

Measures for the Administration of the Safety and Health of the Feed Products from Animal Sources

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(No.40)

The Measures for the Administration of the Safety and Health of the Feed Products from Animal Sources, which were examined and adopted at the 25th executive meeting of the Ministry of Agriculture on July 14, 2004, are hereby promulgated and shall come into force as of Oct.1, 2004.

Minister: Du Qinglin
August 2, 2004

Measures for the Administration of the Safety and Health of the Feed Products from Animal Sources

Chapter I General Provisions

Article 1 The present Measures are enacted in accordance with the Regulation on the Administration of Feed and Feed Additives with a view to strengthening the administration of the safety and health of the feed products from animal sources.

Article 2 The Ministry of Agriculture shall be responsible for the administration of the safety and health of the feed products from animal sources of the whole country.
The feed administration departments of local people's governments at the county level or above shall be responsible for the administration of the safety and health of the feed products from animal sources within their own administrative areas.

Article 3 The feed product from animal sources as mentioned in the present Measures refers to the single feed which takes the animals or byproducts of animals as raw materials and is processed and manufactured through industrialization.
The catalogue of the feed products from animal sources shall be promulgated by the Ministry of Agriculture.

Chapter II Examination and Approval of the Establishment of Enterprises

Article 4 To establish a production enterprise of feed products from animal sources, one shall apply to the feed administrative department of the people's government at the provincial level at the locality of the enterprise to be established. One can go through the enterprise registration formalities only after being examined as eligible and obtaining the Certificate of Quality of Safety and Health of the Production Enterprise of the Feed Products from Animal Sources.

Article 5 The following conditions shall be possessed when establishing the production enterprise of feed products from animal sources:

(1) Factory building and facilities

- a. The factory building shall not be in a bad condition, and the factory building and the attached facilities shall be easy for cleaning and disinfection;
- b. Relevant equipment for preventing flies, mice, birds and dust and relevant storage facilities; and
- c. Relevant dressing rooms, toilets, and washing grooves.

(2) Production technology and equipment

- a. The production technology and equipment shall meet the requirements of safety and health and quality standards of the products; and
- b. Relevant facilities for washing, disinfection, drying and grinding.

(3) Personnel

- a. The persons in charge of techniques shall have an educational background of junior college or higher or a middle-level technical title or higher, be familiar with the production technology and have engaged in the corresponding professional work for more than two years;
- b. The persons in charge of quality control and the persons in charge of quality testing organ shall have an educational background of junior college or higher or a middle-level technical title or higher and have engaged in the corresponding professional work for more than three years; and
- c. The employees of special types of work shall possess the corresponding professional certificates.

(4) Quality testing organ and equipment

- a. to establish the quality testing organ;
- b. to establish the instrument room(section), checking and manipulation room(section) and room(section) for keeping samples and observing; and
- c. the basic equipment needed for the quality testing.

(5) Production circumstances

- a. The place of the enterprise shall be far from the feeding field of animals, with the minimum distance of 1,000 meters. In case the enterprise is close to the slaughterhouse, the indispensable isolation measures shall be needed;
- b. No animal may be fed within the factory;
- c. The layout of production factory shall be reasonable, the areas for sorting out the raw materials, production and processing, depositing the finished products shall be separated, and the finished products and raw materials must be stored separately to prevent cross contamination.

(6) Measures against pollution

The system for collecting and disposing of the waste and the equipment for preventing and eliminating pollution shall be complete, and the discharge thereof shall meet the requirements for protecting the environment.

Article 6 To apply for establishing the production enterprises of feed products from animal sources, one shall fill in and submit the Written Application for Producing the Feed Products from Animal Sources and offer the related materials in conformity with the conditions prescribed in Article 5. The Written Application for Producing the Feed Products from Animal Sources can be got, free of charge, from the feed administrative department of the people's government at the provincial level at the locality of the enterprise or downloaded at the website of china feed (website: <http://www.chinafeed.org.cn>) .

Article 7 After receiving the Written Application for Producing the Feed Products from Animal Sources and the related materials, the feed administrative department of people's government at the provincial level shall finish examining and verifying the materials of the enterprise within fifteen working days and submit them to the panel of appraisal for examination and appraisal, and it shall make the examination decision within five working days after receiving the appraisal opinions. If it decides not to approve the issuance, it shall notify the applicant in writing and explain the reasons. In case the application materials are not complete or not in accordance with the prescribed conditions, the applicant shall be notified just once of the necessary contents that should be supplemented and corrected within five working days. The form of Certificate of Quality of the Safety and Health of Feed Products from Animal Sources shall be worked out by the Ministry of Agriculture.

Article 8 The panel of appraisal shall be composed of three to five appraisers and technology experts. The appraisers shall be trained to be eligible by the Ministry of Agriculture. The panel of appraisal shall conduct on-site inspections on the production conditions of the applicant.

Chapter III Production Management

Article 9 The enterprise shall establish the following systems:

- (1) system of post responsibility;
- (2) system of production management
- (3) system of checking and testing;
- (4) system of standards and quality guarantee;
- (5) system of safety and health;
- (6) system of keeping products' samples and observing; and
- (7) system of measurement management.

Article 10 The management of the raw materials of the enterprise shall meet the following requirements:

- (1) The purchasing and getting-out of warehouse of raw materials shall be completely noted, and the notes shall be kept for two years at least. No decayed, polluted animal materials and the animal materials from the animal epidemic-stricken areas may be purchased;
- (2) The raw materials shall be piled up according to the categories and marked definitely; and the qualified and disqualified materials, materials from the mammals and from other animals shall be guaranteed to be separated. No material may be placed outdoors; and
- (3) The use of raw materials shall follow the principle of "first in, first out". They shall be filtrated before the use, and the disqualified shall be removed and made harmless.

Article 11 The management of production process of the enterprise shall satisfy the following requirements:

- (1) No unnecessary equipment and goods may be piled up within the plant, for fear of propagating the harmful organism;
- (2) The equipment and instruments for manufacturing, packaging, storing and transporting shall be cleaned and disinfected periodically;
- (3) Prior to using the same equipment for producing different feed products from animal sources, the equipment shall be thoroughly cleaned with a view to avoiding the cross contamination;
- (4) The operating personnel shall have the health certificate, and the personnel of the special task shall have a physical examination every half year;
- (5) The production shall be conducted in strict accordance with the production technological process; and
- (6) The production record, including the species and quantity of materials, the production date, the quantity of the products and the conditions of the production technology, shall be made and kept for two years at least.

Article 12 The management of finished products of the enterprise shall satisfy the following requirements:

- (1) The finished products shall be checked as qualified, and the inspection record and report shall be made. The inspection items shall include the total number of bacteria, colon bacillus, salmonella, heavy metal, bacteria of special cause of disease and other indexes of safety and health;
- (2) In case the finished products are polluted by the harmful and poisonous substances or the quality of the finished products is destroyed due to other reasons, they shall be destroyed immediately, and the reasons thereof shall be found out and a record shall be made; and
- (3) The finished products shall be piled up according to the categories to prevent wrong and mixed loading.

Article 13 The package of the products shall not be broken and damaged and be attached by the definite and striking signs and labels.

If the package needs to be used again, it shall be cleaned, washed and sterilized.

Article 14 The label of products shall conform to the standards of the national feed labels and

indicate the names of the animal sources and the serial number of the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources.

Except milk and dairy products, the feed products from animal sources shall be indicated with the words of “this product may not be fed to the ruminants” on the label in addition.

Chapter IV Management of Operation, Import and Use

Article 15 When the products operator purchases the feed products from animal sources, he shall check the label and quality certificate of the products.

No feed product from animal sources, whose business label is not in conformity with the prescription of Article 14 of the present Measures, may be dealt in.

Article 16 One should obtain the registration certificate for importing products in light of the prescription of the Administrative Measures for the Registration of Imported Feed and Feed Additives for importing the feed products from animal sources.

No feed products from animal sources from the countries (regions) stricken with animals' plague may be imported.

No feed products from animal sources, which are transited through the third country (region) from the countries and regions stricken with animals' plague, may be imported.

Article 17 For the feed products from animal sources which have been given the registration certificate of products, the registration certificate of products shall become invalid as of the prohibition day, once the Ministry of Agriculture announces their prohibition. The enterprises that have obtained the certificate shall return the registration certificate of products to the Ministry of Agriculture, and the Ministry of Agriculture shall cancel them and make an announcement. For the feed products from animal sources whose import has been announced to be suspended by the Ministry of Agriculture, the registration certificates of products thereof shall cease to be used within the suspension period.

Article 18 No feed product from animal sources may be used in the feed of the ruminants excluding milk and dairy products.

Article 19 No imported feed product from animal sources without the registration certificate of products may be dealt in and used. No feed products from animal sources without the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources may be dealt in and used.

Chapter V Supervision and Inspection

Article 20 The production enterprise shall fill in the record-keeping form of the conditions of production and operation and submit it to the feed administrative department of the people's government at the provincial level for the record-keeping purpose.

The record-keeping form shall be offered, free of charge, by the feed administrative department of the people's government at the provincial level, and the enterprises also can download it at the website of chinafeed (website: <http://www.chinafeed.org.cn>).

The Ministry of Agriculture shall conduct supervisions over the record-keeping work periodically.

Article 21 The feed administrative department of the local people's government at the county level or above shall conduct the on-site inspection to the production enterprise of feed products from animal sources periodically, but it may not disturb the normal business activities of the enterprises, may not seek for or accept money and goods, and may not seek for other interests.

Article 22 During the periods of putting-on-record and conducting the on-site investigation, where the feed administrative department of the local people's government at the county level or above finds that the production conditions of the production enterprise of the feed products from animal sources have experienced great changes, or that the production enterprise possesses serious hidden

danger of safety and health or safety problem of products' quality, or has other circumstances contrary to the present Measures, it shall conduct the investigation in accordance with law and timely make the decision as to how to handle them.

Article 23 The feed administrative department of the people's government at the provincial level shall take back and cancel the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources and make a public notice, in case the production enterprise is under any of the following circumstances:

- (1) The fundamental conditions have underwent relatively great changes, and it doesn't possess the basic production and sanitary conditions;
- (2) It has stopped production for more than two years;
- (3) It has gone bankrupt or has been merged;
- (4) It doesn't notify the department in-charge when it changes the place of plant;
- (5) It buys, sells, transfers, leases or lends the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources; or
- (6) It hasn't submitted the record-keeping materials for two consecutive years, and refuses to correct after being supervised and urged.

Chapter VI Penalty Provisions

Article 24 In case anyone obtains the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources through illegitimate means of deceiving or giving the bribery, the feed administrative department of the people's government at the provincial level shall cancel the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources and make an announcement, and it shall not accept any application put forward by this applicant within three years.

Article 25 In case anyone buys, sells, transfers, leases or lends the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources, he/it shall be imposed upon a fine of within three times the illegal proceeds where there are illegal proceeds, with the highest fine of no more than 30,000 yuan. Where there are no illegal proceeds, he/it shall be fined no more than 10,000 yuan.

Article 26 In case anyone manufactures the feed products from animal sources without obtaining, or by counterfeiting or forging the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources, he/it shall be imposed upon a fine within three times the illegal proceeds where there are illegal proceeds, with the highest fine of no more than 30,000 yuan. Where there are no illegal proceeds, he/it shall be fined no more than 10,000 yuan.

Article 27 Anyone who violates the prescription of Article 10, Article 11, and Article 12 shall be warned and ordered to correct within a time limit. Anyone who doesn't correct within a time limit or commits the same illegal conducts again shall be fined 1,000 yuan up to 10,000 yuan.

Article 28 Anyone who deals in and uses the feed products from animal sources without obtaining the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources shall be ordered to correct. Where there are illegal proceeds, he/it shall be imposed upon a fine of twice the illegal proceeds but with the highest fine of no more than 30,000 yuan. Where there are no illegal proceeds, he/it shall be fined no more than 10,000 yuan.

Article 29 Other violations of the present Measures shall be punished in accordance with the relevant prescriptions of the Measures for the Administration of Feed and Feed Additives.

Chapter VII Supplementary Provisions

Article 30 Any enterprise of feed products from animal sources established prior to the

implementation of the present Measures shall obtain the Certificate of Quality of the Safety and Health of Feed Products from Animal Sources within six months from the date of the implementation of the present Measures.

Article 31 The present Measures shall come into force as of October 1, 2004.

Attachment:

Catalogue of the Feed Products from Animal Sources

1. meat meal(livestock and poultry), flesh bone dust(livestock and poultry)
2. fish flour, fish oil, fish ointment, prawn flour, squid liver flour, squid flour, cuttlefish ointment, cuttlefish flour, fish concentrated flour, dried scallop concentrated flour
3. blood meal, plasma meal, blood cell meal, blood corpuscle meal, serum meal, fermented blood meal
4. dust of leftover bits and pieces of animals, feather dust, hydrolyzed feather dust, hydrolyzed hair protein dust, leather protein dust, hoof dust, horn dust, chicken giblets dust, intestinal mucosa protein meal, gelatin
5. whey powder, milk powder, chocolate milk powder, egg powder
6. silkworm chrysalis, maggot, stewed worm egg
7. bone dust, bone ash, boneblack, bony calcium phosphate, prawn shell dust, egg shell dust, bone glue
8. animal oil residue, animal fat, feed mixed oil