

Measures on the Administration of Inspection and Quarantine of Inward Aquatic Animals

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Order of the State Bureau of Quality Supervision, Inspection and Quarantine

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

April 16, 2003

Measures for the Administration of Inspection and Quarantine of Inward Aquatic 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 the Entry and Exit Animal and Plant Quarantine and the Regulation for Implementation thereof, the Law of the People's Republic of China on Frontier Health Quarantine and the Detailed Rules for Implementation thereof, the Law of the People's Republic of China on Import and Export Commodity Inspection and the Regulation for Implementation thereof, the Food Hygiene Law of the People's Republic of China, and other laws and regulations, and with reference to the relevant provisions in the International Aquatic Animal Health Code of the office international des epizooties (hereinafter referred to as the OIE) with a view to preventing diseases of aquatic animals from spreading into China, protecting the safety of fishery production, the health of human bodies and the ecological environment.

Article 2 The present measures shall apply to the inspection and quarantine as well as supervision and administration of inward aquatic animals.

Article 3 Aquatic animals mentioned in the present measures shall mean such aquatic animals from artificial breeding as live fishes (including their semen and eggs), mollusks, crustaceans, etc..

Article 4 The State Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as the SAQSIQ) shall uniformly supervise and administer the inspection and quarantine of inward aquatic animals nationwide.

The entry and exit inspection and quarantine institutions established by the SAQSIQ in all places

(hereinafter referred to as the inspection and quarantine institution) shall be responsible for the inspection and quarantine as well as supervision and administration of inward aquatic animals within their respective jurisdictions.

Chapter II Entry Risk Analysis and Quarantine Examination and Approval

Article 5 The SAQSIQ shall, in accordance with the Provisions on the Administration of Risk Analysis of Inward Animals and Animal Products, and in light of the relevant information on the aquatic product breeding, the inspection and quarantine, and the control of epidemic diseases, etc., which is provided by the governmental institution of the country or region from which the aquatic animals are exported, carry out the risk analysis of inward aquatic animals.

Article 6 The owner of the imported aquatic animals or its agent shall, in accordance with the Administrative Measures on the Examination and Approval of Inward Animal and Plant Quarantine, go through the formalities of examination and approval of quarantine, and obtain the “Permit of the People’s Republic of China on Inward Animal and Plant Quarantine” (hereinafter referred to as the “Quarantine Permit”).

Chapter III Pre-shipment Quarantine Sanitation Requirements

Article 7 A country or region from which aquatic animals are exported to China shall, within the past 12 months, have no aquatic animal diseases prescribed by the OIE to be reported or aquatic animal diseases prescribed by the relevant competent department of China.

Article 8 The aquatic animals exported to China must come from the breeding farms subject to governmental registration of the exporting country or region. Such a breeding farm shall be strictly under the quarantine supervision of the governmental institution of the exporting country or region, and shall, according to the ways and standards recommended by the International Aquatic Animal Health Code, be tested to have none of the relevant diseases required by the International Aquatic Animal Health Code for report, for two or more consecutive years of monitoring.

Article 9 Within the scope of 1 kilometer around a breeding farm from which aquatic animals are exported, there shall be no aquatic product processing plant, and the breeding farm shall have facilities that can prevent aquatic animals of other water areas from entering. The water quality of the breeding farm shall not be below the water quality standard prescribed by China for fishery breeding. For a breeding farm from which edible aquatic animals are exported, its water body shall be guaranteed to suffer from no pollution of pathogens or other physical or chemical pollution harmful to the human body.

Article 10 Aquatic animals must, before exported to China, be isolated in a place ratified by the governmental institution of the exporting country or region for breeding for no less than 14 days. The aquatic animals to be exported to China shall not, during the period of isolation for quarantine, have any contact with any other wild or bred aquatic animal.

Article 11 The exported eggs and semen of aquatic animals, if any, must come from a healthy parental population.

Article 12 The animal health certificate issued by the governmental inspection and quarantine department of an exporting country or region according to the prescribed comments after quarantine of the aquatic animals to be exported to China, shall conform to the requirements of the “Quarantine Permit”.

Article 13 The aquatic animals to be exported to China shall not, before packed and transported, have the clinical symptom of any animal infectious disease or parasitic disease. The parent or

ornamental aquatic animals must be subject to medicinal bathing and disinfection with the effective medicine approved by the government authority of the exporting country or region, and the parasites on the surface of their bodies shall be eliminated.

Chapter IV Requirements on Packing and Transportation Materials

Article 14 The packing of the aquatic animals to be exported to China must be brand-new or be disinfected, conform to China's requirements on sanitation and epidemic prevention, and shall be able to prevent leakage. The external packing shall be marked with the registration number of the breeding farm, the variety and quantity (weight) of the aquatic animals; while the internal packing shall be transparent for inspection.

Article 15 It shall be guaranteed that each packing container for aquatic animals shall only contain one kind of aquatic animals, with proper quantity, and be able to satisfy the needs of the animals for survival or welfare, etc..

Article 16 The packing with water or water ice must reach China's standards on fishery water quality, and shall not contain pathogenic microorganisms that endanger animal or human health, other poisonous or harmful substance, or aquatic plants that might destroy the ecological environment of water body.

Article 17 The padding materials shall be subject to disinfection and harmfulness elimination treatment, contain no soil or harmful organisms endangering animals or plants or human health, and have no harm to the ecological environment.

Chapter V Entry Inspection and Quarantine

Article 18 When the aquatic animals are carried to the port of entry, the owner or his agent shall, in accordance with the relevant provisions, report to the inspection and quarantine institution for inspection and quarantine. The inspection and quarantine institution shall inspect the "Quarantine Permit" and the animal health certificate signed by the government authority of the exporting country or region as well as other documents.

For anyone who has no effective animal health certificate issued by the governmental institution of the exporting country or region, or fails to go through the formalities of approval of quarantine in accordance with the law, the inspection and quarantine institution shall, in light of the specific situation, return or destroy the inward aquatic animals.

Article 19 The inspection and quarantine officials shall carry out the following on-the-spot inspection and quarantine on the inward aquatic animals:

- (a) checking whether the goods and documents conform with each other;
- (b) inspecting the carriage of the aquatic animals;
- (c) inspecting whether there is any damage with the package;
- (d) making clinical inspection, and if necessary, opening the internal package for inspection.

Article 20 The inspection and quarantine institution at the port of entry shall, in light of the situation of the on-the-spot inspection and quarantine, deal with the inward aquatic animals separately as follows:

- (a) if it finds the death rate of the aquatic animals does not exceed 50% (including 50%), it shall, after disinfecting the external packing, issue the List on Customs Release of Inward Goods and other documents, which shall be carried to the designated place along with the goods for inspection and quarantine;
- (b) if it finds the death rate exceeds 50%, it shall return or destroy the aquatic animals; if it imports a small quantity of parental aquatic animals used for reproduction, it shall decide how to deal with

them in light of the specific situation;

(c) for aquatic animals coming from an epidemic area of cholera, it shall take sanitary treatment or destroy them;

(d) if it finds the internal packing container is damaged and find any leakage of loaded water, it shall demand the owner or his agent to clean up the packing container or replace the package, or to destroy the aquatic animals inside the damaged package, and disinfect the scene and the packing container, etc.;

(e) if the package needs to be opened on the spot for supply or replacement of water, the water in use must reach China's standards on fishery water quality, and be disinfected. The wasted original packing, the water or ice used for packaging, and the padding materials shall be disinfected.

Article 21 After the inward aquatic animals have been carried to the designated place, the owner or its agent shall report to the local inspection and quarantine institution; the inspection and quarantine institution shall check the goods and documents, conduct the treatment of harmfulness elimination for the dead aquatic animals, and conduct further inspection and quarantine on the live aquatic animals in accordance with the following provisions:

(a) For inward parent or ornamental aquatic animals:

(1) The original packaging materials, the loaded water or ice and the padding materials shall be disinfected, and the aquatic animals shall be put into a designated breeding farm after medicinal bathing for isolation and quarantine. The conditions of the isolation and quarantine place and the administration during the period of isolation and quarantine shall conform to the relevant provisions of the SAQSIQ.

(2) During the period of isolation and quarantine, the inspection and quarantine institution shall, in accordance with the requirements of the "Quarantine Permit" and other relevant provisions, take samples for inspection and quarantine.

(3) If, at the expiry of the period of isolation and quarantine, the aquatic animals are inspected and quarantined to be qualified, the isolation shall be cancelled, and the importer is allowed to put them in breeding environment or to sell them; while if they are inspected and quarantined to be unqualified, all the animals in the same isolation facility shall be killed or destroyed, and the water body and isolation place shall be disinfected.

(b) For inward edible aquatic animals:

(1) The original packing materials, the loaded water or ice and other padding materials shall be disinfected.

(2) Samples shall be taken for inspection and quarantine in accordance with the requirements of the "Quarantine Permit" and other relevant provisions. After the samples have been taken, the aquatic animals may enter the link of sale or consumption.

Article 22 If the inspection and quarantine institution finds that the inward aquatic animals do not conform to China's requirements on inspection and quarantine, it shall report the inspection and quarantine result to the SAQSIQ, and shall, in accordance with the Detailed Rules for the Implementation of the Administrative Provisions on Precaution and Rapid Response to Risks in Entry and Exit Animal and Plant Inspection and Quarantine, initiate the system for precaution of entry risks, as well as strengthen the inspection and quarantine of the inward aquatic animals coming from the same country or region.

Chapter VI Supplementary Provisions

Article 23 The SAQSIQ may, where it is necessary, send quarantine officials to inspect the sanitation of breeding farms from which the aquatic animals are exported.

Article 24 The inspection and quarantine of inward amphibian or reptile aquatic animals shall be conducted with reference to the present measures.

The inspection and quarantine of inward wild aquatic animals shall be conducted with reference to

the present measures. Except due to particular needs in scientific research and introduction of good varieties, etc., the import of parent wild aquatic animals shall be controlled.

Article 25 Whoever violates the present measures shall be punished by the inspection and quarantine institution in accordance with the relevant laws and regulations.

Article 26 The responsibility to interpret the present Measures shall remain with the SAQSIQ.

Article 27 The present measures shall come into force on November 1, 2003.