

Measures for the Examination of Animal Epidemic Disease Prevention Conditions

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Order of the Ministry of Agriculture

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The Measures for the Examination of Animal Epidemic Disease Prevention Conditions, which were deliberated and adopted at the 1st executive meeting of the Ministry of Agriculture on January 4, 2010, are hereby promulgated and shall come into force as of May 1, 2010. The Administrative Measures for the Examination of Animal Epidemic Disease Prevention Conditions (Order No. 15 of the Ministry of Agriculture) promulgated by the Ministry of Agriculture on May 24, 2002 shall be abolished simultaneously.

Minister Han Changfu

January 21, 2010

Measures for the Examination of Animal Epidemic Disease Prevention Conditions

Chapter I General Provisions

Article 1 For the purpose of regulating the examination of animal epidemic disease prevention conditions, effectively preventing and controlling the animal epidemic diseases and protecting the public health and safety, these Measures are formulated in accordance with the Law of the People's Republic of China on the Prevention of Animal Epidemic Diseases.

Article 2 Animal farms, breeding lots, segregation areas, slaughter and processing workshops, and areas for innocuous treatment of animals and animal products shall satisfy the animal epidemic disease prevention conditions as specified in these Measures and for which an Animal Epidemic Disease Prevention Compliance Certificate shall be obtained.

Marketplaces trading animals and animal products shall satisfy the animal epidemic disease prevention conditions as specified in these Measures.

Article 3 The Ministry of Agriculture shall administer the examination and supervision of the animal epidemic disease conditions throughout the country.

The veterinary administrative departments of the people's governments at and above the county level shall administer the examination and supervision of the animal epidemic disease prevention conditions within their respective administrative area.

Animal health supervision institutions established by the local people's governments at and above the county level shall administer the quarantine of animals and animal products within their respective administrative area.

Article 4 The examination of animal epidemic disease conditions shall conform to the principle of openness, impartiality, fairness and convenience to the people.

Chapter II Animal Epidemic Disease Prevention Conditions for Animal Farms and Breeding Lots

Article 5 The location selected for an animal farm or breeding lot shall be:

1. 500 meters or more from the sources of drinking water, animal slaughter and processing workshops, and animal and animal product marketplaces; 1,000 meters or more from the breeding livestock and poultry farms; 200 meters or more from animal clinics; and 500 meters or more from any other animal farm (breeding lot);
2. 3,000 meters or more from the animal segregation areas and innocuous treatment areas; and
3. 500 meters or more from the urban residential areas, such as densely populated areas for culture, education and scientific research, and highways, railways and other main transport lines.

Article 6 The layout of an animal farm or breeding lot shall meet the following conditions:

1. There are enclosing walls around it;
2. There is a disinfection pool which is as wide as the door of the entrance/ exit, 4-meter long and 0.3-meter deep or deeper at the entrance/exit;
3. The production area is separated from the living and office areas and there are segregation facilities;
4. There is a disinfection and clothes changing room at the entrance of the production area and there is a disinfection pool or cushion at the entrance of each breeding building or shed;
5. There is a clean road that separates the polluting roads within the production area; and
6. The animal farm or lot shall be 5 meters or more from the breeding buildings or sheds within the production area or there are segregation facilities between them.

There shall be segregation facilities between the hatch room and the breeding area of a poultry farm or breeding lot. There shall be facilities for the fumigation disinfection of breeding eggs. The procedures for the hatch room shall be in one way without overlap or back flow.

Article 7 An animal farm or breeding lot shall have the following facilities and equipment:

1. There is disinfection equipment at the entrance of the animal farm or breeding lot;
2. There are good lighting and ventilation facilities and equipment in the production area;
3. Proper materials are used for the floor and walls of the pens so as to facilitate the cleaning and disinfection;
4. There is a veterinary office equipped with vaccine freezing (refrigeration) equipment, disinfection, diagnosis and treatment and other epidemic disease prevention equipment, or a veterinary institution that provides corresponding services;
5. It has innocuous treatment, sewage and waste treatment facilities and equipment which are in match with its production scale; and
6. It has relatively independent segregation sheds for newly brought-in animals and diseased animals.

Article 8 An animal farm or breeding lot shall have practicing veterinaries or rural veterinaries that are in match with its production scale.

No person who is suffering any infectious disease that is a common disease to both man and animals shall engage in breeding animals.

Article 9 An animal farm or breeding lot shall, under relevant provisions, establish bylaws on immunity, use of drugs, quarantine declaration, report of epidemic information, disinfection, innocuous treatment, livestock and poultry signs, etc., and keep breeding archives.

Article 10 A breeding livestock or poultry farm shall meet the following conditions in addition to those as specified in Articles 6 through 9 of these Measures:

1. There shall be a distance of 1, 000 meters or longer between the farm and the sources of drinking water, animal farms or breeding lots, urban residential areas, such densely populated areas for culture, education and scientific research, and highways, railways and other main transport lines.
2. There is a distance of 3, 000 meters or longer between the farm and breeding livestock and poultry farms, innocuous treatment areas, animal slaughter and processing workshops, animal and animal product marketplaces, and animal clinics;
3. It has the necessary facilities or measures for preventing rats, birds and pests;
4. It has animal epidemic disease elimination bylaws as required by the state; and
5. A breeding livestock farm shall have a separate area for gathering the sperm, eggs and embryos of animals, if necessary.

Chapter III Animal Epidemic Disease Prevention Conditions for Slaughter and Processing Sites

Article 11 The location selected for an animal slaughter and processing workshop shall meet the following conditions:

1. There is a distance of 500 meters or longer between the workshop and the sources of drinking water, animal farms or breeding lots and animal marketplaces; 3, 000 meters or longer between the workshop and breeding livestock and poultry farms; and 200 meters or longer between the workshop and animal clinics;
2. There is a distance of 3, 000 meters or longer between the workshop and animal segregation areas and innocuous treatment areas.

Article 12 The layout of an animal slaughter and processing workshop shall satisfy the following conditions:

1. There are surrounding walls around it;
2. There is a disinfection pool which is as wide as the door of the entrance/ exit for vehicles transporting animals, 4-meter long and 0.3- meter deep or deeper at the entrance/exit;
3. The production area is separated from the living and office areas and there are segregation facilities;
4. There is a fixed vehicle disinfection area at the area for unloading the entering animals and there are vehicle washing and disinfection equipment;
5. The entrance for entering animals is separated from the exit for animal products;
6. There is a disinfection changing room at the entrance of the slaughter and processing workshop;
7. It has an independent inspection and quarantine office, administrative office and rest room which are in match with the slaughter scale; and
8. It has pens for animals to be slaughtered, segregated pens for the observation of diseased animals, and room for emergency slaughter room; in the case of processing raw fur, peltry, down, bones, cornua, it shall have a closed fumigation disinfection room.

Article 13 An animal slaughter and processing workshop shall have the following facilities and equipment:

1. The animal loading and unloading platform shall have lighting equipment with the luminous intensity of not less than 300 Lx;
2. The production area shall have good lighting, the floor, operating platform, walls and sunshade shall be corrosion-proof, non-hygroscopic and easy to clean;
3. The slaughter workshop shall have an inspection and quarantine platform and lighting equipment with the luminous intensity of not less than 500 Lx; and
4. It has innocuous treatment and sewage and waste treatment facilities and equipment which are in match with its production scale.

Article 14 An animal slaughter and processing workshop shall establish bylaws on the registration, inspection and quarantine declaration, report of epidemic situation, disinfection and innocuous treatment of the entering animals and the exiting animal products.

Chapter IV Animal Epidemic Disease Prevention Conditions for Segregation Areas

Article 15 The location selected for animal segregation shall meet the following conditions:

1. There shall be a distance of 3, 000 meters or longer between segregation area and the animal farms or breeding lots, breeding livestock and poultry farms, animal slaughter and processing workshops, innocuous treatment areas, animal clinics, animal and animal product marketplaces and other animal segregation areas; and
2. There shall be a distance of 500 meters or longer between the segregation area and urban residential areas, densely populated areas for culture, education and scientific research, highways, railways and other main transport lines, and sources of drinking water.

Article 16 The layout of an animal segregation area shall meet the following conditions:

1. There are surrounding walls around it;
2. There is a disinfection pool which is as wide as the door of the entrance/ exit, 4-meter long and 0.3-meter deep or deeper at the entrance/ exit;
3. The breeding lot is separated from the living and office areas and there are segregation facilities;
4. There is a veterinary office equipped with vaccine freezing (refrigeration) equipment, disinfection, diagnosis and treatment, testing and other epidemic disease prevention equipment;
5. There's a clean road separating the polluting road within the breeding area; and
6. There is a disinfection and clothes-changing room at the entrance of the breeding area.

Article 17 An animal segregation area shall have the following facilities and equipment:

1. There is disinfection equipment at the entrance/exit of the animal segregation area; and
2. There are innocuous treatment and sewage and waste treatment facilities and equipment.

Article 18 An animal segregation area shall be equipped with practicing veterinaries that are in match with its scale.

No person who is suffering any infectious disease that is a common disease to both man and animals shall engage in breeding animals.

Article 19 An animal segregation area shall establish bylaws on the registration, immunity and use of drugs, disinfection, report of epidemic situation, and innocuous treatment in respect of the entering and exiting animals and animal products.

Chapter V Animal Epidemic Disease Prevention Conditions for Innocuous Treatment Areas

Article 20 The area selected for an animal and animal product innocuous treatment area shall meet the following conditions:

1. There is a distance of 3, 000 meters or longer between the area and the animal farms or breeding lots, breeding livestock and poultry farms, animal slaughter and processing workshops, animal segregation areas, animal clinics, animal and animal product marketplaces, and sources of drinking water; and
2. There is a distance of 500 meters or longer between the area and urban residential areas, such densely populated areas for culture, education and scientific research, and highways, railways and other main transport lines,.

Article 21 The layout of an animal and animal product innocuous treatment area shall meet the following conditions:

1. There are enclosing walls around it;
2. There is a disinfection pool which is as wide as the door of the entrance/ exit, 4-meter long and 0.3-meter deep or deeper at the entrance/ exit and there is a separate human disinfection passage;
3. The innocuous treatment area is separated from the living and office areas and there are segregation facilities;
4. There are workshops for the slaughter and innocuous treatment of diseased animals, refrigerator, etc.; and
5. There is a room for changing clothes at the entrance of the workshops for the slaughter and innocuous treatment of diseased animals, and there is a disinfection room at the exit thereof.

Article 22 An animal and animal product innocuous treatment area shall have the following facilities and equipment:

1. mobile disinfection equipment;

2. innocuous treatment and sewage and waste treatment facilities and equipment, which are in match with the corresponding scale, are prepared in animal slaughter workshop and innocuous treatment workshop; and
3. cargo vans used exclusively for the transport of animal and animal products.

Article 23 An animal and animal product innocuous treatment area shall establish bylaws on the registration of the diseased and harmful animals and animal products entering into it, the registration of the articles after disinfection and innocuous treatment, protection of persons, etc.

Chapter VI Epidemic Animal Disease Conditions for Marketplaces

Article 24 An exclusive animal marketplace shall meet the following conditions:

1. There is a distance of 500 meters or longer between the marketplace and the densely populated areas for culture, education and scientific research, sources of drinking water, animal farms and breeding lots, and animal slaughter and processing workshops; 3, 000 meters or longer between the marketplace and the breeding livestock and poultry farms, animal segregation areas, and innocuous treatment areas; and 200 meters or longer between the marketplace and the animal clinics;
2. There are enclosing walls around it and there is a disinfection pool which is as wide as the door of the entrance/ exit, 4-meter long and 0.3- meter deep or deeper at the entrance/exit;
3. There are areas for administration, trading and waste treatment within the marketplace, which are relatively independent of each other;
4. There are areas for the trading of different kinds of animals within the marketplace, which are relatively independent of each other;
5. There are washing, disinfection and sewage and waste treatment facilities and equipment;
6. It has bylaws regarding the regular close and disinfection of the marketplace; and
7. It has a veterinary office.

Article 25 A marketplace concurrently trading animals and animal products shall conform to the following animal epidemic disease prevention conditions:

1. There is a distance of 500 meters or longer between the marketplace and the animal farms and breeding lots; 3, 000 meters or longer between the marketplace and the breeding livestock and poultry farms,

animal segregation areas, and innocuous treatment areas; and 200 meters or longer between the marketplace and the animal clinics;

2. The animal and animal product trading areas are relatively separated from other areas of the marketplace;
3. The animal trading areas is relatively separated from the animal product trading area;
4. The areas for the trading of different kinds of animals are relatively separated from each other;
5. The floor, walls (wainscot) and counters are water-proof and easy to wash; and
6. It has bylaws on disinfection.

In addition to the conditions as specified in the preceding paragraph, a live poultry marketplace shall separate the water birds from other poultry in the marketplace, segregate the slaughter room from the room for keeping live poultry, separate the slaughter room from the sales area, and have bylaws on regular close of the marketplace.

Chapter VII Examination and Issuance of Certificates

Article 26 Where an animal farm or breeding lot, animal slaughter and processing area, animal segregation area, or animal and animal product innocuous treatment area is to be established, these Measures shall be followed in the selection of location, engineering design and construction.

Article 27 After the construction of any of the entities as mentioned in paragraph 1 of Article 2 of these Measures is completed, the applicant shall submit an application as well as the following materials to the veterinary administrative department of the local people's government at the county level:

1. a Form of Application for the Examination of Animal Epidemic Disease Prevention Conditions;
2. map of the geographical location of the entity, and plan of layout of all functional areas;
3. checklist of facilities and equipment;
4. texts of the management bylaws; and
5. information about the personnel.

If the application materials are incomplete or do not conform to the prescribed requirements, the veterinary administrative department of the local people's government at the county level shall, within 5 working days as of the receipt of the application materials, inform the applicant about all of the items to be supplemented and corrected.

Article 28 Where an animal farm, breeding lot or animal slaughter and processing area is to be established, the veterinary administrative department of the local people's government at the county level shall finish the written document examination and the on-site examination within 20 working days after the receipt of the application. If the application passes the examination, the said veterinary administrative department shall issue an Animal Epidemic Disease Prevention Condition Compliance Certificate. If the application fails the examination, it shall notify the applicant in writing and make an explanation.

Article 29 Where an animal segregation area or animal and animal product innocuous treatment area is to be established, the veterinary administrative department of the local people's government at the county level shall finish the preliminary examination of the materials within 5 working days as of the receipt of the application and shall submit the preliminary examination opinions and relevant materials to the veterinary administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government. The veterinary administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government shall finish the written examination and the on-site examination within 15 working days after the receipt of the preliminary examination opinions and the relevant materials. If the application passes the examination, it shall issue an Animal Epidemic Disease Prevention Condition Compliance Certificate. If the application fails the examination, it shall notify the applicant in writing and make an explanation.

Chapter VIII Supervision and Administration

Article 30 The animal health supervision institutions shall, under the Law of the People's Republic of China on the Prevention of Animal Epidemic Diseases and other relevant laws and regulations, supervise and inspect the animal epidemic disease conditions of the animal farms, breeding lots, animal segregation areas, animal slaughter and processing workshops, animal and animal product innocuous treatment areas and animal and animal product marketplaces. The relevant entities and individuals shall help them to accomplish the work, and none of them shall refuse to do so or hamper the relevant work.

Article 31 After any of the areas as listed in paragraph 1 of Article 2 of these Measures obtains an Animal Epidemic Disease Prevention Condition Compliance Certificate, if it changes its address or business scope, it shall apply for a new Animal Epidemic Disease Prevention Condition Compliance Certificate and simultaneously hand back the original one to the original certificate issuance organ for cancellation.

If the change of the layout, facilities, equipment and bylaws may lead to the change of animal epidemic disease prevention conditions, a report shall be submitted to the original certificate issuance organ 30 days in advance. The certificate issuance organ shall finish the examination within 20 days and notify the applicant of the examination result.

If the name or person-in-charge of an entity is changed, an application shall be filed within 15 days after the change for modifying the Animal Epidemic Disease Prevention Condition Compliance Certificate upon the strength of valid certification.

Article 32 Where any of the entities as mentioned in paragraph 1 of Article 2 of these Measures terminates its business, the Animal Epidemic Disease Prevention Condition Compliance Certificate shall be handed back to the original certificate issuance organ for cancellation within 30 days after the business is terminated.

Article 33 By the end of January each year, any of the entities as mentioned in Article 2 of these Measures shall report to the certificate issuance organ the information about the animal epidemic disease prevention conditions and the information about the implementation of bylaws on the prevention of diseases during the immediately preceding year.

Article 34 It is forbidden to transfer, forge or alter any Animal Epidemic Disease Prevention Condition Compliance Certificate.

Article 35 If an Animal Epidemic Disease Prevention Condition Compliance Certificate is lost or damaged, an application shall be filed to the certificate issuance organ for a new one within 15 days.

Chapter IX Punishment Provisions

Article 36 Where an entity, in violation of the provisions of paragraph 1 of Article 31 of these Measures, fails to apply for a new Animal Epidemic Disease Prevention Condition Compliance Certificate after changing its address or business scope, it shall be punished under Article 77 of the Law of the People's Republic of China on the Prevention of Animal Epidemic Diseases.

Where an entity, as in violation of the provisions of paragraph 2 of Article 31 of these Measures, changes its layout, facilities and equipment or bylaws without submitting them for prior examination, it shall be given a warning by the animal health supervision institution. If it does not conform to the animal epidemic disease prevention conditions, it shall be ordered to make a correction by the animal health supervision institution. If it refuses to make a correction or fails to meet the relevant conditions after rectification, its Animal Epidemic Disease Prevention Condition Compliance Certificate shall be taken back and cancelled by the certificate issuance organ.

Article 37 Where a marketplace trading animals and animal products, as in violation of the provisions in Articles 24 and 25 of these Measures, does not meet the animal epidemic disease prevention conditions, the animal health supervision institution shall order it to make a correction. If it refuses to do so, the animal health supervision institution shall give it a fine of 5, 000 yuan up to 20, 000 yuan and notify the industry and commerce administrative department at the same level for punishment according to law.

Article 38 Where an entity, as in violation of the provisions of Article 34 of these Measures, transfers, forges or alters any Animal Epidemic Disease Prevention Condition Compliance Certificate, the animal health supervision institution shall take back its Animal Epidemic Disease Prevention Condition Compliance Certificate and give it a fine of 2, 000 yuan up to 10, 000 yuan.

The user of any transferred, forged or altered Animal Epidemic Disease Prevention Condition Compliance Certificate shall be punished by the animal health supervision institution under Article 77 of the Law of the People's Republic of China on the Prevention of Animal Epidemic Diseases.

Article 39 If a violation of these Measures constitutes any crime or a violation of the administrative provisions on public security, the violator shall be transferred to the public security organ for punishment.

Chapter X Supplementary Provisions

Article 40 The term “animal farms and breeding lots” as mentioned in these Measures refer to the livestock and poultry farms and breeding lots as prescribed in Article 39 of the Stockbreeding Law of the People's Republic of China.

The self-use segregation shed within an animal farm or breeding lot, the self-use segregated observation pen of diseased animals within a slaughter and processing area, or the self-use innocuous treatment site

within an animal farm, breeding lot, slaughter and processing workshop or animal segregation area is not required to have a separate Animal Epidemic Disease Prevention Condition Compliance Certificate.

Article 41 These Measures shall come into force as of May 1, 2010. The Administrative Measures for the Examination of Animal Epidemic Disease Prevention Conditions (Order No. 15 of the Ministry of Agriculture) promulgated by the Ministry of Agriculture on May 24, 2002 shall be abolished simultaneously.

An Animal Epidemic Disease Prevention Compliance Certificate issued prior to these Measures' entry into force shall remain valid within their valid period. If its remaining valid period is less than 1 year, it may continue to be used until May 1, 2011. Various entities for which no Animal Epidemic Disease Prevention Compliance Certificate is obtained prior to these Measures' entry into force shall meet the conditions as prescribed in these Measures and for which an Animal Epidemic Disease Prevention Conditions Compliance Certificate shall be obtained prior to May 1, 2011.