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Report Highlights:

On October 30, 2022, the People's Republic of China (PRC) National People's Congress (NPC) Standing Committee issued the revised Animal Husbandry Law of the PRC. This revised Law came into effect on March 1, 2023. This report contains an UNOFFICIAL translation of the law.

Executive Summary:

The Animal Husbandry Law of the PRC was adopted by China's NPC Standing Committee on December 29, 2005 and amended on April 24, 2015. On October 30, 2022, China's NPC Standing Committee issued the revised Animal Husbandry Law of the PRC, which entered into force on March 1, 2023.

Compared to the 2015 version, this revision includes two additional chapters: 1) Chapter V: Grassland Animal Husbandry, and 2) Chapter VII: Livestock and Poultry Slaughter. Chapter III in the revision also specifies that an importer is required to have a permit for the production and business operations of breeding livestock and poultry and that explanatory documents shall be provided if an importer fails to obtain a permit due to a lack of breeding livestock and poultry. Chapter IX of the revision stipulates that a higher fine will be charged if an entity is importing any unexamined and unapproved livestock or poultry genetics from abroad.

More details regarding the imports and exports of livestock and poultry genetics resources can also be found in Chapter II and Chapter III of the law.

The following report contains an UNOFFICIAL translation of the revised law.

- BEGIN UNOFFICIAL TRANSLATION -

Animal Husbandry Law of the People's Republic of China

Adopted at the 19th Session of the Standing Committee of the 10th National People's Congress of the People's Republic of China on December 29, 2005. Amended at the 14th Session of the Standing Committee of the Twelfth National People's Congress on April 24, 2015 in accordance with the Decision on Amending Five Laws including the Metrology Law of the People's Republic of China. Revised at the 37th Session of the Standing Committee of the 13th National People's Congress on October 30, 2022.

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Chapter I General Provisions

Article 1 This Law is enacted for the purpose of regulating the animal husbandry production and business operations, ensuring the supply, quality and safety of livestock and poultry products, protecting and reasonably utilizing livestock and poultry genetic resources, breeding and promoting high quality breeds of livestock and poultry, revitalizing the livestock and poultry industry, protecting the legitimate rights and interests of the animal husbandry producers and business operators, preventing public health risks, and promoting the high-quality development of animal husbandry.

Article 2 This Law shall apply to the protection, utilization, breeding, rearing, business operations, transport, and slaughter of the genetic resources of livestock and poultry within the People's Republic of China.

The “livestock and poultry” as mentioned in this Law refers to those included in the list of genetic resources of livestock and poultry in the Article 12 of this Law.

The protection, utilization, production, and business operation of bees and silkworms shall be governed by this Law.

Article 3 The People’s Republic of China (PRC) shall support the development of animal husbandry and the development of agriculture, rural economy, and increase of producers' income.

The government at or above the county level shall incorporate the development of animal husbandry into national economic and social development plans, strengthen the construction of the basic facilities for animal husbandry, encourage and support the development of large-scale, standard, and intelligent breeding, and sustainable practices for farming and animal husbandry, increase industrialized animal husbandry operations, promote production capacity and develop animal husbandry into a safe, high-quality, highly efficient, and eco-friendly industry.

The PRC shall help and support the development of the animal husbandry industry in areas of minority and underdeveloped areas, protect and reasonably utilize the pastures and improve the production conditions for animal husbandry.

Article 4 The PRC shall take measures to foster professional talented animal husbandry and veterinary staff, strengthen the monitoring of livestock and poultry diseases and the development of livestock and poultry vaccines, promote animal husbandry and veterinary technology system, develop and promote research on animal husbandry and veterinary science and technology, improve animal husbandry standards, carry out education and publicity of scientific and technological knowledge of animal husbandry and veterinary and the services of animal husbandry and veterinary information, and push forward the scientific and technological progress and innovations in the animal husbandry industry.

Article 5 The Ministry of Agriculture and Rural Affairs of the State Council shall be responsible for animal husbandry supervision and administration throughout the country. The agriculture and rural affairs departments at or above the county level shall be responsible for animal husbandry supervision and administration within their respective administrative area.

The relevant competent departments at or above the county level shall be responsible for promoting the development of animal husbandry according to their respective functions.

Article 6 The Ministry of Agriculture and Rural Affairs of the State Council shall offer guidance to animal husbandry producers and business operators to improve the conditions and environment for the breeding, rearing, transport, and slaughter of livestock and poultry.

Article 7 Local and provincial authorities at all levels and relevant departments shall enhance publication of laws and regulations related to the animal husbandry industry.

Entities and individuals who have made remarkable achievements in the development of animal husbandry industry shall be commended and rewarded in accordance with relevant provisions issued by the PRC.

Article 8 The animal husbandry producers and business operators may establish industrial associations on their own initiatives so as to provide members with information, technology, marketing and training services, to intensify the industrial self-discipline and to protect the interests of the members and the whole industry.

Article 9 The animal husbandry producers and business operators shall be obligated to prevent animal diseases and to protect the ecology and environment, and shall accept the supervision and inspection conducted by the relevant competent departments in accordance with the law.

Chapter II Protection of the Genetic Resources of Livestock and Poultry

Article 10 The PRC shall establish a system for the protection livestock and poultry genetics and conduct work such as investigating, protecting, verifying, registering, monitoring, and utilizing resources. The people's governments at all levels shall take measures to intensify the protection of the genetic resources of livestock and poultry, and shall incorporate the relevant expenses in the budget.

The protection of livestock and poultry genetics shall be mainly conducted by the PRC with diverse participation, and adhere to the principle of prioritizing protection by classification and grade and efficient utilization.

The PRC shall encourage and provide support for relevant entities and individuals to develop undertakings of livestock and poultry genetic resources protection in accordance with the law, and encourage and support higher education institutions, scientific research institutions, and

enterprises to strengthen basic research on the protection and utilization of livestock and poultry genetic resources and improve their capabilities of scientific and technological innovation.

Article 11 The Ministry of Agriculture and Rural Affairs of the State Council shall establish the National Livestock and Poultry Genetic Resources Commission consisted of professionals, responsible for verifying and evaluating genetic resources of livestock and poultry as well as the examination and approval of new breeds and synthetic lines, and shall carry out the plan demonstration on the protection and utilization of livestock and poultry genetic resources, as well as the consultation regarding the protection of livestock and poultry genetic resources.

Article 12 The Ministry of Agriculture and Rural Affairs of the State Council shall be responsible for regularly authorizing the investigation of livestock and poultry genetic resources, releasing national reports about the status of livestock and poultry genetic resources, and publishing the list of livestock and poultry genetic resources approved by the State Council.

Domesticated animals resulting from domestication and breeding, with stable phenotypic traits, acceptable breed, and the population of a certain size, capable of reproducing independently without wild breeds may be included in the list of livestock and poultry genetic resources.

Article 13 The Ministry of Agriculture and Rural Affairs of the State Council shall, according to the distribution of the livestock and poultry genetic resources, formulate the national plan for the protection and utilization of livestock and poultry genetic resources, formulate, adjust, and announce the national protection list of livestock and poultry genetic resources, and lay the emphasis on the protection of the valuable, rare and endangered livestock and poultry genetic resources originating from China.

The agriculture and rural affairs departments of the provinces, autonomous regions, and municipalities directly under the Central Government shall, according to the plan on the protection and utilization of livestock and poultry genetic resources as well as the status of the livestock and poultry genetic resources within their respective administrative area, establish, adjust, and publish the provincial protection list of the livestock and poultry genetic resources, submit it to The Ministry of Agriculture and Rural Affairs of the State Council for archival purposes, and strengthen the protection for local livestock and poultry genetic resources.

Article 14 The Ministry of Agriculture and Rural Affairs of the State Council shall, according to the national plan on the protection and utilization of livestock and poultry genetic resources as well as the national protection list of livestock and poultry genetic resources, or the agriculture and rural affairs departments of provinces, autonomous regions, and municipalities directly under the Central Government shall, according to the provincial protection list of livestock and poultry genetic resources, respectively establish or determine breeds conservation farms, conservation areas and gene banks of livestock and poultry genetic resources, and shall undertake the task of protection of the livestock and poultry genetic resources.

Without approval of The Ministry of Agriculture and Rural Affairs of the State Council or the agriculture and rural affairs departments of provinces, autonomous regions, and municipalities directly under the Central Government, no breeds conservation farms, conservation areas and gene banks of livestock and poultry genetic resources funded by the central finance and provincial finance may dispose of any livestock or poultry genetic resource under protection.

Gene banks of livestock and poultry genetic resources shall, according to the provisions of The Ministry of Agriculture and Rural Affairs of the State Council or the agriculture and rural affairs departments of provinces, autonomous regions, and municipalities directly under the Central Government, regularly gather and update the livestock and poultry genetic materials. The relevant entities and individuals shall cooperate with the gene banks of livestock and poultry genetic resources to provide livestock and poultry genetic materials and are entitled to obtain reasonable economic compensation.

The local government at or above the county level shall guarantee land needed for breeds conservation farms and gene banks for livestock and poultry genetic resources. Closure or relocation, if indeed necessary, shall be subject to the approval of the authority which originally approved the establishment of the farms or banks. In the case of relocation, proper arrangements shall be made in accordance with the principle of construction before demolition.

The administrative measures for the breeds conservation farms, conservation areas and gene banks shall be formulated by The Ministry of Agriculture and Rural Affairs of the State Council.

Article 15 Before a newly found livestock or poultry genetic resource is verified by the National Commission for Livestock and Poultry Genetic Resources, the agriculture and rural affairs departments of provinces, autonomous regions, and municipalities directly under the Central Government shall formulate a protection plan, take temporary protection measures, and report it to The Ministry of Agriculture and Rural Affairs of the State Council for archival purposes.

Article 16 Where a livestock or poultry genetic resource is to be imported from abroad, an application shall be filed with the agriculture and rural affairs department of the province, autonomous region, or municipality directly under the Central Government. The agriculture and rural affairs department that accepts this application shall, upon examination, report it to The Ministry of Agriculture and Rural Affairs of the State Council for evaluation, review, and approval, unless there are otherwise provisions of the State Council regarding the approval authority. If the application is approved, the relevant formalities shall be followed, and the livestock and poultry genetic resource shall be quarantined in accordance with the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine.

Where it is found that a livestock or poultry genetic resource imported from abroad is harmful to or is likely to be harmful to the livestock or poultry resources or to the ecological environment within China, The Ministry of Agriculture and Rural Affairs of the State Council shall, in

consultation with the relevant competent authorities, take corresponding safety control measures in a timely manner.

Article 17 The PRC shall have sovereignty over livestock and poultry genetic resources. Where any livestock or poultry genetic resource included in the protection list is to be exported from China or is to be researched and utilized within China in cooperation with any foreign institution or individual, the applicant shall file an application with the agriculture and rural affairs department of the province, autonomous region, or municipality directly under the Central Government and shall simultaneously put forward a plan on sharing the benefits with the PRC. The agriculture and rural affairs department that accepts the application shall, upon examination, submit them to The Ministry of Agriculture and Rural Affairs of the State Council for approval.

Where any livestock or poultry genetic resource is to be exported from China, the relevant formalities shall be followed, and the livestock or poultry genetic resource shall be quarantined in accordance with the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine.

Before a newly found livestock or poultry genetic resource is verified by the National Commission for Livestock and Poultry Genetic Resources, it shall not be exported from China nor be researched and utilized within China in cooperation with any foreign institution or individual.

Article 18 The measures for the examination and approval of the entry and exit as well as the cooperative research and utilization with foreign entities of livestock and poultry genetic resources shall be formulated by the State Council.

Chapter III Breeding, Production and Business Operation of Breeding Livestock and Poultry

Article 19 The PRC shall support the breeding of livestock and poultry and the promotion of high-quality breeds, implement the national livestock and poultry genetic improvement plan and support the enterprise, colleges and universities, scientific and research institutions and technology promotion entities to carry out joint breeding programs in order to establish and improve the high-quality breeding system for livestock and poultry.

The governments at or above the county level shall support the development and utilization of breeds included in the protection list of livestock and poultry genetic resources, so as to increase the supply of characteristic livestock and poultry products and meet diversified consumer demands.

Article 20 The PRC shall encourage and support independent innovation in the livestock and poultry breeding industry, strengthen research on breeding technologies, and support the

development of innovative enterprises that combine breeding with production and business operations.

Article 21 Before any new breeds of livestock or poultry, synthetic line, or newly found livestock or poultry genetic resource is sold and promoted, it shall be subject to examination and approval or verification by the National Commission for Livestock and Poultry Genetic Resources, and it shall be announced by The Ministry of Agriculture and Rural Affairs of the State Council. The measures for the examination and approval of new breeds, the synthetic line of livestock and poultry, and the measures for the verification of livestock and poultry genetic resources shall be formulated by The Ministry of Agriculture and Rural Affairs of the State Council. The fees for the experiment or testing necessary for examination and approval or verification shall be paid by the applicant.

The legitimate rights and interests of the breeders of new breeds and synthetic line of livestock and poultry shall be protected by law.

Article 22 The introduction, breeding, experiment, examination, approval and promotion of breeds of genetic-modified livestock and poultry shall be in line with the provisions of the PRC on the agricultural genetic-modified bio-security administration.

Article 23 A animal husbandry and veterinary technology promotion institution at the provincial level or above shall monitor the quality of breeding livestock, register individual animals of high-quality breed and recommend high-quality livestock breeds to the public. The rules on the registration of breeding livestock shall be formulated by The Ministry of Agriculture and Rural Affairs of the State Council.

Article 24 To engage in the production and business operation of breeding livestock and poultry or in the production and distribution of young livestock and poultry of commercial generation, an entity or individual shall obtain a permit for the production and business operation of breeding livestock and poultry.

To apply for a permit for the production and business operation of breeding livestock and poultry, an applicant shall meet the following conditions:

(1) The breeding livestock and poultry for production and business operations shall fall within the breeds or synthetic line as examined and approved or verified by the National Commission for Livestock and Poultry Genetic Resources, or shall fall within the breeds or synthetic line as imported from abroad upon approval;

(2) Having the animal husbandry and veterinary technicians that can meet the needs of production and business operations;

(3) Having the breeding facilities and equipment that can meet the needs of production and business operations;

- (4) Having the livestock and poultry disease prevention conditions as stipulated in the laws, administrative regulations, as well as the provisions on breeding animal disease prevention by The Ministry of Agriculture and Rural Affairs of the State Council;
- (5) Having a high-quality management and breeding record system;
- (6) Other conditions stipulated by the laws and administrative regulations.

Article 25 To obtain a permit for the production and business operation of ova, sperm, embryos and other genetic materials, an applicant shall not only meet the conditions as mentioned in Paragraph 2 of Article 24 of this Law, but also meet the following requirements:

- (1) Meeting the requirements for the conditions of laboratory, preservation and transport as stipulated by The Ministry of Agriculture and Rural Affairs of the State Council;
- (2) Meeting the number and quality requirements on breeding livestock as stipulated by The Ministry of Agriculture and Rural Affairs of the State Council;
- (3) The sources of the embryos obtained by external insemination as well as the available ova shall be clear, and the supplying livestock shall comply with the national health standards and quality requirements for the breeding livestock;
- (4) Complying with the relevant national mandatory standards and the technical requirements stipulated by The Ministry of Agriculture and Rural Affairs of the State Council.

Article 26 To obtain a permit for the production and business operations of ova, sperm, embryos and other genetic materials of livestock, an applicant shall file an application to the agriculture and rural affairs department of a province, autonomous region, or municipality directly under the Central Government. The agriculture and rural affairs department that accepts the application shall, in accordance with the law, decide whether or not to issue to the applicant a permit for the production and business operation thereof within 60 working days after it receives the application.

The permits for the production and business operation of other breeding livestock and poultry shall be issued by the agriculture and rural affairs departments of the government at the county level or above upon examination and approval.

The PRC shall apply unified management and hierarchical responsibility to permits for the production and business operation of breeding livestock and poultry, and allow the filing of applications on a unified information platform. Information on the approval and issuance of permits for the production and business operation of breeding livestock and poultry shall be made available to the public in accordance with the law. Specific measures and permit samples shall be formulated by The Ministry of Agriculture and Rural Affairs of the State Council.

Article 27 A license for the production and business operation of breeding livestock and poultry shall state the name of the producer/business operator, breeding farm (factory) site, production and business scope as well as the beginning date and ending date of the valid period of the permit.

It is forbidden to engage in the production or business operation of any breeding livestock or young livestock or poultry of commercial generation without a permit for the production and business operation of breeding livestock and poultry or by violating the provisions stipulated in the permit for the production and business operation of breeding livestock and poultry. It is forbidden to counterfeit, alter, transfer or rent any permit for the production and business operation of breeding livestock and poultry.

Article 28 A breeder, who raises breeding livestock or poultry by himself for breeding in his own farm and has a small number of young livestock or poultry for sale or who raises male breeding livestock for mating non-commercial purposes is not required to obtain a permit for the production and business operation of breeding livestock and poultry.

Article 29 To release any livestock or poultry advertisement, the owner of the advertisement shall hold or provide the permit and license for the production and business operation of breeding livestock and poultry. The contents of the advertisement shall be in line with the provisions of the relevant laws and administrative regulations and shall contain the approved or verified name of breeds or synthetic line of the livestock or poultry, and the descriptions of the main characters in the advertisement shall conform to the standards on such breeds or synthetic line.

Article 30 The breeding livestock and poultry for sale, and the male breeding livestock of the livestock mating stations (places) shall comply with the breeding standards. When any breeding livestock or poultry are sold, they shall be accompanied by a conformity certificate issued by the breeding livestock or poultry farm and a quarantine certificate issued by the animal health supervisory institution. Moreover, any breeding livestock for sale shall be accompanied by the livestock genealogy issued by the breeding livestock or poultry farm.

A producer of ova, sperm, embryos and other genetic materials of livestock shall have complete gathering, sale and transplant records and shall preserve these records for two years.

Article 31 No seller of livestock and poultry may sell:

- (1) any breeds or synthetic line of the livestock or poultry as other breeds or synthetic line of livestock or poultry;
- (2) any inferior generation of livestock or poultry as superior one;
- (3) any livestock or poultry that doesn't meet the standards as breeding livestock or poultry;

- (4) any breeding livestock or poultry imported without approval;
- (5) any livestock or poultry without accompanying a conformity certificate, quarantine certificate of the breeding livestock or poultry or the breeding livestock without accompanying their genealogy as required by Article 30 of this Law;
- (6) any breeds of livestock or poultry, or synthetic line that has not been approved or verified.

Article 32 To apply for the import of any breeding livestock or poultry, an applicant shall hold a permit for the production and business operation of breeding livestock and poultry. If a permit for the production and business operation of breeding livestock and poultry fails to be obtained because there are no breeding livestock and poultry, explanatory documents from the agriculture and rural affairs departments of the province, autonomous region or municipality directly under the Central Government shall be provided. The approval documents for the import of breeding livestock and poultry shall be valid for 6 months.

The imported breeding livestock and poultry shall meet the technical requirements of The Ministry of Agriculture and Rural Affairs of the State Council. Moreover, the first-time imported breeding livestock or poultry shall be subject to the breeding performance assessment by the National Commission for Livestock and Poultry Genetic Resources.

Besides the two preceding paragraphs of this article applicable to the administration of the import and export of breeding livestock and poultry, the relevant provisions of Articles 16, 17 and 22 shall also apply.

The PRC encourages the livestock and poultry breeders to use imported breeding livestock and poultry to breed new breeds and synthetic lines. Before any new breeds or synthetic line is promoted, it shall be subject to the examination and approval of the National Commission for Livestock and Poultry Genetic Resources.

Article 33 A seller of young livestock or poultry of commercial generation shall provide to the buyers the main indicators of their performances, disease immunity information, breeding technical requirements and relevant consultation services, and shall attach to it a quarantine certificate issued by the animal health supervisory institution.

For any seller of breeding livestock and poultry, young livestock or poultry of commercial generation, if he causes any losses to any breeder of livestock or poultry for quality problem, he shall make compensations in accordance with the law.

Article 34 The agriculture and rural affairs departments of the government at the county level or above shall be responsible for the supervision and administration over the quality and safety of breeding livestock and poultry. The supervision and inspection of the quality and safety of breeding livestock and poultry shall be conducted by the entrusted breeding livestock and poultry quality inspection institutions with statutory qualifications. The necessary inspection costs shall

be listed as expenses in the budget at the same level (government) and shall not be paid by the inspected parties.

Article 35 The relevant provisions of this Law apply to the resource protection, breeding of new breeds, production, business operation and promotion of breeding bees and breeding silkworms. The specific administrative measures shall be formulated by The Ministry of Agriculture and Rural Affairs of the State Council.

Chapter IV Breeding of Livestock and Poultry

Article 36 The PRC shall establish and improve a modern livestock and poultry breeding system. The agriculture and rural affairs departments of the government at the county level or above shall, according to the animal husbandry development plan and market demands, direct and support the structural adjustment of animal husbandry, develop livestock and poultry production with competitive advantage and enhance the market competitiveness of livestock and poultry products.

Article 37 People's governments at all levels shall guarantee the reasonable land needed for livestock and poultry breeding. County-level national land spatial plans shall, in light of the local actual circumstances, arrange for the land available for livestock and poultry breeding. The land for livestock and poultry breeding shall be managed as agricultural land. If the expiration of the term of using land for livestock and poultry breeding, or cessation of engaging in breeding activities, so entails, the user of the land for livestock and poultry breeding shall be responsible for restoring the land to the original use. If it is necessary to establish any permanent building (fixture) within the limits of land for livestock and poultry breeding which involves the change of the purpose of the agricultural land, the relevant provisions of the Land Administrative Law of the People's Republic China shall apply.

Article 38 The animal husbandry and veterinary technology promotion institutions established by the PRC shall provide technical training on livestock and poultry breeding and the hazard-free treatment and recycle of livestock and poultry manure, services of high-quality breeds promotion, disease prevention and control, and other services. The government at or above the county level shall ensure the fund for the animal husbandry and veterinary technology promotion institutions established by the PRC to engage in the technical services for public interest.

The PRC encourages the livestock and poultry processing enterprises and other relevant producers and business operators to provide services needed by the livestock and poultry breeders.

Article 39 A livestock and poultry breeding farm shall meet the following conditions:

(1) Having a breeding farm and supporting breeding facilities that can meet the needs at the scale necessary for breeding;

- (2) Having animal husbandry and veterinary technicians who are working for the farm;
- (3) Meeting the disease prevention conditions as stipulated in the laws, administrative regulations, as well as the provisions of The Ministry of Agriculture and Rural Affairs of the State Council;
- (4) Having facilities and equipment suitable for the hazard- free treatment and recycle of livestock and poultry manure;
- (5) Meeting any other requirements of the relevant laws and administrative regulations.

The owner of a livestock and poultry breeding farm shall report the name and address of the livestock and poultry breeding farm, breeds of the livestock or poultry, as well as the size of the breeding farm to the agriculture and rural affairs department of the government at the county level where the breeding farm is located for archival purposes so as to obtain the code of livestock or poultry.

The scale standards for and record management measures of livestock and poultry breeding farms shall be formulated by The Ministry of Agriculture and Rural Affairs of the State Council.

The disease prevention conditions and requirements of hazard- free treatment and recycle of livestock and poultry manure for livestock and poultry breeders shall be formulated by the agriculture and rural affairs departments of provinces, autonomous regions, and municipalities directly under the Central Government in conjunction with relevant departments.

Article 40 The location and construction of livestock and poultry breeding farms shall comply with the national land spatial plan and relevant laws and regulations; no livestock and poultry breeding farms shall be constructed in farming prohibition areas in violation of laws and regulations.

Article 41 A livestock or poultry breeding farm shall establish breeding records, which shall contain:

- (1) the breeds, number, reproduction records, mark information, sources, and dates of entering and exiting the farm;
- (2) the source, name, object, time, quantity of the feed, feed additives, animal drugs, etc.;
- (3) the information about the quarantine, disease immunity and sanitizing;
- (4) the information about the diseases, the death of the livestock or poultry and hazard-free treatment;
- (5) the collection, storage, hazard- free treatment, and recycle of livestock and poultry manure;

(6) other contents stipulated by The Ministry of Agriculture and Rural Affairs of the State Council.

Article 42 A livestock or poultry breeder shall provide his livestock or poultry with proper condition for reproduction, living and growth.

Article 43 No breeder of livestock or poultry may:

(1) use feed, feed additives or veterinary medicine in violation of laws, administrative regulations, relevant mandatory national standards, and the provisions of The Ministry of Agriculture and Rural Affairs of the State Council;

(2) feed any restaurant or eatery swill untreated by high temperature to the livestock and poultry;

(3) raise livestock or poultry in a garbage dump or feed the substances from refuse to the livestock or poultry;

(4) abandon and dispose of sick and dead livestock and poultry at will;

(5) commit other acts endangering the health of human, livestock and poultry as stipulated in the laws, administrative regulations, and provisions of The Ministry of Agriculture and Rural Affairs of the State Council.

Article 44 A breeder of livestock and poultry shall comply with the Animal Epidemic Prevention Law of the People's Republic of China and the Agricultural Products Quality and Safety Law of the People's Republic of China and effectively prevent and control livestock and poultry diseases and conduct work for quality and safety.

Article 45 A breeder of livestock or poultry shall comply with the provisions of the PRC on the administration of livestock and poultry marks, put the mark at the designated place on livestock or poultry. No agriculture and rural affairs department may charge any fee for provision of such marks. The necessary expenses for such marks shall be listed into the budget of provinces, autonomous regions and municipalities directly under the Central Government.

Forgery, alteration or reuse of livestock and poultry marks shall be prohibited. Possession and use of forged and altered livestock and poultry marks shall be prohibited.

Article 46 A livestock or poultry breeding farm shall ensure the normal operation of facilities for the hazard-free treatment and recycle of livestock and poultry manure and the comprehensive utilization of livestock and poultry manure and manure discharge compliant with standards in order to prevent environmental pollution. If illegal discharge or mismanagement causes environmental pollution, the harm shall be eliminated, with compensation being paid for the losses in accordance with the law.

The PRC shall support the construction of facilities for the collection, storage, hazard-free treatment, and recycle of livestock and poultry manure, promote the balanced management of nutrients in the livestock and poultry manure, and boost the utilization of organic fertilizers and the combined development of farming and animal husbandry.

Article 47 The PRC shall guide livestock and poultry breeders in developing in an orderly manner in accordance with the animal husbandry industry development plan, strengthen guidance and assistance for livestock and poultry breeders, and protect their lawful rights and interests, and shall not arbitrarily and forcibly shut down the farms by administrative measures.

The PRC shall encourage agriculture-related enterprises to guide livestock and poultry breeders in integrating into the modern animal husbandry industry chain, strengthen social services for livestock and poultry breeders, support livestock and poultry breeders and professional animal husbandry cooperatives in developing large-scale and standardized livestock and poultry breeding, support the development of new industries and business forms, and promote integration with tourism, culture, ecology, and other industries.

Article 48 The PRC shall support the development of livestock and poultry breeding for special breeds. The people's governments at or above the county level shall take measures to support the establishment of a breeding system commensurate with the development of the special breeds livestock and poultry breeding industry.

Article 49 The PRC shall support the development of bee breeding and protect the lawful rights and interests of bee breeders.

The relevant departments shall actively publicize and promote agronomic measures for bee pollination.

Article 50 During the course of bee breeding, no breeder may use any drug or container that may affect the quality and safety of bee-related products so as to ensure quality of the bee-related products. The bee breeding containers and tools shall meet national standards and technical requirements specified by the relevant departments of the State Council.

Article 51 When a bee breeder transports the bees to another suitable beekeeping place, the local public security, traffic and transport, and agriculture and rural affairs departments shall provide him with necessary assistance.

Where a bee breeder carries the bees to another suitable beekeeping place within China, he shall, upon the quarantine certificate issued by The Ministry of Agriculture and Rural Affairs of the State Council under the uniform format, transport the bee flocks, which shall not be quarantined repeatedly within the valid period of the quarantine certificate.

Chapter V Grassland Animal Husbandry

Article 52 The PRC shall support the use of grasslands scientifically, coordinate and promote the grassland protection and development of the grassland and animal husbandry industry, adhere to giving priority to ecology and the integration of production and ecology, develop characteristic and advantageous industries, boost increases in the income of farmers and herdsmen, improve the sustainable development capacity of grasslands, provide a strong ecological security shield, and advance the coordinated development of production, living, and ecology in pasture areas.

Article 53 The PRC shall support pasture areas in transforming the development mode of the grassland animal husbandry industry, and strengthen grassland water conservancy, grassland fences, forage production, processing, and reserves, livestock pens, pastoral roads, and other infrastructure construction.

The PRC shall encourage the adoption of farming methods such as confined and partially confined farming operations, seasonal grazing, and zoning and rotation grazing, reasonably allocate herds, and maintain a balance between grassland and animal husbandry.

Article 54 The PRC shall support the breeding, introduction, promotion, and use of high-quality forage varieties, launch the construction of man-made pastures, improvement of natural grasslands, and construction of forage bases according to local conditions, optimize plant structure, and improve the capability to guarantee forage supply.

Article 55 The PRC shall support farmers and herdsmen in developing professional animal husbandry cooperatives and modern family pastures, promote moderate-scale farming, further standardize production, and build cattle, sheep, and other important livestock breeding bases.

Article 56 The agriculture and rural affairs departments at all levels in pasture areas shall encourage and provide guidance for farmers and herdsmen to improve livestock breeds, optimize the structure of livestock herds, implement scientific farming, reasonably accelerate the pace of selling and restocking, and promote cost reductions and quality and efficiency improvements in the grassland animal husbandry industry.

Article 57 The PRC shall strengthen the protection of the grassland animal husbandry industry against disasters, include disaster prevention and mitigation in the grassland animal husbandry industry in its budget, optimize facilities and equipment, improve the cattle, sheep, and other livestock insurance system in pasture areas, and enhance the capability to resist natural disasters.

Article 58 The PRC shall improve the grassland ecological protection subsidy and reward policy, and grant subsidies and rewards to farmers and herdsmen adopting measures to prohibit grazing and balance grassland and animal husbandry in accordance with relevant provisions issued by the PRC.

Article 59 The relevant local government shall support the coordinated development of the grassland animal husbandry industry and rural tourism, culture and other industries, promote the integration of primary, secondary, and tertiary industries, improve the level of industrialization, branding, and specialization, continue to increase the income of farmers and herdsmen, and promote the revitalization of pasture areas.

Article 60 If the development of the grassland animal husbandry industry involves grassland protection, construction, utilization, and management activities, the laws and regulations on grassland protection shall be complied with.

Chapter VI Trading and Transport of Livestock and Poultry

Article 61 The PRC shall accelerate the establishment of a livestock and poultry trading market system that is unified, open, with orderly competition, safe, and facilitative.

Article 62 The local government at the county level or above shall, according to their respective plan on the development of wholesale markets of agricultural products, support the establishment of livestock and poultry markets at the livestock and poultry distribution places.

The selected location of a livestock and poultry wholesale market shall meet the animal disease prevention conditions as stipulated in the laws, administrative regulations, and the provisions of The Ministry of Agriculture and Rural Affairs of the State Council and there shall be a distance of 3 kilometers or more from any breeding livestock and poultry farm and large livestock and poultry farm.

Article 63 Livestock and poultry to be traded shall comply with agricultural product quality safety standards and the technical requirements specified by the relevant departments of the State Council.

No one may sell or buy any livestock or poultry which have not been given a mark as required by The Ministry of Agriculture and Rural Affairs of the State Council.

The PRC shall encourage livestock and poultry slaughter operators to directly purchase livestock and poultry from livestock and poultry breeders, establish stable purchase channels, and reduce the risk of animal disease and quality safety.

Article 64 The transport of livestock and poultry shall meet the animal disease prevention requirements as stipulated in the laws, administrative regulations, and provisions of The Ministry of Agriculture and Rural Affairs of the State Council, shall take measures to protect the safety of livestock and poultry and shall provide necessary room and feeding and drinking conditions for the transported livestock and poultry.

To inspect the livestock and poultry during the course of transport, the relevant departments shall comply with relative laws or administrative regulations.

Chapter VII Livestock and Poultry Slaughter

Article 65 The PRC shall implement a system of hog slaughter in designated establishments. Designation of slaughter establishments for livestock and poultry other than hogs may be implemented, and the specific measures shall be formulated by provinces, autonomous regions, and municipalities directly under the Central Government. Slaughter for private consumption in rural areas shall be exempted.

The government of provinces, autonomous regions, and municipalities directly under the Central Government shall formulate and organize the implementation of livestock and poultry slaughter industry development plans, in accordance with the principles of scientific layout, centralized slaughter, facilitation of circulation, and convenience for the public, in light of the actual conditions of livestock and poultry breeding, animal disease prevention and control, and consumption of livestock and poultry products.

Article 66 The PRC shall encourage to slaughter livestock and poultry locally, guide livestock and poultry slaughter enterprises in relocating to main animal husbandry areas, and support the construction of a cold chain system for the processing, storage, and transport of livestock and poultry products.

Article 67 A livestock and poultry slaughter enterprise shall meet the following conditions:

- (1) Having water supply that is commensurate with the scale of slaughter and meets the water quality standards set by the PRC;
- (2) Having facilities, equipment, and means of transport that comply with the regulations stipulated by the PRC;
- (3) Having skilled slaughterers who have obtained health certificates in accordance with law;
- (4) Having qualified veterinarian and health inspectors;
- (5) Having obtained an animal disease prevention compliance certificate and other supporting documents required by laws and regulations.

Article 68 A livestock and poultry slaughter operator shall strengthen the quality and safety management of livestock and poultry slaughter. A livestock and poultry slaughter enterprise shall establish a quality and safety management system for livestock and poultry slaughter.

Livestock and poultry products that have not been inspected or quarantined or are found substandard by inspection and quarantine shall not be delivered for sale. The livestock and poultry products found substandard by inspection and quarantine shall be treated in accordance with the regulations relevant stipulated by the PRC.

Local governments at all levels shall, in accordance with relevant regulations, provide subsidies for hazard- free treatment costs and losses.

Article 69 The Ministry of Agriculture and Rural Affairs of the State Council shall be responsible for formulating a quality and safety risk monitoring plan for livestock and poultry slaughter.

The agriculture and rural affairs departments of provinces, autonomous regions, and municipalities directly under the Central Government shall, based on the national quality and safety risk monitoring plan for livestock and poultry slaughter, and in light of the actual circumstances, formulate and implement quality and safety risk monitoring plans for livestock and poultry slaughter for their respective administrative regions.

Chapter VIII Guarantee and Supervision

Article 70 Governments at or above the provincial level shall, within their respective budget, arrange subsidies for high-quality breeds, interest discount subsidies, subsidies for insurance premium, and other funds in support of innovation in the livestock and poultry breeding industry and animal husbandry development, shall encourage the pertinent financial institutions to provide financial services, support the livestock and poultry breeders in buying high-quality breeds of livestock and poultry, breeding high-quality breeds, and preventing diseases, and shall support the improvement of production facilities, facilities and equipment for livestock and poultry manure hazard- free treatment and recycle, expansion of breeding scale, and improve breeding efficiency and profits.

Article 71 Government at or above the county level shall organize the agriculture and rural affairs department and other relevant departments to strengthen the supervision and management of the livestock and poultry breeding environment, quality of breeding livestock and poultry, trading and transport of livestock and poultry, slaughter of livestock and poultry, and the production, distribution, and use of feed, feed additives, veterinary medicine and other inputs in accordance with this Law and other relevant laws and administrative regulations.

Article 72 The Ministry of Agriculture and Rural Affairs of the State Council shall formulate measures for the management of livestock and poultry marks and breeding archives and take measures to implement the livestock and poultry product quality traceability and responsibility system.

Article 73 An agriculture and rural affairs department of the people's government at or above the county level shall make a plan on the supervision over and spot-checking on the quality and safety of livestock and poultry, and shall carry out the planned supervision and spot-checking.

Article 74 An agriculture and rural affairs department of the people's government at the province level or above shall formulate livestock and poultry production norms to guide the safe production of livestock and poultry.

Article 75 The PRC shall establish a unified monitoring and early warning system for livestock and poultry production and livestock and poultry products market, gradually improve the relevant livestock and poultry product reserve adjustment mechanism, strengthen market regulation, and promote the balance between market supply and demand and the sound development of the animal husbandry industry.

The relevant departments of the people's governments at or above the county level shall release information on the production and marketing of livestock and poultry in a timely manner, and provide information services for livestock and poultry breeders and distributors.

Article 76 The PRC shall strengthen the construction of a livestock and poultry production, processing, sales, and transport system, and enhance the capability to guarantee the safety and supply of livestock and poultry products.

The government of provinces, autonomous regions, and municipalities directly under the Central Government shall be responsible for guaranteeing the supply of livestock and poultry products within their respective administrative regions and establishing a system with policy guarantee and responsibility assessment to stabilize the production and supply.

The PRC shall encourage the main livestock and poultry sales areas to establish stable cooperative relations with main production areas by cross-regional cooperation, establishment of breeding bases, and other means.

Chapter IX Legal Liability

Article 77 Where the agriculture and rural affairs departments of the people's governments at or above the county level and their staff who, in violation of this Law, commit any of the following acts, the directly responsible persons in charge and other directly liable persons shall be disciplined according to the law:

- (1) Accepting property from another person, or seeking other benefits, by taking advantage of a position;
- (2) Granting license to an ineligible applicant or beyond statutory purview;
- (3) Refusing to investigate and discipline a discovered illegal act;
- (4) Abusing power, neglecting duties, or practicing favoritism for personal gains, or otherwise failing to legally perform the duties of supervision and administration.

Article 78 Where anyone who, by violating Paragraph 2 of Article 14 of this Law, disposes of any livestock or poultry genetic resource under protection, if any loss to the livestock or poultry genetic resource were caused, shall be fined not less than 100,000 yuan but not more than 1 million yuan by the agriculture and rural affairs department of the people's government at the province level or above.

Article 79 Where anyone who commits any of the following acts by violating the provisions of this Law, the agriculture and rural affairs department of the people's government at the province level or above shall order to stop the violation, shall confiscate the livestock or poultry genetic resource and the illegal gains and shall fine not less than 50,000 yuan but not more than 500,000 yuan:

- (1) Importing any unexamined and unapproved livestock or poultry resource from abroad;
- (2) Cooperating in China with any foreign institution or individual in the research or utilization of any of livestock and poultry genetic resources included in the protection list;
- (3) Cooperating in China with any foreign institution or individual in the research or utilization of any newly found livestock or poultry genetic resource that has not been verified by the National Commission for Livestock and Poultry Genetic Resources.

Article 80 Where anyone who, in violation of the provisions of this Law, exports any livestock or poultry genetic resource from China without approval of The Ministry of Agriculture and Rural Affairs of the State Council, shall bear the legal liabilities according to the relevant provisions of the Customs Law of the People's Republic of China. Customs shall transfer the seized genetic resources of livestock and poultry to the agriculture and rural affairs department under the relevant province, autonomous region or municipality directly under the Central Government.

Article 81 Where anyone who, in violation of the provisions of this Law, sells or promotes any unapproved or un-verified livestock or poultry breeds or synthetic lines, shall be ordered to stop the violation and confiscated the livestock or poultry as well as the illegal gains by the agriculture and rural affairs department of the local people's government at the county level or above. If the amount of illegal gains is more than 50,000 yuan, a fine of not less than 1 time but not more than 3 times of the amount of illegal gains shall be paid. If there are no illegal gains or if the amount of illegal gains is less than 50,000 yuan, a fine of not less than 5,000 yuan but not more than 50,000 yuan shall be paid.

Article 82 Where anyone who, in violation of the provisions of this Law, engages in the production and business operation of breeding livestock or poultry without a permit for the production and business operation of breeding livestock and poultry or by violating the provisions of the permit for the production and business operation of breeding livestock and poultry, or forges, alters, transfers or rents any permit for the production and business operation of breeding livestock and poultry, shall be ordered to stop the violation, seized the forged or

altered permit for the production and business operation of breeding livestock and poultry, and confiscated the breeding livestock or poultry, livestock cubs or poultry chicks of commercial generation, and illegal gains by the agriculture and rural affairs department of the local people's government at the county level or above. If the amount of illegal gains is more than 30,000 yuan, a fine of not less than 1 time but not more than 3 times the amount of illegal gains shall be paid. If there are no illegal gains or if the amount of illegal gains is less than 30,000 yuan, a fine of not less than 3,000 yuan but not more than 30,000 yuan shall be paid. In the case of engaging in the production and business operation by violating provisions of the permit for the production and business operation of breeding livestock and poultry, or transferring or renting the permit for the production and business operation of breeding livestock and poultry, if the circumstance is severe, the permit for the production and business operation of breeding livestock and poultry shall be revoked.

Article 83 Anyone who violates Article 29 of this Law shall bear the legal liabilities in accordance with the Advertising Law of the People's Republic of China.

Article 84 Where anyone who, in violation of the provisions of this Law, uses any breeding livestock or poultry that don't meet the standards on breeding livestock or poultry, shall be ordered to stop the violation and confiscated the breeding livestock or poultry and illegal gains by the agriculture and rural affairs department of the local people's government at the county level or above. If the amount of illegal gains is more than 5,000 yuan, a fine of not less than 1 time but not more than 2 times the amount of illegal gains shall be paid. If there are no illegal gains or if the amount of illegal gains is less than 5,000 yuan, a fine of not less than 1,000 yuan but not more than 5,000 yuan shall be paid.

Article 85 Where anyone selling breeding livestock or poultry, commits any of the violations as mentioned in Items (1) through (4) of Article 31 of this Law, the agriculture and rural affairs department and the market regulation department of the local people's government at the county level or above shall, according to the division of duties, order to stop selling the breeding livestock or poultry and shall confiscate the (breeding) livestock or poultry for illegal selling as well as the illegal gains. If the amount of illegal gains is more than 50,000 yuan, a fine of not less than 1 time but not more than 5 times the illegal gains shall be paid. If there are no illegal gains or if the amount of illegal gains is less than 50,000 yuan, a fine of not less than 5,000 yuan but not more than 50,000 yuan shall be paid. If the circumstance is serious, the permit for the production and business operation of breeding livestock and poultry or business license shall be revoked.

Article 86 Where a livestock or poultry breeding farm who, in violation of the provisions of this Law, is formed without recordation, fails to establish breeding archives or fails to preserve the breeding archives according to the relevant provisions, shall make corrections within a time limit and may be fined of 10,000 yuan or less by the agriculture and rural affairs department of the local people's government at the county level or above.

Article 87 Anyone who raises any livestock or poultry by violating Article 43 of this Law shall be subjected to discipline and punishment in accordance with the relevant laws and administrative regulations.

Article 88 Where anyone who, in violation of the provisions of this Law, sells any breeding livestock or poultry without attaching the breeding livestock or poultry conformity certificates and livestock genealogy, or sells or buys any unmarked livestock or poultry which marks are required by The Ministry of Agriculture and Rural Affairs of the State Council, or uses any livestock or poultry mark repeatedly, shall make corrections and may be fined 2,000 yuan or less by the agriculture and rural affairs department or the market regulation department of the local people's government at the county level or above according to the division of duties.

Where breeding livestock and poultry are sold without a quarantine certificate, livestock and poultry marks are forged or altered, or forged or altered livestock and poultry marks are possessed or used, legal liability shall be enforced in accordance with the relevant provisions of the Animal Epidemic Prevention Law of the People's Republic of China.

Article 89 Where anyone who, in violation of the provisions of this Law, engages in livestock and poultry slaughter activities in an undesignated slaughter establishment, shall be subjected to discipline and punishment in accordance with relevant laws and regulations.

Article 90 If the agriculture and rural affairs department at or above the county level finds that a livestock and poultry slaughter enterprise no longer meets the conditions specified in this Law, the enterprise shall be suspended business for an overhaul and take corrective action within a specified period; if the enterprise fails to meet the conditions specified in this Law after expiration of the specified period, it shall be closed, and its designated slaughter establishment certificate shall be revoked by the issuing authority in accordance with the law, if subject to the administration of designated slaughter establishments.

Article 91 Where, in violation of Article 68 of this Law, a livestock and poultry slaughter enterprise fails to establish a livestock and poultry slaughter quality and safety management system, or a livestock and poultry slaughter operator fails to treat livestock and poultry products found substandard by inspection in accordance with the relevant regulations stipulated by the PRC, shall be ordered to take corrective action, and issued a warning by the agriculture and rural affairs department of the local people's government at or above the county level ; the enterprise or the operator who refuses to take corrective action shall be ordered to suspend business for an overhaul, and charged a fine of not less than 5,000 yuan nor more than 50,000 yuan shall be charged; the directly responsible person in charge and other directly liable persons shall be charged a fine of not less than 2,000 yuan nor more than 20,000 yuan; if the circumstances are serious, the enterprise shall be ordered to close, and its designated slaughter establishment certificate shall be revoked by the issuing authority in accordance with the law, if subject to the administration of designated slaughter establishments.

In case of other violations of Article 68 of this Law, the violator shall be subjected to discipline and punishment in accordance with relevant laws and regulations.

Article 92 Where any violation of this Law is a criminal offense, the offender shall be held criminally liable in accordance with the law.

Chapter X Supplemental Provisions

Article 93 The genetic resources of livestock and poultry as mentioned in this Law refers to genetic materials such as the livestock and poultry and their ova (eggs), sperm and embryos.

The term “breeding livestock and poultry” as mentioned in this Law refers to the livestock and poultry and their ova (eggs), sperm and embryos through breeding process that are valuable and suitable to produce offspring.

Article 94 This Law shall come into force on March 1, 2023.

- END UNOFFICIAL TRANSLATION -

Attachments:

No Attachments.