2. Record of the phytosanitary inspector for the assessment of the condition of the warehouse.

Article 3

Article 3 of the basic Administrative Instruction is entirely deleted and reformulated as follows:

Article 3

1. In order to register as an importer, trader and disposer of artificial fertilizers, the person must apply in the electronic system which is administered by FVA. The application is carried out through a request which is submitted in accordance with the rules defined in the relevant law for the general administrative procedure. The request contains the following:

1.1. the name and address of registrant;

1.2. the name and address of each circulation point of the Kosovo's registrant.

2. After reviewing the request and verifying the fulfillment of the conditions and criteria from Article 3 of this administrative instruction, the competent body performs the registration within a period of 30 working days from the submission of the request.

3. During the development of the registration procedure, the rules of the LGAP are applied.

Article 4

Article 4 of the basic Administrative Instruction is deleted and reformulated as follow:

Article 4

1. For the registration of persons as importers, traders and disposers of artificial fertilizers a certificate is issued by the competent body; which contains:

- 1.1. the name and logo of the competent body;
- 1.2. the identification number of the certificate and the date of issue;
- 1.3. Data of the registered person;
- 1.4. The type of artificial fertilizers for which the registration is made;
- 1.5. The type of activity to which the registration is made;
- 1.6. Place of activity, if any;
- 1.7. Signature of the person authorized to sign on behalf of the competent body. The signature is made in accordance with the rules defined in the relevant law for the general administrative procedure.

2. In electronic system the license electronic form is created which contains all the elements according to the paragraph 1 of this article and it has the same value like physical certificate which may be downloaded by the person at any time through this system.

Article 5

After article 7 of the basic Administrative Instruction, two articles 7 A and 7B are added as follows:

Article 7A

Validity of registration certificate

1. Each certificate of registration issued, unless suspended or cancelled, shall be valid for a maximum period of three (30 years, calculated from the date of registration and shall be renewed upon payment of the required registration fee.

2. Persons submit a request for continuation of registration for import and trade of artificial fertilizers at least 30 days before the expiration of the registration certificate.

3. In order to continue the validity of the registration certificate, the conditions defined in Article 2 sub paragraph 2.3, paragraph 3 and sub paragraph 4.2 of this administrative instruction must be met.

Article 7B
Taxes

1. The amount of tax for registration of entities that import artificial fertilizers is 50 €, while for continuation of registration 45€.

2. The amount of the tax for the registration of entities that trade artificial fertilizers is 40€, while for the continuation of the registration 30 €.

Article 6

In article 6 of the basic Administrative Instruction, the word “MAFRD” s replaced with the word “Food and Veterinary Agency”.

Article 7

In article 8 of the basic Administrative Instruction the word “MAFRD” is replaced with the word “Food and veterinary Agency”.

Article 8

With the entry into force of this Administrative Instruction, the Administrative Instruction No. 04/2009 on setting the tax for licensing of entities dealing with import and trading of artificial fertilizers is repealed.

Article 9
Entry into force

This Administrative Instruction shall enter into force seven (7) days after the Publication in the Official Gazette of the Republic of Kosovo.

Faton PEÇI
Minister of the Ministry of Agriculture, Forestry and Rural Development

