



# 中华人民共和国进出境动植物检疫法

Law of the People's Republic of China  
on the Entry and Exit Animal and Plant Quarantine

# 中华人民共和国进出口商品检验法

Law of the People's Republic of China  
on Import and Export Commodity Inspection

(中英对照)

(Chinese-English)

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# 中华人民共和国主席令

## 第五十三号

《中华人民共和国进出境动植物检疫法》已由中华人民共和国第七届全国人民代表大会常务委员会第二十二次会议于 1991 年 10 月 30 日通过,现予公布,自 1992 年 4 月 1 日起施行。

中华人民共和国主席 杨尚昆

1991 年 10 月 30 日



# **Order of the President of the People's Republic of China**

**No. 53**

The Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine, adopted at the 22nd Meeting of the Standing Committee of the Seventh National People's Congress of the People's Republic of China on October 30, 1991, is hereby promulgated and shall enter into force as of April 1, 1992.

**Yang Shangkun**

President of the People's Republic of China

October 30, 1991





# 中华人民共和国 进出境动植物检疫法

(1991 年 10 月 30 日第七届全国人民代表大会  
常务委员会第二十二次会议通过)

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**Law of the People's Republic  
of China on the Entry and Exit  
Animal and Plant Quarantine**

(Adopted at the 22nd Meeting of the Standing Committee of the Seventh National People's Congress on October 30, 1991)

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## 第一章 总 则

**第一条** 为防止动物传染病、寄生虫病和植物危险性病、虫、杂草以及其他有害生物(以下简称病虫害)传入、传出国境,保护农、林、牧、渔业生产和人体健康,促进对外经济贸易的发展,制定本法。

**第二条** 进出境的动植物、动植物产品和其他检疫物,装载动植物、动植物产品和其他检疫物的装载容器、包装物,以及来自动植物疫区的运输工具,依照本法规定实施检疫。

**第三条** 国务院设立动植物检疫机关(以下简称国家动植物检疫机关),统一管理全国进出境动植物检疫工作。国家动植物检疫机关在对外开放的口岸和进出境动植物检疫业务集中的地点设立的口岸动植物检疫机关,依照本法规定实施进出境动植物检疫。

贸易性动物产品出境的检疫机关,由国务院根据实际情况规定。

国务院农业行政主管部门主管全国进出境动植物检疫

## Chapter I General Provisions

**Article 1** This Law is formulated for the purpose of preventing infectious or parasitic diseases of animals, diseases, insect pests and weeds dangerous to plants, and other harmful organisms (hereinafter referred to, for short, as diseases, insect pests and harmful organisms) from spreading into or out of the country, protecting the production of agriculture, forestry, animal husbandry and fishery as well as human health, and promoting the development of foreign economic relations and trade.

**Article 2** Animals and plants, their products and other quarantine objects, containers and packaging materials used for carrying animals and plants, their products or other quarantine objects, as well as means of transport from animal or plant epidemic areas shall, on entry or exit, be subject to quarantine inspection in accordance with this Law.

**Article 3** An animal and plant quarantine department shall be instituted under the State Council (hereinafter referred to, for short, as the State animal and plant quarantine department), which shall conduct a unified administration of the entry and exit animal and plant quarantine in the whole country. Port animal and plant quarantine offices set up by the State animal and plant quarantine department at ports open to the outside world and at places busy with entry and exit animal and plant quarantine shall, in accordance with this Law, carry out entry and exit animal and plant quarantine.

The department in charge of the quarantine of animal products leaving the country for trade purposes shall be designated by the State Council as it deems appropriate.

The department of agriculture administration under the State

工作。

**第四条** 口岸动植物检疫机关在实施检疫时可以行使下列职权：

- (一)依照本法规定登船、登车、登机实施检疫；
- (二)进入港口、机场、车站、邮局以及检疫物的存放、加工、养殖、种植场所实施检疫，并依照规定采样；
- (三)根据检疫需要，进入有关生产、仓库等场所，进行疫情监测、调查和检疫监督管理；
- (四)查阅、复制、摘录与检疫物有关的运行日志、货运单、合同、发票及其他单证。

**第五条** 国家禁止下列各物进境：

- (一)动植物病原体(包括菌种、毒种等)、害虫及其他有害生物；
- (二)动植物疫情流行的国家和地区的有关动植物、动植物产品和其他检疫物；
- (三)动物尸体；
- (四)土壤。

口岸动植物检疫机关发现有前款规定的禁止进境物的，作退回或者销毁处理。

Council shall be in charge of the entry and exit animal and plant quarantine in the whole country.

**Article 4** A port animal and plant quarantine office may exercise the following functions and powers when performing quarantine inspection:

(1) embarking on a ship, a vehicle or an airplane to perform quarantine under this Law;

(2) entering a seaport, an airport, a railway or coach station, a post office or a site where quarantine objects are stored, processed, bred or cultivated, to perform quarantine inspection and collect samples according to relevant regulations;

(3) entering a site relating to production or storage according to the needs of quarantine, to carry out epidemic monitoring and investigations or quarantine supervision and control;

(4) consulting, making copies of or excerpts from operational diaries, bills of lading, contracts, invoices or other documents relating to the quarantine objects.

**Article 5** The State shall prohibit the following objects from entering the country:

(1) pathogenic micro-organisms (including seed cultures of bacteria and viruses) of animals and plants, insect pests and other harmful organisms;

(2) relevant animals and plants, their products and other quarantine objects from countries or regions with prevalent epidemic animal or plant diseases;

(3) animal carcasses; and

(4) soil.

When a port animal and plant quarantine office discovers any objects prohibited from entering the country as prescribed in the preceding paragraph, such objects shall be returned or destroyed.

因科学研究等特殊需要引进本条第一款规定的禁止进境物的,必须事先提出申请,经国家动植物检疫机关批准。

本条第一款第二项规定的禁止进境物的名录,由国务院农业行政主管部门制定并公布。

**第六条** 国外发生重大动植物疫情并可能传入中国时,国务院应当采取紧急预防措施,必要时可以下令禁止来自动植物疫区的运输工具进境或者封锁有关口岸;受动植物疫情威胁地区的地方人民政府和有关口岸动植物检疫机关,应当立即采取紧急措施,同时向上级人民政府和国家动植物检疫机关报告。

邮电、运输部门对重大动植物疫情报告和送检材料应当优先传送。

**第七条** 国家动植物检疫机关和口岸动植物检疫机关对进出境动植物、动植物产品的生产、加工、存放过程,实行检疫监督制度。

**第八条** 口岸动植物检疫机关在港口、机场、车站、邮局执行检疫任务时,海关、交通、民航、铁路、邮电等有关部

Whoever, because of special needs such as scientific research, imports any objects prohibited from entering the country as prescribed in the first paragraph of this Article, must submit an application in advance, which shall be subject to the approval by the State animal and plant quarantine department.

The catalogues of objects prohibited from entering the country as prescribed in (2) of the first paragraph of this Article shall be worked out and announced by the department of agriculture administration under the State Council.

**Article 6** In the event that a serious animal or plant epidemic occurs abroad and is liable to spread into the country, the State Council shall adopt emergent preventive measures and may, when necessary, issue orders to prohibit means of transport from animal or plant epidemic areas from entering the country or to blockade the relevant ports; the local people's governments in areas threatened by the animal or plant epidemic as well as the port animal and plant quarantine offices concerned shall immediately take emergency measures, and, at the same time, report to the people's governments at higher levels and the State animal and plant quarantine department.

The departments of posts and telecommunications and departments of transportation shall give priority to transmitting or transporting reports concerning serious animal or plant epidemic or materials to be sent for quarantine inspection.

**Article 7** The State animal and plant quarantine department and port animal and plant quarantine offices shall practise a quarantine supervision system in relation to the procedures in the production, processing and storage of animals and plants and their products for entry or exit.

**Article 8** When a port animal and plant quarantine office is carrying out its tasks of quarantine inspection in seaports, airports,



门应当配合。

**第九条** 动植物检疫机关检疫人员必须忠于职守,秉公执法。

动植物检疫机关检疫人员依法执行公务,任何单位和个人不得阻挠。

## 第二章 进 境 检 疫

**第十条** 输入动物、动物产品、植物种子、种苗及其他繁殖材料的,必须事先提出申请,办理检疫审批手续。

**第十一条** 通过贸易、科技合作、交换、赠送、援助等方式输入动植物、动植物产品和其他检疫物的,应当在合同或者协议中订明中国法定的检疫要求,并订明必须附有输出国家或者地区政府动植物检疫机关出具的检疫证书。

**第十二条** 货主或者其代理人应当在动植物、动植物产品和其他检疫物进境前或者进境时持输出国家或者地区的检疫证书、贸易合同等单证,向进境口岸动植物检疫机关报检。

**第十三条** 装载动物的运输工具抵达口岸时,口岸动