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### **China Publishes Administrative Measures for the Inspection and Supervision of Imports of Aquatic Animals**

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**Approved By:**

Jennifer Clever

**Prepared By:**

FAS Beijing Staff

**Report Highlights:**

On July 26, 2016, China's General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) published on its web site the Administrative Measures for the Inspection, Quarantine and Supervision of Imports of Aquatic Animals (AQSIQ Decree No.183). These measures went into effect on September 1, 2016, and replace the existing Administrative Measures enforced in November 2003 (known as AQSIQ Decree No. 44). A draft version of the measures was notified to the WTO on March 15, 2016 as G/SPS/N/CHN/17/Rev.1. The draft and final versions of the measures are practically identical. This report is an UNOFFICIAL translation of AQSIQ Decree No.183.

## **Executive Summary:**

On July 26, 2016, China's General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) published on its web site the Administrative Measures for the Inspection, Quarantine and Supervision of Imports of Aquatic Animals (AQSIQ Decree No.183). These measures went into effect on September 1, 2016, and replace the existing Administrative Measures enforced in November 2003 (known as AQSIQ Decree No. 44). A draft version of the measures was notified to the WTO on March 15, 2016 as G/SPS/N/CHN/17/Rev.1.

According to AQSIQ, the measures stipulate the inspection, quarantine and supervision requirements for entry of aquatic animals. The purpose of the measure is to implement risk-based supervision of inspection and quarantine requirements for entry of aquatic animals, and to implement classified and creditable supervision of enterprises on the basis of a risk analysis approach. These administrative measures will establish:

A quarantine access system to conduct risk analysis, as well as a safety and health control system to evaluate aquatic animals imported for the first time, and also to review traditional trade. The access list will be released by AQSIQ;

Foreign aquaculture farms and packaging enterprises exporting aquatic animals to China will be required to register with AQSIQ. Chinese importers will also be requested to register and to establish business records; and

According to AQSIQ, the existing exports of U.S. aquatic animals will continue during implementation of these new measures. AQSIQ will notify the U.S. government officially when AQSIQ plans to phase in the registration of U.S. enterprises of aquatic animals including aquaculture farms and packaging facilities.

The draft and final versions of the measures are virtually identical. This report is an UNOFFICIAL translation of AQSIQ Decree No.183.

## **General Information:**

### **BEGAIN TRANSLATION**

Administrative Measures for Inspection, Quarantine and Supervision of Entry Aquatic Animals (AQSIQ Decree No. 183)

The "Administrative Measures for Inspection, Quarantine and Supervision of Entry aquatic Animals" were reviewed and approved by the Executive Meeting of the Administration of Quality Supervision, Inspection and Quarantine on February 3, 2016 and is hereby promulgated and shall come into force on September 1, 2016.

Minister

July 26, 2016

(This document is a public release)

## **Administrative Measures for Inspection, Quarantine and Supervision of Entry Aquatic Animals**

### **Chapter I - General Provisions**

Article 1. The Measures are formulated according to the "Law of the People's Republic of China on Quarantine of Imported and Exported Animals and Plants " and its implementing regulations, the "Law of the People's Republic of China on Inspection of Imported and Exported Commodities" and its Implementing Regulations, the "Law of the People's Republic of China on Quality and Safety of Agricultural Products", the "Special Provisions of the State Council on Strengthening the Management of Safety and Supervision of Food and Other Products" and other laws and regulations in order to prevent the epidemics of aquatic animals spreading into the country to protect the fishery production, human health and ecological environment.

Article 2. The Measures apply to the management of inspection, quarantine and supervision of the entry aquatic animals.

Article 3. China's General Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as AQSIQ) is in charge of the national management of inspection, quarantine and supervision of entry aquatic animals.

AQSIQ local inspection and quarantine authorities (hereinafter referred to as the inspection and quarantine authorities) are responsible for the management of inspection, quarantine and supervision of entry aquatic animals in their respective areas of jurisdiction.

Article 4. AQSIQ and the local inspection and quarantine authorities implement risk management of inspection and quarantine of entry aquatic animals on the basis of risk analysis, and implement **classification management and credit management of the import-related enterprises**.

Article 5. The enterprises importing aquatic animals shall engage in production and operation activities in accordance with laws and regulations and relevant standards, shall be responsible to the society and the public, ensuring the quality and safety of the entry aquatic animals, accepting social supervision and assuming social responsibility.

### **Chapter II - Quarantine Access**

Article 6. AQSIQ implements the quarantine access system for entry aquatic animals, including risk analysis of products, assessment and review of safety and health control system, determination of inspection and quarantine requirements, and **registration of foreign aquaculture farming and packaging enterprises**.

Article 7. AQSIQ formulates in classification and publishes the requirements for inspection and quarantine of entry aquatic animals. According to the requirements for inspection and quarantine, it shall carry out risk analysis of products and assessment of safety and health control system of the countries or regions exporting the aquatic animals for the first time to China, and shall carry out retrospective review of safety and health control system of the countries or regions having or are exporting the aquatic animals to China.

AQSIQ may send teams of experts to the exporting countries or regions to carry out on-site audit assessment of their safety and health control systems for aquatic animals.

Article 8. AQSIQ shall negotiate and sign relevant protocols or determine inspection and quarantine certificates with the official competent authorities of the countries or regions exporting aquatic animals to China according to the results of risk analysis, assessment and review, and the requirements for inspection and quarantine.

AQSIQ shall formulate, adjust and publish the list of the aquatic animal species allowed to export to China and the exporting countries or regions.

Article 9. AQSIQ shall implement the management for registration of the enterprises engaged in aquaculture farming and packaging for exporting aquatic animals to China.

The foreign aquaculture farming and packaging enterprises for exporting aquatic animals to China (hereinafter referred to as enterprises for registration) shall comply with the relevant laws and regulations of the exporting countries or regions, and recommended to AQSIQ after they are approved by the competent authorities of the exporting countries or regions. The information for recommendations shall include:

(I) Enterprise Information: business name, address, approval number by competent authority, farming and packaging capacity, etc.;

(II) Aquatic Animal Information: Scientific name, use, etc. of aquatic animal species to be bred and packaged;

(III) Monitoring Information: The results of latest officially monitored disease, toxic and hazardous substance.

Article 10. AQSIQ shall review the information for recommendations. For the enterprises failed to pass the review, AQSIQ shall notify the competent official authorities of the exporting countries or regions to supplement and correct; while for the enterprises passed review, AQSIQ may send teams of experts to conduct random checks of the enterprises for registration. The enterprises failed to meet the requirements in random checks shall not be registered; and other enterprises that meet the requirements in random checks and are not randomly checked, shall be decided to be registered or not combined with the results of assessment of the safety and health control system for aquatic animals.

AQSIQ shall regularly publish and adjust the list of registered enterprises.

Article 11. The registration of overseas farming and packaging enterprises is valid for 3 years.

The application for registration renewal of enterprises should be filed to AQSIQ by the competent authorities of the exporting countries or regions at least 6 months before their expiry. AQSIQ may send teams of experts to the exporting countries or regions to carry out retrospective review of their safety and health control systems, and conduct random checks of overseas farming and packaging enterprises applying for registration renewal.

For the countries or regions passed the retrospective review, and the enterprises applying for registration renewal passed and met the requirements in random checks and other enterprises not randomly checked, their registration validity is extended for 3 years.

Article 12. For those failing to put forward the application for registration renewal, AQSIQ shall revoke their

registration.

Article 13. If registered enterprise fails in meeting the inspection and quarantine requirements when exporting aquatic animals to China with serious nature, AQSIQ may revoke its registration.

### Chapter III – Oversees Inspection and Quarantine

Article 14. The registered enterprises and the relevant fishing areas shall be in conformity with the relevant laws and regulations of the exporting countries, and shall be under the effective supervision of the official competent authorities of the exporting countries or regions.

The enterprises applying for registration for breeding, farming and ornamental aquatic animals, shall be monitored in consecutive two years by the official competent authorities of the exporting countries or regions according to the methods and standards recommended by the world animal health organization, in line with the regulation of the exporting countries or regions, and regulations in the bilateral inspection and quarantine agreement, and no related diseases shall be found.

The enterprises applying for registration for edible aquatic animals, shall be monitored for relevant diseases of aquatic animals, relevant toxic and hazardous substances and pathogenic microorganisms by the official competent authorities of the exporting countries or regions, the results shall comply with the requirements stipulated in the bilateral inspection and quarantine agreements, mandatory standards of China or the standards specified by AQSIQ.

Article 15. In the case the major aquatic animal diseases occurred in the countries or regions exporting aquatic animals to China, or massive death of aquatic animals for unknown reasons occurred in the registered enterprises or fishing waters, the official competent authorities of the exporting countries or regions shall proactively stop exporting to China and shall inform AQSIQ about relevant information.

Article 16. The aquatic animal semen and fertilized eggs for exports to China must be taken from healthy parental stocks and species. Breeding, farming and ornamental aquatic animals shall be the isolated and quarantined in the places recognized by the official competent authorities of the exporting countries or regions prior to exports to China. During isolating and quarantining period, these aquatic animals shall have no contact with other aquatic animals.

AQSIQ may send quarantine officers to the exporting countries or regions to assist in carrying out quarantine before export.

Article 17. The enterprises for registration for exporting aquatic animals to China and the places for isolation and quarantine shall have appropriate biological safety protection facilities and epidemic prevention management system that can effectively prevent the invasion of aquatic animals from other waters to ensure the safety and health of exported aquatic animals.

Article 18. The aquatic animals from different farms or fishing areas should be packed separately, and the aquatic animals of different species should be packed independently to satisfy the needs for animal survival and welfare. The packaging containers shall be fully new or treated by sterilizing, shall avoid leakage, and the inner package should be transparent and easy to check.

Article 19. The water or ice and bedding materials for packing the aquatic animal exporting to China shall meet the safety and health requirements, shall not contain pathogenic microorganisms, toxic and hazardous substances which are harmful to the animals and plants and human health, and aquatic organisms that may damage the ecological environment of water body.

Article 20. The aquatic animals exporting to China shall be no clinical symptoms of animal infectious diseases and parasitic diseases within 48 hours before shipment. If necessary, the effective drugs approved by the official competent authorities of the exporting countries or regions should be used for disinfection and expelling parasites.

Article 21. The official competent authorities of the exporting countries or regions shall issue the inspection and quarantine certificate to the aquatic animals exporting to China in the format and content of the inspection and quarantine certificate approved by AQSIQ.

#### Chapter IV – Import Inspection and Quarantine

Article 22. The entry aquatic animals shall comply with the following requirements:

- (I) Requirements of China's laws and regulations and other mandatory standards;
- (II) Requirements for inspection and quarantine by specie formulated by AQSIQ;
- (III) Related requirements determined in the bilateral inspection and quarantine agreement;
- (IV) Related requirements provided in the bilaterally approved inspection and quarantine certificate;
- (V) Requirements specified in the imported animal and plant quarantine permit (hereinafter referred to as the quarantine permit);
- (VI) Other requirements for inspection and quarantine provided by AQSIQ.

Article 23. The edible aquatic animals shall be imported through the ports designated by AQSIQ. AQSIQ shall assess the designated ports in regular manner, and release the list of designated ports.

The requirements related to the designated ports where the edible aquatic animals are imported through shall be formulated separately by AQSIQ.

Article 24. The consignee or its agent of the entry aquatic animals shall handle the quarantine permit in accordance with the relevant provisions.

If aquatic animals are imported to China from the exporting country or region through a third country or region, when applying for quarantine permit, the consignee or its agent shall also provide detailed information on transportation route and transfer handling in the third country or region including whether the animals need to leave the customs supervision zone, change the transport means, change the packages and enter the water body environment of the third country or region.

The consignee or its agent of the imported breeding, farming and ornamental aquatic animals, shall apply for quarantine permit from the inspection and quarantine authority that designate isolation and quarantine facility, shall obtain the isolation facility use certificate before application for quarantine permit according to the provisions of the "Measures for Management of Use and Supervision of Imported Animal Isolation and

Quarantine Fields"; In the case of imports of edible aquatic animals, the consignee or its agent shall apply for quarantine permit from the inspection and quarantine authority at the entry port.

Article 25. The consignee or its agent shall hold the quarantine permit, the original of inspection and quarantine certificate issued by the official competent authority of the exporting country or region, trade contract, bill of lading, packing list, invoices and other documents and provide the same to the inspection and quarantine authority for inspection.

The applicant in the quarantine certificate, the consignee in the inspection and quarantine certificate issued by the foreign official competent authority and the consignee in the bill of lading shall be consistent with each other.

Article 26. The inspection and quarantine authorities shall examine the relevant documents submitted by the consignee or its agent, and accept for inspection if the documents meet the requirements and write off the quantity approved in the quarantine permit based on the related regulations.

Article 27. The inspection and quarantine authority at the entry port shall conduct on-site inspection and verification of the entry aquatic animals in accordance with the following provisions:

(I) Unpacking Proportion for Inspection: For the imported breeding, farming and ornamental aquatic animals, if the total number of packages are less than 10 pieces, they all shall be unpacked, and if the total number is more than 10 pieces, 2 pieces more shall be unpacked for every additional 10 pieces, but the maximum shall not exceed 20 pieces; for the imported edible aquatic animals, the unpacking proportion shall not be more than 10 percent, but the minimum shall not be less than 3 pieces. If any problems are found, the unpacking proportion for inspection shall be appropriately increased.

For those aquatic animals subject to management requirements by specie, the unpacking proportion for inspection shall comply with the relevant provisions;

(II) Cargo-Certificate Check: Whether the product name, quantity (weight), package, exporting date, transportation means information, exporting country or region, transit country or region etc. are consistent with each other;

(III) Packaging and Labeling Check: Whether the packaging containers are in good condition; whether there are solid, legible Chinese or English logo on the packaging containers, marking the product name, scientific name, origin, official approval number of the farming or packing enterprise and other contents of the aquatic animal. Due to difficulty in labeling, ships and containers for live fish are not subject to this labeling requirement;

(IV) Clinical Examination: The aquatic animal health conditions, mainly include whether its movement is abnormal, whether there is ulcer, hemorrhage, cyst and parasitic infection in its body surface, whether its body color is abnormal, whether the fish belly is swelling and the fish anus is red and swollen, whether the contraction of shellfish adductor muscle is abnormal, whether there is black or white spot in the crustacean surface and carapace, whether the gill becomes black;

(V) Water or Ice, Bedding Materials for Packing: whether they brought with soil and hazardous pests endangering the animal, plant and human health and other objects prohibited to entering China specified in laws and regulations.

Article 28. The inspection and quarantine authorities shall carry out quarantine and disinfection treatment of the outer packages, transportation vehicle and tools and loading/unloading site in accordance with the relevant provisions.

Article 29. If the following conditions are found in on-site inspection and verification, the inspection and quarantine authority shall handle in accordance with the relevant provisions:

(I) If there is damage found in the inner package and leakage from the transported water, the consignee or its agent shall arrange the packing containers, replace the packages or destroy the aquatic animal in the damaged package, and disinfect the site and packing container etc.;

(II) If it needs to unpack for adding or changing water on site, the water for use must reach the China's standard of water quality for fishery, and shall be sterilized, and the waste original packages, packaging water or ice and bedding materials shall be disinfected in accordance with the relevant provisions;

(III) The objects prohibited from entering into China shall be destroyed;

(IV) When abnormalities are found in clinical examination, samples shall be delivered to laboratory for test;

(V) For the dead aquatic animals, the consignee or its agent shall carry out harmless treatment under supervision.

Article 30. If one of the following circumstances is found in acceptance for inspection or on-site inspection and verification, the inspection and quarantine authority shall sign and issue the "Inspection and Quarantine Treatment Notice", and the consignee or its agent shall return or destroy it under the supervision of the inspection and quarantine authority:

(I) The aquatic animals are not included in the list of the aquatic animal species allowed to import to China and the exporting countries or regions;

(II) The aquatic animals are not accompanied with effective quarantine permit;

(III) The aquatic animals are not accompanied with effective inspection and quarantine certificates issued by the competent authorities of exporting countries or regions;

(IV) If the applicant in the quarantine permit, the consignee in the inspection and quarantine certificate and the consignee in the bill of lading are inconsistent; the actual transport route is inconsistent with that specified in the quarantine permit;

(V) The aquatic animals are imported from enterprises not registered with AQSIQ;

(VI) Cargo-Certificate Inconsistence, including inconsistent specie, quantity (weight) of entry aquatic animals exceeding the quantity (weight) specified in the inspection and quarantine certificate, reporting in false use, no label, incomplete label content or label content insistent with that in inspection and quarantine certificate;

(VII) If an abnormal death and the clinical symptom of aquatic animal disease is found in clinical examination;

(VIII) If the modality rate exceeds 50 percent is found in clinical examination.

Article 31. If the edible aquatic animal is imported, the inspection and quarantine authority at the entry port shall

carry out inspection or monitoring of the following items in accordance with the relevant standards, monitoring plan, warning notification and other requirements:

- (I) The pathogen of aquatic animal epidemic disease, food borne pathogenic microorganisms, parasites;
- (II) Shellfish toxins and other biological toxins;
- (III) Heavy metal, pesticide and veterinary drug residues;
- (IV) Other items required.

Article 32. The imported edible aquatic animals shall be released when passed the on-site inspection by the inspection and quarantine authority; the aquatic animals failing to pass the inspection shall be returned or destroyed. The aquatic animals subject to monitoring plan or warning notification shall be sampled for test in accordance with the requirements.

Article 33. The imported edible aquatic animals failing to pass the laboratory test, the consignee or its agent shall take the initiative to recall the substandard edible aquatic animals and take effective measures to deal with.

Article 34. The imported edible aquatic animals subject to AQSIQ detention and test measures based on risk assessment on the harm level and the frequency of failing to meet the inspection requirements in risk monitoring shall be transferred by the consignee or its agent to the tentative detention and test field designated by the inspection and quarantine authority, and can be released only if the laboratory test results meet the requirements. Failing to pass the laboratory test, the edible aquatic animals shall be returned or destroyed.

Article 35. The imported breeding, farming and ornamental aquatic animals shall be quarantined for at least 14 days at the designated isolation field. If they pass the on-site inspection, the inspection and quarantine authority at the entry port shall issue the "Notice for Transfer of Imported Goods from Entry Port", and when they are transferred to the designated quarantine facility, the consignee or its agent shall declare to the inspection and quarantine authority. The inspection and quarantine authority of the designated quarantine facility shall check the cargo and certificate, and implement the following inspection and quarantine measures:

- (I) Carry out harmless treatment of the dead aquatic animals;
- (II) Carry out disinfection of the original packages, loaded water or ice and bedding materials;
- (III) In the quarantine period, the inspection and quarantine authority shall sample and implement disease detection of aquatic animals in accordance with the annual aquatic animal disease monitoring plan, quarantine permit requirements and other relevant provisions.

The aquatic animals passed quarantine shall be released by issuing "Inspection and Quarantine Certificate for Imported Goods"; the aquatic animals failing to pass the quarantine, shall be provided with the "Notice for Disposal of Inspection and Quarantine", and be fully culled or destroyed in the same quarantine facility. The quarantine facility shall be disinfected.

#### Chapter V – Transit and Transfer Inspection and Quarantine

Article 36. If the aquatic animals are transited through customs, the carrier or **supercargo** shall handle and

complete the quarantine approval procedure in accordance with the regulations, and hold the shipping list, quarantine permit, and certificate issued by the official competent authority of exporting country or region to apply to the inspection and quarantine authority at the entry port for inspection.

Article 37. The container of the aquatic animals for transit shall be in good condition without leakage. If there is possible leakage from the packing container found during transportation, the carrier or supercargo shall carry out rectification according to the requirements of the inspection and quarantine authority at the entry port. Failing to conduct effective rectification, the transit shall not be allowed.

Article 38. If the aquatic animals are transited to the mainland through Hong Kong or Macao, the consignor or its agent shall apply to the inspection institution designated by AQSIQ for transit inspection. Failing to conduct or pass the transit inspection, the aquatic animals shall not be transited to the mainland.

If the aquatic animals are transited through a third country or region, the official competent authority of the third country or region must issue transit certification document according to the relevant requirements of AQSIQ. The aquatic animals shall not enter China without effective transit document.

#### Chapter VI- Supervision Management

Article 39. AQSIQ shall implement the safety risk control and epidemic disease monitoring of the entry aquatic animals, formulate the annual safety risk control plan for entry aquatic animals and aquatic animal epidemic monitoring plan, and prepare the annual work report.

The inspection and quarantine bureau directly under AQSIQ shall develop the implementation program and organize the implementation in conjunction with the local actual situation.

Article 40. The inspection and quarantine authorities shall report the information on failures in inspection and quarantine of entry aquatic animals to AQSIQ in accordance with the relevant provisions, and AQSIQ shall notify the information on failures to the official competent authorities of exporting countries or regions.

Article 41. AQSIQ shall issue the warning notification, take higher monitoring proportion, carry out detention and suspend imports and other risk control measures in line with the relevant regulations based on the risk analysis according to the failures of inspection and quarantine of the entry aquatic animals, the risk information notified by the relevant domestic and foreign official competent authorities or organizations as well as the problems found in the domestic and foreign markets and other information.

Article 42. AQSIQ shall implement a credit management for consignee of entry aquatic animals in accordance with the provisions of the "Management Measures for Inspection and Quarantine Credit for Import and Export Enterprises".

Article 43. The inspection and quarantine authorities shall implement the record management of the consignee of imported edible aquatic animals.

Article 44. The consignee of imported edible aquatic animals shall establish the business records of entry aquatic animals, record the report No., product name, quantity and weight of entry aquatic animals, the origin country or region, the farming and packing enterprises and their registration number, the out flow of entry aquatic animals and other information. The business records shall be kept for not less than 2 years.

Article 45. The inspection and quarantine authorities shall carry out regular audit of the business records of the consignee of imported edible aquatic animals, and shall order the consignee to make rectification in case of failing to pass the audit.

**Article 46.** The consignee of imported breeding, farming and ornamental aquatic animals shall strengthen farming and quarantine of entry aquatic animals and shall keep the relevant records according to the requirements of the "Measures for Management of Use and Supervision of Imported Animal Quarantine Facility". The inspection and quarantine authorities shall carry out supervision and management of the designated quarantine facility in accordance with the relevant regulations.

Article 47. If there is safety and health problem in the entry aquatic animals, the consignee shall take the initiative to recall, destroy and take other control measures and report immediately to the inspection and quarantine authority and also the local governmental competent authority. If the consignee refuses to fulfill the obligation to recall, the inspection and quarantine authority may order the consignee to recall.

#### Chapter VII - Legal Responsibility

Article 48. In any of the following circumstances, the inspection and quarantine authority shall impose a fine of RMB5,000 yuan in accordance with the provisions of the "Regulations of the People's Republic of China for Implementation of Quarantine Law of Imported and Exported Animals and Plants":

(I) Fail to report for inspection or fail to obtain quarantine permit according to law or fail to comply with the relevant requirements specified in the quarantine permit.

(II) The reported entry aquatic animals for inspection are inconsistent with the actuality.

If the circumstance of previous article (II) occurs, the obtained quarantine permit shall be revoked.

Article 49. In any of the following circumstances, the inspection and quarantine authority shall impose a fine of minimum RMB3,000 yuan to maximum RMB30,000 yuan in accordance with the provisions of the "Regulations of the People's Republic of China for Implementation of Quarantine Law of Imported and Exported Animals and Plants":

(I) Fail to obtain permission from the inspection and quarantine authority for unloading the entry or transit aquatic animals from the transportation means or deliver without permission of the inspection and quarantine authority;

(II) Dispose or transfer the entry aquatic animals under quarantine at the quarantine facility designated by the inspection and quarantine authority without permission;

(III) Unpack the package of transit aquatic animals, open or damage the inspection and quarantine seals or signs without permission;

(IV) Dispose the dead bodies of transit aquatic animals, bedding materials or other wastes or fail to dispose the water for packing in accordance with the regulations without permission.

Article 50. In any of the following circumstances, criminal liability shall be investigated and prosecuted: In the circumstance not up to criminal investigation or prosecution, the inspection and quarantine authority shall impose a fine ranging from RMB20,000 to 50,000 according to the "Regulations of the People's Republic of China for

Implementation of Quarantine Law of Imported and Exported Animals and Plants":

- (I) Trigger spreading of major animal epidemic diseases;
- (II) Forge or alteration quarantine permit, stamp, sign and seal.

Article 51. In any of the following circumstances, the inspection and quarantine authority shall impose a punishment in accordance with the "Special Provisions of the State Council on Strengthening the Supervision and Management of Food and Other Products":

- (I) Hide and fail to report a known safety risk, refuse to fulfill the obligations to report an accident and continues to import;
- (II) Refuse to perform the product recall obligations.

Article 52. In any of the following circumstances, the inspection and quarantine authority shall impose a fine of no more than RMB30,000 yuan:

- (I) Use of the forged or altered quarantine document, stamp, sign, seal;
- (II) Use of the forged or altered quarantine documents of the official competent authority of the exporting country or region;
- (III) Use of other forged or altered related certification document;
- (IV) Fail to establish a business record or fail to record and keep the business records as required;
- (V) Transfer or dispose the imported edible aquatic animals detained at the field designated by the inspection and quarantine authority without permission;
- (VI) Refuse the supervision and management of inspection and quarantine authority.

Article 53. If the consignee or its agent of entry aquatic animals, and the inspection and quarantine authorities and their staff have other violations against the law, they shall be dealt with in accordance with the provisions of relevant laws and regulations.

#### Chapter VIII – Supplementary Articles

Article 54. The following terms in The Measures are defined as follows:

**Aquatic Animal:** refers to the live fishes, mollusks, crustaceans, jellyfishes, echinoderms, arachnids, amphibian animals artificially farmed or caught from the natural waters, including the semen and fertilized eggs for breeding.

**Farm:** refers to the incubation, nursery and breeding places of aquatic animals.

**Packaging Facility:** refers to the place for short-term consolidation, storage, classification, processing and packaging of the aquatic animals before departing the country.

**Exporting Country or Region:** refers to the country or region where the official competent authority issuing

official inspection and quarantine certificate for entry aquatic animals is located.

Transit: refers to the transportation means by which the aquatic animals are transported to the mainland China that, because of the transportation, the aquatic animals must be transported through a third country or region after leaving the exporting country or region, during this period in the third country or region the aquatic animals must leave the customs supervision area and must be transported by other transportation means.

Water for Packaging: refers to the water in direct contact with the aquatic animals, not including the ice cubes or water bags for sealing and regulating temperature.

Detention Test: refers to the inspection and quarantine measures which allow the edible aquatic animals with potential safety and hygienic risks but passed the entry inspection to be released provided they pass the random test after being transferred to the temporary facility designated by the inspection and quarantine authority.

Article 55. The inspection, quarantine and supervision management of the imported tortoises, turtles, snakes, crocodiles and other reptile animals shall be implemented with reference to The Measures as well.

Article 56. The inspection, quarantine and supervision management of the entry aquatic animals through boarder trade shall be implemented with reference to The Measures as well.

Article 57. The present Measures shall be interpreted by the Administration of Quality Supervision, Inspection and Quarantine.

Article 58. The present Measures shall be effective on September 1, 2016. The "Measures for Management on Inspection and Quarantine of Entry aquatic Animals" (AQSIQ Decree No. 44) enforced on November 1, 2003 shall be abolished simultaneously.

**END TRANSLATION**