

**TRANSITIONAL REVIEW MECHANISM UNDER PARAGRAPH 18  
OF THE PROTOCOL OF ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA**

Written Questions to China from the Separate Customs Territory of Taiwan,  
Penghu, Kinmen and Matsu

1. On 23 June 2004 China's State Administration for Quality Supervision, Inspection and Quarantine (AQSIQ) published on its website *Announcement No. 73, Items on Handling the Review and Approval for Entry Animal and Plant Quarantine*. The announcement was actually issued on 16 June 2004 and scheduled for implementation on 1 July 2004.
  2. This announcement maintains the requirement that Quarantine Import Permits (QIPs) be approved prior to contracts being signed, but it introduces a number of amendments, including: extending the validity of QIPs to six months; permitting QIPs to be annulled or voided in the event of a government-issued warning or ban; requiring quarantine requirements specified in QIPs be written into contracts; requiring genetically modified (GM) commodity specific documents be provided at inspection; and requiring the names of suppliers and exporters for soybeans in QIP application forms.
  3. Our questions are as follows:
    - (a) Are we correct in our observations that China neither notified Members of the revisions to the promulgation before it entered into force, nor provided the required 60-day comment period?
    - (b) Would China please advise us whether the period prescribed for obtaining permission for the importation of plants and plant products in accordance with the revised promulgation will result in a prolonged application process. Members would be particularly concerned if there was any risk of the new measure becoming a trade barrier in disguise.
    - (c) In the revision mentioned above, China requires that importers include quarantine and inspection requirements in the business contract. This requirement does not seem to be in compliance with international trade practices. It would be appreciated, therefore, if China could please explain to Members the rationale behind the new measure.
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