

Regulations for the Implementation of the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine

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Chapter I General Provisions

Article 1 These Regulations are formulated in accordance with the provisions of the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine" (hereinafter referred to as the Law on the Entry and Exit Animal and Plant Quarantine).

Article 2 The following objects shall be subject to quarantine in accordance with the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and those of these Regulations:

- (1) Entry, exit or transit animals and plants, their products and other quarantine objects;
- (2) Containers, packaging materials and bedding materials used for carrying animals and plants, their products or other quarantine objects;
- (3) Means of transport from an animal and plant epidemic area;
- (4) Waste vessels for dismantling after entry; and
- (5) Other goods and items subject to entry and exit animal and plant quarantine according to provisions of relevant laws, administrative regulations and international treaties or as agreed upon in trade contracts.

Article 3 The department of agriculture administration under the State Council shall be in charge of the entry and exit animal and plant quarantine in the whole country.

The Bureau of Animal and Plant Quarantine of the People's Republic of China (hereinafter referred to as the State Bureau of Animal and Plant Quarantine) shall exercise unified control over the entry and exit animal and plant quarantine in the whole country, collect information on major animal and

plant epidemics at home and abroad and be responsible for international cooperation and exchanges in entry and exit animal and plant quarantine.

The State Bureau of Animal and Plant Quarantine shall establish port animal and plant quarantine organs in open ports and at places where there is concentration of entry and exit animal and plant quarantine operations, and perform entry and exit animal and plant quarantine according to the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations.

Article 4 In the event that a serious animal or plant epidemic occurs outside the territory and is liable to spread into the country, the following emergent preventive measures shall be adopted in the light of the prevailing conditions:

(1) The State Council may take control measures in the border regions concerned and may, when necessary, order the ban of entry of means of transport from the animal and plant epidemic area or seal the ports concerned;

(2) The department of agriculture administration under the State Council may publish catalogues of animals and plants, their products and other quarantine objects the entry of which shall be banned from the country or region where there is an animal or plant epidemic;

(3) The port animal and plant quarantine organs concerned may take emergent quarantine measures with regard to the entry objects likely contaminated by epidemics or pests as listed in Article 2 of these Regulations; and

(4) The local people's governments of the areas under the threat of animal or plant epidemic may immediately call the departments concerned to work out and implement emergent plans, and simultaneously report to the people's governments at a higher level and the State Bureau of Animal and Plant Quarantine.

The departments of posts and telecommunications and departments of transportation shall give top priority to transmitting or transporting reports concerning serious animal or plant epidemics or materials to be sent for quarantine inspection.

Article 5 Entry of animals and plants, their products and other quarantine objects for either official use or private use by foreign organizations and personnel enjoying diplomatic or consular privileges and immunity shall be subject to quarantine in accordance with the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and those of these Regulations; the port animal and plant quarantine organs shall comply with the provisions of relevant laws when performing inspection.

Article 6 The customs shall, according to law, coordinate with port animal and plant quarantine organs in exercising supervision and control over entry and exit animals and plants, their products and other quarantine objects. Specific measures shall be formulated by the department of agriculture administration under the State Council in conjunction with the General Administration of Customs.

Article 7 The catalogues of animal and plant epidemic areas and countries and regions where there are animal and plant epidemics referred to in the Law on Entry and Exit Animal and Plant Quarantine shall be determined and published by the department of agriculture administration under the State Council.

Article 8 Units and individuals that make outstanding achievements in the implementation of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations shall be rewarded.

Chapter II Examination and Approval of Quarantine Inspection

Article 9 The State Bureau of Animal and Plant Quarantine or its authorized port animal and plant quarantine organs shall be responsible for the examination and approval of quarantine inspection with respect to the import of animals, animal products and objects prohibited from entering the country as listed in Item 1, Article 5 of the Law on Entry and Exit Animal and Plant Quarantine.

The organs prescribed by the Regulations on Plant Quarantine shall be responsible for the examination and approval of quarantine inspection with respect to the import of plant seeds, seedlings and other propagating materials.

Article 10 Procedures of examination and approval of quarantine inspection for import may be processed when the following conditions are satisfied:

- (1) The exporting country or region has no serious animal or plant epidemic;
- (2) The import of which is in compliance with the provisions of the relevant Chinese laws, regulations and rules on animal and plant quarantine; and
- (3) The import of which is in compliance with relevant bilateral quarantine agreements (including quarantine agreements and aidememoires, same below) signed between and by China and the exporting countries or regions.

Article 11 Procedures of examination and approval of quarantine inspection shall be completed before the signing of the trade contracts or agreements.

Article 12 For entry into the country of plant seeds, seedlings and other propagating materials by carrying or by post, an application shall be submitted in advance and formalities for the examination and approval of quarantine inspection completed; under extraordinary circumstances when the formalities cannot be completed in advance, the carrier or sender shall complete the formalities for examination and approval of quarantine inspection at the port and the same shall be allowed to enter the country upon the consent of the examination and approval authority and upon quarantine clearance.

Article 13 For request to transport animals in transit, the owner or his or her agent shall submit a written application to the State Bureau of Animal and Plant Quarantine in advance and present certifications on the epidemic situation issued by the animal and plant quarantine authority of the government of the exporting country or region, the certificate issued by the animal and plant quarantine organ of the government of the importing country or region permitting the entry of the same, and illustrate the proposed transit route. The State Bureau of Animal and Plant Quarantine shall issue an "Animal Transit Permit" upon examination and approval.

Article 14 In respect of special needs for scientific research, when processing the formalities of special examination and approval of quarantine inspection for objects prohibited from entry as prescribed in paragraph 1, Article 5 of the Law on Entry and Exit Animal and Plant Quarantine, the consignor, the owner or his or her agent must submit a written application describing quantity, use, mode of entry and epidemic prevention measures after entry, and enclose the remarks by the port animal and plant quarantine office concerned.

Article 15 If any of the following circumstances occurs after the completion of the formalities of examination and approval of quarantine inspection, the consignor, owner or his or her agent shall once again apply for the examination and approval of quarantine inspection:

- (1) Change in category or quantity of entry objects;
- (2) Change in the exporting country or region;
- (3) Change in port of entry; or
- (4) Expiration of the validity of the approval of quarantine inspection.

Chapter III **Entry Quarantine**

Article 16 The quarantine requirements prescribed by China's law referred to in Article 11 of the Law on Entry and Exit Animal and Plant Quarantine mean the quarantine requirements prescribed by China's laws, administrative regulations and the department of agriculture administration under the State Council.

Article 17 The State shall practice the registration system for production, processing and stockpiling units of animal and plant products abroad for export to China. The specific measures shall be formulated by the department of agriculture administration under the State Council.

Article 18 For the import of animals or plants, their products or other quarantine objects, the owner or his or her agent shall apply to the animal and plant quarantine office at the place of entry before entry or upon entry for quarantine. In the case of quarantine to be conducted away from the Customs supervision and control area, the owner or his or her agent shall notify the animal and plant quarantine office at the port concerned upon arrival of the same at the designated place. In the case of goods being shipped to another Customs area, the owner or his or her agent shall, upon entry, submit a declaration to the animal and plant quarantine office at the port of entry, and shall submit the same to the port animal and plant quarantine office at the designated place for quarantine upon arrival of the same at the designated place.

For the import of stud stock, their sperms or fetuses, application for quarantine shall be submitted 30 days before entry of the same; for the import of other animals, application for quarantine shall be submitted 15 days before entry of the same; for the import of plant seeds, seedlings or other propagating materials, application for quarantine shall be submitted 7 days before entry of the same.

For the entry of packaging materials or bedding materials of the nature of animal or plant, the owner or his or her agent shall submit the declaration to the port animal and plant quarantine office in time; the animal and plant quarantine office may perform quarantine of the declared objects in the light of specific conditions.

The packaging materials or bedding materials of the nature of animal or plant referred to in the aforesaid paragraph mean the animal products, plants or plant products used directly as packaging materials or bedding materials.

Article 19 An application form for quarantine shall be filled in when applying for quarantine to the port animal and plant quarantine office, and the quarantine certificate issued by the animal and plant quarantine office of the government of the exporting country or region, the certificate of origin, the trade contract, the letter of credit and the invoices, etc. shall be presented; in the case of necessity of formalities of examination and approval of quarantine inspection according to law, an approval document for quarantine inspection shall be submitted. For objects without valid quarantine certificate issued by the animal and plant quarantine office of the government of the exporting country or region or in the case of failure to complete the formalities of examination and approval of quarantine

inspection for the same according to law, the port animal and plant quarantine office may return or destroy the same objects in the light of the specific circumstances.

Article 20 On arrival at the port of the imported animals or plants, their products or other quarantine objects, the quarantine functionaries may embark on the means of transport or go to the site of the objects to perform quarantine inspection, to check whether the goods are in keeping with the certificates, and may collect samples in accordance with regulations. The carrier, the owner or his or her agent shall submit the list of loading and other relevant information to the quarantine functionaries.

Article 21 On arrival at the port of the means of transport loaded with animals, persons embarking or disembarking the same and persons close to the animals shall be subject to epidemic prevention disinfection by the port animal and plant quarantine office, and shall carry out other on-the-spot preventive measures adopted by it.

Article 22 Quarantine functionaries shall perform on-the-spot quarantine according to the following provisions:

(1) For animals: Check to see whether there are clinical symptoms of an epidemic. Upon discovery of animals suspected to have infected with infectious diseases or dead animals, the situation shall be verified and dealt with forthwith with the cooperation of the owner or the escort. For bedding materials, left-over fodder and excretion of animals, the treatment of removal of harmful effects shall be carried out by the owner or his or her agent under the supervision of the quarantine functionaries.

(2) For animal products: Check to see whether there are signs of staleness or deterioration and whether the containers and packages are in perfect condition. For those in line with the required standards, permission shall be granted for unloading from the means of transport. On discovery of bail-off or broken or cracked containers, permission shall be granted for unloading from the means of transport only when the owner or his or her agent takes the responsibility upon himself or herself to make them good again. Treatment of disinfection shall be carried out with regard to the concerned parts of the means of transport as well as the containers, outer packages, bedding materials and the contaminated sites loading animal products in the light of prevailing circumstances. In case of necessity of laboratory quarantine, samples shall be collected in accordance with regulations. For animal products liable to breed plant insects or animal products mixed with concealed weed seeds, simultaneous plant quarantine shall be performed.

(3) For plants and plant products: Check to see whether the goods and packing contain plant diseases or insect pests and collect samples as prescribed. On discovery of plant diseases or insect pests which are likely to spread, necessary timely epidemic prevention measures shall be taken with respect to such goods, the means of transport and the loading-unloading sites. For plant products from the epidemic area of an animal infectious disease or likely to carry pathogens of animal infectious diseases or parasitic diseases and used as animal fodder, simultaneous animal quarantine shall be performed.

(4) For packing and bedding materials of the nature of animals or plants: Check to see whether they carry diseases or insect pests, are mixed with concealed weed seeds or carry soil with them, and collect samples as prescribed.

(5) For other quarantine objects: Check to see whether the packing are in perfect condition and whether they are contaminated by diseases or insect pests. On discovery of breakage or

contamination by diseases or insect pests, treatment for the removal of harmful effects shall be carried out.

Article 23 Inspection shall be carried out at different levels of bulk animal and plant products carried by ships or trains; inability to carry out on-the-spot inspection in view of limited storage facilities at the port or the railway station, the goods may be unloaded and transported to the designated place for storage with the consent of the port animal and plant quarantine office. On discovery of epidemic in the process of unloading, the unloading operation shall be suspended forthwith, and the owner or his or her agent shall carry out treatment for the removal of harmful effects from the loaded and unloaded goods in accordance with the requirements of the port animal and plant quarantine office.

Article 24 Imported big or medium-size cattle for breeding purposes shall be quarantined in isolation for 45 days in an isolated animal quarantine court set up by the State Bureau of Animal and Plant Quarantine; other imported animals shall be quarantined in isolation for 30 days in an isolated animal quarantine court designated by the port animal and plant quarantine office. Control measures for isolated animal quarantine courts shall be formulated by the department of agriculture administration under the State Council.

Article 25 When the same batch of entry animal or plant products is to be unloaded separately at different ports, the port animal and plant quarantine office shall only perform quarantine of the goods unloaded at the said port. The port animal and plant quarantine office of the first unloading port shall notify in time the port animal and plant quarantine offices of other separate unloading ports of the information on quarantine and treatment; the port animal and plant quarantine office of the last unloading port shall unifiedly issue quarantine certificates, when they are needed, after gathering all necessary information.

Discovery of epidemic in the process of quarantine inspection at the separate unloading port which requires on-board fumigation or disinfection, the port animal and plant quarantine office at the said separate unloading port shall unifiedly issue quarantine certificates and notify in time the port animal and plant quarantine offices at other separate unloading ports.

Article 26 The imported animals and plants, animal and plant products and other quarantine objects shall be quarantined in accordance with the national or industrial standards of China or the relevant provisions of the State Bureau of Animal and Plant Quarantine.

Article 27 For import animals or plants, animal or plant products or other quarantine objects which pass quarantine inspection, the port animal and plant quarantine office shall affix its stamp on the Customs declaration form or issue a "Quarantine Clearance Notice". For goods which require to be transferred from the Customs supervision and control area at the port of entry for quarantine, the port animal and plant quarantine office at the port of entry shall issue a "Quarantine Transfer Notice". The owner or his or her agent shall go through the formalities of Customs declaration, shipment and delivery on the strength of the stamp affixed by the port animal plant quarantine office on the Customs declaration form or on the strength of the "Quarantine Clearance Notice" or "Quarantine Transfer Notice" issued by it. The Customs shall perform inspection on and issue clearance for the import animals or plants, their products or other quarantine objects on the strength of the stamp affixed by the port animal and plant quarantine office on the Customs declaration form or the "Quarantine Clearance Notice" or "Quarantine Transfer Notice" issued by it. The departments of transportation and departments of posts and telecommunications shall effect shipment and delivery on the strength of the aforesaid form and notices and no further quarantine shall be performed by other quarantine organs in the country during shipment and delivery.

Article 28 For import animals or plants, their products or other quarantine objects that fail to pass quarantine, the port animal and plant quarantine office shall issue a "quarantine treatment notice", notifying the owner or his or her agent to carry out treatment for the removal of harmful effects under the supervision and technical guidance of the port animal and plant quarantine office; the port animal and plant quarantine office shall issue quarantine certificates for those seeking claims from foreign exporters.

Article 29 The State Bureau of Animal and Plant Quarantine may dispatch quarantine personnel to perform pre-quarantine, supervision over loading or conduct epidemic investigation in the place of origin according to quarantine requirements and with the agreement of the organs concerned of the government of the exporting country or region of the animals or plants or their products after consultation.

Article 30 Illegal entry animals and plants, their products and other quarantine objects intercepted and captured by the Customs, border control departments or other departments shall be handed over to the nearest port animal and plant quarantine office for quarantine.

Chapter IV Exit Quarantine

Article 31 The owner or his or her agent shall provide the trade contract or agreement when going through the formalities of application for exit quarantine inspection of animals or plants, their products or other quarantine objects according to law.

Article 32 If the importing country requires China to register the production, processing and stockpiling units engaging in export to their country of animals or plants, their products or other quarantine objects, the port animal and plant quarantine office may practice registration and report to the State Bureau of Animal and Plant Quarantine for the record.

Article 33 Export animals that need to be placed in isolation for quarantine inspection before exit shall be quarantined in an isolation court designated by the port animal and plant quarantine office. Export plants, animal or plant products and other quarantine objects shall be quarantined at the warehouse or depot; they may also be quarantined in the process of production and processing, if necessary.

Exit plants, animal or plant products and other quarantine objects awaiting quarantine inspection shall be complete in quantity, with perfect packing, neat piling and prominent marks.

Article 34 Quarantine inspection of export animals and plants, their products and other quarantine objects shall abide by:

(1) provisions relating to animal and plant quarantine of the importing countries or regions and China;

(2) bilateral quarantine agreements;

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(3) quarantine requirements clearly defined in the trade contracts.

Article 35 The following procedures shall be followed with respect to animals or plants, their products or other quarantine objects that have passed quarantine inspection by the animal and plant quarantine office at the place of consignment upon arrival at the port of exit:

(1) animals shall be subject to clinical quarantine or re-quarantine by the port animal and plant quarantine office at the point of exit;

(2) for exit plants, animal or plant products or other quarantine objects with original means of transport from the place of consignment, clearance shall be given by the exit port animal and plant quarantine office upon examination of the certificates; for those that change the means of transport for exit, clearance shall be given upon change of certificates; and

(3) for plants, animal or plant products or other quarantine objects to be repackaged upon arrival at the exit port, or different quarantine requirements to be followed as a result of change of the importing country or region, or those that exceed the prescribed validity of quarantine, a fresh application for quarantine inspection shall be submitted.

Article 36 When export animals or plants, their products or other quarantine objects which have passed the quarantine inspection of the port animal and plant quarantine office at the place of consignment are to be transported to the exit port, the departments of transportation and departments of posts and telecommunications shall effect shipment and delivery on the strength of the quarantine certificate issued by the port animal and plant quarantine office at the place of consignment, and no further quarantine shall be performed by other quarantine organs in the country.

Chapter V Transit Quarantine

Article 37 The transit(including trans-shipment, same below) of animals or plants, their products or other quarantine objects requires the carrier or escort to submit the shipping document and the certification issued by the animal and plant quarantine organ of the government of the exporting country or region to the port animal and plant quarantine office at the port of entry for quarantine inspection; for transit of animals, an "Animal Transit Permit" issued by the State Bureau of Animal and Plant Quarantine shall be presented in addition.

Article 38 On arrival of transit animals at the entry port, the entry port animal and plant quarantine office shall carry out treatment of disinfection of the means of transport, the outside of the containers and perform clinical quarantine of the animals, and those having passed the quarantine inspection shall be permitted to transit. The entry port animal and plant quarantine office may send out quarantine personnel to supervise the shipment to the exit port whose animal and plant quarantine office shall perform no further quarantine inspection.

Article 39 The means of transport, packing and containers carrying transit plants, animal and plant products and other quarantine objects must be in perfect condition. In the case of discovery, upon inspection by the port animal plant quarantine office, of the possibility of disintegration or leakage in transit of the means of transport, the packing or containers, the carrier or escort shall adopt sealing measures as required by the port animal and plant quarantine office; there shall be denial of transit for inability to take sealing measures.

Chapter VI Quarantine of Materials Carried by Passengers or by Post

Article 40 Any plant seeds, seedlings or other propagating materials carried or posted into the country without going through the formalities of examination and approval of quarantine inspection in accordance with law, shall either be returned or destroyed by the port animal and plant quarantine office. Reasons for the return of the postal matter shall be given on the said postal matter and its

delivery notice by the port animal and plant quarantine office; for the postal matter to be destroyed, the port animal and plant quarantine office shall issue a notice to the sender.

Article 41 Whoever enters the country carrying animals or plants, animal or plant products or other quarantine objects must declare at the Customs and accept quarantine inspection by the port animal and plant quarantine office upon entry. The Customs shall hand over the animals or plants, animal or plant products or other quarantine objects declared or intercepted upon inspection to the port animal and plant quarantine office in time for quarantine inspection. No object shall be carried into the country without quarantine inspection.

Article 42 The port animal and plant quarantine offices may carry out on-the-spot inspections in the passenger passage ways or at the baggage collection points at ports, airports, railway or coach stations, by making inquiries and carrying out sample inspection of the articles of those who may carry animals or plants, animal or plant products or other quarantine products without declaration, or carrying out inspection by opening the packages(cases) when necessary.

Animal and plant quarantine inspection counters with marks shall be set up at the inspection site of entry and exit passengers.

Article 43 Whoever carries animals into the country must possess a quarantine certificate issued by the animal and plant quarantine organ of the government of the exporting country or region and clearance shall be given upon passing the quarantine inspection; those who carry dogs, cats or other pets into the country must hold a vaccination certificate in addition. For objects without quarantine certificates or vaccination certificates, the port animal and plant quarantine offices shall direct that either the said objects be returned within a specified time limit or be confiscated and destroyed. For objects to be returned within a specified time limit, those who carry the objects must receive and carry the same out of the country on the strength of the interception and detention voucher issued the port animal and plant quarantine office within the specified time; failure to receive them within the specified time limit shall be deemed as voluntary abandonment.

Any plants, animal or plant products or other quarantine objects carried into the country shall be cleared therewith upon passing on-the-spot quarantine inspection; for those which need to be either clinically quarantined or quarantined in isolation, the port animal and plant quarantine office shall issue an interception and detention voucher. For those having passed the interception quarantine, the carrier shall, on the strength of the interception and detention voucher, receive them from the port animal and plant quarantine office; failure to receive the same within the specified time limit shall be deemed as voluntary abandonment.

Animals and plants, animal and plant products and other quarantine objects listed in the catalogues specified in Article 29 of the Law on the Entry and Exit Animal and Plant Quarantine shall be prohibited from being carried or posted into the country.

Article 44 Animals or plants, animal or plant products or other quarantine objects posted into the country shall be quarantined by the port animal and plant quarantine office at the International Postal Exchange Bureau(including international postal express delivery companies and other units engaged in international postal operations, hereinafter referred to as the post offices). The post offices shall provide the necessary facilities for the work.

For objects passing the quarantine inspection, the port animal and plant quarantine office shall affix the quarantine inspection clearance stamp on them and hand them over to the post offices for transportation and delivery. For those needing to be clinically quarantined or quarantine inspected in

isolation, the port animal and plant quarantine office shall go through the formalities of handing-over and taking-over with the post offices; those passing quarantine inspection shall be affixed a quarantine inspection clearance stamp and handed over to the post offices for transportation and delivery.

Article 45 Animals or plants, animal or plant products or other quarantine objects carried or posted into the country, which fail in quarantine inspection and defy effective treatment for the removal of harmful effects, shall either be returned or destroyed with a "Quarantine Inspection Notice" issued to the carrier or sender.

Chapter VII

Quarantine of Means of Transport

Article 46 The port animal and plant quarantine office may carry out on-board on-the-spot quarantine inspection of the ships, airplanes or trains from the animal or plant epidemic areas. The person-in-charge of the means of transport concerned shall take the inquiry of the quarantine personnel and sign the record of inquiry, present the logbook, provide information on the loading of goods and open the holds and cabins for quarantine inspection.

The port animal and plant quarantine office shall carry out quarantine inspection of such places for the storage or use of animal or plant products as the dining cars, pantries, kitchens, stock-rooms, food cabins, and the storage places for swills and wastes of the nature of animal or plant of the means of transport mentioned in the preceding paragraph, which may be hidden with diseases or insect pests, as well as areas or parts of container bodies; treatment of disinfection for epidemic prevention shall be carried out when necessary.

Article 47 Fumigation, disinfection and other treatment for the removal of harmful effects must be carried out for ships, airplanes or trains from the animal or plant epidemic areas upon discovery of diseases or insect pests specified in the catalogues prescribed in Article 18 of the Law on Entry and Exit Animal and Plant Quarantine after quarantine inspection. Animals and plants, their products and other quarantine objects prohibited from entering the country must be sealed up or destroyed on discovery. The sealed objects shall not be unsealed and used without the permission of the port animal and plant quarantine office during their stay or movement within China. Treatment for the removal of harmful effects shall be carried out of the swills and wastes of the nature of animal or plant as well as the storage places and containers of the means of transport under the supervision of the port animal and plant quarantine office.

Article 48 The port animal and plant quarantine office shall carry out treatment of disinfection and on vehicles entering the country from an animal or plant epidemic area for epidemic prevention. In the case of discovery of diseases or insect pests upon quarantine inspection on vehicles loaded with entry animals or plants, their products or other quarantine objects, the vehicle and the goods shall be treated to remove the harmful effects. For vacant return rolling stocks carrying animals for the supply to Hongkong or Macao, whole-train disinfection shall be carried out for epidemic prevention.

Article 49 Waste ships entering the country for dismantling shall be quarantined by the port animal and plant quarantine office. In the event that diseases or insect pests are discovered, treatment for the removal of harmful effects shall be carried out under the supervision of the port animal and plant quarantine office. In the event that animals or plants, their products or other quarantine objects prohibited from entering the country are discovered, the same shall be destroyed under the supervision of the port animal and plant quarantine office.

Article 50 For means of transport entering the country from an animal or plant epidemic area, which have passed the quarantine inspection or undergone necessary disinfection, the port animal and plant quarantine office shall issue a "Quarantine Certificate for Means of Transport" or "Disinfection Certificate for Means of Transport" at the request of the person-in-charge or his or her agent of the means of transport.

Article 51 During the stay of the entry or transit means of transport inside China, no transport staff or workers shall carry the animals or plants, their products or other quarantine objects loaded thereon from the said means of transport; in the event that the objects need to be carried away, an application shall be submitted to the port animal and plant quarantine office for quarantine inspection.

Article 52 For means of transport to be loaded with exit animals, disinfection shall be carried out under the supervision of the port animal and plant quarantine office before loading.

Means of transport to be loaded with exit plants, animal or plant products or other quarantine objects shall conform to the provisions of the state concerning animal and plant epidemic prevention and quarantine inspection. In the event that dangerous diseases or insect pests or ordinary diseases or insect pests exceeding the prescribed standards, loading can be carried out only after the treatment for the removal of harmful effects.

Chapter VIII

Quarantine Inspection Supervision

Article 53 The State Bureau of Animal and Plant Quarantine and the port animal and plant quarantine offices shall practice the supervision system of quarantine inspection over the processes of production, processing and storage of entry and exit animals and plants, and animal and plant products. Specific measures shall be formulated by the department of agriculture administration under the State Council.

Article 54 Entry or exit animals, plant seeds, seedlings or other propagating materials that need to be fed or planted in isolation shall, during isolation, be subject to quarantine inspection supervision by the port animal and plant quarantine office.

Article 55 Units and personnel engaging in business operations of quarantine fumigation and disinfection of entry and exit animals and plants must pass the examination and evaluation of the port animal and plant quarantine offices.

The port animal and plant quarantine offices shall perform supervision over and provide guidance for the work of fumigation and disinfection and shall be responsible for the issuance of the fumigation certificates and certificates of disinfection.

Article 56 Port animal and plant quarantine offices may, according to requirements, carry out animal or plant epidemic monitoring at the production, processing or storage sites of entry or exit animals or plants, animal or plant products or other quarantine objects at airports, ports, railway or coach stations, warehouses, processing plants or farms, and the units concerned shall provide cooperation.

There shall be no shifting or damage of monitoring apparatus without the permission of the port animal and plant quarantine offices.

Article 57 Port animal and plant quarantine offices may, according to requirements, affix seals or marks of animal and plant quarantine inspection on the means of transport or containers carrying and

transporting entry or exit animals or plants, animal or plant products or other quarantine objects; no quarantine inspection seals or marks shall be opened, damaged or destroyed without the permission of the port animal and plant quarantine offices.

Animal and plant quarantine inspection seals and marks shall be unifiedly made and issued by the State Bureau of Animal and Plant Quarantine.

Article 58 Entry animals and plants, animal and plant products and other quarantine objects, containers and packing carrying animals or plants, their products or other quarantine objects to be transported to the bonded areas (including the bonded plants and bonded warehouses etc.), shall be quarantined at the port of entry in accordance with law; port animal and plant quarantine offices may carry out quarantine inspection supervision in the light of specific circumstances; for objects to be retransported out of the country after processing, formalities shall be gone through in accordance with the provisions of exit quarantine of the Law on Entry and Exit Animal and Plant Quarantine and those of these Regulations.

Chapter IX **Legal Responsibility**

Article 59 Whoever, in violation of law, commits any of the following acts shall be imposed a fine up to 5,000 yuan by the port animal and plant quarantine office:

(1) Failing to apply for quarantine inspection, or failing to go through the formalities for examination and approval of quarantine inspection, or failing to comply with the provisions of examination and approval of quarantine inspection; or

(2) The animals or plants, their products or other quarantine objects applying for quarantine inspection do not tally with the actual goods.

Whoever commits the act described in item (2) of the preceding paragraph, his quarantine inspection certificates or vouchers already obtained shall be revoked.

Article 60 Whoever, in violation of law, commits any of the following acts, shall be imposed a fine ranging from 3,000 to 30,000 Yuan by the port animal and plant quarantine office:

(1) Unloading from the means of transport or transporting and delivering entry or transit animals or plants, their products or other quarantine objects without the permission of the port animal and plant quarantine office;

(2) Transferring or disposing of, without authorization, the animals or plants subjected to quarantine inspection in an isolation court designated by the port animal and plant quarantine office;

(3) Unpacking, without authorization, the packing of transit animals or plants, animal or plant products or other quarantine objects, or unsealing damaging or destroying, without authorization, seals or marks for quarantine inspection; or

(4) Casting away, without authorization, transit animals' carcasses, excrement, bedding materials or other wastes, or failing to dispose of swills and wastes of the nature of animal or plant of the means of transport according to provisions.

Article 61 If any unit registered in accordance with the provisions of Articles 17 and 32 of these Regulations, engaging in the production, processing or storage of animals or plants, animal or plant products or other quarantine objects has aforesaid entry or exit objects failing to pass the quarantine inspection, the said objects shall be returned, destroyed or subject to treatment for the removal of

harmful effects in accordance with the provisions of these Regulations and, if the circumstances are serious, the registration of the unit concerned shall be canceled by the port animal and plant quarantine office in addition.

Article 62 Whoever, in violation of law, commits any of the following acts shall be investigated for criminal responsibility; if the act does not constitute a crime or if the circumstances are obviously minor and require no criminal punishment according to law, the port animal and plant quarantine office shall impose a fine ranging from 20,000 to 50,000 yuan:

- (1) Causing a major animal or plant epidemic; or
- (2) Forging or altering the quarantine certificates, stamps, marks or seals.

Article 63 If any unit or its personnel engaging in the business operations of quarantine fumigation and disinfection treatment of entry and exit animals and plants fails to carry out the fumigation or disinfection treatment in accordance with provisions, the port animal and plant quarantine office may revoke their qualifications for fumigation or disinfection according to the nature of the cases.

Chapter X Supplementary Provisions

Article 64 For the purpose of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations, the following terms respectively mean:

(1) "Plant seeds, seedlings and other propagating materials" mean whole or part of cultivated or wild plants for propagation, such as plant stems, seedlings(including tube seedlings), kernels, seeds, blocks, ear grafts, cuttings, leaves, buds, sprouts, tubers, tubercles, scaled tubers, pollens and cell cultures, etc.;

(2) "Carrying containers" mean containers used for carrying entry or exit goods which may be repeatedly used and are liable to be contaminated by diseases or insect pests, such as cages, cartons, pails and baskets, etc.;

(3) "Other harmful organisms" mean various bio-organisms and pathogenic micro-organisms harmful to animals or plants other than animal infectious diseases, parasitic diseases or dangerous plant diseases, insect pests or weeds, as well as intermediate hosts and media organisms of dangerous diseases and pests of molluscs, rodents, mites and caterpillars; and

(4) "Quarantine certificates" mean the legally binding papers issued by animal and plant quarantine organs concerning the state of health or hygiene of animals or plants, animal or plant products or other quarantine objects, such as "Animal Quarantine Certificate", "Plant Quarantine Certificate", "Animal Health Certificate", "Veterinary Hygiene Certificate" and "Fumigation/Disinfection Certificate", etc.

Article 65 The expenses required for or losses incurred from performing quarantine inspection of entry and exit animals and plants, animal and plant products and other quarantine objects or fumigation, disinfection, return and destruction in accordance with provisions shall be borne by the owner of the objects or his or her agent.

Article 66 The port animal and plant quarantine organs shall perform quarantine inspection in accordance with the law. When there is a need to collect samples, a sample collection voucher shall be issued; the left-over samples from inspection shall be taken back by the owner or his or her agents within the prescribed time limit; samples which fail to be taken back at the expiration of the prescribed period shall be handled by the port animal and plant quarantine organs in accordance with regulations.

Article 67 Provisions for quarantine organs for exit animal products for trade shall be worked out by the State Council in accordance with actual conditions.

Article 68 These Regulations shall enter into force as of January 1, 1997.

The State Council 1996-12-02