

PROTOCOL
ON
INSPECTION, QUARANTINE AND SANITARY REQUIREMENTS
FOR FROZEN DURIAN EXPORTED FROM VIET NAM TO CHINA
BETWEEN
THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT
OF THE SOCIALIST REPUBLIC OF VIET NAM
AND
THE GENERAL ADMINISTRATION OF CUSTOMS
OF THE PEOPLE'S REPUBLIC OF CHINA

In order to ensure the safe export of frozen durian from Viet Nam to China, to protect the health of consumers and to safeguard the safety of agricultural production and the ecology and environment in China, on the basis of the assessment of the food safety management system and the pest risk analysis, the Ministry of Agriculture and Rural Development of the Socialist Republic of Viet Nam (hereinafter referred to as the "Viet Nam Side") and the General Administration of Customs of the People's Republic of China (hereinafter referred to as the "Chinese Side") have reached through friendly negotiations, the following Protocol (hereinafter referred to as the "Protocol") on the inspection, quarantine and sanitary requirements for frozen durian exported from Viet Nam to China.

Article I

For the purposes of the Protocol, frozen durian (*Durio zibethinus*) refers to whole durian fruit (with husk), durian puree (without husk) and durian pulp (without husk), which are derived from fresh, ripe durian fruit grown in Viet Nam, frozen at a temperature of -35°C or below for at least 1 hour until the core temperature reaches -18°C or below and

maintained at a core temperature of -18°C or below throughout storage and transportation in accordance with the requirements of the *International Food Standard - "Code of Practice for the Processing and Handling of Quick Frozen Foods"* (CAC/RCP 8-1976).

Article II

Frozen durian exported from Viet Nam to China shall meet the requirements of Chinese laws and regulations on food safety and plant quarantine, national food safety standards of China and the provisions hereof.

Frozen durian exported from Viet Nam to China shall be manually selected to eliminate defective and rotten fruits and to ensure that the fruits are free of foreign metal materials.

The Viet Nam Side shall ensure that the splitting, husking, pulp extraction and other processing steps of frozen durian exported to China are carried out by designated personnel. To prevent cross contamination, designated personnel shall remain in their assigned area during processing.

Article III

The Viet Nam Side shall guide and supervise the entire process from the plantation of raw materials, production, processing, storage, transportation and export of frozen durian to be exported to China to make sure that it complies with the relevant safety and sanitary requirements of both sides and is not contaminated by pathogenic microorganisms such as norovirus and hepatitis A virus or toxic or harmful substances such as pesticides and heavy metals.

The Viet Nam Side shall in accordance with internationally recognized principles such as the International Food Standard "Principles for Food Import and Export Inspection and Certification"

(CAC/GL 20-1995) and implement food safety risk monitoring plans for frozen durian exported from Viet Nam to China. At the request of the Chinese Side, the Viet Nam Side shall provide the Chinese Side with the monitoring results.

Article IV

The raw materials of frozen durian exported from Viet Nam to China shall be sourced from the orchards registered by the Viet Nam Side. The Viet Nam Side shall manage and supervise the orchards supplying raw materials for frozen durian exported to China and minimise the use of agricultural inputs.

Article V

The Viet Nam Side shall inspect the production, processing and storage facilities of frozen durian exported from Viet Nam to China in accordance with the requirements of China Side for the registration of overseas enterprises of imported food, and recommend qualified enterprises to China Side. The qualified enterprises will be registered by the Chinese Side.

Only after registration can the products of the enterprises be exported to China.

Article VI

Frozen durian exported from Viet Nam to China shall be packaged in clean, hygienic and new materials that meet the food safety and phytosanitary requirements. Each package shall be marked in Chinese or English with "This product is being exported to the People's Republic of China" and information including the name of the product, the place of origin, the name of the production or processing enterprise and its registration number in China, the name and address of the exporter, production date and shelf life. The above information may be affixed to

the package in the form of a label.

Article VII

Frozen durian exported to China shall be subject to inspection and quarantine by the Viet Nam officials before exportation. If pathogenic microorganisms, pesticide residues etc. are found or detected to be not in compliance with national food safety standards of China and the provisions hereof, the corresponding batch of frozen durian shall not be exported to China.

Article VIII

The Viet Nam Side shall issue a phytosanitary certificate for each batch of frozen durian that passes the inspection and quarantine. The name of the frozen durian production or processing enterprise and its registration number in China shall be indicated in the phytosanitary certificate. "The frozen durian certified by this phytosanitary certificate complies with the provisions of the Protocol on Inspection and Quarantine Requirements for Frozen Durian Exported from Viet Nam to China signed by Viet Nam and China on ____, 202X." shall be indicated in the additional declaration column of the phytosanitary certificate.

The content and format of the phytosanitary certificate shall be confirmed by both sides in advance.

Article IX

Upon arrival of frozen durian exported from Viet Nam to China at a Chinese port of entry, China Customs will implement inspection and quarantine supervision. Only qualified frozen durian shall be released into China.

Article X

If the Chinese Side finds any violation of Chinese laws and



regulations on food safety and plant quarantine, national food safety standards of China and the provisions hereof in the frozen durian exported from Viet Nam to China, China Customs shall deal with it in accordance with the relevant laws and regulations of China and notify the Viet Nam Side of the violation and the measures taken.

Based on the information provided by the Viet Nam Side in accordance with Article III of the Protocol and the non-conformity of frozen durian exported from Viet Nam to China seized by local Customs, the Chinese Side may re-assess the risk. When necessary, the Chinese Side will send experts to carry out on-site inspections in Viet Nam. The costs required for such on-site inspections shall be borne by the Viet Nam Side, which shall be responsible for issuing an invitation, assisting in making travel arrangements, and accompanying the experts during such inspections.

Article XI

Both sides agree that the Protocol shall not prevent or affect the implementation of their respective laws and regulations.

Article XII

Any disagreement in the interpretation and implementation of the Protocol shall be resolved through friendly negotiations between both sides.

Article XIII

The Protocol may be amended or supplemented with the written consent of both sides.

Article XIV

The Protocol shall enter into force on the date of signature and shall remain in force for a period of 5 years. Thereafter, the Protocol shall be extended for additional periods of 5 years if neither side



requests its termination in writing 6 months prior to its expiration. In the event of termination by either side by written notice to the other, the Protocol shall expire 6 months after the date of receipt of such written notice by the other side.

The Protocol is signed at Beijing on _____, 2024 in duplicate, in Vietnamese, Chinese and English, one for each side, with all texts being equally authentic, each side keeps one original. In the event of any discrepancy, the English text shall prevail.

**Representative of
the Ministry of Agriculture and
Rural Development of the Socialist
Republic of Viet Nam**



**Representative of
the General Administration of
Customs of the People's
Republic of China**

