



**THE PROTOCOL ON INSPECTION, QUARANTINE AND
VETERINARY SANITARY REQUIREMENTS FOR FARMED AQUATIC
PRODUCTS TO BE EXPORTED FROM THE REPUBLIC OF MALTA
TO THE PEOPLE'S REPUBLIC OF CHINA BETWEEN THE
MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS
OF MALTA AND THE GENERAL ADMINISTRATION OF CUSTOMS
OF THE PEOPLE'S REPUBLIC OF CHINA**

The Ministry for Agriculture, Fisheries and Animal Rights of Malta (hereinafter referred to as MAFA) and the General Administration of Customs of the People's Republic of China (hereinafter referred to as GACC) through friendly consultations have reached the following agreement on inspection, quarantine, and veterinary sanitary requirements of farmed aquatic products to be exported from Malta to China:

Article 1

MAFA and GACC are the implementing authorities of this Protocol in Malta and China, respectively.

Article 2

The farmed aquatic products in this Protocol refer to the farmed aquatic animal products and the marine plant products such as algae, which are suitable for human consumption, rather than the species included in the appendices of CITES or in the List of State Key Protected Wild Animals (LSKPWA) in China, live aquatic animals and the breeding materials of aquatic animals and plants. The list of farmed aquatic products is attached with this Protocol.

Article 3

MAFA shall be responsible for the inspection of the farmed aquatic products intended to be exported to China in accordance with the requirements of GACC, and the issuing of Veterinary (Health) Certificates to be confirmed by both parties.

Article 4

MAFA shall provide GACC with its national and European Union laws and regulations applicable for governing every aspect of quality safety and sanitary supervision of farmed aquatic products such as farming, processing, storage, transportation, epidemic disease control and testing, transshipment and exporting, etc., as well as providing inspection and quarantine procedures, test items, laboratory test methods and standards.

The final products will be tested by MAFA, and the results shall comply with Chinese standards.

MAFA shall provide GACC with the National Residue Control Programme, National Contaminants Control Programme epidemic disease, pathogenic microorganism surveillance plan and corresponding annual summary report of the previous year. When deemed necessary by the GACC, MAFA may also be requested to provide monitoring reports of nuclear radiation and other environmental pollutants reports.

MAFA shall regularly provide GACC with dynamic verification information of the competent

authority on sanitary production and export of the fish farms, and processing establishments of the farmed aquatic products for export to China. In cases of any epidemic of major infectious diseases listed as notifiable diseases in the WOAHP Aquatic animal Health Code, MAFA shall notify GACC the relevant information in a timely manner.

Article 5

The establishments (including processing plants, independent cold storages) and fish farms which intend to export farmed aquatic products to China shall be approved and under effective supervision of MAFA and the sanitary condition of the establishments shall be in compliance with the veterinary and public health relevant laws and regulations of both Malta and China.

The establishments to be registered for export of farmed aquatic products to China shall be approved by the Maltese authorities as per the *Food Safety Law of the People's Republic of China* and *Regulations on the Implementation of the Law of the People's Republic of China on Entry and Exit Animal and Plant Quarantine*. Otherwise, imports of farmed aquatic products from unregistered Maltese establishments with the GACC will not be accepted in China.

Article 6

MAFA shall officially confirm that the farmed aquatic products exported to China meet the following requirements:

- (i) The products are farmed in domestic waters.
- (ii) The raw materials and farmed products are not in the affected area as referred to in Article 9 of this Protocol.
- (iii) Do not use the drugs or additives which are prohibited by Malta and China directly or indirectly (such as been used in feed), and if needed, use the drugs or additives restricted or allowed by Malta and China scientifically, the products are inspected and quarantined by the Competent Authority 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 Malta and China.
- (iv) All farmed aquatic products inspected by the Competent Authority 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 Organisation for Animal Health (WOAH).
- (v) The whole process of fish farming, processing, packaging, storage, transportation, transshipment and exporting of the products shall meet the hygiene and traceability requirements of both Parties, and meet the safety and hygiene requirements of cold chain food.

Article 7

Farmed aquatic products (except for the entire Bluefin Tuna) to be exported to China shall have outer packaging and separate inner packaging, and be packaged in new packaging materials that meet the requirements of international hygienic standards. The packaging of products meets the requirements of preventive contaminated.

The label on the interior and exterior package shall indicate the following in English and Chinese: commodity name and scientific name, specification, production date, batch number, shelf life, storage conditions, production method (aquaculture), the name and registration number of the establishments, as well as production area and the address of the establishments (specifying to the state/province/city), destination (the People's Republic of

China only).

The label of pre-packaged farmed aquatic products to be exported to China shall comply with the labelling requirements of pre-packaged food exported to China.

Article 8

Each container of farmed aquatic animal products to be exported from Malta to China shall be accompanied with at least one original Veterinary (Health) certificate, attesting that the products comply with the veterinary and public health laws and regulations of Malta and China, as well as relevant requirements under this Protocol. As for the Veterinary (Health) Certificate, MAFA shall complete the information of the establishments involved in the whole process of farming, processing, packaging, storage, transportation, transshipment and export, including the name and registration number of the farm, approved processing plant and approved independent cold storage, and shall not omit any information of the establishments involved in any of the aforementioned processes.

The certificate shall be typed at least in English and Chinese (English is the required language when filling in the Certificate). The format and content of the certificates will be mutually determined in advance by both sides. MAFA shall provide GACC with samples of the certificate, official stamp and signature of the official inspector. If there are any modifications or adjustments, MAFA shall notify GACC at least one month prior to the changes coming into effect.

Article 9

In the case of:

(i) An outbreak in Malta of one of more aquatic animal diseases listed in *List of Quarantine Diseases for the Animals Imported to the People's Republic of China* and notifiable diseases required by WOAHP associated with products of this Protocol, which infects or may infect the farmed aquatic products exported to China;

(ii) Any major food safety incident occurs in Malta, which affects or may affect farmed aquatic products exported to China;

(iii) If the farmed aquatic products exported to China seriously violates the Maltese 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 any major infectious diseases, which has contaminated or may contaminate the farmed aquatic products exported to China, as well as their package and transportation vehicle; or

(v) The farming area is affected by contaminants, such as radioactive contamination, which has contaminated or may contaminate the aquatic products exported to China;

Then MAFA shall immediately stop exporting farmed aquatic products originating from the corresponding farm/s, establishments, regions or even the whole country to China, recall products with problems or potential risks, inform GACC, and provide detailed information of incident investigation, disposal and further control measures to GACC.

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

Article 10

China customs will implement inspection and quarantine on farmed aquatic products at the ports of entry.

For unqualified products, actions including rejection, destruction and other measures will be

imposed according to the Chinese laws.

Those processing establishments whose products have been found with serious or repeated problems will be subjected to intensified inspection and quarantine or be suspended from exporting to China.

Both Parties shall establish an efficient information notification mechanism, cooperate in investigating and handling existing problems, take relevant rectification and preventive measures in a timely manner, and ensure farmed aquatic products exported to China continuously meet the requirements of China.

Article 11

MAFA shall guarantee its aquatic product safety management system is consistently effective and meets the requirements of Chinese laws and regulations and standards at all time.

Where necessary, GACC may send experts to Malta for remote video inspection or on-site auditing, assessment and verification of the compliance of Malta systems or programs. Malta shall provide the necessary assistance and reasonable convenience to the experts.

Article 12

This Protocol will come into effect on the date of its last signature by both Parties, and will remain in force for a period of five (5) years. It will automatically be extended every five (5) years unless one Party receives a written notification of revision or termination of the Protocol from the other Party at least six (6) months before its expiration.

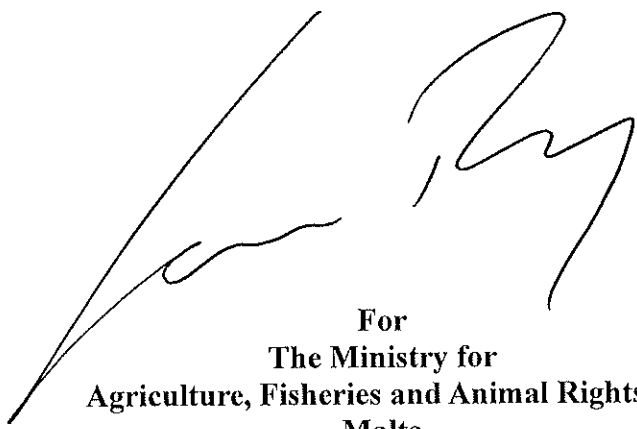
This Protocol may be revised upon mutual written consent of both sides. It will come into force after the mutual consent and the signature of both parties.

Article 13

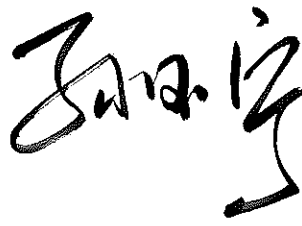
One Party may terminate this Protocol by sending a written notification to the other Party. The termination takes effect six (6) months after the date that the other Party receives the notification.

Article 14

The protocol signed in Beijing, on 3rd November, 2023 in duplicate, each in English and Chinese. All the two texts have equal legal effect. In case of differences in the interpretation, both parties agree to settle it through consultation.



For
The Ministry for
Agriculture, Fisheries and Animal Rights of
Malta



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

ANNEX

The list of farmed aquatic products species to be exported from Malta to China

No.	English Name	Scientific Name	Class	Order	Family	Production method	Territorial waters (sea water or fresh water)
1	Bluefin Tuna	<i>Thunnus thynnus</i>	Osteichthyes	Perciformes	Scombridae	Open aquaculture production system	Sea water

Note: The list of farmed aquatic products species could be deleted or added after both parties' confirmation by formal letter.



**马耳他共和国农业、渔业和动物权益部与
中华人民共和国海关总署
关于马耳他输华养殖水产品的
检验检疫和兽医卫生要求议定书**

马耳他共和国农业、渔业和动物权益部（以下简称“马方”）与中华人民共和国海关总署（以下简称“中方”）经友好协商，就马耳他输华养殖水产品的检验检疫和兽医卫生要求达成一致如下：

第一条

马耳他共和国农业、渔业和动物权益部（MAFA）和中华人民共和国海关总署（GACC）分别作为本议定书的马方和中方执行机关。

第二条

本议定书所称的养殖水产品，是指人工养殖的、供人类食用的水生动物产品及其制品、藻类等海洋植物产品及其制品，不包括《濒危野生动植物种国际贸易公约》（CITES）附录和中国国家重点保护野生动物名录所列物种、活水生动物及水生动植物繁殖材料。养殖水产品目录见附件。

第三条

马方负责按照中方的要求，对输华养殖水产品实施检验检疫，并出具经双方确认的兽医（卫生）证书。

第四条

马方应向中方提供输华养殖水产品在生产、生产加工、储存和运输、疫病监控、检测、中转、出口等各个环节的有关质量和卫生监管方面的国家和欧盟法律法规，以及检验检疫流程、检测项目、实验室检测方法和标准。马方应对最终产品进行检测，且保证检测结果符合中国标准。

马方应定期向中方提供其国家化学残留监测、污染物、疫病、病原微生物监测计划及上年度总结报告，必要时还将包括核辐射和其他环境污染物的监测情况。

马方应定期向中方通报马方主管部门对输华养殖水产品相关的养殖场和生产企业的动态监管信息及核查结果。如发生世界动物卫生组织（WOAH）规定的传染病疫情，马方应及时向中方通报有关信息。

第五条

向中国出口养殖水产品的生产企业（包括加工企业和独立冷库）和养殖场，应获马官方批准并受其有效监督。生产企业的卫生条件应当符合马方和中方有关兽医卫生和公共卫生法律法规的要求。

根据《中华人民共和国食品安全法》《中华人民共和国进出境动植物检疫法实施条例》相关规定，向中国出口养殖水产品的生产企业应当由马方向中方推荐注册。未经注册，不得向中国出口。

第六条

马方应确保输华养殖水产品符合以下条件：

- (一) 在本国水域养殖；
- (二) 原料及产品均未在本议定书第九条所列问题的涉及区域；
- (三) 未直接或间接（如在饲料中添加）使用双方禁用的药物或添加剂，按规定使用中方限用或允许使用的药物或添加剂。经主管当局检验，未发现马耳他和中国法律法规中列明的致病微生物、有毒有害物质和异物；
- (四) 所有输华养殖水产品经主管当局检验检疫，是卫生的、安全的，适合人类食用，未发现任何传染病和寄生虫病的病理指征，未发现《中华人民共和国进境动物检疫疫病名录》中列明的和世界动物卫生组织（WOAH）规定的必须通报的水生动物疫病；
- (五) 养殖、加工、包装、存储、运输、中转和出口等全过程均符合双方相关卫生要求和可追溯要求。同时，应保证冷链控制运行正常。

第七条

输华养殖水产品（整条的金枪鱼除外）应有外包装和单独的内包装。内外包装应是符合国际卫生标准的全新材料，满足防止外界因素污染的要求。

内外包装上应当有牢固、清晰、易辨的英中文标签，标明以下内容：商品名和学名、规格、生产日期、批号、保质期限和保存条件、生产方式（养殖）、生产地区（养殖产品所在国家或者地区）、涉及的所有生产加工企业（含加工船、独立冷库）名称、注册编号

及地址（具体到州/省/市）、目的地（必须标注为中华人民共和国）。

以预包装形式输华的养殖水产品，预包装的中文标签应符合中国进口预包装食品标签要求。

第八条

向中国出口的每一集装箱养殖水产品应至少随附一份正本兽医（卫生）证书，证明该批产品符合马耳他和中国兽医和公共卫生法律法规及本议定书的有关规定。马方应在兽医（卫生）证书上完整填写养殖、加工、包装、存储、运输、中转和出口等全过程中涉及的生产企业信息，包括养殖场、加工厂和独立冷库的名称和注册编号等，不得遗漏上述任何环节涉及的生产企业信息。

证书至少用英文和中文印制（填写证书时英文为必选语言）。证书的格式、内容须事先获得双方认可。马方应及时将证书样本、官方签发机构印章和签字官员笔迹提供中方备案。如有变更，马方应至少在生效前一个月向中方备案。

第九条

当发生以下情况时：

（一）马耳他境内发生《中华人民共和国进境动物检疫疫病名录》中列明的和世界动物卫生组织（WOAH）规定的必须通报的与本议定书产品相关的一种或多种水生动物疫病，使输华养殖水产品受到或可能受到感染；

（二）马耳他境内发生任何重大食品安全事件，已经影响或可能影响输华养殖水产品；

（三）马方已输华或拟输华养殖水产品严重违反马耳他和中国法律法规以及本议定书规定；

(四) 生产企业发生任何重大公共卫生事件, 如员工感染重大传染病, 已经污染或可能污染输华养殖水产品及其包装、运输工具;

(五) 养殖海域受到污染物影响, 如放射性污染物, 已经污染或可能污染输华养殖水产品。

马方应当立即停止相应来源的养殖场、生产企业、区域甚至全国所有的养殖水产品输华, 召回问题产品和存在潜在风险的产品, 并向中方通报, 提供事件调查、处置情况及下一步控制措施等详细资料。

在相关风险消除后, 马方和中方可根据需求并按照国际惯例协商恢复产品输华, 只有经中方确认上述风险已经消除或降到可控范围后, 方可恢复产品输华。

第十条

中国海关对输华养殖水产品实施进口检验检疫。

对于不合格产品, 将依照中国法律法规实施退回、销毁或其他处理。对发生严重问题或多次发生不合格问题的生产企业, 中方可采取加强检验检疫或暂停进口等措施。

双方应建立高效的信息通报机制, 合作或联合调查解决存在的问题, 及时采取相关整改和预防措施, 保障输华养殖水产品持续符合中方要求。

第十一条

马方应确保其输华养殖水产品安全管理体系持续有效, 并始终符合中方相关法律法规和标准要求。

必要时, 中方可派专家实施远程视频检查或到马耳他执行实地检查, 对马耳他输华养殖水产品安全管理体系及操作程序进行评估

附件

马耳他输华养殖水产品目录

序号	中文品名	拉丁学名	纲	目	科	生产方式	生活水域 (海水或淡水等)
1	北方蓝鳍金枪鱼	<i>Thunnus thynnus</i>	硬骨鱼纲	鲈形目	鲭科	养殖	海水

注：经双方通过正式信函确认，该表中的养殖水产品种类可以增加或删除。

和核查，马方应提供必要的协助和合理的便利条件。

第十二条

本议定书自双方签字之日起生效，有效期 5 年。有效期届满 6 个月前，如果一方未书面通知另一方欲修改或终止本议定书，则本议定书有效期自动延长 5 年。

一方可以通过书面通知另一方修订本议定书，修订后的议定书经双方同意并签字后生效。

第十三条

一方可以书面通知另一方终止本议定书。本议定书的效力自另一方收到书面通知之日起 6 个月后终止。

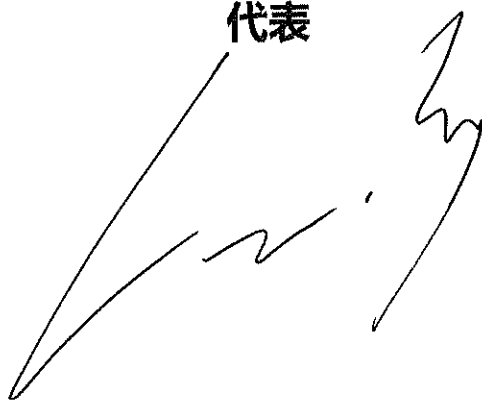
第十四条

本议定书于____年____月____日在_____签订，一式两份，每份都用英文、中文写成，两种文本具有同等的法律效力。如有分歧，双方协商解决。

马耳他共和国

农业、渔业和动物权益部

代表



中华人民共和国

海关总署

代表

