

**PROTOCOL OF PHYTOSANITARY REQUIREMENTS FOR EXPORT
OF FRESH WATERMELONS 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 safely export fresh watermelons from Viet Nam to China, on the basis of a pest risk analysis, the Ministry of Agriculture and Rural Development of the Socialist Republic of Viet Nam (hereinafter called the “MARD”) and the General Administration of Customs of the People’s Republic of China (hereinafter called the “GACC”), exchanged views and reached consensus as follows:

Article1 Characteristics

Fresh watermelon fruits (*Citrullus lanatus*) exported from Viet Nam to China (hereinafter indistinctly called “Watermelon”), shall comply with Chinese relevant laws and regulations and safety and sanitary standard, and with the requirements stated herein, and be free from quarantine pests of concern to China (Annex).

This protocol pertains only to 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 watermelons.

Article 2 Registration

All orchards, as well as packing houses that wish to export watermelons to China, shall be registered by MARD, and approved by both GACC and MARD. Registration shall include name, address and code, so that, whenever any product is detected as non-compliant with the requirements herein, it can be traced back to the establishment with certainty. The list of registered orchards and packing houses shall be forwarded by MARD to GACC for approval before trade starts, and then regularly update. GACC will publish the list on its website.

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 (GAP) and keep good sanitary conditions, e.g., maintaining good fruit production environment far away from pollution source, eliminating the dropped and rotten fruits promptly. Integrated Pest Management (IPM) programs shall also be implemented, including pest monitoring regularly; physical, chemical or biological control of pests; and other prevention and control measures, etc.

According to International Standards for Phytosanitary Measures 6 (ISPM 6), MARD shall operate a management scheme to organize orchard monitoring activity for the quarantine pests of concern to China (Annex) during the growing season. In order to monitor and capture pests, several physic-chemical methods besides visual inspection will also be used in the orchard: e.g., using pheromone traps or yellow adhesive plate traps for monitoring the guava fruit fly (*Bactrocera correcta*, *B. zonata* and *B. latifrons*). For *Acidovorax avenae* subsp. *citrulli* and *Phenacoccus solenopsis*, field investigation shall be carried out every 15 days from the seedling stage to harvest.

If the pests or their corresponding symptoms are found in the monitoring procedure, MARD shall immediately take necessary measures, including chemical control, physical control and biological control, etc., and ensure that watermelon 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 procedures of packing and processing of watermelons for the export to China will be supervised by MARD or MARD authorized personnel.

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

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

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

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

If packaged watermelons need to be stored, it shall be put into storage immediately and stored separately to avoid reinfection by pests.

Each box must be labeled in Chinese or English with the fruit name, variety exporting country, production place, name or code 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 in which the watermelons is loaded for export to China shall be checked for their cleanliness at the time of loading. The container 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 watermelons 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 watermelons, the date of export, the quantity of export, the country of destination, the container number and other information.

Article 5 Pre-Export Inspection and Quarantine

During the first year following the effective date hereof, the size of the sample taken from packaged watermelons for phytosanitary inspection by MARD officials shall be 2%. If no quarantine problems are detected during the first-year period, the sample size will be reduced to 1%.

If any live organisms of quarantine pests of concern to China, leaves or soil were found, the consignment shall not be exported to China. The relevant orchards or/and packing houses cannot export watermelons to China during the remaining season in some cases. MARD shall find the cause and take preventive measures for betterment. At the same time, the detection record shall be kept, and delivered at the request of GACC.

Upon completing an inspection, MARD shall issue a Phytosanitary Certificate for the approved batch in accordance with the International Standards for Phytosanitary Measures 12 (ISPM12), noticed with registration name or code of orchards and packing houses. The following shall be stated in the additional declaration: “This consignment complies with requirements specified in the Protocol of Phytosanitary Requirements for Export of Fresh Watermelons 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 watermelons are all Chinese ports authorized for fruit entry by GACC.

Upon arrival of watermelons at the entry port in China, China Customs shall examine the relevant documentation and records of identification, and shall complete the inspection and quarantine process.

No consignment of watermelons from an unauthorized orchard or packing house shall be allowed to enter China.

If any live organism of quarantine pest listed in Annex or new quarantine pests are found, or if soil or plant debris were detected, the shipment shall be returned, destroyed or treated.

If inconformity with China's national food safety standards is found, the watermelons shall be returned or destroyed.

GACC will inform MARD the non-compliance, and suspend the import of watermelons from the relevant orchards and / or packing houses in the remaining season in some cases.

MARD shall investigate the causes of non-conformities and urge relevant orchards and / or packaging plants to rectify until the relevant rectification measures are effectively implemented and recognized by GACC.

Article 7 Retrospective Review

GACC will, in accordance with updated information on the pest status of watermelons in Viet Nam and interception information, carry out a further risk assessment, and will consult and agree with MARD to adjust the quarantine pest list and relevant quarantine measures.

If necessary, GACC may send experts to Viet Nam for retrospective review, including on-site inspection. Any costs relating to the aforesaid investigation, including international travelling, accommodation expenses, shall be borne by the Viet Nam party. The protocol shall then be amended as required based on the outcome of this inspection and with the agreement of both parties.

Article 8 Implementation of the protocol

This Protocol is signed in _____, on _____, by two counterparts in Vietnamese, Chinese and English language versions, and shall come into effect on the date of execution hereof. In case of any dispute in

interpretation, the English version will prevail.

After a written agreement has been reached by both parties, the terms of this Protocol may be amended via mutual consultation. If either side wishes to rescind the Protocol, it will notify the other side in writing at least 6 months in advance.

This protocol shall be effective for five years, unless any of the parties notifies the other of its intention to amend or terminate it at least three months ahead of the intended expiry date. It shall be automatically and consecutively renewed for additional five-year terms.

For
The Ministry of Agriculture and
Rural Development of the
Socialist Republic of Viet Nam

For
The General Administration of
Customs of the People's
Republic of China

Annex

List of Quarantine Pests of Concern to China

1. *Bactrocera correcta*
2. *Acidovorax avenae* subsp. *Citrulli*
3. *Bactrocera zonata*
4. *Bactrocera latifrons*
5. *Phenacoccus solenopsis*