

Measures for the Supervision over and Administration of the Inspection and Quarantine of Bonded Zones

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Order of the State Administration of Quality Supervision, Inspection and Quarantine
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The Measures for the Supervision over and Administration of the Inspection and Quarantine of Bonded Zones, which were adopted at the ministerial meeting of the State Administration of Quality Supervision, Inspection and Quarantine on December 24, 2004, are hereby promulgated, and shall come into force as of March 1st, 2005.

Director General: Li Changjiang
January 12, 2005

Measures for the Supervision over and Administration of the Inspection and Quarantine of Bonded Zones

Chapter I General Provisions

Article 1 The present Measures are formulated in accordance with the Law of the People's Republic of China on the Inspection of Import and Export Commodities and its implementation regulations, the Law of the People's Republic of China on the Quarantine of Animals and Plants Entering and Exiting the Territory and its implementation regulations, the Law of the People's Republic of China on Frontier Health Quarantine and its detailed implementation rules, and the Law of the People's Republic of China on Food Hygiene and other relevant laws and regulations, for the purpose of strengthening and regulating the work for the supervision over and administration of the inspection and quarantine of the bonded zones, and promoting the rapid and healthy development of the state economy and trade.

Article 2 The present Measures shall be applicable to the work for the inspection and quarantine of goods entering and exiting the bonded zones that shall be subject to inspection and quarantine as prescribed by laws and regulations and their packing materials, cushioning materials, means of transportation, and containers (hereinafter referred to as goods subject to inspection and quarantine) and the supervision and administration thereof.

Article 3 The State Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as the SAQSIQ) shall uniformly administer the work for the supervision over and administration of the inspection and quarantine of the bonded zones nationwide. The entry and exit inspection and quarantine organs (hereinafter referred to as inspection and quarantine organs) established by the SAQSIQ at the bonded zones shall conduct inspection and quarantine on the goods subject to inspection and quarantine that enter or exit the bonded zones and the supervision and administration thereof.

Article 4 In case there is necessity to handle the formalities for the examination and approval of the inspection and quarantine on the goods subject to inspection and quarantine that enter or exit the bonded zones, the formalities for the examination and approval shall be handled according to the provisions of laws and regulations on inspection and quarantine.

Article 5 When any substance subject to inspection and quarantine that enters or exits a bonded zone, the consigner and consignee (the cargo owner) or their agents shall go through the formalities

for the inspection declaration with the inspection and quarantine organ in light of the relevant provisions of the SAQSIQ, the inspection and quarantine organ shall conduct inspection and quarantine in light of the relevant state laws, regulations and rules and the provisions of the SAQSIQ, and the customs house shall release the goods on the basis of the certificate of customs clearance of goods issued by the inspection and quarantine organ.

Article 6 The inspection and quarantine organ shall strengthen cooperation and coordination with the customs, and conduct inspection and quarantine on the goods subject to inspection and quarantine that enter or exit the bonded zones in light of the principle of facilitation and effectiveness.

Chapter II Inspection and Quarantine on the Goods Subject to Inspection and Quarantine Imported to Bonded Zones

Article 7 For the goods subject to inspection and quarantine that enter into the bonded zones from abroad, which fall within the scope of health quarantine, the inspection and quarantine organ shall conduct health quarantine on them; for those that shall be subject to sanitary treatment, the inspection and quarantine organ shall carry out sanitary treatment on them.

Article 8 For the goods subject to inspection and quarantine entering into the bonded zones from abroad, which fall within the scope of quarantine of animals and plants, the inspection and quarantine organ shall conduct quarantine of animals and plants; for those subject to anti-pest treatment of quarantine of animals and plants, the anti-pest treatment shall be conducted according to law under the supervision of the inspection and quarantine organ.

Article 9 The inspection and quarantine organ shall conduct inspection on and supervision over the solid waste, old mechanical and electrical products, whole set of equipment entering into the bonded zones from abroad that may be used as materials, and appraise the value of the foreign investment assets according to the relevant provisions, and shall not conduct inspection on those goods whose customs clearance formalities have not been completed.

Article 10 The compulsory product certification shall be exempted on the warehousing and logistic goods that enter into the bonded zones from abroad by the enterprises in the bonded zones and the self-use office supplies, raw materials needed for export processing, and components and parts.

Article 11 If there is no need to go through customs clearance formalities for the goods subject to inspection and quarantine which enter into the bonded zones from non-bonded zones within the territory of the People's Republic of China (excluding the Hong Kong and Macao regions, hereinafter referred to as the non-bonded zones), the inspection and quarantine organ shall not conduct inspection and quarantine on them; if it is necessary to handle customs clearance formalities, the inspection and quarantine organ shall conduct inspection and quarantine on the goods subject to inspection and quarantine as required.

Chapter III Inspection and Quarantine on the Goods Subject to Inspection and Quarantine Exported from Bonded Zones

Article 12 The inspection and quarantine organ shall conduct inspection and quarantine on the goods subject to inspection and quarantine which are exported to abroad from the bonded zones according to law.

Article 13 Unless otherwise specified by any law or regulation, no quarantine may be conducted on the goods subject to inspection and quarantine which are exported to non-bonded zones from bonded zones.

Article 14 The inspection and quarantine organ shall conduct inspection on the goods subject to

inspection and quarantine which are exported from bonded zones to non-bonded zones, and which fall within the scope of food hygiene supervision and inspection and commodity inspection. Goods that enter into the territory in a single batch but leave the zones by several batches may be declared for inspection by batches, and the inspection may be carried out on the batch-by-batch basis; if they comply with relevant conditions, they may be declared for inspection as a single batch when entering into the territory, be inspected as a single batch, and be written off by batches when passing the bonded zones if they are found to be qualified upon inspection.

Article 15 The goods from a bonded zone which have been inspected when entering into the territory according to the provisions of Article 9 of the present Measures are not subject to inspection they are exported to non-bonded zones.

The goods which enter into a bonded zone from a non-bonded zone and then are exported to non-bonded zones according to the provisions of Article 11 of the present Measures are not subject to inspection.

Article 16 In case the goods subject to inspection and quarantine are exported to non-bonded zones from the bonded zones, which are listed into the catalogue for compulsory product certification, the corresponding certification certificate shall be provided, and the mark of compulsory product certification shall be posted on the products.

Article 17 For the preliminarily packed foods and cosmetic products to be transported from a bonded zone to a non-bonded zone, one shall apply to the inspection and quarantine organ for going through the formalities for the examination and approval of labels.

Article 18 For the goods that exit the territory directly without being processed after entering the bonded zones from the non-bonded zones, the inspection and quarantine organ of the bonded zones shall change the certificate and release them on the basis of the conformity certificate of inspection and quarantine as issued by the inspection and quarantine organ of the place of origin, and no inspection and quarantine is required. If they have exceeded the period of validity for inspection and quarantine, or have changed the country or region of import and have different requirements for inspection and quarantine, or have changed their packages or have been reassembled, or have revoked their inspection declaration, an inspection declaration shall be made again as required.

Article 19 In case any enterprise in the bonded zones processes any product that exits the territory, which complies with the relevant provisions, it may apply to the inspection and quarantine organ for issuing a GSP certificate of place of origin or a general certificate of place of origin, a certificate of place of origin of regional preference, or a special certificate of place of origin, etc..

Chapter IV Inspection and Quarantine of the Goods Subject to Inspection and Quarantine Re-exported through Bonded Zones

Article 20 For the animals and plants, products from animals and plants and other goods subject to quarantine, the official quarantine certificate issued by governmental departments of the exporting country or region shall be provided when they enter into the territory and are declared for inspection; for animals re-exported, the Permit for Animals Passing through the Territory of China issued by the SAQSIQ and the certificate allowing them to enter into the territory as issued by the governmental departments of the importing country or region shall be provided at the same time; for the re-exported genetically modified products, the Permit for Transfer of Genetically Modified Products Passing through the Territory of China as issued by the SAQSIQ shall be provided at the same time.

Article 21 If the goods subject to inspection and quarantine which are exported through bonded zones are stored temporarily at the bonded zones, re-exported out of the territory with the original packing and in apparently good packing and airtight status without damage or drop or leakage, only the quarantine on the outer packing may be conducted at the time of their entry into the territory, and

epidemic prevention and disinfection may be conducted if necessary.

Article 22 In case the goods subject to inspection and quarantine which are re-exported through the bonded zones are re-exported out of the territory due to such reasons as bad packing or classification, selection, brushing or posting labels, or changing the packing forms and other simple processing in the bonded zones, the inspection and quarantine organ shall conduct health quarantine, quarantine of animals and plants and food hygiene inspection on them.

Article 23 In case any goods subject to inspection and quarantine are re-exported out of the territory, no quarantine or quarantine is required as a general rule unless there are otherwise different provisions in any law or regulation or the government of the importing country or region requires the presentation of the quarantine certificate or quarantine disposal certificate issued by the inspection and quarantine organ of our country when the goods enter into their territories.

Chapter V Supervision and Administration

Article 24 The import and export processing enterprises, international trade enterprises, international logistic enterprises and import and export commodity exhibition enterprises established within the bonded zones shall apply for archival filing to the inspection and quarantine organ.

Article 25 The enterprises undertaking the processing and storing of products from animals and plants entering into and exiting the territory in the bonded zones shall comply with the relevant provisions on inspection and quarantine.

Article 26 Enterprises undertaking the processing and storing of foods exiting the territory within the bonded zones shall handle health registration and recording on enterprises undertaking the production of export food, if there are additional requirements by the importing country or region, the requirements of the importing country or region shall also be met; the enterprises undertaking the processing and storing of foods entering into the territory shall accept the supervision and administration of the inspection and quarantine organ according to the general health specifications of the food enterprises.

Article 27 The relevant requirements of inspection and quarantine shall be met for the establishment of an inspection and quarantine place or a place for quarantine fumigation treatment and disinfection treatment in a bonded zone.

Article 28 An inspection and quarantine organ shall conduct monitoring on the epidemic situation in the bonded zones according to the relevant provisions of laws and regulations, and conduct supervision over the quarantine of animals and plants that enter and leave the bonded zones, and over the process for the production, processing, deposit and transfer of their products.

Article 29 The inspection and quarantine shall be exempted for the sale and transfer of import and export goods subject to inspection and quarantine among the enterprises in the bonded zones.

Article 30 In case the examination and approval for the quarantine of animals and plants and their products entering and exiting the territory has been handled, and it is necessary to alter the items subject to examination and approval, the relevant parties shall apply for approving the alteration of quarantine examination.

Chapter VI Supplementary Provisions

Article 31 The present Measures shall be referred to by analogy in the inspection and quarantine of such areas as the bonded warehouses and bonded logistic parks, etc. and the supervision and

administration thereof.

Article 32 For acts in violation of the provisions of the present Measures, the inspection and quarantine organ shall give an administrative punishment according to the relevant laws and regulations.

Article 33 The power to interpret the present Measures shall remain with the SAQSIQ.

Article 34 The present Measures shall come into force as of March 1st, 2005. The Measures for the Administration of Quarantine of Animals and Plants in Bonded Zones, which were promulgated by the former Bureau of Inspection of Animals and Plants of the People's Republic of China on April 10, 1998 shall be repealed simultaneously.