

Regulations for the Implementation of the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine

(Approved and promulgated by the State Council on December 2, 1996 and shall come into force as of January 1, 1997)

Chapter I

General Provisions

Article 1 These Regulations are formulated in accordance with the provisions of the “Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine” (hereinafter referred to as the “Law on the Entry and Exit Animal and Plant Quarantine”).

Article 2 In accordance with the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations, the following objects shall be subject to quarantine inspection:

- (1) Animals and plants, their products and other quarantine objects for entry or exit or transit;
- (2) Containers, packages and bedding/padding materials used for carrying animals and plants, their products or other quarantine objects;
- (3) Means of transport from animal or plant epidemic or infected/infested areas;
- (4) Old and disused vessels entering the country for disassembling purposes; or
- (5) Other goods or objects subject to the entry and exit animal and plant quarantine in accordance with the provisions of relevant laws, administrative rules and regulations, international treaties or with the agreements of trade contracts.

Article 3 The competent department of agriculture administration under the State Council shall be in charge of the entry and exit animal and plant quarantine in the whole country.

The Animal and Plant Quarantine Administration of the People's Republic of China (hereinafter referred to as “The Administration of Animal and Plant Quarantine”) shall conduct the work of unified administration over the entry and exit animal and plant quarantine in the whole country, collect information about epidemics of animal disease or plant pests occurring at home and abroad, and be in charge of international cooperations and exchanges of the entry and exit animal and plant quarantine.

Port animal and plant quarantine offices set up by the State Administration of Animal and Plant Quarantine at ports open to the outside world and at places busy with entry and exit animal and plant

quarantine shall carry out entry and exit animal and plant quarantine in accordance with the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations.

Article 4 In the event that epidemics of animal disease and plant pests occur abroad (outside the territory) and are liable to spread into the country, the following emergent preventive measures shall, in the light of the circumstances, be adopted:

(1) The State Council may conduct the control over relevant border areas, and may, if necessary, issue orders to prohibit means of transport from epidemic or infected/infested areas from entering the country or to blockade the relevant ports;

(2) The competent department of agriculture administration under the State Council may announce the lists of the animals and plants, their products and other quarantine objects from the countries or areas prevailing animal or plant epidemic prohibited from entering the country;

(3) Relevant port animal and plant quarantine offices may conduct emergent quarantine treatment for the objects on entry as listed in Article 2 of these Regulations which are liable to be contaminated with diseases, insect pests and other harmful organisms;

(4) Local people's governments in areas threatened by animal or plant epidemics may immediately organize relevant departments to work out and carry out emergent plans, and, at the same time, report to the people's governments at higher levels and the State Administration of Animal and Plant Quarantine.

The departments of post and telecommunications and departments of transportation shall give priority to transmitting or delivering reports concerning serious animal or plant epidemics or materials for quarantine inspection.

Article 5 The animals or plants, their products or other quarantine objects of foreign institutions and foreign entitled to the diplomatic or consular privilege and immunity entering the P.R. China for official use or private use shall, in accordance with the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations, be subject to quarantine inspection; when the port animal and plant quarantine offices carry out quarantine inspection, they shall abide by the provisions of relevant laws.

Article 6 The customs shall, according to law, coordinate with the port animal and plant quarantine office in carrying out supervision and control over the entry and exit animals and plants, their products or other quarantine objects. The specific methods shall be worked out by the competent department of agriculture administration under the State Council together with the General Administration of Customs.

Article 7 The lists of the animal or plant epidemic or infected/infested areas and of the countries or regions with and regions with prevalent epidemics of animal diseases or plant pests referred to by the

Law on the Entry and Exit Animal and Plant Quarantine shall be determined and announced by the competent department of agriculture administration under the State Council.

Article 8 Any units or individuals that have made remarkable achievements in carrying out the Law on the Entry and Exit Animal and Plant Quarantine as well as these Regulations shall be rewarded.

Chapter II

Import Permits for Quarantine

Article 9 The State Administration of Animal and Plant Quarantine or its authorized port animal and plant quarantine offices shall be in charge of issuing permits for animals, animal products and the objects prohibited from entering the country as listed in the first paragraph of Article 5 of the Laws on the Entry and Exit Animal and Plant Quarantine.

The institutions as prescribed by the Regulations on Plant Quarantine shall be in charge of issuing the import permits for plant seeds, seedlings or other propagating materials.

Article 10 Only cases meeting the following requirements are allowed to be submitted for import permits:

- (1) Export countries or regions are free from serious animal or plant epidemics;
- (2) To be in conformity with the provisions of the Chinese laws, rules and regulations on animal and plant quarantine; and
- (3) To be in conformity with relevant bilateral quarantine agreements (including quarantine agreement, memorandum, etc., similarly hereinafter) signed between China and the export country or region.

Article 11 Import permits procedures shall be properly completed before trade contracts or agreements are signed.

Article 12 Whoever carries or mails plant seeds, seedlings or other propagating materials to the country must submit an application in advance and get import permits; Those who are unable to apply in advance for particular reasons shall apply for import permits at the port of entry, such above-mentioned

objects are allowed to enter the country only if the import permits issuing authorities agree and the objects pass quarantine inspection.

Article 13 The owner, or his or her agent who requests a transit of animals through the country must, in advance, submit a written application to the State Administration of Animal and Plant Quarantine as well as disease information provided by the animal and plant quarantine offices under the government of the export country or region and the permits for such animals to enter the country issued by the animal and plant quarantine offices under the government of the import country or region and specify the planned transit route. An “Animal Transit Permit” shall be issued only upon an approval made by the State Administration of Animal and Plant Quarantine.

Article 14 To apply for special import permits for objects prohibited to enter the country under Section 1 of Article 5 of the Law on the Entry and Exit Animal and Plant Quarantine for the purposes of such special needs as scientific research, the owner or his or her agent shall submit a written application specifies the number of objects, usage, import forms and epidemic prevention measures after entering the country, together with the remarks given by the relevant port animal and plant quarantine offices.

Article 15 Where there is any of the following circumstance after getting import permits, the owner, or his or her agent shall re-apply for the above-mentioned permits.

- (1) Where the variety or the quantity of the entry objects is changed;
- (2) Change in the exporting country or region;
- (2) Where the export country or region is changed;
- (3) Where the entry port is changed; or
- (4) Where the valid period of import permits is exceeded.

Chapter III

Entry Quarantine

Article 16 China’s statutory quarantine requirements prescribed in Article 11 of the Law on the Entry and Exit Animal and Plant Quarantine are referred to the requirements for animal and plant quarantine

stipulated by the Chinese laws, administrative rules and regulations as well as by the competent department of agriculture administration under the State Council.

Article 17 The State shall institute a registration system for foreign units in the production, processing and storage of animal or plant products for exporting into China. Such specific procedures shall be formulated by the competent department of agriculture administration under the State Council.

Article 18 With respect to import animals and plants, their products or other quarantine objects, the owner, or his or her agent shall apply to the animal and plant quarantine office at the port of entry for quarantine inspection before or on their entry. If they are subject to being transferred away from a customs surveillance zone for quarantine inspection and when they are transported to the designated place, the owner, or his or her agent shall notify the relevant port animal and plant quarantine office. In the case of goods of transit customs, the owner, or his or her agent shall, on their entry, declare to the port animal and plant quarantine office at the port of entry; and when they are delivered to the designated place, the owner, or his or her agent shall apply to the port animal and plant quarantine office at the port of the designated place for quarantine inspection.

Whoever imports breeding stock and poultry, or their semen and embryos shall apply for quarantine inspection thirty(30) days prior to their entry; whoever imports other animals shall apply for quarantine inspection fifteen(15) days prior to their entry; whoever imports plant seeds, seedlings or other propagating materials shall apply for quarantine inspection seven(7) days prior to their entry.

With respect to the packaging materials or bedding/padding materials of animal or plant nature on their entry, the owner, or his or her agent shall timely apply to the port animal and plant quarantine office for quarantine inspection; the animal and plant quarantine office may, in the light of specific circumstances, conduct quarantine inspection over the declared objects.

The packaging materials or bedding/padding materials of animal or plant nature prescribed in the preceding paragraph refer to animal products, plants or plant products directly used as packaging materials or bedding/padding materials.

Article 19 In applying to the port animal and plant quarantine office for quarantine inspection, the application form shall be filled out, and documents such as the quarantine certificate issued by the animal and plant quarantine office under the government of the export country or region, certificate of origin, trade contract, letter of credit and invoices shall be submitted; if import permits are required according to the law, they shall be submitted; if there is no valid quarantine certificate issued by the animal and plant quarantine offices under the government of the export country or region, or in the case of failing to get import permits according to law, the port animal and plant quarantine office may, return or destroy them in the light of specific circumstances.

Article 20 When import animals or plants, their products or other quarantine objects are delivered to a port of entry, the quarantine offices may embark on the means of transport or arrive at the goods site to conduct quarantine inspection and verify the goods against their certificates to see whether they are in conformity with each other, and may collect samples according to relevant regulations. The carrier, the owner or his or her agent shall provide the quarantine officers with the bills of lading and relevant documents.

Article 21 When carriers loaded with animals arrive at the port of entry, the person who go up to and come down from the carriers or those who approach the animals shall be subject to disinfection procedures conducted by the port animal and plant quarantine office, and other on-the-spot preventive measures adopted by the office shall be carried out.

Article 22 The quarantine officers shall conduct on-the-spot quarantine inspection in accordance with the following provisions:

(1) Animals: To examine animals to see if animals have clinical symptoms of infectious disease. If the animals are suspected of suffering from infectious diseases or are found dead, they shall be dealt with immediately after the case has been verified through investigation together with the owners or the escorts. With respect to the bedding materials, remaining feed stuff and excrements of animals, the treatments of disinfection and disinfection shall, under the supervision of the quarantine officers, be made by the owner, or his or her agent.

(2) Animal products: To examine animal products to see if they have gone rotten or bad; to examine their containers and packages whether to be kept in good shape. If such products meet the requirements, they will be permitted to be unloaded from the means of transport. If the packages are found to have come loose and the containers are put into shape by the owner, or his or her agent. In the light of circumstances, the relevant sections of the means of transport, the containers for carrying animal products, the surfaces of the packages, the bedding materials and the contaminated fields shall be disinfected. If a quarantine inspection in laboratory is required to be conducted, samples shall be collected in accordance with the regulations. With respect to the animal products which are apt to be the habitat for insect pests or mix with weed seeds, a plant quarantine for such animal products shall, at the same time, be conducted.

(3) Plants and plant products: To examine the goods and the packaging materials to see if there are diseases, insect pests and other harmful organisms, and samples of them shall be collected in accordance with the regulations. If diseases, insect pests and other harmful organisms are found and are liable to be spread, the necessary preventive measures against spread shall immediately be adopted for such goods, the means of transport and the spots of loading and unloading. With respect to the plant products which come from animal epidemic areas or are apt to carry pathogenic organisms of infectious or parasitic diseases of animals, and which are used for feed stuffs of animal, an animal quarantine for such plant products shall, at the same time, be conducted.

(4) With respect to packaging materials and bedding/padding materials of animal and plant nature: To examine them to see whether they carry diseases, insect pests or other harmful organisms whether

to mix up weed seeds and to be stained with soil, and samples of them shall be collected according to relevant provisions.

(5) With respect to other quarantine objects: To examine the packages to see whether to be kept in good shape or the objects whether they are contaminated by diseases, insect pests and other harmful organisms. If the packages are found to be broken or the objects are found to be contaminated by diseases, insect pests and other harmful organisms, they shall be subject to a treatment of disinfection and disinfestation.

Article 23 With respect to the staple animal and plant products transported by ships or trains, the inspection in their different layers shall be conducted on the spot; if an on-the-spot inspection is unable to be conducted due to the limitation of storing spaces at a harbour or railway station, a portion of the above products may, upon the agreement of the port animal and plant quarantine office, be unloaded while the other may be transported away to the designated places for storage. If epidemic diseases or insect pests are discovered by means of quarantine inspection in the process of unloading, the unloading shall immediately be stopped. With respect to the goods having been unloaded or not unloaded yet, the owner, or his or her agent shall, in accordance with the requirements of the port animal and plant quarantine office, conduct treatments of disinfection and disinfestation for the above goods respectively, and take the measures for the precaution against the spread of the epidemic diseases; the loading or unloading facilities and the sites contaminated by the disease, insect pests and other harmful organisms shall be also subject to a treatment of disinfection and disinfestation.

Article 24 The import large or medium size breeding stock shall be subject to quarantine for forty-five (45) days in animal isolation facilities established by the State Administration of Animal and Plant Quarantine; other import animals shall be subject to quarantine for thirty (30) days in animal isolation facilities designated by the port animal and plant quarantine offices. The management for animal isolation facilities shall be worked out by the competent department of agriculture administration under the State Council.

Article 25 When the import animal or plant products in the same lot are unloaded at different ports, the port animal and plant quarantine office shall conduct quarantine inspection only for the goods unloaded at the port. The port animal and plant quarantine office at the port where the above-mentioned goods were unloaded in earlier dates shall timely inform the port animal and plant quarantine offices at other unloading ports of the results of quarantine inspection and treatment; if a certificate is needed to be issued, the port animal and plant quarantine office where the above-mentioned goods have been completely unloaded shall issue a quarantine certificate after the collection of the results of quarantine inspections.

If epidemic diseases or insect pests are found through quarantine inspection at an unloading port and a treatment of fumigation and disinfection in the ship must be conducted, the port animal and plant quarantine office at this unloading port shall issue a quarantine certificate, and shall timely notify the port animal and plant quarantine offices at other unloading ports.

Article 26 The import animals and plants, their products or other quarantine objects shall be subject to quarantine inspection in accordance with the state standards and the industrial standards of China as well as with relevant directives of the State Administration of Animal and Plant Quarantine.

Article 27 If the import animals or plants, their products or other quarantine objects pass the quarantine inspection, the port animal and plant quarantine office shall affix a stamp on the Customs declaration form or issue a "Quarantine Clearance Notice"; if such import objects are required to be transferred away from the surveillance zone of a Customs at an entry port for quarantine inspection, the port animal and plant quarantine office at the entry port shall issue a "Quarantine Transfer Notice". The owner or his or her agent shall handle the formalities of Customs declaration, transportation and delivery on the strength of the stamps on the Customs declaration forms affixed, or the "Quarantine Release Notice" or the "Quarantine Transference Notice" issued, by the port animal plant quarantine office. After verifying, the Customs shall clearance the import animals and plants, their products or other quarantine objects on the strength of the stamps on the Customs declaration forms affixed, or the "Quarantine Clearance Notice" or the "Quarantine Transfer Notice" issued by the port animal and plant quarantine office. The departments of transportation or post shall transport or deliver the above-mentioned objects on the strength of the above notices. No further quarantine is needed at domestic quarantine offices during the period of transportation and delivery within the country.

Article 28 If the import animals and plants, their products or other quarantine objects fail in the quarantine inspection, the port animal and plant quarantine office shall issue a "Quarantine Treatment Notice", and shall notify the owner, or his or her agent to conduct such treatments as disinfection and disinfestation under the supervision and technical guidance of the port animal and plant quarantine office. If a claim for compensation from outside party is required, the port animal and plant quarantine office shall issue a quarantine certificate.

Article 29 Out of quarantine needs, the State Administration of Animal and Plant Quarantine may, with the consent of relevant institution under the government of countries or regions exporting animals and plants or their products, dispatch its quarantine officers to conduct pre-export quarantine inspection or supervision over loading or investigations on epidemic situation at the places of production.

Article 30 Illegal entry animals and plants, their products and other quarantine objects intercepted and captured by the Customs, border control departments or other departments shall be handed over to the nearest port animal and plant quarantine office for quarantine.

Exit Quarantine

Article 31 The owner, or his or her agent shall submit the trade contracts or agreements when going through the formalities of applying for quarantine inspection for the exit animals and plants, their products or other quarantine objects according to law.

Article 32 If the import country requests China to register the units relating to the production, processing and storage of animals and plants, their products or other quarantine objects for exporting to such a country, the port animal and plant quarantine office put them under registrations, and shall submit the relevant files to the State Administration of Animal and Plant Quarantine.

Article 33 Exporting animals subject to pre-export quarantine shall be put in quarantine station/post-entry quarantine station designated by port animal and plant quarantine offices. With respect to export plants, animal or plant products or other quarantine objects, the quarantine inspection may be conducted in the warehouse or freight yards; the quarantine inspection may also be conducted in the process of their production and processing if necessary.

Pre-export quarantine plants, animal or plant products or other quarantine objects to be quarantined before exit shall be adequate in quantity, well packed, and neatly placed with clear marks.

Article 34 The basis of quarantine inspection for the export animals and plants, their products or other quarantine objects are as follows:

- (1) Regulations on animal and plant quarantine stipulated by importing countries or regions, and China;
- (2) Bilateral quarantine agreements; and
- (3) The quarantine requirements specified in the trade contracts.

Article 35 When the animals and plants, their products or other quarantine objects that have passed the quarantine inspection conducted by the animal and plant quarantine office at the place of start shipment are transported to the port of their exit, they shall be handled in accordance with the following stipulations:

(1) Exit animals shall be subject to clinical examination or reinspection by the port animal and plant quarantine office at the exit port;

(2) Plants, animal or plant products or other quarantine objects to be shipped from the place of start shipment to the port of exit by the original means of transport shall be checked and cleared by port animal and plant quarantine office of exit; whereas those to be shipped out by means of transport different from the original ones should be cleared only after the original certificates are replaced.

(3) A pre-application for quarantine inspection shall be submitted if the plants, animal or plant products or other quarantine objects are subsequently packed after their arrival at the port of exit; or if there are different requirements for quarantine inspection due to the change of the importing country or region; or if the stipulated valid period of quarantine is exceeded.

Article 36 If the export animals and plants, their products or other quarantine objects that have passed the quarantine inspection conducted by the port animal and plant quarantine office at the place of start shipment are transported to the port of their exit, the departments of transportation and posts shall transport or deliver them on the strength of the quarantine certificate issued by the port animal and plant quarantine office at the port of start shipment. No further quarantine inspection is needed at domestic quarantine offices within the country.

Chapter V

Transit Quarantine

Article 37 If a transit (including the transshipping, similarly hereinafter) of animals and plants, their products or other quarantine objects through the Chinese territory is required, the carrier or the escort at the port of entry submit the bills of lading and the certificates issued by the animal and plant quarantine offices under the government of the export country or region to the port animal and plant quarantine office and apply for quarantine inspection; if a transit of animal is requested, in addition, the "Animal Transit License" issued by the State Administration of Animal and Plant Quarantine shall, at the same time, be submitted.

Article 38 When the transit animals are transported to the port of entry, the means of transport and the surfaces of the containers shall be subject to clinical examination conducted by the port animal and plant quarantine office at the port of entry. If they pass the quarantine inspection, a transit through the

territory is permitted. The port animal and plant quarantine office at the port of entry may send its officers to supervise the transportation of the transit animals to port of exit, and no further quarantine inspection shall be conducted by animal and plant quarantine office at the port of exit.

Article 39 The means of transport carrying the transit plants, animal or plant products or other quarantine objects, packages and containers must be kept in good shape. If the means of transport or the packaging materials and containers are found to be liable to result in the dispersion and leakage on the way upon the examination conducted by the port animal and plant quarantine office, the carrier or the escort shall, according to the requirements of the port animal and plant quarantine office, adopt hermetically-sealed measures; if hermetically-sealed measures are unable to be adopted, no transit through the country shall be permitted. I

Chapter VI

Quarantine of Materials Carried by Passengers or by Post

Article 40 If the plant seeds, seedlings or other propagating materials carried or mailed into the country have not got the import permits according to law, the port animal and plant quarantine office shall conduct such treatments as return or destroy. If mailed items are returned, the port animal and plant quarantine office shall state the reasons for return on both the mailed items and the delivering notes; if the mailed items are destroyed, the port animal and plant quarantine office shall issue a notice and inform the sender accordingly.

Article 41 Those who carry animals and plants, their products or other quarantine objects into the country shall declare to the Customs at a port of entry, and the above items shall be subject to quarantine inspection by the port animal and plant quarantine office. The Customs shall timely deliver the animals and plants, their products or other quarantine objects declared to or captured by it to the port animal and plant quarantine office for quarantine inspection. No items shall be carried into the country without quarantine inspection.

Article 42 The port animal and plant quarantine office may make inspection at passageways and luggage claim areas in seaports, airports and stations. For those who may possibly carry animals or plants, their

products, or other quarantine objects and have not yet made the declaration, inquiries and selective inspections may be made. If necessary, their parcels (luggage) may be opened for inspection.

Check counters and relevant signs for animal and plant quarantine shall be set up at the entry or exit inspection site.

Article 43 Whoever carries animals into the country must hold health certificate issued by the animal and plant quarantine office under the government of the exporting country or region. Such animals shall be released only after they pass the quarantine inspection; whoever carries such pets as dogs and cats into the country must, in addition, hold vaccination certificate. If they fail to hold such health certificate and vaccination certificate, the port animal and plant quarantine office shall return the above animals within a prescribed limit period or confiscated them for destroy. If such animals are returned within a limit period, the person who carries it must, within the prescribed limit period, take them back on the strength of the detention notice issued by the port animal and plant quarantine office, and carry them to leave the country; if the person who carries it fails to do so within the above limit period, such animals shall be treated as voluntary abandonment.

If the plants, animal or plant products or other quarantine objects carried into the country pass the quarantine inspection on the spot, they shall be immediately released; if a quarantine inspection in laboratories or in isolation is required, the port animal and plant quarantine office shall issue a detention notice. If they pass the quarantine inspection, the person who carries shall take them back on the strength of detention notice issued by the port animal and plant quarantine office; if the person who carries it fails to take them back within a pre-scribed limit period, they shall be treated as voluntary abandonment.

The animals and plants, their products or other quarantine objects as specified in Article 29 of the Law on the Entry and Exit Animal and Plant Quarantine shall be prohibited to be carried or mailed into the country.

Article 44 The animals or plants, their products or other quarantine objects mailed into the country shall be quarantined by the port animal and plant quarantine office at the International Post and Telegram Exchange Center (including International Postage Express Company and other units engaged in international postage, hereinafter referred to as the post offices) . The post offices shall provide the necessary working conditions.

If the items pass the on-the spot quarantine inspection, the port animal and plant quarantine office shall affix a quarantine release seal, and shall transfer them to the post offices for transportation and delivery. If a quarantine inspection in laboratory or in quarantine station/post-entry quarantine office shall deal the handling over formalities with the post offices; if they pass the quarantine inspection, a quarantine release seal shall be affixed and they shall be referred to the post offices for transportation and delivery.

Article 45 If the animals or plants, their products or other quarantine objects carried or mailed into the country failed in quarantine inspection and are, in addition, unable to be treated by disinfection and disinfestation with effective methods, such objects shall be returned or destroyed, and the Quarantine Treatment Notice shall be issued, which shall be handed over the carrier or sender.

Chapter VII

Quarantine of Means of Transport

Article 46 With respect to the ships, airplanes or trains from animal and plant epidemic or infected/infested areas, the officers of a port animal and plant quarantine office may embark on the ships, airplanes or trains to perform on-the-spot quarantine inspection. The persons in charge of the relevant means of transport shall respond to inquiries of quarantine by providing such information as shipping logs and goods hauling conditions. They are also required to open the cabins for quarantine inspection and sign for inquiry records.

The port animal and plant quarantine service shall conduct quarantine inspection of all areas or sections where disease, insect pests and other harmful organisms may be concealed, including dining carriages, food distribution cabins, catering cabins, kitchens, storerooms food cabins where animal and plant products are stored or consumed, swills, dumping areas for waste of animal or plant products, and their containers. If necessary, disinfection for the precaution against epidemics shall be conducted.

Article 47 If the ships, airplanes or trains from the animal or plant epidemic or infected/infested areas are, upon quarantine inspection, found to be contaminated by the disease, insect pests and other harmful organisms as listed in the prescribed list of Article 18 of the Law on the Entry and Exit Animal and Plant Quarantine, such ships, airplanes or trains must be treated by fumigation, disinfection or other disinfestations. If the above objects must be sealed up, during their stay or transportation period within the territory of China, they shall not be unsealed for use without the approval of the port animal and plant quarantine office. The swills and wastes of animal or plant nature on the means of transport, or the places and containers for dumping the above swills and wastes shall, under the supervision of the port animal and plant quarantine office, be treated by disinfection and disinfestation.

Article 48 The vehicles from animal and plant epidemic or infected/infested areas shall be disinfected for the precaution against epidemics by the port animal and plant quarantine office at the port of entry. The vehicles carrying animals and plants, their products or other quarantine objects together with the

cargoes shall, if any diseases, insect pests or other harmful organisms are discovered through quarantine inspection, be subject to a treatment of disinfection and disinfestation. The whole body of vehicles returning from Hong Kong and Macao areas after unloading animals there must be disinfected and sterilized.

Article 49 The old and disused vessels entering the country for disassembling purpose shall be quarantined by the port animal and plant quarantine office. If diseases, insect pests or other harmful organisms are discovered, the above mentioned vessels shall, under the supervision of the port animal and plant quarantine office, be subject to a treatment of disinfection and disinfestation. If the animal or plants, their products or other quarantine objects prohibited entering the country are discovered, such objects shall, under the supervision of port animal and plant quarantine office, be destroyed.

Article 50 If the person in charge of the means of transport from animal or plant epidemic or infected/infested areas for entering the country or, his or her agent request an issuance of a certificate after the above means of transport passed the quarantine inspection, or passed the quarantine inspection after treatment by disinfection, a “Quarantine Certificate for the Means of Transport” or a “Disinfection Certificate for the Means of Transport” shall be issued by the port animal and plant quarantine office.

Article 51 During the period when the entry or exit means of transport stay within the territory of China, the staff and workers of transportation or other shall not be allowed to bring the animals or plants, their products or other quarantine objects away from means of transport; if it is necessary to bring them away from the means of transport, an application shall be submitted to the port animal and plant quarantine office for quarantine inspection.

Article 52 The means of transport loaded with animals for leaving the country shall, before loading, be disinfected under the supervision of the port animal and plant quarantine office.

The means of transport loaded with plants, animal or plant products or other quarantine objects for leaving the country shall conform to the state regulations on animal and plant epidemic prevention and quarantine inspection. If diseases, insect pests or other harmful organisms dangerous to animals or plants, or common diseases, insect pests or other harmful organisms exceeding the stipulated standards are discovered, the means of transport shall be loaded and delivered only after the treatment for a treatment of disinfection and disinfestation.

Chapter VIII

Quarantine Inspection Supervision

Article 53 With respect to the processes of production, processing or storages of the entry or exit animals and plants or their products, the State Administration of Animal and Plant Quarantine and the port animal and plant quarantine offices shall institute a quarantine supervision system. The specific stipulations shall be worked out by the competent department of agriculture administration under the State Council.

Article 54 If the entry or exit animals, plant seeds and seedlings or other propagating materials need to be kept or planted in quarantine station /post –entry quarantine station, the above mentioned objects shall subject to quarantine inspection of the port animal and plant quarantine office during the period of isolation.

Article 55 Any units and engaged in the treatments of fumigation and disinfection for the entry or exit animal and plant quarantine must pass the examination and verification conducted by the port animal and plant quarantine offices.

The port animal and plant quarantine office shall supervise over and guide the work of fumigation and disinfection, and shall be in charge of issuing fumigation or disinfection certificates.

Article 56 With respect to the places such as airports, seaports, railways or bus stations, ware-houses, processing factories and farms where the entry or exit animals or plants, their products or other quarantine objects are produced, processed or stored, the port animal and plant quarantine offices may, in the light of requirements, conduct animal and plant epidemic monitoring, and coordination shall be offered by relevant unites.

The instruments for animal or plant epidemics monitoring shall no the removed or damaged without the permission of the port animal and plant quarantine office.

Article 57 The animal and plant quarantine offices may, in the light of requirements, put seals or marks of animal and plant quarantine on the means of transport or containers loaded with the entry or exit animals or plants, their products or other quarantine objects; the seals and marks of quarantine shall not be removed or damaged without the permission of the port animal and plant quarantine office.

The seals and marks of animal and plant quarantine shall be made and distributed in a unified form by the State Administration of Animal and Plant Quarantine.

Article 58 If the entry animals and plants, their products and other quarantine objects, the containers loaded with the packages used for packing materials carrying and packing animals and plant, their products or other quarantine objects are transported into bonded districts (including bonded factories, bonded warehouses, etc.) , they shall, according to law, be quarantined at the entry port; the port animal and plant quarantine office may, in the light of specific circumstances, perform quarantine supervision; if the above mentioned objects after the processing are transported for leaving the country, they shall be handled in accordance with relevant regulations on quarantine inspection over the exit objects in the Law on Entry and Exit Animal and Plant Quarantine and these Regulations.

Chapter IX

Legal Liability

Article 59 If anyone commits one of the following acts in violation of the laws, a fine of not more than RMB5000 shall be imposed by the port animal and plant quarantine office:

- (1) Failing to apply for quarantine inspection or failing to go through the import permits according to law or failing to follow the provisions on import permits; or
- (2) Showing consistency between the animals or plants, their products or other quarantine objects declared for quarantine inspection and those actually imported.

If any violation is involved in the acts as specified in items (2) of the preceding paragraph, the quarantine certificate already issued shall be revoked.

Article 60 If anyone commits one of the following acts in violation of the laws, a fine of not more than RMB30000 but not less than RMB 3000 shall be imposed by the port animal and plant quarantine office:

- (1) Unloading animals or plants, their products or other quarantine objects entering or transiting through the country from the means of transport or transporting or delivering the above objects without the permission of the port animal and plant quarantine office;
- (2) Transferring or disposing of, without authorization, the animals or plants subjected to quarantine inspection in a quarantine station/ post-entry quarantine station designated by the port animal and plant quarantine office;

(3) Unpacking, without authorization, the packages of transit animals or plants, their products or other quarantine objects, or removing or damaging, without authorization, the seals and marks of animal and plant quarantine; or

(4) Casting away, without authorization, dead body, excrements, bedding materials or other wastes of transit animals, or disposing of, not in accordance with the regulations, the swills and wastes of animal or plant nature of the means of transport.

Article 61 If the entry or exit animals or plants, their products or other quarantine objects produced, processed or stored in a unit which is registered in accordance with the provisions of Articles 17 and 32 of these Regulations fail to pass the quarantine inspection, such above-mentioned objects shall, in accordance with the provisions of these Regulations, be returned, destroyed or disinfested, and in addition, if the circumstances are serious, the registration for such unit shall be revoked by the port animal and plant quarantine office.

Article 62 If anyone commits one of the following acts in violation of laws, criminal responsibility shall be investigated according to law; if a crime is not yet constituted, or if a criminal punishment is not needed to be sentenced according to law because the criminal cases are obviously slight, the port animal and plant quarantine office shall impose a fine of not more than RMB50000 yuan but not less than RMB20000yuan;

(1) Causing serious animal or plant epidemic; or

(2) Forging or altering the quarantine certificates or notes, stamps, marks or seals.

Article 63 If any units and engaged in the treatment of fumigation and disinfection for the entry or exit animal and plant quarantine fail to conduct the treatment of fumigation and disinfection in accordance with the regulations, the port animal and plant quarantine office may, in the light of circumstances, revoke their qualifications for conducting the treatment of fumigation or disinfection.

Chapter X

Supplementary Provisions

Article 64 As used in the Law on the Entry and Exit Animal and Plant Quarantine and in these Regulations, the following terms mean: (1) “Plant seeds, seedlings and other propagating materials” means the cultivated or wild plants or parts of such plants for propagation, such as plants,

nursery stock (including test-tube seedlings), fruits, seeds, stock, scions, cuttings, leaf blades, buds, root tubers, stem tubers, bulbs, corns, pollen and cell culture materials;

(2) “Loading containers” means the containers such as cages, boxes, barrels and baskets which may be used, and be liable to be contaminated by diseases or insect pests or other harmful organisms for loading entry and exit goods;

(3) “Other harmful organisms” means all kinds of organisms harmful to animals or plants such as biological organisms, pathogenic microorganisms and mollusk, rodents, mites, myriopods and vectors and intermediate host of dangerous diseases and insect pests except for the lists of infectious or parasitic diseases of animal and the disease, pests or weeds dangerous to plants; and

(4) “Quarantine certificate” means the documents with legal force on the health or the sanitary status of animals or plants, animal or plants products, or other quarantine objects issued by the port animal and plant quarantine office such as the “Animal Quarantine Certificate”, “Phytosanitary Certificate”, “Veterinary Certificate” and “Fumigation/Disinfection Certificate”.

Article 65 The required expenses or the losses incurred in quarantine inspection or the treatment of fumigation, disinfection, returning or destruction for the entry and exit animals and plants, their products and other quarantine objects shall be borne by the owner, or his or her agent.

Article 66 When the port animal and plant quarantine office needs to collect samples in conducting quarantine inspection according to law, a receipt for collecting samples after quarantine, the owner, or his or her agent may take them back within the period of the stipulated time limit; if the owner or his or her agent fails to take them back within the stipulated time limit, the port animal and plant quarantine office shall dispose of them in accordance with relevant regulations.

Article 67 The department in charge of the quarantine of animal products leaving the country for trade purpose shall be designated by the State Council as it deems appropriate.

Article 68 These regulations shall come into force as of January1, 1997.