

Administrative Measures for the Packaging and Marking of Agricultural Products

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The Administrative Measures for the Packaging and Marking of Agricultural Products, which were deliberated and adopted at the 25th executive meeting of the Ministry of Agriculture on September 30, 2006, are hereby promulgated and shall come into force as of November 1, 2006.

Minister Du Qinglin

October 17, 2006

Administrative Measures for the Packaging and Marking of Agricultural Products

Chapter I General Provisions

Article 1 For the purposes of regulating the production and business operation of agricultural products, strengthening the administration of the packaging and marking of agricultural products, establishing a sound retroactive system for agricultural products and ensuring the quality safety of agricultural products, these Measures are formulated in accordance with the Law of the People's Republic of China on Agricultural Product Quality Safety.

Article 2 The activities of packaging and marking of agricultural products shall meet these Measures.

Article 3 The Ministry of Agriculture shall be responsible for the supervision and administration of the packaging and marking of agricultural products throughout the country.

The agriculture administrative departments of the local people's governments at the county level and above shall be responsible for the supervision and administration of the packaging and marking of agricultural products within their respective administrative area.

Article 4 The state encourages the scientific research on the packaging and marking of agricultural products, pushes forward scientific packing methods and popularize advanced marking technologies.

Article 5 The agriculture administrative departments of the people's governments at the county level or above shall integrate the operating funds for the administration of the packaging and marking of agricultural products into the annual budget.

Article 6 The agriculture administrative department of the people's governments at the county level and above shall commend and award the entities and individuals who have made outstanding contributions in the work of packaging and marking of agricultural products.

Chapter II Packages of Agricultural Products

Article 7 An agricultural product production enterprises, farmers' professional cooperative economic organization, or entity or individual engaging in the purchase of agricultural products shall package the following agricultural products for sale:

- (1) The agricultural products certified as pollution-free agricultural products, green food and organic agricultural products, excluding fresh livestock, poultry and aquatic products.
- (2) The agricultural products that should be packaged for sale under the provisions of the agriculture administrative departments at the province level or above.

For any agricultural products which are packaged under the relevant provisions and which are unpackaged to be sold to consumers directly, they are not required to be repackaged separately.

Article 8 The packages of agricultural products shall satisfy the requirements for the storage, transportation, sale and safety guarantee of agricultural products and shall make it convenient to unload and move the agricultural products.

Article 9 The packing materials for agricultural products, and the preservatives, antiseptics, additives and other substances used in agricultural products shall meet the mandatory technical norms of the state.

The mechanical damage and secondary pollution shall be prevented in packaging agricultural products.

Chapter III Marking of Agricultural Products

Article 10 When an agricultural product production enterprise, farmers' professional cooperative economic organization, or entity or individual engaging in the purchase of agricultural products packages any agricultural products for sale, it (he) shall give an indication of or additional sign of the product name, origin, name of the producer or seller, as well as the date of production.

If there are quality rating standards or if any additive is used, the quality grade of the products or the additive name shall be indicated.

For any unpackaged agricultural product, the agricultural product name, production place, producer or seller name shall be indicated through additional label, marking plate, marking band and specifications.

Article 11 To mark agricultural products, the standard Chinese shall be used. The marking content shall be accurate, legible and conspicuous.

Article 12 To sell any pollution-free agricultural product, green food, organic agricultural product, or any other agricultural product with the right to use any quality mark, the relevant mark and the certificate issuing institution shall be indicated.

It is prohibited to illegally use the quality mark of pollution-free agricultural products, of green food or of organic agricultural products.

Article 13 For the livestock, poultry and their products, as well as the gene-modified agricultural products, an indication shall be given in accordance with the relevant provisions.

Chapter IV Supervision and Inspection

Article 14 An agricultural product production enterprise, farmers' professional cooperative economic organization, or entity or individual engaging in the purchase of agricultural products shall be responsible for the package quality of the agricultural products it sells and for the marking contents.

Article 15 The agriculture administrative departments of the people's government at the county level and above shall supervise and inspect the packages and marks of agricultural products in accordance

with the Law of the People's Republic of China on Agricultural Product Quality Safety.

Article 16 Under any of the following circumstances, the agriculture administrative department of the people's government at the county level or above shall deal with and punish the violator in accordance with Articles 48, 49, 51 and 52 of the Law of the People's Republic of China on Agricultural Product Quality Safety:

- (1) Using any packing materials, which do not meet the mandatory technical norms, to package agricultural products;
- (2) Using any preservative, antiseptic or additive, which does not meet the mandatory technical norms, during the course of packaging agricultural products;
- (3) Selling any unpackaged agricultural product which should have been packaged;
- (4) Illegally using any quality mark of free-pollution agricultural product or of green food; or
- (5) Failing to mark any agricultural product as required.

Chapter V Supplementary Provisions

Article 17 Definitions of terms as mentioned in these Measures:

- (1) The term "the packaging of agricultural products" refers to the casing, boxing, bagging and enlacing of agricultural products.
- (2) The term "preservative" refers to man-made compound chemical substances or natural substances which can make agricultural products remain fresh, reduce circulation losses and extend the storage time.
- (3) The term "antiseptic" refers to the man-made compound chemicals or natural substances which prevent agricultural products from being rotten or going bad.
- (4) The term "additive" refers to the man-made compound chemicals or natural substances added to improve the quality, color, fragrance, smell and processing nature of agricultural products.
- (5) The term "date of production" refers to the harvest date of plant products, date of slaughter or output date of livestock and poultry products, date of fishing of aquatic products, and the packaging or selling date of other products.

Article 18 These Measures shall come into force as of November 1, 2006.