

Procedures for the Determination of Production Area of Pollution-free Agricultural Product

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Procedures for the Determination of Production Area of Pollution-free Agricultural Product

Article 1 In order to regulate the determination of the production area of pollution-free agricultural product and to guarantee the scientific and impartial results of the determination of production area, these Procedures are enacted in accordance with the Measures for the Administration of Pollution-free Agricultural Products.

Article 2 The administrative departments of agriculture of the people's governments of the provinces, autonomous regions, municipalities directly under the Central Government and cities directly under State Planning (hereinafter referred to as provincial agriculture departments) shall be in charge of the determination of the production area of pollution-free agricultural product within their respective jurisdictions.

Article 3 The entity or individual applying for the determination of production area (hereinafter referred to as applicant) shall file an application to the administrative department of agriculture of the people's government at the county level of the place where the production area is located (hereinafter referred to as county agriculture department), and shall submit the following materials:

- 1) Application Form for Determination of the Production Area of Pollution-free Agricultural Product;
- 2) Scope of the production area and the production scale;
- 3) Description of the environmental status of the production area;
- 4) Production plan of the pollution-free agricultural products;
- 5) Quality control measures for the pollution-free agricultural products;
- 6) Qualifications of the professional technicians;
- 7) Declaration to guarantee execution of the standards and criteria for pollution-free agricultural products; and
- 8) Other materials as required to be submitted.

The applicant shall apply to the administrative department of agriculture of the local people's government at the county level or above for drawing the Application Form for the Determination of Production Area of Pollution-free Agricultural Product and the relevant materials, or download such documents from www.agri.gov.cn.

Article 4 The county agriculture department shall make the examination of form of the application materials of the applicant within 30 days from the day of acceptance. If the materials meet the requirements, the department shall issue the recommendation opinions, and submit those opinions, together with the application materials, to the provincial agriculture department level by level; if the materials fail to meet the requirements, the applicant shall be notified in writing.

Article 5 The provincial agriculture department shall, within 30 days from receiving the recommendation opinions and the application materials for determination of production area, organize qualified inspectors to make examination of the application materials. If the materials fail to meet the requirements upon examination, the applicant shall be notified in writing.

Article 6 Where the materials meet the requirements upon examination, the provincial agriculture department shall organize the inspection group consisting of qualified inspectors to make the on-spot inspection.

In case of failure of the on-spot inspection, the applicant shall be notified in writing.

Article 7 Where the application materials and on-spot inspection meet the requirements, the provincial agriculture department shall notify the applicant to entrust a qualified testing institution to make selective inspection of the environment of the production area.

Article 8 The testing institution shall make the inspection according to the standards, and issue the environment inspection reports and environment evaluation reports, which shall be respectively sent to the provincial agriculture department and the applicant.

Article 9 In case of failure in the environment inspection or the environment evaluation, the provincial agriculture department shall notify the applicant in writing.

Article 10 Where the material examination, on-spot inspection, environment inspection and environment evaluation all meet the requirements, the provincial agriculture department shall make an overall evaluation, and shall make the final conclusion of the determination.

- 1) If the conditions for certificate issuance are met, the Certificate of Production Area of Pollution-free Agricultural Product shall be issued;
- 2) If the conditions for certificate issuance are not met, the applicant shall be notified in writing.

Article 11 The valid term of the Certificate of Production Area of Pollution-free Agricultural Product is 3 years, for continual use upon expiration, the holder of the certificate shall go through these Procedures over again 90 days prior to the expiry.

Article 12 The provincial agriculture department shall, within 30 days from the day of issuing the Certificate of Production Area of Pollution-free Agricultural Product, submit the catalogue of the production areas that have obtained the certificates to the Ministry of Agriculture and the Certification and Accreditation Administration of the People's Republic of China for record (hereinafter referred to as CAA).

Article 13 With respect to the production areas of pollution-free agricultural product to which the provincial agriculture departments have already issued the certificates prior to the day of promulgation of these Procedures, if such areas are in conformity with these Procedures, their former certificates may be replaced by the Certificate of Production Area of Pollution-free Agricultural Product.

Article 14 The format of the Application Form for Determination of Production Area of Pollution-free Agricultural Product and the Certificate of Production Area of Pollution-free Agricultural Product shall be provided for by the Ministry of Agriculture in a unified way.

Article 15 The provincial agriculture departments may formulate the concrete implementation procedures within their respective jurisdictions pursuant to these Measures.

Article 16 The power to interpret these Procedures shall remain with the Ministry of Agriculture and CAA.

Article 17 These Procedures shall be implemented as of the day when they are promulgated.