

Decreto del Consejo de Estado N° 206/1996 sobre Implementación de la Ley de Cuarentena Animal y Vegetal para Importaciones y Exportaciones

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**People's Republic of China State Council Decree No. 206
Implementation Regulations for the Law on Entry and Exit Animal and Plant Quarantine**

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 Entry and Exit Animal and Plant Quarantine (hereinafter referred to as the Law on Entry and Exit Animal and Plant Quarantine).

Article 2.

In accordance with the provisions of the Law on Entry and Exit Animal and Plant Quarantine and these Implementation Regulations, the following objects shall be subject to quarantine inspection:

- (1) animals or plants, their products and other quarantine objects on entry or exit or transit;
- (2) containers, packaging and padding materials used for carrying animals and plants, their products and other quarantine objects;
- (3) means of transport from animal or plant epidemic-stricken areas;
- (4) old and disused vessels entering the country for disassembling purposes; or
- (5) other goods or objects subject to the entry and exit animal and plant quarantine in accordance with the provisions of relevant laws, administrative regulations, international treaties or with the agreements of trade contracts.

Article 3.

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

The Animal and Plant Quarantine Administration of the People's Republic of China (hereinafter referred to as the State Administration of Animal and Plant Quarantine) shall conduct the work of unified administration over the entry and exit animal and plant quarantine in the whole country, collect serious animal or plant epidemic information at home and abroad, and be in charge of international cooperation and exchange in entry and exit animal and plant quarantine.

Port animal and plant quarantine offices set up by the State Administration of Animal and Plant Quarantine at ports open to the outside world and at places busy with entry and exit animal and plant quarantine shall carry out entry and exit animal and plant quarantine in accordance with 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 and plant epidemic occurs abroad (outside the national border) and is liable to spread into China, the following emergency preventive measures shall, in light of the circumstances, be adopted:

- (1) The State Council may adopt measures to control the relevant border areas, and may, if necessary, issue orders to prohibit means of transport from animal and plant epidemic-stricken areas from entering the country or to close relevant ports;
- (2) The competent department of agriculture administration under the State Council may announce a catalogue of the animals or plants, their products and other quarantine objects originating in the countries or regions with prevalent animal or plant epidemics to be prohibited from entering the country;

(3) Relevant port animal and plant quarantine offices may conduct emergency quarantine treatment for the objects on entry as listed in Article 2 of these Regulations which are probably contaminated with diseases, insect pests; or other harmful organisms; or

(4) Local people's governments in areas threatened by animal or plant epidemics may immediately organize relevant departments to work out and carry out contingency plans, and at the same time, report to the people's governments at higher levels and the State Administration of Animal and Plant Quarantine.

The departments of post and telecommunications and or transportation shall give priority to transmitting and delivering reports on serious animal or plant epidemics or materials for quarantine inspection.

Article 5.

The animals or plants, their products, or other quarantine objects brought into the country for official or personal use by foreign organs and personnel entitled to diplomatic or consular privileges and immunities shall, in accordance with the provisions of the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations, be subject to quarantine inspection.

The port animal and plant quarantine offices shall abide by the provisions of relevant laws in carrying out the quarantine inspection.

Article 6.

Customs offices shall, in accordance with the law, assist the port animal and plant quarantine offices in carrying out supervision and control over entry and exit animals or plants, their products, and other quarantine objects. The specific measures shall be worked out by the competent department of agriculture administration under the State Council together with the General Administration of Customs.

Article 7.

The catalogue of the animal or plant epidemic stricken areas and the countries or regions with prevalent animal or plant epidemics referred to in the Law on the Entry and Exit Animal and Plant Quarantine, shall be determined and announced by the competent department of agriculture administration under the State Council.

Article 8.

Units or individuals that have made remarkable achievements in carrying out the Law on the Entry and Exit Animal and Plant Quarantine as well as these Regulations shall be rewarded.

Chapter II Import Permits for Quarantine

Article 9.

The State Administration of Animal and Plant Quarantine or its authorized port animal and plant quarantine offices shall be in charge of issuing import permits for animals, animal products, and the objects prohibited from entering the country as listed in paragraph 1, Article 5 of the Law on the Entry and Exit Animal and Plant Quarantine.

The institutions as prescribed in the Regulations on Plant Quarantine, shall be in charge of issuing import permits for plant seeds, seedlings or other propagative materials.

Article 10.

Only cases meeting the following requirements are allowed to be submitted to go through the entry quarantine import permit procedure:

- (1) an exporting country or region with no serious animal or plant epidemics;
- (2) being in conformity with the provisions of relevant Chinese laws, regulations and rules on animal and plant quarantine;
- (3) being in conformity with relevant bilateral quarantine agreements (including quarantine agreement, memorandum, etc. similarly hereinafter) signed between China and the exporting country or region.

Article 11.

Quarantine import permit procedures shall be properly completed before a trade contract or agreement is signed.

Article 12.

Whoever intends to carry or mail plant seeds, seedlings and other propagative materials into the country must, in advance, submit an application and go through quarantine import permit procedures. Whoever fails to apply in

advance for special circumstances shall go through the quarantine import permit procedures at the port of entry, and the above-mentioned objects are allowed to enter the country only after the examining authorities have approved the application and the objects have passed the quarantine inspection.

Article 13.

Where transit of animals through the country is intended, the owner or his agent must submit, in advance, a written application to the State Administration of Animal and Plant Quarantine, together with a written epidemic appraisal provided by an animal and plant quarantine office of the government of the export country or region and the import permit issued by an animal and plant quarantine office of the government of the import country or region, and specify the planned transit route. An Animal Transit Permit shall be issued upon approval by the State Administration of Animal and Plant Quarantine after examination.

Article 14.

To import the objects prohibited from entering the country as listed in paragraph 1, Article 5 of the Law on the Entry and Exit Animal and Plant Quarantine and go through the procedures of import permits for quarantine of the above-mentioned objects, owing to such special purposes as scientific research, the owner or his agent shall submit a written application specifying the quantity of objects, usage, import forms and epidemic prevention measures after their entering the country, together with an appraisal endorsed by the relevant port animal and plant quarantine office.

Article 15.

In any of the following circumstances after going through the procedures of import permits for quarantine, the owner or his agent shall re-apply for import permits for quarantine:

- (1) a change in the variety or quantity of the entry objects;
- (2) a change of the export country or region;
- (3) a change of the entry port; or
- (4) the approved period of validity of the import permit has been exceeded.

Chapter III Entry Quarantine

Article 16.

The requirements for quarantine inspection prescribed by Chinese law as mentioned in Article 11 of the Law on the Entry and Exit Animal and Plant Quarantine refer to the requirements for animal and plant quarantine stipulated by Chinese laws, administrative regulations as well as those stipulated by the competent department of agriculture administration under the State Council.

Article 17.

The State shall institute a registration system for the establishments located abroad engaging in the production, processing and storage of animal or plant products destined for China. The specific measures shall be worked out by the competent department of agriculture administration under the State Council.

Article 18.

To import animals or plants, their products or other quarantine objects, the owner or his agent shall apply to the port animal and plant quarantine office at the port of entry for quarantine inspection prior to or on their entry. Where the objects need to be transferred away from a customs supervision and control zone, the owner or his agent shall notify the relevant port animal and plant quarantine office when they are transported to the designated place. Where the objects need to be transported from one place with a customs establishment to another, the owner or his agent shall, on their entry, declare to the port animal and plant quarantine office at the port of entry, and shall apply to the port animal and plant quarantine office at the place of the destination for quarantine inspection when they are delivered to the place of destination.

Where breeding stock or poultry, or their semen or embryos are to be imported, the application for quarantine inspection shall be submitted 30 days prior to their entry; where other animals are to be imported, the application for quarantine inspection shall be submitted 15 days prior to their entry; where plant seeds, seedlings or other propagating materials are to be imported, the application for quarantine inspection shall be submitted 7 days prior to their entry.

On the entry of any packing or padding materials of animal or plant nature, the owner or his agent shall declare, to

the port animal and plant quarantine office; the animal and plant quarantine office may, in light of specific circumstances, conduct quarantine inspection over the declared materials.

The packing or padding materials of animal or plant nature as mentioned in the preceding paragraph refer to animal products, plants or plant products directly used as packaging or padding materials.

Article 19.

In applying to the port animal and plant quarantine office for quarantine inspection, a report form shall be filled out, and such documents as the quarantine certificate issued by the animal and plant quarantine office of the government of the export country or region, certificate of origin, trade contract, letter of credit and invoices shall be submitted; if the quarantine import permits procedures are required to be completed according to the law, the relevant import permits shall be submitted. Without a valid quarantine certificate issued by the animal and plant quarantine office of the government of the export country or region, or without completing the quarantine import permits procedures according to the law, the port animal and plant quarantine office may return or destroy the objects concerned in light of specific circumstances.

Article 20.

When import animals or plants, their products, or other quarantine objects are delivered to a port of entry, quarantine officers may embark on the means of transport or enter the site of goods to conduct quarantine inspection and verify whether the goods are in conformity with the certificates, and may collect specimens in accordance with relevant provisions. The carrier or owner, or his agent shall produce the bill of lading and relevant documents.

Article 21.

On arrival at a port of a means of transport for carrying animals, the personnel, who embark upon or disembark from the means of transport or approach the animals, shall be subject to disinfection treatment for the precaution against epidemics conducted by the port animal and plant quarantine office, and carry out other on-the-spot preventive measures adopted by the office.

Article 22.

Quarantine officers shall conduct on-the-spot quarantine inspection in accordance with the following provisions:

(1) Animals: To inspect whether animals have clinical symptoms of any infectious diseases. Where any animals are suspected of being infected by an infectious disease or found dead, the case shall be dealt with immediately after it is ascertained through investigation under the cooperation of the owner or escort. Disinfection treatment of the padding materials, remaining feed stuffs and excrement of animals shall be conducted under the supervision of the quarantine officers.

(2) Animal products: To inspect whether any animal products are rotten or bad; whether containers and packages are in good condition. Where the requirements are met, unloading from the means of transport is permitted. Where packages are found, loose or containers broken, unloading from the means of transport is permitted only after the packages and containers are put into shape by the owner, or his agent. On the basis of circumstances, disinfection treatment shall be conducted on the parts of the means of transport involved, the containers for carrying animal products, the package surfaces, the padding materials and the contaminated fields. If laboratory quarantine inspection is needed, specimens shall be collected in accordance with relevant provisions. With respect to animal products that are apt to be the habitat for plant pests or to mix with weed seeds, plant quarantine shall be conducted at the same time.

(3) Plants and plant products: To inspect whether the goods and packaging materials are stricken with diseases, insects, or other harmful organisms, and collect specimens in accordance with relevant provisions. Where diseases, insects, or other harmful organisms are found and liable to spread, necessary epidemic prevention measures shall be adopted without delay on the goods, the means of transport and the sports of loading and unloading. With respect to the plant products that originated in animal epidemic-stricken areas or that are apt to carry pathogenic organisms of infectious or parasitic diseases of animals and that are used for animal feed stuffs of animals, an animal quarantine shall be conducted at the same time.

(4) Packaging or padding materials of animal and plant nature: To inspect whether they carry diseases, insect pests or other harmful organisms, mix with weed seeds, or are stained with soil, and collect specimens in accordance with relevant provisions.

(5) Other quarantine objects: To inspect whether packages are kept in good condition and contaminated by diseases, insect pests or other harmful organisms. Where packages are found broken or contaminated by diseases,

insect pests or other harmful organisms, a disinfection treatment shall be conducted.

Article 23.

With respect to animal or plant products transported by ships or trains in large quantity, an inspection shall be conducted layer by layer on the spot, if an on-the-spot investigation is unable to be conducted due to limited storage conditions at a harbor or railway station, the products may, with the consent of the port animal and plant quarantine office, be unloaded and transported away to a designated place for storage. Where epidemic cases are discovered through quarantine inspection in the process of unloading, the unloading shall immediately be stopped. With respects to the goods, whether unloaded or not yet unloaded, the owner or his agent shall, as demanded by the port animal and plant quarantine office, conduct a disinfection treatment for the above goods and take precautionary measures against the spread of the epidemic. The loading and unloading facilities and the sites contaminated by the diseases, insect pests or other harmful organisms shall also have a disinfection treatment conducted.

Article 24.

The import of large or medium size breeding stock shall be subject to quarantine for 45 days in an animal isolation court established by the State Administration of Animal and Plant Quarantine; other import animals shall be subject to quarantine for 30 days in an animal isolation court designated by the port animal and plant quarantine office. The measures of management for animal isolation courts shall be worked out by the competent department of agriculture administration of the State Council.

Article 25.

When imported animal or plant products in the same lot are to be unloaded at different ports, each port animal and plant quarantine office shall conduct quarantine inspection only for the goods unloaded at its port. The port animal and plant quarantine office at the port where goods are unloaded earlier shall timely inform the port animal and plant quarantine offices at other unloading ports of the results of the quarantine inspection and treatment. Where a certificate is needed for external use, the port animal and plant quarantine office at the port where the unloading is completed shall issue a unified quarantine certificate after collecting the results of quarantine inspections.

Where epidemic cases are found through quarantine inspection at one of the unloading port and a treatment of disinfection of the ship must be conducted, the port animal and plant quarantine office at this unloading port shall issue a unified quarantine certificate, and timely notify the port animal and plant quarantine offices at other unloading ports.

Article 26.

The import animals or plants, their products, and other quarantine objects shall be subject to quarantine inspection in accordance with the state standards and trade standards of China as well as relevant provisions of the State Administration of Animal and Plant Quarantine.

Article 27.

For those imported animals or plants, their products and other quarantine objects that have passed the quarantine inspection, the port animal and plant quarantine office shall affix a stamp on the customs declaration form or issue a Quarantine Release Notice; where the import objects need to be transferred away from a customs supervision and control zone at the entry port for quarantine inspection, the port animal and plant quarantine office at the entry port shall issue a Quarantine Transference Notice. The owner or his agent shall go through the formalities of customs declaration, transportation, and delivery on the strength of the stamp on the customs declaration form affixed, or the Quarantine Release Notice or Quarantine Transference Notice issued by the port animal and plant quarantine office. The Customs office shall, after verification, release the import animals or plants, their products, or other quarantine objects on the strength of the stamp on the customs declaration form affixed or the Quarantine Release Notice or Quarantine Transference Notice issued by the port animal and plant quarantine office.

The departments of transportation or post and telecommunications shall transport or deliver the above-mentioned objects on the strength of the above notices, and no further quarantine inspection shall be conducted by any other quarantine office in the course of the transportation and delivery within the country.

Article 28.

For those imported animals or plants, their products, or other quarantine objects that have failed quarantine inspection, the port animal and plant quarantine office shall issue a Quarantine Treatment Notice, notifying the owner or his agent to conduct a disinfection treatment under the supervision and technical guidance of the port animal and plant quarantine office. Where a claim for compensation against an external party needs to be

presented, the port animal and plant quarantine office shall issue a quarantine certificate.

Article 29.

The State Administration of Animal and Plant Quarantine may, on the basis of quarantine needs, with the consent of the relevant authorities of the government of the country or region exporting animals, plants, or their products, dispatch its quarantine officers to conduct pre-export quarantine inspection, or supervision over loading or investigations on epidemic situations at the place of production.

Article 30.

Those animals or plants, their products, or other quarantine objects intercepted and seized by customs, frontier inspection stations, or other departments on their illegal entry shall be delivered to the nearest port animal and plant quarantine office for quarantine inspection.

Chapter IV Exit Quarantine

Article 31.

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

Article 32.

When an import country requests China to register the units engaging in the production, processing, or storage of animals or plants, their products or other quarantine objects destined for that country, the port animal and plant quarantine office may register them and report them to the State Administration of Animal and Plant Quarantine for record.

Article 33.

Export animals subject to be placed in isolation for pre-export quarantine shall be quarantined in an isolation court designated by a port animal and plant quarantine office. Export plants, animal or plant products, and other quarantine objects may be quarantined in the warehouses or freight yards, or in the process of their production and processing; if necessary.

Plants, animal or plant products, or other quarantine objects awaiting a pre-export quarantine shall be adequate in quantity, well packed and neatly placed with clear marks.

Article 34.

Export animals or plants, their products, or other objects are quarantined in accordance with the following basis:

- (1) Provisions on animal and plant quarantine of import countries or regions, and China;
- (2) Bilateral quarantine agreements; and
- (3) Quarantine requirements specified in trade contracts.

Article 35.

When the animals or plants, their products and other quarantine objects have passed the quarantine inspection conducted by the port animal and plant quarantine office at the place of initial shipment are transported to the port of their exit, they shall be treated in accordance with the following stipulations:

- (1) Animals shall be subject to clinical quarantine examination or re-inspection by the port animal and plant quarantine office at the exit port;
- (2) Plants, animals, or plant products or other quarantine objects to be shipped out of the country on the original means of transport from the place of initial shipment shall be released by the port animal and plant quarantine office at the exit port upon verification of the certificates; those to be shipped out by different means of transport, shall be released after a replacement of certificates;
- (3) Where the plants, animal, or plant products or other quarantine objects are fit together after their arrival at the port of exit, a re-application for quarantine inspection shall be submitted if there are different requirements for quarantine inspection due to a change of the import country or region, or the prescribed period of validity of quarantine is exceeded.

Article 36.

When exported animals or plants, their products, and other quarantine objects that have passed the quarantine

inspection conducted by the port animal and plant quarantine office at the place of initial shipment are to be transported to the exit port, the departments of transportation and post or telecommunication shall transport or deliver them on the strength of the quarantine certificate issued by the port animal and plant quarantine office at the port of initial shipment and no further quarantine inspection shall be conducted by any other quarantine inspection office within the country.

Chapter V Transit Quarantine

Article 37.

To transport animals or plants, their products, and other quarantine objects through Chinese territory (including transshipment, similarly hereinafter), the carrier or escort shall, submit the bill of lading and the freight certificates issued by an animal and plant quarantine office of the government of the export country or region to the port animal and plant quarantine office at the port of entry in applying for a quarantine inspection. With respect to transit of animals, an Animal Transit Licence issued by the State Administration of Animal and Plant Quarantine shall also be submitted.

Article 38.

When transit animals are transported to the port of entry, the means of transport and the surface containers shall be disinfected and the animals shall be subject to a clinical examination conducted by the port animal and plant quarantine office at the port of entry. If they pass the quarantine inspection, the transit through the territory is permitted. The port animal and plant quarantine office at the port of entry may send its officers to escort and supervise the transportation of the transit animals to the port of exit, and no further quarantine inspection shall be conducted by the animal and plant quarantine office at the port of exit.

Article 39.

The means of transport carrying transit plants, animal or plant products or other quarantine objects as well as their packages and containers must be kept in good condition. If the port animal and plant quarantine officer, through investigation, find that the means of transport, the packing materials or containers are liable to cause dispersion or leakage on the way, the carrier or escort shall, according to the requirements of the port animal and plant quarantine office adopt hermetically-sealed measures; if the required hermetically-sealed measures are not possible, the transit through the territory shall not be permitted.

Chapter VI Quarantine of Carried or Mailed Objects

Article 40.

Plant seeds, seedlings, or other propagative materials carried or mailed into the country without a completed import permit for quarantine in accordance with the law, shall be returned or destroyed as decided upon by the port animal and plant quarantine office. If the mailed objects are returned, the port animal and plant quarantine office shall state the reasons for return on both the mail and the delivering notes; if the mailed objects are destroyed, the port animal and plant quarantine office shall issue a notice informing the sender.

Article 41.

Those who carry animals or plants, their products, or other quarantine objects into the country must declare to the Customs office on entry that the carried objects shall be subject to quarantine inspection by the port animal and plant quarantine office. The Customs office shall timely deliver the animals or plants, their products, or other quarantine objects declared or seized by it to the port animal and plant quarantine office for quarantine inspection. No such objects are allowed to be carried into the country without quarantine inspection.

Article 42.

The port animal and plant quarantine office may make inspection at the passenger way, luggage claim areas and other places in sea-ports, airports, and stations. As for those who may probably carry animals or plants, their products, or other quarantine objects without declaring them to the Customs office, the port animal and quarantine office may make inquiries and selective inspections, and if necessary, may open parcels (cases) for inspection.

Check counters and relevant signs for animal and plant quarantine shall be set up at the entry or exit inspection site for passengers.

Article 43.

Whoever carries animals into the country must possess a quarantine certificate issued by an animal and plant quarantine office of the government of the export country or region. The animals shall be released after they pass

quarantine inspection. Whoever carries such pets as dogs and cats into the country must, in addition, hold their vaccination certificates. Without the quarantine certificate and vaccination certificate, the port animal and plant quarantine office shall dispose of the animals by returning them within a time limit or confiscating them for destruction.

If such animals are returned within a time limit, the person who carries them must, within the prescribed time limit, take them back on the strength of the detention notice issued by the port animal and plant quarantine office and carry them out of the country; if the person concerned fails to take them back within time limit, they shall be treated as voluntarily abandoned.

Plants, animals, plant products or other quarantine objects carried into the country shall be released right away as soon as they pass on-the-spot quarantine inspection; if laboratory or isolation quarantine is required, the port animal and plant quarantine office shall issue a detention notice. If the detained objects pass the quarantine inspection, the person who carries them shall take them back on the strength of the detention notice issued by the port animal and plant quarantine office, if the person concerned fails to take them back within a prescribed time limit, they shall be treated as voluntarily abandoned.

The animals or plants, their products and other quarantine objects listed in the catalogue as stipulated in Article 29 of the Law on Entry and Exit Animal and Plant Quarantine shall be prohibited from being carried or mailed into the country.

Article 44.

The animals or plants, their products and other quarantine objects mailed into the country shall be quarantined by the port animal and plant quarantine office at the International Post and Telegram Exchange Center (including International Postage Express Company and other units engaged in international postage, hereinafter referred to as the post office). The post offices shall provide necessary working conditions.

If the objects pass the on-the-site quarantine inspection, the port animal and plant quarantine office shall affix a quarantine release stamp and leave them to the post office for transportation and delivery. If laboratory tests or isolation quarantine is needed, the port animal and plant quarantine office shall go through a hand-over procedure with the post office; if they pass the quarantine inspection, a stamp shall be affixed and the objects shall be handed back to the post office for transportation and delivery.

Article 45.

Where the animals or plants, their products or other quarantine objects, carried or mailed into the country fail in quarantine inspection and in addition, there are no effective ways to conduct a disinfestation treatment, the objects shall be returned or destroyed, and a Quarantine Treatment Notice shall be issued to the carrier or sender.

Chapter VII Quarantine of Means of Transport

Article 46.

With respect to any ships, airplanes, and trains coming from animal or plant epidemic-stricken areas, officers of port animal and plant quarantine offices may embark on the ships, airplanes or trains to conduct on-the-spot quarantine inspection. The person in charge of the relevant means of transport shall respond to the inquiry of the quarantine officer, sign the inquiry records, provide such information as journey log and goods loading conditions, and open the cabins for quarantine inspection.

The port animal and plant quarantine officers shall conduct quarantine inspection of all areas or parts of the means of transport mentioned in the preceding paragraph where diseases, insect pests or other harmful organisms may be concealed, including dining carriages, food distribution and catering cabins, kitchens, storage cabins and food cabins where animal or plant products are stored or consumed, areas where waste of animal or plant products are stored as well as the surfaces of the containers. If necessary, disinfection treatment for the precaution against epidemics shall be conducted.

Article 47.

Where any ships, airplanes or trains coming from animal or plant epidemic-stricken areas are, through quarantine inspection, found to be contaminated by any diseases, insect pests or other harmful organisms listed in the catalogue as stipulated in Article 18 of the Law on the Entry and Exit Animal and Plant Quarantine, fumigation treatment, disinfection or other disinfestation must be conducted. Where any animals or plants, their products, or their quarantine objects that are prohibited from entering the country are found in such ships, airplanes or trains, they must be sealed or destroyed. Where the method is to seal the objects during their stay or trip within the territory of China they shall not be unsealed for use without the approval of the port animal and plant quarantine

office. Waste of animal and plant nature on the means of transport, the place; where such waste is stored as well as their containers shall, under the supervision of the port animal and plant quarantine office, undergo a disinfestation treatment.

Article 48.

The entry vehicles from animal and plant epidemic-stricken areas shall be disinfected for the precaution against epidemics by the port animal and plant quarantine office. The vehicles carrying animals or plants, their products or other quarantine objects together with their cargoes shall if any diseases, insect pests or other harmful organisms, are found through quarantine inspection be subject to a disinfestation treatment. The whole vehicle after transporting animals which are supplied to the Hong Kong and Macao regions shall be disinfected while upon returning empty.

Article 49.

Old and unused vessels entering the country for disassembling purposes shall be quarantined by the port animal and plant quarantine office. Where diseases, insect pests or other harmful organisms are found, the vessels shall, under the supervision of the port animal and plant quarantine office, be subjected to disinfestation treatment. Where any animals or plants, their products, or other quarantine objects prohibited from entering the country are found, they shall be destroyed under the supervision of port animal and plant quarantine office.

Article 50.

Where an entry means of transport from animal or plant epidemic-stricken areas has passed quarantine inspection or passed it after disinfestation treatment, if the person in charge of the said means of transport, or his agent so requests, a Quarantine Certificate for the Means of Transport or a Disinfestation Certificate for the Means of Transport shall be issued by the port animal and plant quarantine office.

Article 51.

During the period when an entry or transit means of transport stays within the territory of China, transportation of the staff and workers and other personnel shall not bring any animals or plants, their products or other quarantine objects away from the means of transport; if it is necessary to bring them away from the means of transport, an application shall be submitted to the port animal and plant quarantine office for quarantine inspection.

Article 52.

Means of transport used for carrying animals out of the country shall, before loading, be disinfected under the supervision of the port animal and plant quarantine office.

Means of transport used for carrying plants, animal or plant products or other quarantine objects out of the country shall conform to the State provisions on animal and plant epidemics prevention and quarantine inspection. Where diseases, insect pests or other harmful organisms exceeding the stipulated standards are found, the loading and transportation can start only after the means of transport has undergone a disinfestation treatment.

Chapter VIII Quarantine Supervision

Article 53.

With respect to production, processing, or storage of the entry or exit animals plants or their products, the State Administration of Animal and Plant Quarantine and the port animal and plant quarantine offices shall institute a quarantine supervision system. The specific measures shall be worked out by the department of agriculture administration under the State Council.

Article 54.

Where entry or exit animals, plant seeds, seedlings or other propagative materials need to be raised or planted in isolation courts, the above-mentioned objects shall be subject to the quarantine supervision by the port animal and plant quarantine office during the period of isolation.

Article 55.

Any units and personnel engaged in the treatment of fumigation or disinfestation for entry and exit animal and plant quarantine must pass the examination and verification conducted by the port animal and plant quarantine office.

Port animal and plant quarantine offices shall supervise and guide the work for fumigation and disinfestation, and shall be in charge of issuing fumigation or disinfestation certificates.

Article 56.

Port animal and plant quarantine offices may, on the basis of necessity, monitor the animal or plant epidemic situation in the places situated at the airports, sea-ports, railway stations, bus stations, warehouses, processing factories or farms, where entry and exit animals or plants, their products or other quarantine objects are produced, processed or stored, and relevant units shall offer assistance.

Animal or plant epidemic monitoring instruments shall not be re-moved or damaged without the approval of the port animal and plant quarantine office.

Article 57.

Port animal and plant quarantine offices may, on the basis of necessity, put seals or marks of animal and plant quarantine on the means of transport or containers loaded with entry or exit animals, plants, their products or other quarantine objects; the seals or marks of quarantine shall not be removed or damaged without the approval of the port animal and plant quarantine office.

The seals or marks of animal and plant quarantine shall be made and distributed in a unified manner by the State Administration of Animal and Plant Quarantine.

Article 58.

Entry animals or plants, their products, or other quarantine objects as well as containers loaded with animals or plants, their products, or other quarantine objects or packaging materials that are to be transported into bonded districts (including bonded factories, bonded warehouse, etc.) shall be quarantined at the port of entry according to the law. The port animal and plant quarantine office may, in light of specific circumstances, perform quarantine supervision. If the above mentioned objects are to be re-transported out of the country after being processed, they shall be handled in accordance with the relevant provisions on exit quarantine in the Law on the Entry and Exit Animal and Plant Quarantine and these Regulations.

Chapter IX Legal Responsibilities

Article 59.

Whoever, in violation of the law, commits any of the following acts, shall be fined no more than 5,000 yuan by the port animal and plant quarantine office:

- (1) Fails to apply for quarantine inspection, or fails to go through the procedures of import permits for quarantine according to the law or failing to act on the decisions on examination and approval in quarantine;
- (2) The animals or plants, their products, and other quarantine objects that have been applied for quarantine inspection are not in conformity with the actual conditions.

If any act specified in item (2) of the preceding paragraph is involved, the quarantine certificates, already obtained shall be revoked.

Article 60.

Whoever, in violation of the law, commits any of the following acts, shall be fined more than 3,000 yuan and not more than 30,000 yuan by the port animal and plant quarantine office:

- (1) Unloads entry or transit animals or plants, their products, or other quarantine objects from the means of transport, or transports or delivers them without the approval of the port animal and plant quarantine office;
- (2) Transfers or disposes 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) Unpacks, without authorization, the packages of transit animals or plants, their products and other quarantine objects; or removes or damages, without authorization, the seals or marks of animal and plant quarantine; or
- (4) Discards, without authorization, the transit animals, carcasses, excrements, padding materials or their waste, or fails to dispose of in accordance with relevant provisions, the waste of animal or plant nature on the means of transport.

Article 61.

Where any entry or exit animals or plants, their products and other objects produced, processed or stored in a unit which is registered in accordance with the provisions of Article 17 and Article 32 of these Regulations fail to pass the quarantine inspection shall, in accordance with relevant provisions of these Regulations, be returned, destroyed

or disinfected. In addition, if the circumstances are serious, the registration of the unit concerned shall be revoked by the port animal and plant quarantine office.

Article 62.

Whoever, in violation of the law, commits any of the following acts shall be investigated for criminal responsibilities according to the law. If a crime is not yet constituted or criminal punishment is not needed to be sentenced according to the law because the circumstances are obviously slight, they shall be fined more than 20,000 yuan and not more than 50,000 yuan by the port animal and quarantine office.

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

Article 63.

Where any units and personnel engaged in the fumigation and disinfestation treatment for entry or exit animal and plant quarantine fail to conduct the treatment in accordance with relevant provisions, the port animal and plant quarantine office may, in light of circumstances, revoke their qualifications for conducting the fumigation and disinfestation treatment.

Chapter X Supplementary Provisions

Article 64.

As mentioned in 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 material" means the cultivated or wild plants or parts of such plants for propagation, such as plants, nursery stock (including test tube seedlings), fruits, seeds, stock, scions, cuttings, leaf blades, buds, root tubers, stem tubers, bulbs, corms, pollen and cell culture materials;
- (2) "Containers" mean such containers as cages, boxes, barrels and baskets which may be re-used, liable to be contaminated by diseases, insect pests or other harmful organisms and used for loading entry or exit goods;
- (3) "Other harmful organisms" mean all kinds of organisms harmful to animals or plants such as biological organisms, pathogenic microorganisms, and mollusk, rodents, mites, myriapods and vectors, and intermediate host of dangerous diseases and insect pests, other than infectious or parasitic diseases of animals, and diseases, pests or weeds dangerous to plants; and
- (4) "Quarantine Certificates" mean the documents with a legal force on the health or sanitary status of animals or plants, their products or other quarantine objects issued by the port animal and plant quarantine office, such as the Animal Quarantine Certificate, Phytosanitary Certificate, Animal Health Certificate, Veterinary Certificate and Fumigation/Disinfestation Certificate.

Article 65.

The required expenses or losses incurred in quarantine inspection of fumigation, disinfestation, returning or destruction for entry and exit animals plants, products or other quarantine objects shall be borne by the owner, or his agent.

Article 66.

When the port animal and plant quarantine office, needs to collect specimens in conducting quarantine inspection according to the law, a receipt for collecting specimens shall be issued. With respect to the remainder of the specimens after quarantine inspection, the owner or his agent shall take them back within the prescribed time limit; if the owner or his agent fails to take them back within the time limit, the port animal and plant quarantine office shall dispose of them in accordance with relevant provisions.

Article 67.

The department in charge of the quarantine of animal products leaving the country for trade purposes shall be designated by the State Council as it deems appropriate.

Article 68.

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