

Agreement

Between the Government of the Republic of Austria And the Government of the People's Republic of China on Cooperation in the Animal Health and Quarantine

The Government of the Republic of Austria and the Government of the People's Republic of China (hereinafter referred to as the Contracting Parties) with a view to strengthening the collaboration in the field of animal quarantine and health, to preventing the infectious and/or contagious and parasitic diseases from introducing into or spreading out of their respective territory, to protecting the safety of the agriculture, animal husbandry and fisheries, as well as the health of human being, and through friendly consultations, have agreed as follows:

Article 1

In this Agreement, the following terms shall have the meanings there under assigned to them:

1. Animals – domestic and wild living animals including cattle, sheep and goats, pigs, horses, camels, donkeys and cross breeding progeny thereof, poultry, wild animals, fish, silkworm, bees, pets animals and laboratory animals.
2. Animal Products – unmanufactured material of animal origin, and those manufactured animal products and animal products in animal feed that, or that of their processing, may create a risk for introduction of and spread of pests.
3. Animal Genetic Material – fresh or frozen semen of animals , fresh or frozen embryo and any other bio-products, used in animal breeding and reproduction.
4. Animal quarantine certificate or veterinary sanitary certificate – certificate prepared in light with the model certificate of the World Animal Health Organisation (OIE).

Article 2

The Contracting Parties will collaborate in preventing introduction into the territory of one Contracting Party from that of the other of epizootic infectious and/or contagious or parasitic diseases as a result of import, export or transit of animals, animal genetic materials, animal products, animal feed, as well as other goods, articles, means of transportation, packaging and containers which may carry about pathogens.

Article 3

The Contracting Parties shall respectively authorize the State General Administration for Quality Supervision, Inspection and Quarantine of the People's Republic of China and the Federal Ministry of Health and Women of the Republic of Austria to discuss and sign protocols on animal quarantine and health requirements for import, export and transit of live animals, animal genetic materials, animal products, animal feed, and other quarantine objectives, and other goods or products which may carry about pathogens, to confirm and exchange the samples of the relevant animal quarantine certificates or veterinary sanitary certificates.

The relevant protocols signed by the two Parties shall be the annexes to this Agreement and considered as an integral part of it.

Article 4

Goods or articles which may carry about pathogens exported from the territory of one contracting party to the territory of the other contracting party must comply with the laws, regulations and rules on quarantine and health of import Party, and the relevant protocols on quarantine and health requirements signed by the Contracting Parties, and must be accompanied by an original animal quarantine certificate or veterinary sanitary certificate issued by the official veterinarian of the exporting country. Such a certificate shall be written in English and the official languages of the exporting party.

Article 5

Each Contracting Party shall have the right to take quarantine inspection on the live animals, animal genetic materials, animal products, animal feed, and other quarantine objectives imported from the other Contracting Party in accordance with its own animal quarantine and health laws, regulations and rules. Each Contracting Party shall have the right to give quarantine treatment to the infected articles.

Each Contracting Party shall, upon detecting pathogens carried about by the quarantine objectives and any other pests not in compliance with laws, regulations and rules on quarantine and health, or the relevant provisions of this Agreement, notify the other Party promptly.

Article 6

The Contracting Parties will facilitate the collaboration on administration, science and technology and information exchange in the areas of animal quarantine and health by way of:

- a) Informing each other immediately of the details of animal infectious and/or contagious diseases, as specified on List A by OIE, occurred in their respective territory, including the name of the disease, the species and number of infected animals, the location of affected places, diagnosis and the corresponding control measures adopted;

- b) Exchange of the monthly report of animal diseases, and inform each other of the animal infectious and/or contagious diseases or parasitic diseases, as specified on List B by OIE, occurred in their respective territory;
- c) Inform each other of the control measures adopted to prevent from introducing their countries the animal infectious and/or contagious diseases as specified on List A by OIE, occurred in their neighbouring countries;
- d) Have collaboration with their respective central animal quarantine or veterinary administration to exchange experiences of management in this field;
- e) Have academic exchange on animal quarantine techniques and veterinary achievements through seminars or other activities;
- f) Exchange information of laws and regulations on animal quarantine and veterinary medicine and journals and other relevant publications of veterinary medicine.

Article 7

The competent authorities for the implementing of this Agreement shall be:

for the Austrian side:

The Federal Ministry of Health and Women of the Republic of Austria

for the Chinese side:

The Ministry of Agriculture of the People's Republic of China

The State General Administration for Quality Supervision, Inspection and Quarantine of the People's Republic of China

Article 8

The financial costs emerging from the fulfillment of the Agreement will be covered from as follows:

- a) In principal, for the mutual visits between the animal quarantine or veterinary administrations concerning for implementation of the Agreement or the exchange of management experience, and for specialists or research workers from one Contracting Party to participate in seminars or other scientific meetings at the invitation of the other Contracting Party, the expenses will be covered by the sending party. These expenses also can be solved by negotiation of the Contracting Parties.
- b) The postage of exchange of information, journals and publications will be born by the sending Contracting Party.

Article 9

1. Any disputes arising from the interpretation and implementation of the present Agreement will be directly discussed and resolved by the competent authorities of the Contracting Parties.
2. Problems left unsolved by the competent authorities of the Contracting Parties will be negotiated and resolved through diplomatic channels.

Article 10

No provisions of this Agreement shall affect the rights and obligations of the Contracting Parties under international agreements on animal health and quarantine signed with any other countries.

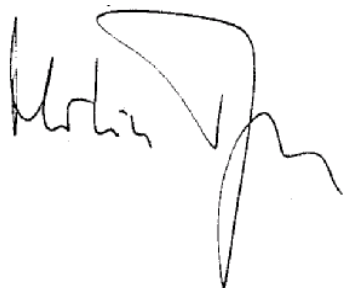
Article 11

This Agreement shall come into force on the day of notification of the fulfillment of their respective legal procedures by the Contracting Parties.

This Agreement is valid for a period of five years. It will be automatically extended for another five years each time unless either of the Contracting Parties in writing form, notifies the other of the termination of the Agreement at least six months prior to the expiry date.

Done in duplicate in Beijing on 20 April 2005 in Chinese, German and English languages in two original copies, all the texts being equally authentic.

For the Government of the
Republic of Austria:



(Martin BARTENSTEIN)

For the Government of the
People's Republic of China:



(DU Qinglin)