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China, People's Republic of
Food and Agricultural Import Regulations and
Standards
Entry Animal and Animal Product Risk Analysis
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Report Highlights:

This is an UNOFFICIAL translation of the People's Republic of China Provisions on Risk Analysis for Entry Animal and Animal Products and should be used as a guide only. Exporters should carefully discuss regulations and their application with Chinese importers to ensure that their interpretation is accurate.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
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This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Beijing, People's Republic of China for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Summary

Provisions for the Administration of Risk Analysis on Entry Animals and Animal Products have been deliberated and adopted as Decree No. 40 at the executive meeting of the General Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as AQSIQ) on October 18, 2002. The Provisions were signed by the AQSIQ Director General on December 31, 2002 and shall go into effect as of February 1, 2003.

Provisions for the Administration of Risk Analysis on Entry Animals and Animal Products

Chapter I General Provisions

Article 1

In order to standardize the risk analysis work of entry animals and animal products, prevent risks of animal epidemic diseases from spreading into China, safeguard the production of agriculture, animal husbandry and fishery, protect human health, and the ecological environment, these Provisions are enacted in accordance with the People's Republic of China Law on Entry and Exit Animal and Plant Quarantine and its implementation provisions and with reference to the Agreement on Sanitary and Phytosanitary Measures (SPS agreement) of the World Trade Organization (WTO).

Article 2

Risk analysis of animals and animal products in these provisions includes the risk analysis on entry animals, animal products, animal hereditary substances, animal-source feed, biological products, and animal pathological materials.

Article 3

AQSIQ shall administer, in a unified manner, the risk analysis work for entry animals and animal products.

Article 4

Risk analysis should be conducted in accordance with the stipulations of Chinese laws and regulations, and shall observe the following principles:

- (1) With science as its basis;
- (2) Observing relevant international standards, norms, and recommendations as reference;
- (3) Observing a transparent, open and non-discriminatory principle;
- (4) Minimizing a negative impact on trade.

Article 5

When the relevant international standards, norms and recommendations fail to satisfy the protection level for the production of agriculture, animal husbandry and fishery as well as human health, and the ecological environment of China, AQSIQ may, in accordance with risk analysis results, adopt measures more stringent than the relevant international standards, norms and recommendations.

Article 6

The risk analysis process should include: the confirmation of risk factors, risk assessment, risk control, and risk exchange.

Article 7

Risk analysis should be concluded with a written report. The content of such reports should include: the background, methodology, procedures, conclusions and measures for administration.

Chapter II Confirmation of Harmful Factors

Article 8

Entry animals, animal products, animal hereditary substances, animal-source feed, biological products and animal pathological materials are subject to the confirmation of harmful factors.

Article 9

Harmful factors mainly refer to:

- (1) Grade I and Grade II pathogens of animal epidemic diseases and parasitic diseases listed in the People's Republic of China Catalog of Animal Epidemic and Parasitic Diseases of Entry Animals.
- (2) Pathogens of animal epidemic and parasitic diseases newly discovered in foreign countries that pose a threat or potential threat to the production of agriculture, animal husbandry and fisheries, and people's health;
- (3) Pathogens of animal epidemic and parasitic diseases listed in the state plan to be put under control or elimination;
- (4) Toxic, harmful, or active biological substances that are likely to cause harm or a negative impact on the production of agriculture, animal husbandry and fisheries, human health, and the ecological environment.

Article 10

When entry animals, animal products, animal hereditary materials, animal-source feed, biological

products and animal pathological materials are proven free from harm, they will no longer be subject to risk assessment.

Chapter III Risk Assessment

Article 11

When an entry animal, animal product, animal hereditary material, animal-source feed, biological product and animal pathological material has risk factors, the risk assessment procedures should be activated.

Article 12

In accordance with the needs, the animal sanitary and public sanitary system of the exporting country or region should be assessed.

The assessment of animal sanitary and public sanitary system should be made in the form of a written questionnaire or survey, and an on the spot inspection may be conducted when necessary.

Article 13

A risk assessment should be made through qualitative or quantitative analytical methods, or a combination of the two.

Article 14

The process of risk assessment includes: spread assessment, occurrence assessment, consequence assessment, and a risk forecast.

Article 15

The spread assessment should take into consideration the following factors:

- (1) Biological factors, such as: category, age and species of animals, pathogen infected parts, immunization, test, treatment and application of quarantine technology;
- (2) Country factors, such as: incidence rate of epidemic diseases, animal sanitary and public sanitary system, monitoring plan of harmful factors and regional measures;
- (3) Commodity factors, such as: entry quantity, measures to reduce pollution, impact of the processing course, and warehousing and transportation impact.

In case a spread assessment finds no risk of spread of harmful factors, the risk assessment ends.

Article 16

Occurrence assessments should take into consideration the following factors:

- (1) Biological factors, such as: animals vulnerable to infection, nature of pathogen, etc;

- (2) Country factors, such as: media, number of people and animals, culture and customs, geography, climate and environmental features;
- (3) Commodity factors, such as: species, quantity and use purpose of entry commodities, production and processing methods, and treatment of wastes.

In case an occurrence assessment finds that the risk factors pose no harm within China's territory, the risk assessment ends.

Article 17

Consequence assessments should take into consideration the following factors:

- (1) Direct consequences, such as: animal infection, disease occurrence, and losses so caused, and impact on public sanitation, etc;
- (2) Indirect consequences, such as: costs for harmful factor monitoring and control, compensation fees, potential trade losses, and negative impact on the environment.

Article 18

Based on the comprehensive analysis of the contents of the spread assessment, occurrence assessment and consequence assessment, a risk forecast should be made on the occurrence of harm.

Chapter IV Risk Control

Article 19

When a major epidemic disease, toxic, or harmful pollution accident occurs abroad, AQSIQ should take contingency measures in accordance with China's laws and regulations on entry and exit animal quarantine and with reference to international standards, norms and recommendations, and prohibit imports of related animals, animal products, animal hereditary materials, animal source feed, biological products and animal pathological materials from the country or region of occurrence of the disease or accident.

Article 20

In accordance with risk assessment results, risk control measures consistent with the appropriate protection level of China should be decided and taken. The risk control measures should be effective and feasible.

Article 21

Risk control measures for entry animals include: the choice of places of origin, choice of time, isolation quarantine, preventive immunization, laboratory inspection, restriction on the place of arrival or place of application, and entry prohibition, etc.

Article 22

The risk control measures for animal products, animal hereditary materials, animal source feed, biological products and animal pathological materials include: the choice of places of origin, choice of products, restrictions on the methods and conditions of production, processing,

warehousing and transportation, registration of the production, processing and warehousing enterprises, restrictions on places of arrival or application, laboratory inspection and entry prohibition, etc.

Chapter V Risk Exchange

Article 23

Risk exchange should be extended throughout the process of risk analysis. Risk exchange includes: collection of information and opinions relating to harms and risks, discussion of methods for risk assessment, results and risk control measures.

Article 24

Government organizations, production and marketing units, and consumer groups may learn detailed information in the process of risk analysis, and may offer their opinions and suggestions.

Suggestions and opinions relating to risk analysis should be reviewed and feedbacks should be provided.

Chapter VI Supplementary Provisions

Article 25

Explanations on terminology:

Risk means the possibility of the spread of pathogens of animal epidemic and parasitic diseases, or toxic and harmful materials into the territory along with the entry animals, animal products, animal hereditary materials, animal source feed, biological products and animal pathological materials, and its harms caused to the production of agriculture, animal husbandry and fisheries, human health, and the ecological environment.

Risk analysis means the process of determining the harmful factors, risk assessment, risk control and risk exchange.

Determining the harmful factors means the process of determining the possibility of spread into the territory of pathogens and toxic and harmful materials along with the entry animal, animal products, animal hereditary materials, animal-source feed, biological products and animal pathological materials.

Toxic and harmful materials means the biological, physical and chemical substances that cause harm and damage to the production of agriculture, animal husbandry and fisheries, human health, and the ecological environment.

Risk assessment means the assessment of the possibility of entry and spread in the territory of pathogenic, toxic, and harmful materials and the damages and harms so caused.

Risk control means the process of formulating and implementing the measures to reduce risks.

Risk exchange means information exchange conducted in the course of risk analysis with relevant parties.

Spread assessment means the assessment of spread channels of risk factors and the possibility of spread through these channels.

Occurrence assessment means the assessment of the channels through which, after the entry of harmful factors into the territory, they cause damages and harms to the production of agriculture, animal husbandry and fisheries as well as, human health, and the ecological environment of our country and the possibility of occurrence of the damages and harms.

Consequence assessment means the assessment of the consequences, after the entry of harmful factors into the territory, on the production of agriculture, animal husbandry and fisheries, human health, and the ecological environment of China.

Risk forecast means the prediction of import risks obtained through the comprehensive analysis on the results of spread assessment, occurrence assessment and consequence assessment.

Qualitative analysis means the risk assessment method that uses definitive terms as high, medium, low or extremely low to indicate the possibility or seriousness of the consequences.

Quantitative analysis means the risk assessment method that uses data or probability to indicate the risk analysis results.

Article 26

AQSIQ shall be responsible for interpreting these Provisions.

Article 27

These Provisions shall go into effect from February 1, 2003.