

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

In order to export of Polish Flour into China, and to prevent introduction of pests and to ensure plant health, based on the relevant principles of the “Agreement on the Application of Sanitary and Phytosanitary Measures”(SPS Agreement) of World Trade Organization (WTO) and the result of the pest risk analysis (PRA), the Ministry of Agriculture and Rural Development of the Republic of Poland (MARD) and the General Administration of China Customs of the People’s Republic of China (GACC) have reached consensus on the inspection and quarantine requirements of Polish Flour exported to China through friendly consultation as follows.

Article 1

For the purpose of this protocol, “Flour” refers to the flour which is manufactured in Poland using wheat (*Triticum aestivum L.*), (includes Spelt wheat (*Triticum aestivum ssp. spelta*)) or rye (*Secale cereale L.*) and is grown in Poland as raw material, and is intended to export to China from Poland.

Article 2

The Flour should comply with China’s relevant laws, regulations of phytosanitary and food safety, as well as National Food Safety Standards(NFSS).

Enterprises producing Flour are obliged to ensure themselves the compatibility of Flour with Chinese laws, regulations of phytosanitary and food safety, including NFSS.

Article 3

The Flour should not carry following quarantine pests of concern to China: *Trogoderma granarium*, *Prostephanus truncates*, *Tilletia controversa*.

Article 4

1. PIORiN under MARD (Państwowa Inspekcja Ochrony Roślin i Nasiennictwa, the State Inspection of Plant Health and Seed Inspection) will carry out inspection on *Trogoderma granarium*, *Prostephanus truncates* in Flour processing, storage facilities and control trapping records regularly recorded by enterprises, which are responsible for installation of the traps. If GACC requests, PIORiN should provide the GACC the inspection data.

2. Enterprises should test the samples of delivered grain at their laboratories for the presence of *Tilletia* ssp., basing on binding Polish Norms for wheat grain and rye grain accordingly:

PN – R – 74102:1996 Cereals. Rye

PN – R – 74103: 1996 Cereals. Common wheat

Only lots of grain without the presence of *Tilletia* ssp. will be used to produce Flour intended for export to China. The results of laboratory analysis of grain are made available to PIORiN and they are the basis for declaring in the Phytosanitary Certificate that Flour is free from *Tilletia* ssp..

Article 5

The production, process and storage enterprises will ensure their Flour comply with phytosanitary requirements of this Protocol and will be listed by PIORiN and registered by GACC.

Article 6

The packaging materials for Flour will be new, clean and hygienic and in compliance with Chinese phytosanitary requirements, without any contamination from harmful organisms or substances and be in compliance with binding EC regulation. Each package of Flour will be distinctly marked in Chinese “本产品输往中华人民共和国” (“To the People’s Republic of China”) and contain information of flour variety,

lot identification, the name and address of producer (registered enterprises) and exporter, in Chinese. Above mentioned information can be applied to the package in the form of adhesive label.

Article 7

Before shipping, container or means of transportation for Flour will be carefully inspected for detection of any quarantine pests of concern to China or other undesirable objects, such as live insects.

Article 8

Before shipping, Flour is subject to phytosanitary inspection by the PIORiN. For each batch of Flour consistent with inspection and quarantine requirements specified in this Protocol, PIORiN will issue a Phytosanitary Certificate that contains following "Additional Declaration": "This batch of flour meets the inspection and quarantine requirements specified in the "Protocol of Inspection and Quarantine Requirements for the Export of Flour From Poland To China Between the Ministry of Agriculture and Rural Development of the Republic of Poland and General Administration of Customs of the People's Republic of China " signed in Beijing on _____, and in Warsaw on _____, and complies with the phytosanitary requirements of the People's Republic of China, and is free from the quarantine pests of concern to China".

PIORiN will provide the sample of the phytosanitary certificate in advance to GACC, so that China Customs could verify the authenticity of certificate when Flour reaches the entry port of China.

Article 9

Upon arrival of each batch of Flour to the entry port of China, China Customs of GACC will conduct an inspection and quarantine.

Article 10

GACC will promptly inform PIORiN with the phytosanitary problems found in Flour exportation and corresponding measures taken.

Article 11

From the time after the signing of the protocol to the first 12 months of trade, GACC will send experts to Poland to conduct pest survey and pre-clearance inspection to assess implementation of the Protocol. Once any quarantine pest is detected during import, GACC can further conduct such inspection. The relevant costs (including international flights, meals, accommodation and miscellaneous fees) will be borne by Polish side. PIORiN will be responsible for sending invitation, coordination of involvement of other controlling institutions, as required, and assisting with working schedule.

Article 12

Both sides agree to communicate and cooperate with the laws, regulations, standards of phytosanitary and food safety on Flour.

Article 13

Both sides agree that this Protocol will not violate or impact the implementation of their respectively country's law and regulations.

Article 14

Any dispute arising from the interpretation or implementation of this Protocol will be settled amicably through consultation between PIORiN and GACC.

Article 15

This Protocol may be amended or added by the mutual written consent of MARD and GACC.

Article 16

This Protocol does not constitute a treaty within the meaning of public international law.

Article 17

The protocol will enter into effect on the date of signature and will remain valid for a period of 3 years. If neither side gives notice to amend nor terminate this Protocol 2 months prior to the expiry date,

this Protocol will be extended automatically for an additional 3 years.

Signed in two originals, each in Polish, Chinese, and English
languages in Beijing on _____ and in Warsaw on 05.02.2021.

In case of any dispute in interpretation, the English text prevails.

On behalf of
the Ministry of Agriculture and
Rural Development of
the Republic of Poland



On behalf of
General Administration of China
Customs of
the People's Republic of China

