

**Decision on Amending the Measures for the Administration of
Production Licenses for Feed Additives and Additive Premix Feeds**

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Order of the Ministry of Agriculture of the People's Republic of China
(No.26)

The Decision on Amending the Measures for the Administration of Production Licenses for Feed Additives and Additive Premix Feeds, which were deliberated and adopted at the executive meeting of the Ministry of Agriculture on March 26, 2003, are hereby promulgated and shall come into force as of June 1, 2003.

Minister: Du Qinglin
April 7, 2003

Decision on Amending the Measures for the Administration of Production Licenses for Feed Additives and Additive Premix Feeds

The Ministry of Agriculture decides to amend the Measures for the Administration of Production Licenses for Feed Additives and Additive Premix Feeds as follows:

I. Item (1) of Paragraph 1 of Article 10 and Article 13 shall be consolidated and amended as Article 10: "A production enterprise shall fill out and submit an Application Form for Production Licenses for Feed Additives and Additive Premix Feeds, and simultaneously provide such declaration materials as the drawing on the layout of factories and the production process flowcharts, and the relevant certificates, and apply to the local provincial feed administrative department. "The Application Form for Production Licenses for Feed Additives and Additive Premix Feeds may be obtained from the feed administrative department of the province, autonomous region or municipality directly under the Central Government (hereinafter referred to as the provincial level), at the locality of the enterprise or be downloaded at the website of chinafeed (website: <http://www.chinafeed.org.cn>."

II. Paragraph 1 of Article 11 shall be amended as Article 11: "The provincial feed administrative department shall make a decision whether or not to accept the application within 10 working days upon receipt of all declaration materials, and shall conduct the examination of materials and on-the-spot survey within 20 working days upon receipt of the said materials."

III. Item (2) of Paragraph 1 of Article 10 shall be amended as Article 12: "The provincial feed administrative department shall organize relevant persons to form an examination and appraisal team, which shall conduct examination to the declaration materials and make on-the-spot surveys. Where it is found to be qualified upon the examination of declaration materials and on-the-spot survey, a Comprehensive Examination Form for Enterprises Producing the Feed Additives and Additive Premix Feeds shall be filled out by the provincial feed administrative department and shall be affixed with its seal.

"The provincial feed administrative department shall submit the Application Form for Production Licenses for Feed Additives and Additive Premix Feeds and the Comprehensive Examination Form

for Enterprises Producing the Feed Additives and Additive Premix Feeds in duplicate to the Ministry of Agriculture for examination and approval.”

IV. Item (3) of Paragraph 1 of Article 10 and Paragraph 2 of Article 11 shall be consolidated and amended as Article 13: “The Ministry of Agriculture shall, within 20 working days upon receipt of declaration materials as submitted by the provincial feed administrative department, entrust the expert examination committee for production licenses for feed additives and additive premix feeds under the Ministry of Agriculture to make an examination and put forward suggestions on whether or not to approve the applications.

“The Ministry of Agriculture shall conduct an examination to the examination suggestions as put forward by the expert examination committee for production licenses for feed additives and additive premix feeds, and issue a Production License for Feed Additives and Additive Premix Feeds to the enterprise that is found to be qualified upon examination, and publish it on a regular basis.”

V. The title of Chapter IV shall be altered as “Administration of Production Licenses”.

VI. A new Article shall be added as Article 15: “No production of feed additives and additive premix feeds may be conducted unless the production license and the approval document number are obtained.”

VII. A new Article shall be added as Article 16: “To alter the enterprise name, production address or registered address one shall file an application to the local provincial feed administrative department for examination, which shall be reported to the Ministry of Agriculture for reissuing a production license, and the Ministry of Agriculture shall make an announcement for it”.

VIII. Items (1) and (5) of Paragraph 1 of Article 14 shall be deleted, and a new Item shall be added as Item (3): “the alteration of production address”.

IX. Article 16 shall be amended as Article 18: “An annual inspection system shall be implemented to feed additives and additive premix feeds. An enterprise shall fill out an annual inspection form pursuant to the requirements prior to the end of March each year, and report it to the provincial feed administrative department. The provincial feed administrative department shall conduct investigation if any significant alteration of production conditions of the enterprise is found or any serious hidden safety trouble or a safety quality problem exists during the course of annual inspection, and shall report the investigation results to the Ministry of Agriculture.

“The Ministry of Agriculture shall carry out irregular supervision and check of the annual inspection work.”

X. Article 17 shall be deleted.

XI. A new Article shall be added as Article 21: “If an enterprise is under any of the following circumstances, the feed administrative department shall rectify and improve it within the time limit. If it is still unqualified after the rectification and improvement, it shall be reported to the Ministry of Agriculture for canceling its production license, and make an announcement for it:

- (1)The basic conditions of the enterprise have been significantly altered, and the basic production conditions are not satisfied;
- (2)The enterprise fails to submit the materials for annual inspection or pass the annual inspection for more than two years (included);
- (3)The production enterprise has ceased its production for more than one year (included);
- (4)The production enterprise goes bankrupt or is merged; or
- (5) The enterprise fails to notify the change of its address to the department in-charge.”

XII. A new Chapter shall be added as Chapter V: “Penalty Provisions”.

XIII. A new Article shall be added as Article 22: “A production business enterprise that adds or uses prohibited drugs in the feed products or fails to use feed additives pursuant to the legal provisions, and causes serious consequences shall be punished pursuant to Item (3) of Paragraph 1 of Article 30 in the Regulation on the Administration of Feed and Feed Additives Feeds.”

XIV. A new Article shall be added as Article 23: “An enterprise shall immediately stop the production or selling of the products if its production license is cancelled, the provincial feed administrative department shall withdraw the production license and submit it to the Ministry of Agriculture. The name list of the enterprises whose production licenses have been cancelled shall be published by the Ministry of Agriculture.”

In addition, the sequence of Articles shall be adjusted accordingly, and the wording of some Articles shall be slightly amended.

This Decision shall come into force as of June 1, 2003.

The Measures for the Administration of Production Licenses for Feed Additives and Additive Premix Feeds shall be amended pursuant to this Decision and shall be promulgated again.