**Protocol oF Phytosanitary Requirements for Export of Fresh Coconut from Viet nam to China**

**Between THE General Administration of Customs of the People’s Republic of China and the Ministry of Agriculture and Rural Development of the Socialist Republic of Viet nam**

**(Draft)**

In order to safely export fresh coconuts from Viet Nam to China, on the basis of a pest risk analysis, the General Administration of Customs of the People’s Republic of China (hereinafter referred to as “GACC”) and the Ministry of Agriculture and Rural Development of the Socialist Republic of Viet Nam (hereinafter referred to as “MARD”), exchanged views and reached consensus as follows:

**Article1 Characteristics**

Fresh coconuts (Cocos nucifera, hereinafter referred to as “Coconut” or “Coconuts”) exported from Viet Nam to China shall comply with Chinese relevant phytosanitary laws, regulations and safety and sanitary standards, and with the phytosanitary requirements stated herein, and be free from quarantine pests of concern to China (see Annex), branches, leaves and soil. This Protocol pertains only covers phytosanitary requirements. Other standards and requirements such as those regarding human health (e.g., China’s national food safety standards), not included in this Protocol may also apply to Viet Nam coconuts.

**Article 2 Registration**

All orchards and packing houses that wish to export coconuts to China, shall be registered by MARD, and approved by both GACC and MARD. The registration information shall include name, address and registration number, so that, whenever any consignment is detected as non-compliant with the requirements herein, it can be traced back to the establishment with certainty. The updated registration list shall be forwarded by MARD to GACC prior to each export season, and then GACC will publish the list on its website after approval.

**Article 3 Orchard Management**

Under the supervision of MARD, all orchards registered for export to China shall establish quality management system and traceability system, and apply Good Agricultural Practices and keep good sanitary conditions, e.g., maintaining good fruit production environment far away from pollution source, eliminating the dropped leaves and fruits timely. Integrated Pest Management (IPM) programs shall also be implemented, including pest monitoring regularly; physical, chemical or biological control of pests, etc, to avoid or minimize the occurrence of quarantine pests of concern to China on coconut.

According to International Standards for Phytosanitary Measures 6, MARD shall operate a management scheme to organize orchard monitoring activity for the quarantine pests of concern to China (Annex). In order to monitor and capture pests, physic-chemical methods besides visual inspection will also be used in the orchard. For scale insects, orchards shall be monitored at least every 15 days, focusing on the presence of scales on fruits, stems and leaves.

If the target pests or their corresponding symptoms are found, MARD shall immediately take comprehensive management measures, including chemical, physical and biological control, etc., to ensure that coconut exported to China are free from quarantine pests of concern to China. The comprehensive management measures for these pests must be approved by MARD and provided by MARD to GACC upon request before trade starts.

Monitoring and control of pests must be carried out under the guidance of technical personnel knowledgeable in phytosanitary aspects, and the technical personnel should be trained by MARD or MARD authorized institutions.

All orchards must keep a record of pest monitoring and control, which must be delivered to GACC upon request. The pest chemical control record must indicate specific information, including the name, active ingredient, date of application and dosages of the agrochemical used in the growing season.

**Article 4 Packaging and Processing**

The processing, packing, storage and transportation of coconuts for export to China shall be supervised by MARD or MARD authorized personnel.

The packing houses with hardened ground shall be clean and hygienic, and have raw material area and finished product warehouse.

The processing, treatment, storage and other functional areas of coconut exported to China are relatively independent, reasonably arranged, and separated from the living area.

During the packaging process, coconuts shall be selected, sorted and cleaned to remove diseased, infested, rotten or deformed fruits, leaves, stems, fruit pedicels, or other plant debris and soil.

Packaging materials must be clean, hygienic, unused and compliant with Chinese phytosanitary and sanitary requirements. Wood packaging material used must comply with International Standards for Phytosanitary Measures 15 (ISPM 15).

If packaged coconuts need to be stored, it shall be put into storage immediately and stored separately to avoid secondary pest infestation.

Each box must be labeled in Chinese or English with the fruit name, variety, production place (county, province), name or registration number of orchard and packing house, etc. The following text must be marked in Chinese or English on each box and pallet: “Exported to the People’s Republic of China” (输往中华人民共和国).

Containers or vans in which the coconuts are loaded for export to China shall be checked for their cleanliness before loading. The container or vans shall be sealed and its sealing shall remain intact upon arrival at the Chinese port of entry.

The registered packing houses shall establish traceability system to ensure that the coconuts to be exported to China can be traced back to the registered orchards, including the record of the date of processing and packing, the sourcing orchard name or its registration number, the quantity of coconuts, the date of export, the quantity of export, the country of destination, the container number or vehicle number and other information.

**Article 5 Pre-Export Inspection and Quarantine**

Before exporting, MARD shall sample 2% of coconuts from each consignment to be exported to China for phytosanitary inspection. If no quarantine problems are detected during the two-year period, the sample size will be reduced to 1%.

If any live organism of quarantine pests of concern to China, branches, leaves, fruit pedicels or soil were found, the consignment shall not be exported to China, and the relevant orchards and/or packaging houses shall be suspended to export coconuts to China as appropriate. MARD shall find the cause and take improvement measures, as well as keep the detection record and deliver it to GACC on request.

Upon completing an inspection, MARD shall issue a Phytosanitary Certificate for the approved consignment in accordance with the International Standards for Phytosanitary Measures 12 (ISPM 12), noticed with the names or their registration number of orchards and packing houses. The following text shall be stated in the additional declaration: “This consignment complies with requirements specified in the Protocol of Phytosanitary Requirements for Export of Fresh Coconuts from Viet Nam to China, and is free from the quarantine pests of concern to China.”

**Article 6 Entry Inspection and Quarantine**

Entry ports for Viet Nam coconuts are all Chinese ports authorized for fruit entry by GACC.

Upon arrival of coconuts at the entry port in China, China Customs shall examine the relevant documentations and marks, and shall complete the inspection and quarantine process.

If coconuts from unauthorized orchards or packing houses were found, the consignment will be refused to entry.

If any live organism of quarantine pest of concern to China or other new quarantine pests reported in Viet Nam was detected, or soil, branches, leaves, fruit pedicels, other plant debris were detected, the consignment will be treated, returned or destroyed.

If any inconformity with China’s national food safety standards was detected, the consignment will be returned or destroyed.

GACC will inform MARD any non-compliance described above, and suspend the import of coconuts from the relevant orchards and/or packing houses as appropriate. MARD shall investigate the causes of non-compliance and urge the relevant orchards and/or packaging houses to rectify until the relevant rectification measures are effectively implemented and recognized by GACC.

**Article 7 Compliance Inspection**

In the first year of implementation of this Protocol, as mutually agreed by both Parties, GACC may carry out a compliance inspection by the way of on-site or remote investigation on the production areas of coconuts in Viet Nam, to confirm whether or not the management system of the coconuts to be exported to China is consistent with the requirements of this Protocol.

Any costs relating to the aforesaid on-site investigation, including international traveling, accommodation expenses, shall be borne by the Viet Nam party.

**Article 8 Retrospective Review**

GACC will conduct an additional pest risk analysis based on the actual presence of pests in Viet Nam and pest interception at the Chinese entry ports, and adjust the list of quarantine pests of concern to China and its corresponding quarantine measures as agreed with MARD. If necessary, GACC may conduct a retrospective review on this Protocol, including sending experts to Viet Nam for on-site investigation.

**Article 9 Amendment, Entry into Force and Termination**

The terms of the Protocol may be amended after the parties have reached a written agreement. If either party wishes to terminate the Protocol, the party shall notify the other party in writing at least six months prior to the proposed date of termination.

This Protocol shall come into effect on the date of signature and be valid for three years from the date of signature. If no modification or termination request is made by both parties within six months prior to the expiry of the validity, this Protocol shall be automatically and consecutively extended for three years.

This Protocol was signed in duplicate in on , by two counterparts in Chinese, Vietnamese and English. Each party shall retain a copy of the three equally valid texts. In case of any divergence of interpretation, the English text shall prevail.

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| **For**  **The General Administration of Customs of the People’s Republic of China** |  | **For**  **The Ministry of Agriculture and Rural Development of the Socialist Republic of Viet Nam** |

Annex

**List of Quarantine Pests of Concern to China**

1. *Aleurodicus dispersus*

2. *Aulacaspis tubercularis*

3. *Brontispa longissima*

4. *Coptotermes curvignathus*

5. *Dysmicoccus lepelleyi*

6. *Dysmicoccus neobrevipes*

7. *Milviscutulus mangiferae*

8. *Opisina arenosella*

9. *Palmicultor palmarum*

10. *Planococcus lilacinus*

11. *Rhynchophorus ferrugineus*

12. *Vinsonia stellifera*

13. *Lasiodiplodia theobromae*

14. *Rigidoporus microporus*

15. *Chromolaena odorata*

16. *Mikania micrantha*