

Measures on the Quarantine and Administration of Hereditary Substance of Inward Animals

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No. 47

The Measures on the Quarantine and Administration of Hereditary Substance of Inward Animals, which were examined and adopted at the bureau affairs meeting of the State Bureau of Quality Supervision, Inspection and Quarantine on April 3, 2003, are hereby promulgated, and shall come into force on July 1, 2003.

Director General
May 14, 2003

Measures on the Quarantine and Administration of Hereditary Substance of Inward Animals

Chapter I General Provisions

Article 1 The present Measures are formulated in accordance with the Law of the People's Republic of China on Quarantine of Inward and Outward Animals and Plants and the Regulation for the Implementation thereof as well as other laws and regulations with a view to regulating the quarantine, supervision and administration of hereditary substance of inward animals, and protecting the production safety of the animal husbandry in China.

Article 2 The present Measures shall be applicable to the quarantine, supervision and administration of hereditary substance of inward animals.

Article 3 Hereditary substance of animals mentioned in the present Measures means the semen, embryos and egg cells of mammals.

Article 4 The State Bureau of Quality Supervision, Inspection and Quarantine (hereinafter referred to as the SBQSIQ) shall be uniformly responsible for the quarantine, supervision and administration of hereditary substance of inward animals nationwide.

The entry and exit inspection and quarantine institutions set up by the SBQSIQ in all places (hereinafter referred to as the inspection and quarantine institutions) shall be responsible for the quarantine, supervision and administration of hereditary substance of inward animals within their respective jurisdictions.

Article 5 The SBQSIQ shall apply risk analysis administration to the hereditary substance of inward animals. On the basis of the result from risk analysis, the SBQSIQ may conclude a bilateral quarantine agreement (including agreement, protocol, or memorandum, etc.) with the relevant competent institution of the government of the country or region from which the hereditary substance of animals is to be exported to China.

Chapter II Quarantine Examination and Approval

Article 6 Whoever intends to import hereditary substance of animals must go through the formalities of quarantine approval in advance, obtain the "Permit of the People's Republic of China on Quarantine of Inward Animals and Plants" (hereinafter referred to as the "Quarantine Permit"), and stipulate in the trade contract or the relevant agreement the quarantine requirements of China.

Article 7 Whoever intends to apply for the examination and approval of quarantine of hereditary substance of animals shall submit the following materials to the local inspection and quarantine bureau directly under the SBQSIQ:

- (1) the "Application Form for the Permit of the People's Republic of China on Quarantine of Inward Animals and Plants";
- (2) for hereditary substance of animals imported by agency, a photocopy of the contract or agreement with the consignor for import by agency shall be provided.

Article 8 The inspection and quarantine bureau directly under the SBQSIQ shall finish the preliminary examination within the time prescribed by the SBQSIQ. If the hereditary substance of animals is preliminarily examined as qualified, it shall be submitted to the SBQSIQ for verification, and the SBQSIQ shall finish the verification within the prescribed time. If it is verified as qualified, the "Quarantine Permit" shall be issued; if it is verified as unqualified, the "Notice on Failure of the Application to be approved for the Permit of the People's Republic of China on Quarantine of Inward Animals and Plants" shall be issued.

Chapter III Inward Quarantine

Article 9 Before the hereditary substance of animals is imported, the SBQSIQ may, on the basis of the needs in quarantine, send quarantine officers to go to the exporting country or region to carry out pre-inspection of the place of origin of the hereditary substance of animals.

Article 10 The SBQSIQ shall apply quarantine registration to the foreign producers which export hereditary substance of animals to China, and shall send quarantine officers either regularly or irregularly to appraise the registered foreign producers.

Article 11 Imported hereditary substance of animals shall enter the territory via the port designated by the "Quarantine Permit".

Article 12 The consignor of hereditary substance of animals or his agent shall bring the "Quarantine Permit", the trade contract or agreement, the letter of credit, the invoices and other effective documents to report to the inspection and quarantine institution at the port of entry for inspection before the hereditary substance of animals enters the territory; and shall, when the hereditary substance of animals enters the territory, submit to the inspection and quarantine institution at the port of entry the original of the quarantine certificate issued by the governmental quarantine institution of the exporting country or region.

Article 13 If, with respect to some certain hereditary substance of inward animals, there is no effective quarantine certificate issued by the governmental quarantine institution of the exporting country or region, or the formalities for quarantine approval have not been gone through, the inspection and quarantine institution at the port of entry may, in light of the specific situation, return or destroy the said substance.

Article 14 When the imported hereditary substance of animals is carried to the port, the quarantine officers shall carry out the on-the-spot quarantine:

- (1) inspecting whether the quarantine certificate conforms to the "Quarantine Permit" and the

requirements in the bilateral quarantine agreement between China and the exporting country or region;

- (2) checking whether the goods and the certificate are in conformity with each other;
- (3) inspecting the packing and preservation of the goods.

Article 15 If the hereditary substance of animals is quarantined on the spot as qualified, the inspection and quarantine institution at the port of entry shall issue the "List for Customs Release of Inward Goods", and transfer the said substance to the place designated by the "Quarantine Permit" to carry out quarantine.

Article 16 If the hereditary substance of animals needs to be taken away from the port of entry, the consignor or his agent shall declare to the inspection and quarantine institution at the destination, and provide the photocopies of the documents prescribed in Article 12 of the present Measures and the "List for Customs Release of Inward Goods" issued by the inspection and quarantine institution at the port of entry.

Article 17 The inspection and quarantine institution shall make quarantine as required by the "Quarantine Permit". The hereditary substance of animals quarantined as qualified shall be under the lawful quarantine supervision and administration of the inspection and quarantine institution; while the one quarantined as unqualified shall be returned or destroyed under the supervision of the inspection and quarantine institution.

Chapter IV Supervision of Quarantine

Article 18 The inspection and quarantine institution shall conduct quarantine supervision and administration on the processing, deposition and use of the hereditary substance of inward animals (hereinafter uniformly referred to as use); and shall record the first generation of descendents of the hereditary substance of animals.

Article 19 The entity using the hereditary substance of inward animals shall go to the inspection and quarantine bureau directly under the SBQSIQ at its locality to make the record.

Article 20 The using entity shall fill out the "Form on Record of the Entity Using Hereditary Substance of Inward Animals" (Annex 1), and provide the following statement documents:

- (1) a photocopy of the document on proof of the entity's status as a legal person;
- (2) document stating that it has professionals familiar with the preservation, transport and use of the hereditary substance of animals;
- (3) document stating that it has special depositary of hereditary substance of inward animals and other necessary facilities;
- (4) the relevant systems on administering the use of hereditary substance of inward animals.

Article 21 The inspection and quarantine bureau directly under the SBQSIQ shall report to the SBQSIQ the using entities which have made the record.

Article 22 The using entity shall fill out the "File on Quarantine and Supervision of Hereditary Substance of Inward Animals" (Annex 2), and accept the supervision of the inspection and quarantine institution; and shall, after the end of use of each batch of hereditary substance of inward animals, submit the "File on Quarantine and Supervision of Hereditary Substance of Inward Animals" to the inspection and quarantine institution for record.

Article 23 The inspection and quarantine institution may, when necessary, monitor the health of the descendents of the hereditary substance of inward animals, and the relevant entities shall cooperate with the institution.

Chapter V Supplementary Provisions

Article 24 Whoever violates the present Measures shall be punished by the inspection and quarantine institution in accordance with the relevant laws and regulations.

Article 25 The responsibility to interpret the present Measures shall remain with the SBQSIQ.

Article 26 The present Measures shall come into force on July 1, 2003.

Annex 1:

Form on Record of the Entity Using Hereditary Substance of Inward Animals (Omitted)

Annex 2:

File on Quarantine and Supervision of Hereditary Substance of Inward Animals (Omitted)