

THE MEMORANDUM ON ANIMAL QUARANTINE AND FOOD SAFETY BETWEEN
THE GENERAL ADMINISTRATION OF QUALITY SUPERVISION, INSPECTION AND
QUARANTINE OF THE PEOPLE’S REPUBLIC OF CHINA AND
THE MINISTRY OF HEALTH OF THE REPUBLIC OF ITALY

To further strengthen co-operation between China and Italy under the Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organization (WTO/SPS Agreement), the General Administration of Quality Supervision, Inspection and Quarantine of the People’s Republic of China and the Ministry of Health of the Republic of Italy (hereinafter referred to as “the Parties”, through friendly consultations, have reached agreement as follows.

Article 1 - Objective of the Memorandum

With a view to avoiding the spread of diseases and toxic substances across the borders, protecting livestock husbandry and fishery, protecting the consumers health and realizing the objectives of the SPS Agreement, the Parties agree to reinforce, in the exercise of their respective powers, the co-operation in the field of SPS measures according to the principles of the WHO/SPS Agreement, on the basis of equality, mutual benefit and mutual respect, in compliance with their respective laws and regulations, to promote the development of trade between the two countries.

Article 2 – Applicability

Each and every activity under this memorandum shall be subject to the laws and regulations of the People’s Republic of China and the Republic of Italy, and the provisions of present Memorandum shall not affect the rights and obligations arising from international agreements of which the Government or States of the Contracting parties are Parties.

Article 3 – Content of Co-operation

Content for co-operation may be as follows:

1. Exchange of information
 - a. Exchange laws, regulations, standards, procedures and technical information regarding the inspection and quarantine of animals, products thereof, food safety etc.
 - b. Exchange of experience in the implementation of WTO/SPS Agreements, and coordinate positions and views on related issues of the WTO/SPS Committee.

- c. Exchange of Information on the SPS related international organizations such as the Office International Des Epizooties (OIE), Codex Alimentarius Commission (CAC), and politics and views on related issues.
 - d. The Parties will exchange information on the inspection and quarantine issues of animals, animal products, issues of food safety, and the corresponding measures taken that may bring impact upon the international trade.
2. Exchange of personnel
In order to resolve the SPS issues arising in bilateral trade and other issues of common interest, the Parties may have irregular exchanges. Bilateral meetings or seminars can be convened. Visits may be exchanged by experts and joint research conducted on topics of both scientific value and practical significance in the area of SPS measures.
 3. The Parties may have consultation in a timely manner if it deems necessary to discuss and solve SPS issues arising in trade to ensure that measures taken meet the need of safety, sanitation, health and environmental protection and in the meanwhile minimize the impact on trade.
 4. Any other form of technical co-operation may be conducted as mutually agreed by the Parties to promote the development of activities in the field of SPS measures of the two countries.

Article 4 – Implementation

The Parties will establish direct contact points. The contact point of the Chinese side is in the Department of International Co-operation of the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China and the contact point of the Italian side is in the General Direction of Veterinary Health and Food of the Ministry of Health of the Republic of Italy.

During the Implementation of this Memorandum, other additional agreements concreated by the Parties could be added into this Memorandum, whose entry into force will be subject to the domestic legislation of each country. According to the time and the place established by the Parties, meetings of the representatives of the Parties will be convened in turn between China and Italy to discuss the detailed arrangement.

Article 5 – Dispute Settlement

Any dispute arising from the interpretation or application of this Memorandum shall be settled through friendly consultation between the Parties.

Article 6 – Signature and Period of Validity

This memorandum shall enter into force upon signature and shall remain in force for a 2 years period. This memorandum shall be automatically extended for the same periods of time if there is no objection of the Parties. Should any Party wish to amend or terminate this Memorandum, the other party shall be informed in writing 6 months in advance.

This Memorandum is signed in Rome, on the 2nd July, 2004, in duplicate, each one written in Chinese, Italian and English, the three texts having equal validity.

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

Ministry of Health
of the Republic of Italy