

THE PROTOCOL
ON INSPECTION, QUARANTINE AND SANITARY REQUIREMENTS FOR WILD
AQUATIC PRODUCTS TO BE EXPORTED FROM THE REPUBLIC OF POLAND
TO THE PEOPLE'S REPUBLIC OF CHINA
BETWEEN
THE MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT OF THE REPUBLIC
OF POLAND
AND THE GENERAL ADMINISTRATION OF CUSTOMS OF THE PEOPLE'S REPUBLIC
OF CHINA

The Minister of Agriculture and Rural Development of the Republic of Poland (hereinafter referred to as "MARD") and the General Administration of Customs of the People's Republic of China (hereinafter referred to as "GACC"; together as "Participants") have reached an understanding through friendly consultation on the requirements of inspection, quarantine and sanitary for wild aquatic products to be exported from the Republic of Poland to the People's Republic of China as follows:

Paragraph 1

In implementing this Protocol, the MARD and the GACC work as the competent authority of the Republic of Poland and the People's Republic of China, respectively.

Paragraph 2

The wild aquatic products in this Protocol refer to the wild aquatic animal products and their products, which are fit for human consumption, rather than the species included in the appendices of Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) or in the List of State Key Protected Wild Animals (LSKPWA) in the People's Republic of China, live aquatic animals and the breeding materials of aquatic animals.

Paragraph 3

Chief Veterinary Officer (hereinafter referred to as “CVO”) who is an authority in the Republic of Poland responsible for supervision over production of food of animal origin, reporting to MARD, shall be responsible for the inspection and quarantine of the wild aquatic products intended to be exported to the People’s Republic of China in accordance with requirements of the GACC, and the issuing of the Health Certificates.

Main Sea Fisheries Inspector (hereinafter referred to as “MSFI”) who is an authority of the Republic of Poland supervises compliance with the provisions on sea fishing.

Paragraph 4

The CVO shall provide the GACC with domestic laws governing every aspect of food safety and sanitary supervision of wild aquatic products such as fishing, processing, packaging, storage, transportation, epidemic disease control, testing, transshipment and exporting, etc., as well as providing inspection and quarantine procedures, test items, laboratory test methods and standards.

The CVO shall annually regularly provide the GACC with the national chemical residue monitoring, pollutants, epidemic disease, pathogenic microorganism surveillance plan and corresponding annual summary report of the previous year. When deemed necessary, the monitoring reports of nuclear radiation and other environmental pollutants reports shall be also included.

The CVO shall regularly provide the GACC with dynamic verification information of the responsible authority on sanitary production and export of the establishments of the wild aquatic products for export to the People’s Republic of China.

Paragraph 5

The establishments (including fishing vessel, factory vessel, transport vessel, processing plants, independent cold storages) which intend to export wild aquatic products to the People’s Republic of China shall be approved or registered and under effective supervision of the CVO and the sanitary condition of the establishments shall be in compliance with the relevant laws and regulations of the Republic of Poland and the People’s Republic of China regarding food safety.

The establishments for export of wild aquatic products to the People's Republic of China shall be recommended by the CVO to the GACC for registration as per the *Food Safety Law of the People's Republic of China and its implementing regulation*, *The Law of Entry and Exit Animal and Plant Quarantine of the People's Republic of China and its implementing regulation*,. Otherwise, the establishments are not allowed to export to the People's Republic of China.

Paragraph 6

The MARD shall confirm that the wild fishing aquatic products exported to the People's Republic of China meet the following requirements:

- (i) the products have been fished in domestic or international waters legally which is checked by the MSFI;
- (ii) the raw materials and products are not in the affected area as referred to in Paragraph 10 of this Protocol;
- (iii) do not use the drugs or additives which are prohibited by the Republic of Poland and the People's Republic of China directly or indirectly, and if needed, use the drugs or additives restricted or allowed by both countries scientifically; the products are inspected and quarantined by the CVO and are free from any pathogenic microorganism, toxic and harmful substances, and foreign substances prescribed in the laws, regulations and national food safety standards of the Republic of Poland and the People's Republic of China;
- (iv) all wild aquatic products inspected and quarantined by the CVO are healthy, safe and fit for human consumption, free from clinical signs of infectious disease, parasitic disease and pathological change, and free from the aquatic animal diseases listed by List of Quarantine Diseases for the Animals Imported to the People's Republic of China and notifiable diseases required by the World Organization for Animal Health (WOAH);
- (v) the whole process of fishing, processing, packaging, storage, transportation, transshipment and exporting of the products shall meet the hygiene and traceability requirements of both Participants, and meet the safety and hygiene requirements of cold chain food.

Paragraph 7

If the raw material of the wild aquatic products to be exported to the People's Republic of China is imported from other country and/or region, this material must come from the country and/or region which are approved to export wild aquatic products to the People's Republic of China, and the establishments (including fishing vessel, factory vessel, transport vessel, processing plants, independent cold storages) which are registered with the GACC.

Paragraph 8

Wild aquatic products to be exported to the People's Republic of China shall have outer packaging and separate inner packaging and be packaged in new packaging materials which meet the requirements of international hygienic standards and the requirements of preventive contaminated.

The label on the interior and exterior package shall indicate the following in Chinese and English or in Chinese and Polish: commodity name and scientific name, specification, production date, shelf life, batch number, storage conditions, production method (caught at sea, caught in freshwater), production area (catch area for products caught at sea, country (region) of origin for products caught in freshwater), name and registration number of the establishments (including fishing vessel, factory vessel, transport vessel, independent cold storages), the address of the establishments (specifying to the state/province/city), as well as the destination (the People's Republic of China only).

The Chinese label of pre-packaged aquatic products to be exported to the People's Republic of China shall comply with the labeling requirements of pre-packaged food exported to the People's Republic of China.

Paragraph 9

Each container of wild aquatic products to be exported from the Republic of Poland to the People's Republic of China shall be accompanied with at least one original Health Certificate, attesting that the products comply with the food safety related laws and regulations of the Republic of Poland and the People's Republic of China, as well as relevant requirements under this Protocol. As for the Health Certificate, the CVO shall complete the information of the establishments involved in the whole process of fishing, processing, packaging, storage, transportation, transshipment and export, including the name

and registration number of the fishing vessel, factory vessel, transport vessel, processing plant and independent cold storage, and shall not omit any information of the establishments involved in any of aforementioned process.

The Certificate shall be typed at least in Polish, Chinese and English (English and Polish version is required when filling in the Certificate). The format and content of the Certificate shall be mutually determined in advance by the CVO and the GACC. For record purposes, the CVO shall provide the GACC with specimens of the Certificate, official stamp and signature of the official inspector. If there are any modifications or adjustments, the CVO shall notify the GACC at least one (1) month prior to the changes becoming effective.

Paragraph 10

In the case of:

- (i) the aquatic animal diseases listed by List of Quarantine Diseases for the Animals Imported to the People's Republic of China and notifiable diseases required by the WOHAI associated with products of this Protocol occur in the Republic of Poland, which infect or may infect the wild aquatic products exported to the People's Republic of China;
 - (ii) any major food safety incident occurs in the Republic of Poland, affects or may affect the wild aquatic products exported to the People's Republic of China;
 - (iii) if the wild aquatic products exported to the People's Republic of China seriously violate the Polish and Chinese laws and regulations and the provisions of this Protocol;
 - (iv) a significant public health event occurs in an establishment, for instance, an employee was infected with major infectious diseases, which has contaminated or may contaminate the wild aquatic products, exported to the People's Republic of China, as well as their package and transportation vehicle;
 - (v) the fishing area is affected by contaminants, such as radioactive contamination, which have contaminated or may contaminate the wild aquatic products exported to the People's Republic of China;
- the CVO shall immediately stop exporting wild aquatic products originated from the corresponding establishments, regions or even the whole country to the People's Republic of China, recall products with problems or potential risks, inform the GACC, and provide detailed information of incident investigation,

disposal and further control measures to the GACC.

After the relevant risks are eliminated, upon requests, a negotiation shall be conducted between the CVO and the GACC in accordance with the international practice to resume export. Only after the GACC confirms that the above risks have been eliminated or reduced to a controllable range, the products can be exported to the People's Republic of China again.

Paragraph 11

The GACC shall implement inspection and quarantine on wild aquatic products at ports of entry. For unqualified products, actions including reject, destruction and other measures shall be imposed according to the Chinese laws. Those processing establishments whose products have been found out with serious or repeated problems shall be subjected to intensified inspection and quarantine or being suspended from exporting to the People's Republic of China.

The CVO and the GACC shall establish an efficient information notification mechanism, cooperate in investigating and handling existing problems taking timely relevant rectification and preventive measures timely, and ensuring the wild aquatic products exported to the People's Republic of China continuously meet the requirements of the People's Republic of China.

Paragraph 12

The CVO shall guarantee wild aquatic products safety management systems are consistently effective and meet the requirements of the laws, regulations and national food safety standards of the People's Republic of China at all time.

Where necessary, the GACC may send experts to the Republic of Poland for on-site auditing, assessment and verification of the compliance of the Republic of Poland systems or programs. The CVO shall provide necessary assistance and convenience to the experts.

Paragraph 13

This Protocol does not constitute a treaty under public international law.

Paragraph 14

This Protocol shall become effective on the date of its signature by both Participants, and shall remain in force for a period of five (5) years. It shall automatically be extended every five (5) years unless one Participant receives a written notification of termination of the Protocol from the other Participant at least six(6) months before its expiration date.

The termination takes effect six (6) months after the date that the other Participant receives the notification.


Paragraph 15

This Protocol may be amended by mutual consent of both Participants and such amendment shall be constituted as an integral part of this Protocol.

The Protocol is signed at the city of Beijing, on the date of 24.06.24, in duplicate, each in Polish, Chinese and English. All the three texts have equal legal effect. In case of any discrepancy in interpretation, the English text shall prevail.

For

The Minister of Agriculture and Rural Development of
the Republic of Poland



For

The General Administration of Customs
of the People's Republic of China

