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动植物检疫

夏红民 编著

Illustrations of Animal and Plant
Quarantine of China

Xia Hongmin

新世界出版社



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作者简介

夏红民，男，汉族，1961年12月生，湖北省监利县人，高级农艺师。

1982年8月毕业于华中农学院植物保护系。先后在农业部农业局、办公厅、综合计划司工作，历任中华人民共和国动植物检疫局副局长，国家出入境检验检疫局局长、副局长，现任国家质量监督检验检疫总局党组成员兼动植物检疫监管司司长、全国植物检疫标准化技术委员会主任委员、中国进出口动植物检疫风险分析委员会常务副主任委员、国家农业转基因生物安全委员会委员。著有《中国的进出口动植物检疫》、主编《主要贸易国家植物检疫法律法规》、合著《按实蝇》、《武陵在崛起》等。

Introduction to the Compiler

Mr. Xia Hongmin, a senior agronomist of Han nationality, was born in December 1961 in Jianli County, Hubei Province, and graduated from Plant Protection Department of Central China Agricultural College in August 1982. He worked successively in the Agricultural Bureau, the General Office and Unified Planning Department of the Ministry of Agriculture; successively held the posts of Deputy Director of the Animal and Plant Quarantine Bureau of the People's Republic of China, Department Chief of the State Entry and Exit Inspection and Quarantine Bureau and Deputy Director of the State Entry and Exit Inspection and Quarantine Bureau; and now holds the posts of Member of Leading Party Members' Group of the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China and Chief of the Animal and Plant Quarantine and Inspection Department, Director Member of the National Plant Quarantine Standardization Technical Committee, Standing Deputy Director of China Entry and Exit Animal and Plant Quarantine Risk Analysis Committee and Member of the State Security Committee for Agricultural Genetic Modification of Living Things. Mr. Xia has written "Entry and Exit of Animal and Plant Quarantine of China", compiled "Laws and Regulations of Main Trading Countries on Plant Quarantine", and wrote "the Fruit Flies of Genus *Anastrepha*" and "Wuling Emerging on the Horizon" in collaboration with some other writers.

谨以此书

纪念《中华人民共和国进出境动植物检疫法》实施十周年

1992-2002

纪念《中华人民共和国进出境动植物检疫法实施条例》实施五周年

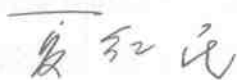
1997-2002

再版记

2002年4月12日,《中华人民共和国进出境动植物检疫法》实施十周年纪念座谈会在北京人民大会堂举行。中共中央政治局委员、全国人大常委会副委员长姜春云同志出席会议并作重要讲话,又一次强调他在1995年4月1日纪念《中华人民共和国进出境动植物检疫法》实施三周年座谈会上所提出的“越是改革开放,越要重视进出境动植物检疫”的要求。全国人大法工委、国务院法制办、农业部、国家质检总局等部门的领导和国务院有关部门,科研教学单位和相关企事业单位的代表出席了会议。质检总局李长江局长对十年来出入境检验检疫机关和社会各界贯彻实施《中华人民共和国进出境动植物检疫法》的情况作了全面总结回顾,并提出了新时期深入贯彻实施《中华人民共和国进出境动植物检疫法》的工作意见。《图说动植物检疫》作为奉献给纪念大会的唯一纪念专著受到与会人士的关注,在出入境检验检疫系统和相关行业、产业界受到欢迎,并重印。

随着中国加入世界贸易组织,中国经济逐步融入全球一体化的大潮之中,国际农产品贸易摩擦此起彼伏,国内外的

相关人士希望更进一步全面了解《中华人民共和国进出境动植物检疫法》的具体内容与要求。因此，在朋友们的共同努力下，对《图说动植物检疫》作了部分修改并将全书进行了英文翻译，形成了今天奉献给读者的《图说动植物检疫》（第二版，中英文对照本）。我希望《图说动植物检疫》第二版的出版能成为国内外同行、贸易商，尤其是国外朋友全面深入了解中华人民共和国进出境动植物检疫制度的窗口，促进更多优质、安全、卫生的中国农产品进入国际市场和更多符合中国要求的外国农产品进入中国市场，从而实现《中华人民共和国进出境动植物检疫法》的立法宗旨：依法把关、保障安全、服务经济、促进发展。

A handwritten signature in black ink, consisting of three characters: '李', '红', and '斌'.

二〇〇四年六月

A Note on Second Edition

On April 12, 2002, a symposium was held in the People's Great Hall of Beijing in commemoration of the 10th anniversary of the implementation of the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine". Comrade Jiang Chunyun, Member of the Political Bureau of the Central Committee of the Communist Party of China and Vice-Chairman of the Standing Committee of the National People's Congress, was present at the symposium and delivered an important speech. In his speech, Comrade Jiang Chunyun emphasized once again the requirements of "The more the state carries out reforming and opening-up, the more emphasis should be given to the entry and exit animal and plant quarantine" raised by him on April 1, 1995 at the symposium in commemoration of the 3rd anniversary of the implementation of the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine". The leaderships of the departments under the Law Working Commission of the National People's Congress, the Legal System Office of the State Council, the Ministry of Agriculture and the State General Administration of Quality Supervision, Inspection and Quarantine and the related departments under the State Council were present at the meeting. Also present at the meeting were the representatives from scientific research and educational institutions as well as those mutually related enterprises and institutions. At the meeting, Mr. Li Changjiang, Director of the State General Administration of Quality Supervision, Inspection and Quarantine, made a comprehensive summing-up and review of how the entry and exit inspection and quarantine organs as well as all social walks of life put into effect and implemented the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine" in the past decade. Mr. Li Changjiang also put forward his suggestions for putting into effect and implementing in depth the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine" in the new period. The "Illustrations of Animal and Plant Quarantine of China",

the only commemorative book dedicated to the commemoration meeting by me, aroused general concern among all the participants and was warmly welcomed by the people in the entry and exit inspection and quarantine system, pertinent trades and industrial field. So I decided to have the book reprinted.

With China's access to the WTO and China's economy gradually merged into the globalization tide, conflicts in the world trading of agricultural products rise one after another. The related personages, both at home and abroad, hope to have a further understanding of the concrete content and requirements of the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine". Therefore, with the mutual efforts of my friends, the "Illustrations of Animal and Plant Quarantine of China" has been partially revised and the whole book translated into China, that is, the second edition of the "Illustrations of Animal and Plant Quarantine of China" is a Chinese - English bilingual version, presenting with all respect to our readers. It is sincerely hoped that the publication of the second edition of the "Illustrations of Animal and Plant Quarantine of China" could be a window to our counterparts and traders at home and abroad, particularly our friends abroad, for an all-round deepening understanding of the entry and exit animal and plant quarantine system of the People's Republic of China so that more superior, secure and healthy Chinese agricultural products can enter into the world market on the one hand and more foreign agricultural products in compliance with China's requirements can enter into the Chinese market on the other. As a result, the legislative purpose of the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine" - to strictly safeguard the gateway of China according to the law, to ensure safety, and to serve economy, to promote development - can be materialized.

Xia Hongmin
June 2004

序

党的十一届三中全会以来,在邓小平同志关于“一手抓经济建设,一手抓民主法制”科学论断和江泽民总书记“三个代表”重要思想指引下,我国经济立法和经济法制建设取得了重大成就。大批全国性法律和行政法规相继颁布,大量地方性法规陆续出台。这些法律、法规和规章的实施,对于保障和推动我国改革、开放及经济建设的快速发展,促进我国社会主义物质文明和精神文明建设都具有十分重大的意义。

以《中华人民共和国进出境动植物检疫法》颁布实施为起点,历经十余载,伴随着我国加入WTO的进程和社会主义市场经济的不断发展,我国的动植物检疫法制建设也得到进一步加强,目前已基本形成了配套法规齐全,符合国际通行规则,执法程序规范的法规体系。

然而,立法之后深入开展法制教育,提高全社会的法律意识和法制观念,使每个公民和执法者都知法、懂法、守法、用法,则是一个长期过程,需要我们有目标、有计划、群策群力地进行艰苦细致的宣传教育工作。

夏红民同志编著的《图说动植物检疫》,以简练的文字,生动的图画,将严谨的法律条文进行释义,达到了喜看、易懂、好记、寓教于乐的目的,我认为这是系统法制教育的一次很有意义的尝试,值得肯定与祝贺。我相信,它的出版,在宣传动植物检疫法律法规,普及动植物检疫知识,帮助机关干部、企事业界人士、广大消费者增加法律意识,增强守法、执法的观念,提高依法维护社会主义市场经济秩序和合法权益的自觉性,都有一定的积极意义。同时,由于它采用了英汉双语形式,对国外同行及来华人士了解中国的动植物检疫法规,促进国际交流与合作大有裨益。我希望以后能看到更多类似的法律科普读物的出版。



2002年4月

Preface

Since the Third Plenary Session of the Eleventh Central Committee of the Communist Party of China, great achievements have been made in the construction of our economic legislation and economic legal system under the scientific inference of "paying attention to economic construction on the one hand and laying emphasis on democratic legal system on the other" put forward by Comrade Deng Xiaoping and under the guidance of the important thoughts of "Three Represents Theory" raised by Party General Secretary Jiang Zemin. Large quantities of national laws and administrative regulations and rules have been promulgated as well as a large number of local laws and regulations have been successively unveiled. The implementation of these laws, rules and regulations is of great significance to ensuring and promoting our reform and opening-up, to the rapid development of economic construction as well as to the construction of our socialist material progress and ethical progress.

Taking the promulgation and implementation of the "Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine" as a starting point, the legal system construction of our animal and plant quarantine has been further strengthened with the progress of our entry into the WTO and the continuous development of socialist market economy for over a decade. Currently, a legal system with complete laws and regulations, in conformity with international common practice and having a standard of law-enforcement process has been basically formed.

However, it is a long-term process to enfold legal system education in depth and to raise the law consciousness and legal awareness of the whole society after legislation so that every citizen and every law-executor can learn the law, know the law, observe the law and make use of the law. To achieve this purpose it needs us to carry out painstaking and meticulous propaganda and

education with a target in our minds and pool the wisdom and efforts of everyone in a planned way.

The "Illustrations of Animal and Plant Quarantine of China" compiled by Comrade Xia Hongmin interprets the rigorous legal provisions in laconic language and vivid cartoons, attractive in reading, simple in understanding, easy to remember and combining education with recreation. I think this is an attempt with great significance to carry out legal education in a systematic way, deserving affirmation and congratulations. I am sure the publication of this book is of positive significance in the respects of propagandizing the laws and regulations related to animal and plant quarantine, popularizing the knowledge of animal and plant quarantine, helping government functionaries, personages in enterprises and institutions and the mass of consumers to improve their legal awareness and to strengthen their ideas of law observation and law enforcement as well as to heighten their self-consciousness in maintaining the order of socialist market economy and legitimate rights and interests. Besides, as this book is published in a Chinese-English bilingual version, it will be of great benefit to promote international exchanges and cooperation and for our foreign counterparts and those come to China to understand the animal and plant quarantine laws and regulations of China. I am looking forward to seeing more publications of similar popular books on law.

Ge Zhirong

April 2002

目 录

上 篇

检疫的产生与发展	1
----------	---

中 篇

应检物品	27
主管和实施机关	29
强制性检疫措施	31
进境动植物检疫审批	47
进境检疫	69
出境检疫	129
过境检疫	143
携带邮寄物检疫	147
运输工具检疫	169
检疫监督	179
法律责任	189

下 篇

新形势下的动植物检疫工作	195
--------------	-----

Contents

Part One

History and Development of Quarantine-----	1
--	---

Part Two

Objects Subjected to Quarantine-----	27
Administration and Implementing Authorities-----	29
Mandatory Quarantine Measures-----	31
Entry Permits for Quarantine-----	47
Entry Quarantine-----	69
Exit Quarantine-----	129
Transit Quarantine-----	143
Quarantine on Carried or Mailed Items-----	147
Quarantine of Means of Transport-----	169
Quarantine Supervision-----	179
Legal Liability-----	189

Part Three

Animal and Plant Quarantine in 21 st Century-----	195
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上 篇

动植物检疫工作是人类同病虫害进行长期斗争总结出来的经验。早在14世纪,当时的威尼斯规定,外国船只抵达口岸后,必须停泊40天,与岸上隔离,以观察船上人员是否带有传染性疾病,如当时流行的霍乱、疟疾等,经观察无疾病者才允许登陆上岸。此后,许多国家效仿这种做法并应用到农业上,由此就产生了动植物检疫。检疫一词“Quarantine”即产生于拉丁文“40天”词义。

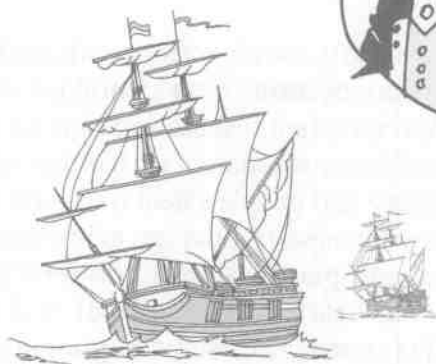
Part One

Animal and plant quarantine is the experiences summed up from the extended fights between man and plant diseases and insect pests. As early as in 14th century, the port authorities of Venice regulated that all foreign ships arriving at the port should anchor for forty days to be isolated from landing so that observations could be made whether the people aboard the ship carried any contagious diseases, such as cholera, malaria and other infectious diseases that were prevailing at that time. Only when it was sure that none was infected with such diseases, could they be allowed to land. From then on, many countries imitated this practice. The word "quarantine" originates from the Latin word *quadraginta* meaning "forty".



要等40天才能上岸,这么长时间可真难打发。

It is really hard to while away the forty days before landing.



威尼斯

Venice



19世纪后期,在农林业方面世界上发生了一些重大的因外来病虫传播而造成灾害的事例。人们为了保护农牧渔业生产和人体健康,防止动物疫病和病虫草的扩散造成损失,就产生了检疫。我国动植物检验检疫工作,经历了从无到有,从弱到强,进入了一个崭新的阶段。

In late 19th century, some serious calamities in agriculture and forestry occurred in the world because of the spreading of foreign plant diseases and insect pests. For the protection of the production of agriculture, animal husbandry and fishery and people's health as well as for the prevention of losses caused by the spreading of animal epidemic diseases and plant diseases and insect pests, quarantine thus has started. The animal and plant quarantine of China started from scratch, growing from weak to strong, and has now entered into an entirely new stage.