

Measures for the Supervision and Administration of the Inspection and Quarantine of Imported and Exported Meat Products

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The Measures for the Supervision and Administration of the Inspection and Quarantine of Imported and Exported Meat Products, as deliberated and adopted at the executive meeting of the State Administration of Quality Supervision, Inspection and Quarantine on March 10, 2010, are hereby promulgated and shall come into force on June 1, 2011.

Director
January 4, 2011

Chapter I General Provisions

Article 1 In order to strengthen the inspection and quarantine of imported and exported meat products and the supervision and administration thereof, guarantee the quality safety of imported and exported meat products, prevent epidemic diseases of animals from entering into and coming out of our country and protect the safety of production of agriculture and animal husbandry as well as human health, these Measures are formulated in accordance with the provisions of the Law of the People's Republic of China on the Inspection of Import and Export Commodities and the regulations for the implementation thereof, the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine and the regulations for the implementation thereof, the Law of the People's Republic of China on the Frontier Health and Quarantine and the detailed rules for the implementation thereof, the Food Safety Law of the People's Republic of China and the regulations for the implementation thereof, the Special Rules of the State Council on Strengthening the Supervision and Management of the Safety of Food and Other Products and other relevant laws and regulations.

Article 2 These Measures shall be applicable to the inspection and quarantine of imported and exported meat products and the supervision and administration thereof.

Article 3 The term "meat products" as mentioned in these Measures refers to any part of the slaughtered animal that is edible for the humans, including the body, viscera, byproducts and products made of the aforementioned products as raw materials, excluding canned products.

Article 4 The State Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as the SAQSIQ) takes charge of the inspection and quarantine of

imported and exported meat products and the supervision and administration thereof throughout the country.

The institutions of entry and exit inspection and quarantine set up by the SAQSIQ at all places (hereinafter referred to as the “inspection and quarantine institutions”) shall be responsible for the inspection and quarantine of imported and exported meat products and the supervision and administration thereof under their jurisdiction.

Article 5 Inspection and quarantine institutions shall inspect and quarantine imported and exported meat products and conduct supervision and random inspection thereof according to law, and implement the systems of credit management and classified management on production and processing enterprises (hereinafter referred to as “production enterprises”), consignees and consignors of imported and exported meat products for supervisory purposes.

Article 6 Production enterprises of imported and exported meat products shall conduct production and management activities in accordance with laws, administrative regulations and the relevant standards, be responsible to the society and the public, guarantee the quality safety of meat products, accept social supervision, and assume social responsibilities.

Chapter II Import and Export Inspection and Quarantine

Article 7 Imported meat products shall conform to the provisions of laws and administrative regulations of China, the requirements of the national food safety standards, the inspection and quarantine requirements provided for in the relevant agreements, protocols and memos signed by China with the exporting countries or regions and the quarantine requirements stated in trade contracts.

For the import of meat products which are not covered by the national food safety standards, consignees shall submit the licensing certificates issued by the health administrative department of the State Council to inspection and quarantine institutions.

Article 8 The SAQSIQ shall, based on the provisions of laws and administrative regulations of China, the requirements of the national food safety standards and the risk analysis result of epidemic situation, epidemic diseases, toxic and hazardous substances of domestic and overseas meat products, and in light of the effectiveness evaluation on the quality and safety management systems of countries or regions intending to export meat products to China, formulate and announce the inspection and quarantine requirements for imported meat products of China; or sign inspection and quarantine agreements with countries or regions intending to export meat products to China, and determine the inspection and quarantine requirements and the relevant certificates.

Article 9 Exporters and agents to export meat products to China shall be subject to the record-filing management of the SAQSIQ, and the list of exporters and agents who have made record filing shall be regularly announced by the SAQSIQ.

The registration and administration of overseas production enterprises of imported meat products shall be governed by the relevant provisions of the SAQSIQ.

Article 10 Consignees of imported meat products shall be subject to the record-filing management of the inspection and quarantine institutions. Consignees who have made record-filing may handle the formalities for meat products import.

Article 11 Consignees of imported meat products shall establish a system to keep records of the import and sale of meat products. The records shall be authentic and be kept for at least two years.

Article 12 The SAQSIQ adopts the system of quarantine approval to imported meat products. Consignees of imported meat products shall go through quarantine approval formalities and obtain a license for entry animal and plant quarantine before concluding trade contracts. The SAQSIQ may, in accordance with the relevant provisions, send personnel to the exporting countries or regions to make preliminary inspections on meat products to be imported where it is necessary.

Article 13 Imported meat products shall enter into China at the ports designated by the SAQSIQ.

The inspection and quarantine institutions at entry ports shall have on-site inspection and laboratory equipment and facilities for the inspection and quarantine of imported meat products and shall be equipped with corresponding professional personnel. Imported meat products shall be stored in refrigerated warehouses or other places approved by inspection and quarantine institutions and filed with the SAQSIQ. Entry ports of meat products shall have refrigerated warehouses that suit the quantity of imported meat products. The refrigerated warehouses shall meet the inspection and quarantine requirements of refrigerated warehouses for imported meat products.

Article 14 The packaging of imported fresh refrigerated meat products shall meet the following requirements:

1. The materials used in internal and external packaging shall be nontoxic and harmless, and the packaging shall be intact and unbroken;
2. The country of origin, product name, registration number of production enterprise and production batch number shall be indicated in internal and external packaging; and
3. The specification, production place (specific to state/province/city), destination, production date, shelf life and storage temperature shall be indicated in Chinese on the external packaging, the destination shall be indicated as the People's Republic of China, and official inspection and quarantine labels of exporting countries or regions shall be affixed thereto.

Article 15 Before or when meat products are imported, consignees or their agents shall, on the strength of the quarantine license for imported animals and plants, the relevant original certificates officially issued by exporting countries or regions, trade contracts, bills of lading, packing lists, invoices and other documents, report to the inspection and quarantine institutions at entry ports for inspection and quarantine.

The official inspection and quarantine certificate of exporting countries or regions for the imported meat products shall meet the requirements of the SAQSIQ on such a certificate.

Article 16 The inspection and quarantine institutions shall examine the relevant documents submitted by consignees or their agents, and if the documents are eligible, they shall accept the request for inspection, write off the quantities that have been approved, and issue clearance certificates for entry goods.

Article 17 The transportation tools and containers that carry imported meat products shall be subject to sterilization for preventing epidemics under the supervision of the inspection and quarantine institutions at entry ports. No imported meat products may be unloaded from the transportation tools or containers without the permission of the inspection and quarantine institutions.

Article 18 The inspection and quarantine institutions at entry ports shall conduct on-site inspection and quarantine on imported meat products in accordance with the relevant provisions, the on-site inspection and quarantine shall include the following contents:

1. Checking whether the transportation tools are clean, whether there is peculiar smell, whether the operation of temperature control equipment and facilities is normal, whether the temperature records meet the relevant requirements;
2. Checking whether the goods are in conformity with the documents, including the serial number of the container and lead sealing number, the product name of the goods, quantity (weight), exporting country or region, the name or registration number of the production enterprise, date of production, packaging, shipping mark, the serial number, mark or sealing label of the official certificate of exporting country or region, etc.;
3. Checking whether the packaging meets the requirements of the national food safety standards;
4. Whether the labels of pre-packaged meat products meet the relevant requirements; and
5. For fresh refrigerated meat products, checking whether the fresh degree and core temperature meet the relevant requirements, whether there is any pathological change, macroscopic parasite cyst, living pest, foreign body or other abnormal circumstances. Where it is necessary, tests of braising and steaming may be made.

Article 19 The imported fresh refrigerated meat products shall, upon passing the on-site inspection and quarantine, be carried to the places designated by the inspection and quarantine institutions for storage.

Article 20 The inspection and quarantine institutions shall take samples of imported meat products in accordance with the relevant provisions, and conduct inspection or monitoring according to the relevant standards, monitoring plan, precaution notification and other requirements.

Article 21 The inspection and quarantine institutions of the ports shall make handling in the following ways on the basis of the results of the inspection and quarantine on imported meat products:

1. If the meat products have passed the inspection and quarantine, a Certificate of Inspection and Quarantine for Entry Goods shall be issued to approve the production, processing, sales and use thereof. The container number, production batch number, name and registration

number of manufacturer, shipping mark and other traceable information of the imported meat products shall be indicated in the Certificate of Inspection and Quarantine for Entry Goods.

2. If the meat products fail to pass the inspection and quarantine, a Notice on Disposal for Inspection and Quarantine shall be issued. The meat products shall be returned or destroyed under any of the following circumstances:

- a. There is no valid license for imported animal and plant quarantine;
- b. There is no relevant certificate issued by the authority of the exporting country or region;
- c. The imported meat products are produced by production enterprises that have not been registered; or
- d. The imported meat products are unqualified in items involving personal safety, health or environmental protection.

3. If the imported meat products are unqualified in items other than those involving personal safety, health or environmental protection after inspection and quarantine, technical treatment may be taken under the supervision of the inspection and quarantine institution, and sales or use thereof is allowed only after they pass the inspection and quarantine.

4. Where it is necessary to claim damages against foreign parties, relevant certificates shall be issued.

Article 22 Where the imported meat products destined for the mainland are unloaded from the original transportation vessels at Hong Kong or Macao and are carried from Hong Kong or Macao to the mainland through land transportation, or they are unloaded at wharves of Hong Kong or Macao and carried to the mainland after the shipment is done in other port areas, the consignors shall apply to the inspection institutions designated by the SAQSIQ for transit pre-inspection. Where they are not pre-inspected or they fail to pass the pre-inspection, they shall not be transshipped to the mainland.

The designated inspection institutions shall carry out the pre-inspection work in accordance with the requirements of the SAQSIQ, affix new sealing labels and issue certificates to those passing the pre-inspection, and the inspection and quarantine institutions at entry ports shall check such certificates at the same time of accepting requests for inspection.

Chapter III Export Inspection and Quarantine

Article 23 Exported meat products shall be supervised and spot checked by inspection and quarantine institutions, and the customs shall release them on the basis of the clearance certificates issued by inspection and quarantine institutions.

Article 24 The inspection and quarantine institutions shall conduct the inspection and quarantine on exported meat products in accordance with the following requirements:

1. The requirements of inspection and quarantine of the importing country or region;
2. The requirements of inspection and quarantine as provided for in the agreements, protocols or memos signed by the Chinese Government with the importing countries or regions;
3. The requirements of inspection and quarantine as prescribed in laws and administrative regulations of China and stipulated by the SAQSIQ;
4. The requirements of the authority of the importing countries or regions in terms of quality, quantity, weight, packaging, etc.; and

5. The requirements of inspection and quarantine as stated in trade contracts.

Article 25 Production enterprises of exported meat products shall be subject to the record-filing management of the inspection and quarantine institutions in accordance with the provisions on the record-filing management of export food production enterprises. Where the importing countries or regions require the registration of the production enterprises of exported meat products of China and it is necessary to recommend registered enterprises to such countries or regions, it shall be governed by the relevant provisions of the SAQSIQ.

Article 26 Animals used for the processing of exported meat products shall come from livestock farms that have been placed on the file of the inspection and quarantine institutions. The inspection and quarantine institutions shall, on the basis of risk analysis, conduct monitoring on animal epidemic diseases, remnants of pesticides and veterinary drugs, environmental pollutants and other toxic and hazardous substances of the livestock farms placed on file. Animals without being issued a certificate of passing quarantine by the local agricultural administrative department or failing to pass the monitoring on epidemic diseases, remnants of pesticides and veterinary drugs and other toxic and hazardous substances shall not be slaughtered or used in the processing of exported meat products.

Article 27 The livestock farms or slaughterhouses placed on file that feed or slaughter animals used in the processing of exported meat products shall present the supply certificates for each batch of the raw materials of exported meat products they produced.

Article 28 Production enterprises of exported meat products shall, in accordance with the requirements of the importing countries or regions, establish an effectively operated traceable quality and safety self-control system for the whole process of exported meat products such as raw materials, accessories, production, processing, storage, transportation, export, etc.

Production enterprises of exported meat products shall allocate full-time or part-time veterinary health and food safety management personnel.

Article 29 Production enterprises of exported meat products shall establish a system to keep records of the inspection of purchased raw materials, and check the supply certificates for the raw materials. The checking records of purchased goods shall be authentic and be kept for at least two years.

Production enterprises of exported meat products shall establish a system to keep records of ex-factory inspection, check the inspection certificates and safety condition of exported meat products, truthfully record the name, specification, quantity, date of production, production batch number, inspection certificate number, name and contact information of purchaser and sales date of their meat products.

The records of ex-factory inspection of meat products shall be authentic and be kept for at least two years.

Article 30 Production enterprises of exported meat products shall make self-inspections on the raw materials and accessories used in the processing and finished products of exported

meat products. Those do not have the self-inspection capability shall entrust qualified inspection institutions for inspection, which shall issue valid inspection reports.

Article 31 The inspection and quarantine institutions shall, on the basis of the risk analysis on pathogenic microorganisms, remnants of pesticides and veterinary drugs, environmental pollutants and other toxic and hazardous substances in exported meat products, conduct sampling inspection, and conduct verification and supervision on the quality and safety control system of the whole process of production and processing of exported meats.

Article 32 The materials used for the packaging of exported meat products shall conform to the food safety standards, the packaging shall be labeled in accordance with the requirements of the importing countries or regions, and the country or region of destination shall be indicated in the transport package.

Article 33 The inspection and quarantine institutions may, where it is necessary, send official veterinarians or inspection and quarantine personnel to production enterprises of exported meat products for the supervision and management of production enterprises of exported meat products.

Article 34 Consignors or their agents shall, before transporting exported meat products, report to the inspection and quarantine institutions at the locality of the production enterprises of exported meat products for inspection in accordance with the provisions on the request for inspection of the SAQSIQ.

Article 35 The transportation tools of exported meat products shall have excellent airproof performance and refrigeration equipment, and the way of loading shall be able to effectively prevent the meat products from contamination and ensure the temperature required for transportation. The cleaning and sterilization shall be carried out in accordance with the relevant provisions and the records shall be well kept.

Consignors shall ensure that the goods of shipment are in conformity with the goods requested for inspection, and keep a good record of shipment.

Article 36 Inspection and quarantine institutions shall examine and verify the inspection reports and shipment records of the exported meat products requested for inspection, and conduct qualification evaluation in light of the routine supervision, monitoring, spot check, inspection, etc. If the requirements of the relevant provisions are met, the relevant documents of inspection and quarantine shall be issued; if the requirements of the relevant provisions are not met, a notice of failing the inspection and quarantine shall be issued.

Article 37 The inspection and quarantine institutions may, where it is necessary, affix labels or sealing marks of inspection and quarantine to the exported meat products, packaging materials, transportation tools, etc. that have passed the inspection and quarantine in accordance with the relevant provisions.

Article 38 The transit refrigerated warehouses for storing exported meat products shall be subject to record-filing at the inspection and quarantine institutions of the places where they

are located and shall accept the supervision and administration thereof. When exported meat products arrive at the transit refrigerated warehouses, a declaration shall be made to the inspection and quarantine institutions of the places where they are located. The inspection and quarantine institutions of the places where the transit refrigerated warehouses are located shall supervise the entry into the warehouses of the exported meat products by checking the certificates of inspection and quarantine issued by the inspection and quarantine institutions where the production enterprises are located.

Article 39 Refrigerated meat products for export shall be exported within 6 months after they are produced or processed, and iced fresh meat products shall be exported within 72 hours after they are produced or processed. Where the importing country or region has different requirements, such requirements shall be implemented.

Article 40 Wild animals used in the processing of exported meat products shall meet the requirements of the relevant laws and regulations of the importing countries or regions and China and shall be approved by the relevant competent administrative department of the state.

Chapter IV Inspection and Quarantine for Passing through the Territory

Article 41 The transit of meat products through the Chinese territory shall be approved by the SAQSIQ in advance and shall be conducted through the designated ports and routes. The carriers or escorts shall, on the strength of the bills of lading and the certificates issued by the exporting countries or regions, report to the inspection and quarantine institutions for inspection at entry ports, and the inspection and quarantine institutions at entry ports shall check the relevant documents. The inspection and quarantine institutions at entry ports shall notify the inspection and quarantine institutions at exit ports, and the inspection and quarantine institutions at exit ports shall supervise the export of meat products passing through the territory.

The inspection and quarantine institutions at entry ports may send official veterinarians or other inspection and quarantine personnel to supervise the transportation of the meat products to exit ports.

Article 42 When the transit meat products are transported to the entry ports, the transportation tools and the surfaces of containers shall be disinfected by the inspection and quarantine institutions at entry ports.

The transportation tools, packaging materials and containers carrying the transit meat products shall be intact. If the transportation tools, packaging materials or containers are found to be liable to result in the dispersion and leakage of the meat products on the way upon the examination conducted by the inspection and quarantine institutions, the carriers or escorts shall, in accordance with the requirements of the inspection and quarantine institutions, take sealing measures; if sealing measures can not be taken, no transit through the country shall be permitted.

Article 43 When the transit meat products are transported to the exit ports, the inspection and quarantine institutions at exit ports shall make sure that the original containers and lead sealing of goods have not been changed.

The transit meat products shall not be unpacked or unloaded from the transportation tools in the transit period without the approval of the inspection and quarantine institutions.

Article 44 The change of the packaging of transit meat products within the territory shall be handled in accordance with the relevant provisions on the inspection and quarantine of imported meat products.

Chapter V Supervision and Administration

Article 45 The SAQSIQ shall implement the safety monitoring system on imported and exported meat products, formulate key monitoring plans based on the risk analysis and the actual situation of inspection and quarantine, and determine the categories and inspection items of imported and exported meat products of key monitoring countries or regions.

The inspection and quarantine institutions shall, based on the annual plan of the SAQSIQ for the safety risk monitoring of imported and exported food, formulate and implement the plans for the risk management of the imported meat products under their jurisdiction.

Article 46 The SAQSIQ and the inspection and quarantine institutions shall implement risk management on imported and exported meats. The specific measures shall be governed by the relevant provisions.

Article 47 The SAQSIQ and the inspection and quarantine institutions shall timely notify the relevant departments, institutions and enterprises of the safety risk information of imported and exported meat products. If they find any safety accident of imported and exported meat products, or receive any report related to a safety accident of imported and exported meat products, they shall immediately circulate a notice to the health and agriculture administrative departments and report to higher authorities in accordance with the relevant provisions.

Article 48 The production enterprises, consignees and consignors of imported and exported meat products shall carry out production and management according to law. The inspection and quarantine institutions shall establish a system to keep records of the misbehaviors of consignees and consignors of imported and exported meat products and production enterprises of exported meat products. Any of them that has been given an administrative punishment for any violation of law may be included in a list of enterprises with violations of law and the list shall be released to the public.

Article 49 Where there is any safety problem of imported meat products, which may cause or has caused damage to human health and life safety, the consignee shall voluntarily recall them and immediately report to the local inspection and quarantine institution. Where the consignee does not voluntarily recall them, the inspection and quarantine institution shall order him/it to recall in accordance with the relevant provisions.

Where there is any safety problem of exported meat products, which may cause or have caused damage to human health and life safety, the production enterprise of exported meat

products shall take measures to avoid or reduce the damage and immediately report to the local inspection and quarantine institution.

In the case of any of the circumstances as prescribed in the preceding two paragraphs, the inspection and quarantine institution shall timely report to the SAQSIQ.

Article 50 Where a livestock farm placed on file that feeds animals used in the processing of exported meat products is under any of the following circumstances, it shall be removed from the filing list:

1. Storing or using drugs or other toxic or hazardous substances prohibited to be used by China, the to-be exporting country or region, or the active ingredients are not indicated in the drugs used or using drugs containing forbidden drugs or drug additives but failing to stop using in withdrawal period in accordance with the relevant provisions;
2. Providing false supply certificate, transferring the filing number or transferring it in a disguised form;
3. Concealing any major animal epidemic disease or failing to timely report any major animal epidemic disease to the inspection and quarantine institution;
4. Refusing to accept the supervision or administration of the inspection and quarantine institution;
5. Failing to apply for change of the name or legal representative of the livestock farm placed on file within 30 days after such a change takes place;
6. Failing to report to the inspection and quarantine institution within 30 days after expanding the breeding scale, using new drugs or new feeds or having a major change of the quality safety system; or
7. Having no supply of animals for export within one year.

Article 51 Where a production enterprise of imported and exported meat products has any other violation of law, it shall be punished in accordance with the provisions of the relevant laws and administrative regulations.

Article 52 Where any inspection and quarantine institution or its functionary violates the provisions of laws, regulations or these Measures in the inspection and quarantine of imported and exported meat products or in the supervision and administration thereof, it/he shall be investigated and punished in accordance with the relevant provisions.

Chapter VI Supplementary Provisions

Article 53 The power to interpret these Measures shall remain with the SAQSIQ.

Article 54 These Measures shall come into force on June 1, 2011. The Measures for the Administration of the Inspection and Quarantine of Meat Products at Entry and Exit (Order No.26 of the SAQSIQ) promulgated by the SAQSIQ on August 22, 2002 shall be simultaneously abolished.