

PROTOCOL
BETWEEN THE MINISTRY OF AGRICULTURE AND RURAL
DEVELOPMENT OF THE REPUBLIC OF POLAND AND THE
GENERAL ADMINISTRATION
OF CUSTOMS OF THE PEOPLE'S REPUBLIC OF CHINA
ON INSPECTION AND QUARANTINE REQUIREMENTS FOR BEAN
EXPORTED FROM THE REPUBLIC OF POLAND TO THE PEOPLE'S
REPUBLIC OF CHINA

In order to ensure the safe entry of bean exported from the Republic of Poland to the People's Republic of China, the Ministry of Agriculture and Rural Development of the Republic of Poland (hereinafter referred to as "MARD" or "Participant") and the General Administration of Customs of the People's Republic of China (hereinafter referred to as "GACC" or "Participant") have reached the following agreement through friendly negotiation according to the principles of WTO/SPS and pest risk assessment results:

Paragraph 1

The bean (*Phaseolus vulgaris* L.), hereinafter referred to as "beans", in this Protocol is referred to seeds cultivated and processed in the Republic of Poland and exported to the People's Republic of China for consumption or food processing, not for sowing.

The State Plant Health and Seed Inspection Service (hereinafter referred to as "the Polish NPPO") shall be responsible for implementing this Protocol on the Polish side.

Paragraph 2

Beans shall comply with the entry phytosanitary requirements and regulations of the People's Republic of China, and the national food safety standards. Beans shall not carry quarantine pests of concern to the People's Republic of China (see Annex), soil, other live insects, or other impurities such as weed seeds, plant residues, and gravel.

Paragraph 3

Producers, processing and storage enterprises, and exporters of beans shall follow guidelines issued by The Polish NPPO to ensure that the requirements of this Protocol are met throughout the entire process.

The Polish NPPO conducts supervision over producers, processing and storage enterprises, and exporters to ensure proper implementation of the phytosanitary requirements stipulated in the Protocol.

Paragraph 4

The Polish NPPO shall instruct the producers to implement the good agricultural practice and establish an integrated pest management system in accordance with the requirements of this Protocol.

The Polish NPPO shall establish system to ensure that beans to be exported from the Republic of Poland to the People's Republic of China are of origin only from production that meets the requirements of the Protocol.

The Polish NPPO shall register and review the list of producers, processing and storage enterprises of beans to be exported to the People's Republic of China, and recommend qualified producers, processing and storage enterprises to GACC. The information provided by the Polish NPPO on producers, processing and storage enterprises, meeting the requirements of the Protocol, shall include the name, unique identification code (number) and address.

GACC shall review the processing enterprises provided by the Polish NPPO and conduct video inspection or site inspection when necessary. The inspection may cover randomly selected producers supplying these enterprises with beans to be exported to the People's Republic of China. GACC shall publish the list of producers, processing and storage enterprises registered by the GACC on its official website.

Paragraph 5

Before export, during processing, beans are screened and cleaned to remove deformed, broken and infected seeds, plant debris and weed seeds under the Polish NPPO supervision. Beans exported to the People's Republic of China shall be transported in clean and unused packages that meet the requirements of GACC. Each package shall be marked with the inscription in English language "This product is exported to the People's Republic of China", as well as information in English such as: the product name, country of origin, the name and registration number of producers, processing and storage enterprises, and its address.

Paragraph 6

Containers used for transporting of beans exported to the People's Republic of China shall meet the requirements of hygiene and epidemic prevention, and shall be thoroughly cleaned and inspected before shipment to prevent the entry of pests.

Paragraph 7

Before export, the Polish NPPO shall carry out quarantine inspection, according to the Protocol. For the qualified consignments, the Polish NPPO shall issue a Phytosanitary Certificate according to the "Guidelines for Phytosanitary Certificates" (ISPM No. 12), and indicate in the additional declaration that "This consignment meets requirement of the Protocol of phytosanitary requirements applicable to the export of beans (*Phaseolus vulgaris* L.) from the Republic of Poland to the Peoples Republic of China and is free of any quarantine pest concerned to the Peoples Republic of China".

If any live insect is found in beans to be exported to the People's Republic of China, the effective quarantine treatment shall be carried out before export. The method, time, temperature, pesticides, etc. of quarantine treatment shall be indicated in the Phytosanitary Certificate.

Paragraph 8

China customs shall carry out inspection and quarantine on the imported beans, and handle the commodity found to be unqualified according to the following provisions:

- I. Returned or destroyed in the absence of a Phytosanitary Certificate;
- II. If any live quarantine pest listed in Annex or other live pests are found, subject to quarantine treatment, if there are effective treatment methods; returned or destroyed, if there are no effective treatment methods;
- III. Returned or destroyed if the beans do not meet the national food safety standards of the People's Republic of China;
- IV. Harmlessly treated, returned or destroyed if impurities such as soil, plant residues, and gravel are found, in accordance with relevant laws and regulations.

If the above-mentioned non-compliances are found, GACC shall notify the Polish NPPO and take measures according to the severity of the violation, including suspending the export of relevant producers or processing and storage enterprises, even suspending the export of beans from the Republic of Poland to the People's Republic of China.

Paragraph 9

According to the situation of such pest occurrences in the Republic of Poland and interceptions of consignments of beans from the Republic of Poland, GACC shall develop further risk assessment and review the implementation of this Protocol, negotiate with the Polish NPPO to amend relevant terms. If necessary, GACC may send quarantine officials to the Republic of Poland for site inspection, and the expenses required shall be borne by the Polish NPPO.

Paragraph 10

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

Paragraph 11

This Protocol may be amended and supplemented by mutual consent of the Participants, which shall be formalized by separate protocols, being an integral part of it.

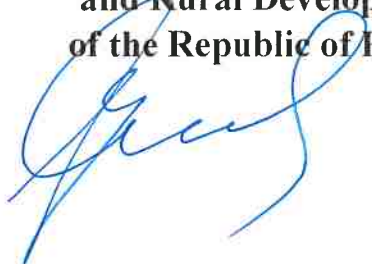
Paragraph 12

This Protocol shall take effect from the date of signature by both Participants and will be valid for 3 years. Either Participant may terminate this Protocol by providing written notice to the other Participant in advance of at least 3 months. If neither Participant ever made a written intention of termination to the other Participant 3 months prior to the expiration of this Protocol, this Protocol shall be extended for an additional period of 3 years.

This Protocol is signed in Beijing on 2024, June 27th in two copies, each in Polish, Chinese and English, with equal effect in all texts.

If there is any ambiguity, the English version shall prevail.

**For the Ministry of Agriculture
and Rural Development
of the Republic of Poland**



**For the General
Administration of Customs
of the People's Republic of China**



Annex

Quarantine Pests of Concern to the People's Republic of China

1. *Apple stem grooving virus* (ASPV)
2. *Arabis mosaic virus* (ArMV)
3. *Broad bean stain virus* (BBSV)
4. *Peanut stunt virus* (PSV)
5. *Prunus necrotic ringspot virus* (PNRSV)
6. *Tobacco ringspot virus* (TRSV)
7. *Tomato black ring virus* (TBRV)
8. *Tomato ringspot virus* (ToRSV)
9. *Tomato spotted wilt orthotospovirus* (TSWV)
10. *Acanthoscelides obtectus*
11. *Zabrotes subfasciatus*
12. *Pseudomonas savastanoi* pv. *phaseolicola* (Burkholder) Gardan et al.
13. *Ambrosia artemisiifolia* L.
14. *Sorghum halepense* (L.) Pers.
15. *Phytophthora sojae* Kaufm et Gerdemann