

FINAL PROTOCOL

Protocol between the Export Inspection Council, Ministry of Commerce and Industry of the Republic of India and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China for Health and Safety Regulations on Importing Indian Rapeseed Meal

The Export Inspection Council (EIC), Ministry of Commerce and Industry of the Republic of India and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (AQSIQ) (hereinafter jointly referred to as the "Parties")

To insure the safety of importing Indian Rapeseed meal to the People's Republic of China, in accordance to 《Agreement on Trade and Safety of feed and feed ingredients between the Export Inspection Council, Ministry of Commerce and Industry of the Republic of India and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China》 signed on 20th May 2013, and the principles of WTO/SPS and the results of risk assessment, the Parties have reached consensus as follows after friendly consultations.

Article 1

Rapeseed meal refers to the residues that is produced in India and is separated from rapeseed after crushing, leaching and other processes.

Article 2

Rapeseed meal to be exported to China should comply with Chinese Safety and Health Standards on feed and should not contain any quarantine pests that are of China's concern (see Appendix 1), other live pests and plant seeds, animal manure or carcasses, poultry feathers, soil and GMO components that are not officially approved in China.

Article 3

EIC needs to insure that the exported rapeseed meal is from plants that are approved after their assessment. The plants are recommended to AQSIQ by EIC, and will be registered by AQSIQ after inspection or audit by EIC before recommending to AQSIQ. The list of the approved plants to export rapeseed meal to China can be found on the AQSIQ website, and will be updated once every three months by AQSIQ.

Article 4

EIC should ensure the compliance of Hazard Analysis and Critical Control Point (HACCP) & traceability in the approved plants. Plants should reinforce their health control on raw materials, production and processing, final products warehouse, transportation to avoid the rapeseed meal being polluted by raw rapeseed, soil, animal carcasses and manure, plant or animal residues. Meanwhile, plants should not add toxic and hazardous substances or any animal-derived ingredients and should avoid attaching the first or second category infectious diseases or parasitic diseases listed in China Entry Animal Quarantine Diseases Directory.

Article 5

Rapeseed meal to be exported to China should be stored separately from raw material and other products. The warehouse meant for storage should address the issues like the effective measures to prevent the entry of rats, insects, and birds etc.

Article 6

Bags used for packing the rapeseed meal meant for export to China should be clean and free from toxic and hazardous substances such as malachite green. Means of transport used to transport rapeseed meal should be cleaned thoroughly and be disinfected when necessary.

Article 7

Each container or each cabin of the ship (such as bulk shipping) of each shipment of rapeseed meal to China should have at least the plant name, approval number and the declaration on the label stating "Indian rapeseed meal transporting to the People's Republic of China" written in Chinese & English.

Article 8

EIC should enforce the official control through regular surveillance (at least once in 3 months) on the processing plants to ensure the product safety and health conditions.

Article 9

Each shipment of rapeseed meal to China should be accompanied "Safety and Health Statement" issued by EIC. See Appendix 2 for the sample.

Each shipment of rapeseed meal meant for export to China should also be accompanied with the official Phytosanitary certificate issued by Ministry of Agriculture and should meet the requirements of International Standards for Phytosanitary Measures No. 12. Phytosanitary certificate should additionally declare that "the shipment is free from quarantine pests of China's concern". It should also indicate the name and approval number of the plant as well as the container number or the vessel name (in case of bulk shipping). Shipments with treatment before or during transportation should be indicated along with the methods and targets of treatment. See Appendix 3 for the sample of phytosanitary certificate

Article 10

AQSIQ will conduct inspection and quarantine on arrival of the rapeseed meal. Shipment(s) which do not meet the requirements of Article 2, 7 and 9, may be treated according to the following provisions:

- (1) Returned, if the phytosanitary certificate or Safety and Health Statement do not meet the requirements;
- (2) Treated, returned, if live quarantine pests are found;
- (3) Treated, if other live pests are found;
- (4) Returned, if soil or non-approved GMO component by China are found;
- (5) Eliminate hazardous element (s), returned, if animal manure or carcasses, poultry feathers, plant seeds are found or do not meet the requirements of Chinese feed-related health and safety standards.
- (6) Returned if do, not meet the requirements of Article 7.

If the above-mentioned non-compliances are found, AQSIQ will notify EIC and take additional measures such as suspending the relevant plant depending on the severity of the non-compliance. In any of the above cases, if the consignment is not allowed to be imported into China, and returned for some reason, then the buyer / exporter shall be allowed to divert the said consignment to India or any other country and the cost of the same shall be borne by the exporter.

Article 11

This protocol shall come in force on the date of its signature and shall remain valid for a period of five years. It may be automatically /extended by another five years unless any party gives a written notice to the other party of its intention to terminate the protocol

three months before the expiry of this protocol. The protocol could be amended by mutual consent by the parties.

The protocol is signed at Beijing on 15 May 2015, in two originals, each in Chinese, English and Hindi languages, all text being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

For



Export Inspection Council
Ministry of Commerce & Industry
Govt. of India,
Republic of India

For



The General Administration of
Quality Supervision
Inspection and Quarantine
People's Republic of China

Appendix 1

Quarantine Pests China Concerns

Latin name	Chinese Name
Trogoderma granarium	Khapra beetle
Leptosphaeria maculans	Stem canker
Avena barbata	Slender oat
Avena ludoviciana	Winter wild-oat
Avena sterilis	Animated oat
Cenchrus spp. (non-Chinese species)	Cenchrus (non-Chinese species)
Centaurea repens	Cornflower Blue
Eupatorium adenophorum	Crofton Weed
Lolium temulentum	Bearded darnel
Mikania micrantha	Mile-a-minute Weed
Solanum elaeagnifolium	Solanum elaeagnifolium
Sorghum halepense	Johnson grass

Appendix 2:

Sample of Safety and Hygiene Statement

Safety and Hygiene Statement of rapeseed meal
Exported from Republic of India to the People's Republic of China

1.Name and address of the exporter	2.Name and address of the consignee
3.Name & address of the Competent Authority of the exporting country	
4.Name, approval number, and address of the processor	
5.Port and country of dispatch	6.Port and country of arrival
7.Description of goods Net weight : Gross weight:	8.Description of packages Number of packages
9.Means of conveyance	10.Container Numbers (if applicable)

11. Additional declaration

I, the undersigned,

- a) realized the safety and hygiene requirements of plant-based processed protein stipulated by AQSIQ. The product does not contain any hazardous substances which pose a risk to public or animal health, and in compliance with the safety and hygiene standards of P. R. China.
- b) have taken random samples during routine surveillance by EIA from processed batch to verify compliance with the following standards:
Salmonella: absence in 25 g: $n=5, c=0, m=0, M=0$
Enterobacteriaceae: $n=5, c=2, m=10, M=300$ in one gram
where:
 n = number of samples to be tested;
 m = threshold value for the number of bacteria; the result is considered satisfactory if the number of bacteria in all samples does not exceed m ;
 M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more samples is M or more; and
 c = number of samples the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other samples is m or less.
- c) certify that the product does not contain any non-approved GMO component by P. R. China.
- d) declare that the product is complying with the requirements of Protocol of Health and Safety Regulations on importing Indian Rapeseed Meal to P. R. China.

12. Name of authorized officer:

Signature:

Date and place of issue:

Official Stamp

Appendix 3:

Sample of Phytosanitary Certificate issued by MoA

B. N. प्रारण - 21 / PQ Form - 21

 भारत सरकार Ministry of Agriculture & Cooperation	भारत सरकार / GOVERNMENT OF INDIA कृषि मंत्रालय / Ministry of Agriculture & Cooperation कृषि एवं सहकारिता विभाग / (Department of Agriculture & Cooperation) वनस्पति संरक्षण, क्वारंटाइन एवं भंडार विभाग Directorate of Plant Protection, Quarantine & Storage Website: www.plantquarantineindia.org पादप स्वच्छता प्रमाण पत्र / Phytosanitary Certificate	पादप स्वच्छता प्रमाण पत्र नं./ PDC No.: 51PC 539502 दिनांक / Date:
1. प्रेषक FROM: भारत का वनस्पति संरक्षण संगठन / PLANT PROTECTION ORGANISATION OF INDIA		2. सेवा में / TO: _____ का वनस्पति संरक्षण संगठन / Plant Protection Organisation of _____
परिष्ण का विवरण / DESCRIPTION OF CONSIGNMENT		
3. निर्यातकर्ता का नाम और पता / Name & address of Exporter		4. परिष्ण का घोषित नाम और पता / Declared Name & Address of Consignee
5. परिष्ण का घोषित साधन / Declared Means of Conveyance		6. उत्पत्ति स्थान / Place of Origin 7. घोषित प्रवेश स्थान / Declared Point of Entry
8. पहचान का चिह्न / Distinguishing Marks		9. पैकेजों की संख्या तथा विवरण / Number & Description of Packages
10. उत्पाद का नाम / पौधों का वानस्पतिक नाम / Name of Product / Botanical name of Plants		11. घोषित मात्रा / Quantity declared
उपरोक्त विवरण अन्तर्गत में निम्न उल्लेखित परीक्षणों के अनुसार परीक्षा की जा चुकी है और निम्नलिखित पौधों और पौधों के उत्पादों को निर्यात करने के लिए पर्याप्त रूप से स्वच्छ माना गया है। This is to certify that the plants or plant products described above have been inspected according to appropriate phytosanitary regulations and are considered to be free from quarantine pests and practically free from other injurious pests and they are considered in conformity with the phytosanitary regulations of the importing country.		
निस्संक्रमण और / या संक्रमक रोग निवारण, DISINFESTATION AND / OR DISINFECTION TREATMENT		
12. दिनांक / Date	13. उपचार / Treatment	
14. रसायन (सक्रिय अवयव) / Chemical (active ingredients)	15. निर्यात का अवधि / Duration and Temperature	
16. सांद्रता / Concentration	17. अतिरिक्त सूचनाएं / Additional information	
18. अतिरिक्त घोषणा / Additional Declaration:		
19. दिनांक / Date:	संगठन की मुद्रा Stamp of Organisation	प्राधिकृत अधिकारी का नाम / Name of Authorised Officer
20. निष्पत्ति स्थान / Place of Issue:		
21. कोड नं. / Code No.		प्राधिकृत अधिकारी के हस्ताक्षर और मुद्रा Signature & Stamp of Authorised Officer

यह प्रमाणपत्र को जारी करने के बाद केवल एक ही प्रयोग के लिए ही मान्य है, इसे दोहराया नहीं जा सकता है और इसे कर्तव्य के लिए अधिकारी द्वारा प्रमाणित किया जा सकता है। No General