

## **Provisions on the Supervision over and Administration of the Quality Safety of Export Agricultural Products**

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Order of the People's Government of Shandong Province  
(No. 189)

The Provisions on the Supervision over and Administration of the Quality Safety of Export Agricultural Products, which were adopted at the 73rd executive meeting of the People's Government of Shandong Province on August 14, 2006, are hereby promulgated and shall come into force as of December 1, 2006.

Governor Han Yuqun  
October 18, 2006

Provisions on the Supervision over and Administration of the Quality Safety of Export Agricultural Products

Article 1 These Provisions are formulated according to the relevant laws and regulations and by considering the actual situation of Shandong Province for the purpose of ensuring the quality safety of export agricultural products and promoting the export of agricultural products.

Article 2 For the production of export agricultural products, it is necessary to strictly implement the compulsory technical criteria of the State, vigorously promote the internationally prevailing "good agricultural operating rules", select pesticides, veterinary drugs, feed additives and other agricultural chemical inputs according to the quality safety criteria of the importing country, and strictly enforce the provisions of the State on relative dosage interval or withdrawal time.

Article 3 The people's governments at all levels shall actively promote the construction of export production system, and encourage and support agricultural product export enterprises to establish export production bases.

The department of entry-exit inspection and quarantine shall publish the list of agricultural product export bases that have been put on the archives and are established according to the internationally prevailing "good agricultural operating rules" to home and abroad.

Article 4 The departments of foreign trade and economic cooperation, entry-exit inspection and quarantine, agriculture (livestock), marine and fishery, and quality and technical supervision, etc. shall strengthen the coordination and cooperation with each other, and establish a joint working mechanism of export agricultural products.

The department of agriculture (livestock) shall be responsible for the quality safety supervision over the raw material planting link of plant products as well as the raw material breeding link of animal products.

The department of marine and fishery shall be responsible for the quality safety supervision over the

raw material breeding link of aquatic products as well as aquatic animals and plants.

The department of entry-exit inspection and quarantine shall be responsible for the quality safety supervision over the processing of export agricultural products, and coordinate relevant departments to supervise over the production source of export agricultural products.

The department of quality and technical supervision shall be responsible for the supervision over the quality safety standards for export agricultural products.

The department of foreign trade and economic cooperation shall be responsible for comprehensive coordination, market development of export agricultural products and relevant information services.

Article 5 The departments of agriculture (livestock) and marine and fishery shall, together with the department of quality and technical supervision and according to the quality safety standards of the importing country, timely formulate, adjust and publish technical criteria relating to the production of export agricultural products, strengthen the supervision over, guidance and service of producers, and timely publish to the general public the inventory of agricultural chemical inputs that are prohibited or restricted.

The departments of entry-exit inspection and quarantine, quality and technical supervision, and foreign trade and economic cooperation shall actively cooperate with the departments of agriculture (livestock) and marine and fishery to do a good job in the supervision over, guidance and service of the production of export agricultural products.

Article 6 For the production and business operation of export agricultural products, it is necessary to establish and improve a quality traceability system and a quality liability traceability system, properly record down the process for replenishing and using agricultural chemical inputs as well as the process for producing and selling export agricultural products, and properly keep such records for more than two years.

In case any quality problem occurs to export agricultural products, the quality liability shall be traced in light of the links of production and business operation.

Article 7 The relevant departments shall, according to the information-sharing requirements, mutually provide export technical criteria, domestic and overseas market developments, credit status of operators, quality safety liability traceability of export agricultural products and other information about the quality safety of export agricultural products; and the department of foreign trade and economic cooperation shall collect and sort out the relevant information and announce it to the general public.

In case the quality standards or technical criteria of the importing country is changed, the departments of quality and technical supervision, entry-exit inspection and quarantine, and foreign trade and economic cooperation shall timely provide relevant information to the departments of agriculture (livestock) and marine and fishery; and the departments of agriculture (livestock) and marine and fishery shall timely provide the information about the prevention and control of epidemic diseases, epidemic situation and the use of agricultural chemical inputs to the departments of quality and technical supervision, entry-exit inspection and quarantine, and foreign trade and economic cooperation.

Article 8 For the processing of export agricultural products, it is necessary to establish a self-inspection and self-control system in line with the quality safety requirements, carry out the self-inspection and self control to the processing link of export agricultural products, and the department of entry-exit inspection and quarantine shall conduct supervision.

The department of entry-exit inspection and quarantine shall implement various supervisory models according to the self-inspection and self-control ability and the quality credit status of the enterprises processing export agricultural products as well as the risk degree of export agricultural products.

Where there are other prescriptions on the supervision over the processing of export agricultural products in any law or regulation, such prescriptions shall prevail.

Article 9 The people's governments at all levels shall increase the input into the infrastructure for the quality inspection of export agricultural products, and gradually improve the inspection and testing conditions.

The relevant departments shall strengthen the testing coordination with each other, make full use of existing testing resources, and actively provide testing convenience to the enterprises.

Article 10 The people's governments at all levels shall actively support and encourage the trademark construction of export agricultural products, strengthen the origin protection of local export agricultural products as well as the support to the brand enterprises of export agricultural products, and encourage the enterprises to actively carry out international authentication and trademark registration.

Article 11 The people's governments at all levels and the relevant departments shall actively encourage and support the establishment of rural specialized cooperative economic organizations and trade associations of agricultural products, and bring into full play the functions of such organizations and associations in the aspects of providing production technologies and information services, establishing the quality safety management system and control system as well as strengthening the industrial self-discipline, etc.

Article 12 The department of agriculture (livestock) shall assign qualified veterinary technicians to livestock breeding bases, and the department of entry-exit inspection and quarantine shall assign qualified veterinary technicians to the slaughtering plants for export meat. The veterinary technicians shall, on the basis of their respective duties, carry out the origin quarantine and the slaughtering supervision over livestock breeding and product processing, and do a good job of connection.

Article 13 The people's governments at all levels shall establish and improve a safety risk fund of export agricultural products and use it specially for compensating for the quality risk loss of export agricultural products.

The people's governments at all levels, the relevant departments and the enterprises producing and processing export agricultural products shall establish a quality safety risk analysis and early-warning mechanism of export agricultural products.

Article 14 The people's governments at all levels shall carry out a reasonable layout of the planting and breeding of export agricultural products, formulate the planting and breeding plans for export agricultural products, and organize the implementation of such plans.

The departments of agriculture (livestock) and marine and fishery shall, according to the planting and breeding plans for plants and animals, formulate the planting and breeding criteria for export agricultural products, and reasonably determine the planting and breeding density respectively for plants and animals.

The production of export agricultural products shall be rigorously governed by the planting and breeding plans as well as the planting and breeding criteria for export agricultural products.

Article 15 The people's governments at all levels and the relevant departments shall take measures, and strengthen the environmental protection of production and processing bases of export agricultural products, soils in production areas as well as water resources.

For the production and processing of export agricultural products, it is necessary to rigidly protect the environment of bases for export agricultural products, and strengthen the infrastructure construction and reconstruction of bases according to the environmental requirements for the producing and processing bases of export agricultural products.

Article 16 For the production and processing of export agricultural products, the innocuous treatment shall be conducted in strict accordance with the provisions on the treatment of pesticides, veterinary medicines, wastes, ill and deceased animals, livestock's fecal materials and packing materials, etc.

The relevant departments and entities shall reclaim wastes as prescribed in the preceding Paragraph in strict accordance with the relevant provisions of the State.

Article 17 No entity or individual may carry out the following acts:

- (1) Producing, selling or using contraband agricultural chemical inputs;
- (2) Hiding, processing or selling ill or deceased livestock;
- (3) Destroying production bases of export agricultural products and the environment thereof;
- (4) Forging inspection and quarantine certificates, records on production and processing of agricultural products or other certification documents, or concealing the actual situation from the department of entry-exit inspection and quarantine; or
- (5) Any other act that should not be committed according to any law, regulation or rule.

Article 18 In case any entity or individual violates Paragraph 1 of Article 6, Article 16 or Article 17 of these Provisions, the departments of agriculture (livestock), marine and fishery, entry-exit inspection and quarantine, industry and commerce, quality and technical supervision, and health, etc. shall, according to their respective functions, give a warning and a fine of less than 1,000 yuan to the entity or individual in the case of non-business operations or a fine of less than 30,000 yuan in the case of business operations. Where there are other prescriptions in any law or regulation, such prescriptions shall prevail.

Article 19 In case the people's government at each level or any of relevant departments violates the provisions and misuses authorities, neglects duties or resorts to frauds for selfish purposes in the work on supervision over and administration of the quality safety of export agricultural products, the principal and other persons held directly responsible shall be given administrative sanctions, and shall be subject to criminal liabilities where the circumstances are serious and any crime is constituted.

Article 20 These Provisions shall come into force as of December 1, 2006.