

**PROTOCOL OF PHYTOSANITARY REQUIREMENTS FOR EXPORT OF TOBACCO
LEAVES FROM MEXICO TO CHINA, BETWEEN THE SECRETARIAT OF
AGRICULTURE, LIVESTOCK, RURAL DEVELOPMENT, FISHERIES AND FOOD
(SAGARPA) OF THE MEXICAN UNITED STATES AND THE GENERAL
ADMINISTRATION OF QUALITY SUPERVISION, INSPECTION AND
QUARANTINE (AQSIQ) OF THE PEOPLE'S REPUBLIC OF CHINA**

In order to safely export tobacco leaves from Mexico to China for the production of cigarettes and cigars, based on the Pest Risk Analysis(PRA) and the International Standard for Phytosanitary Measures (ISPM) 11, the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food of Mexico (hereinafter SAGARPA) and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (hereinafter referred to as AQSIQ) have agreed to the following.

Article 1

Tobacco leaves (*Nicotiana tabacum*), Negro San Andres, Habano, Sumatra and other varieties produced in the state of Veracruz, purpose of this Protocol, went through the processes of drying or curing (dehydration), fermentation and classification.

Article 2

Shipments of tobacco leaves for export to China must comply with the current phytosanitary and sanitary laws and regulations on plant quarantine in China, as well as the requirements described in this Protocol.

Article 3

The importers of tobacco leaves shall obtain the import permit from AQSIQ before trade contracts are signed.

Article 4

AQSIQ will send inspectors, together with the Chinese Tobacco buying team to Mexico, for the pre-inspection of tobacco intended for purchase. SAGARPA should collaborate with and provide technical support to the inspectors from AQSIQ. Only the tobacco leaves which have passed the pre-inspection can be placed in the commercial contracts and permitted export to China. SAGARPA should inspect each consignment of contracted tobacco and issue the Phytosanitary Certificates. If oospores of *Peronospora tabacina* are found, the relevant consignment and/or specific production site will be immediately suspended. SAGARPA will conduct joint investigation, inform the AQSIQ the results obtained and both establish measures according to the identified causes and register for the next cycle.

Article 5

Preventive measures will be applied for *P. tabacina* from nursery, in the production site, periodic checks will be conducted from transplant to harvest, for early detection of signs or symptoms of *P. tabacina*, keeping track of the activities undertaken. SAGARPA will verify the measures implemented for detection. If the pest is detected, control measures will be taken. If oospores of *P. tabacina* are found, SAGARPA should notify AQSIQ immediately and suspend the exportation of tobacco leaves to China from production site. These control measures will be carried out by the producers through preventive or corrective chemical control, keeping the impact low. The records generated, both for production site monitoring and for control measures; shall be kept available in order to provide them to China, as required.

SAGARPA must immediately inform the AQSIQ about any case of detection of oospores of *P. tabacina* and will suspend exports from the production site until adequate control measures are carried out. Additionally, SAGARPA will monitor all production site to confirm the presence or absence of fungus and will send a report in each production cycle with the results of the detection oospores of *P. tabacina* and the description of the analysis methods used and the results obtained. It will also perform control and analysis of residues from the pesticides applied in the production site registered for export.

Article 6

Growing, harvesting, processing, storage and transportation of tobacco leaves to be exported to China must be carried out under the supervision of SAGARPA, in order to ensure non-pollution from the pests of concern to China, as stated in Annex, and the absence of plant residues and soil, avoiding mixing tobacco leaves from other states of Mexico or even from other countries.

If live insects such as *Lasioderma serricorne* are found, fumigation should be carried out. If weed seeds such as *Sorghum halepense* are found, effective removal should be taken.

For shipping tobacco leaves that meet the phytosanitary import requirements of the AQSIQ, SAGARPA will issue an International Phytosanitary Certificate, in accordance with the standards of the International Plant Protection Convention (IPPC), and the following additional declaration: "This shipment meets the requirements established in the Protocol of phytosanitary requirements for the export of tobacco leaves from Mexico to China, it is free of oospores of *P. tabacina* and other quarantine pests and soil."

Article 7

Tobacco leaves must be packed in paper and lined with cotton to ensure product integrity. Each bale must be labeled with the following information: type of tobacco, class, place of origin, year of harvest, company or processing plant and the contract number or data.

Packaging materials must be new, clean, hygienic and must meet the phytosanitary requirements of China.

Containers must be clean, free of soil and other foreign material.

Article 8

When shipments arrive at ports of entry in China, the inspection and quarantine institutions of that country (AQSIQ unit, hereinafter, CIQ) will verify the documents, certificates, labels of tobacco bales and will conduct the relevant inspection.

If the presence of oospore of *P. tabacina* is detected, the shipment will be returned. The AQSIQ will temporarily suspend the import of tobacco leaves from the production site. In this case, both parties must conduct joint investigation, to take the necessary corrective measures, according to the investigation results and the production site register for the next cycle.

If the presence of any pests of quarantine concern to China is detected, the shipment will be subject to the provisions of the People's Republic of China Law on Entry, Exit and Quarantine of Animals and Plants, and other applicable standards.

If the pesticides limit detected does not meet the safety and health Cooperation Centre for Scientific Research Relative to Tobacco –CORESTA-Guide and Chinese National standards, the related batch of tobacco will be returned. In this case AQSIQ will inform SAGARPA, SAGARPA should investigate the cause and implement corrective measures.

Article 9

With regard to the inclusion of a new area (State) of production of tobacco leaves, the NPPO of the exporting country must send the documentation to the AQSIQ relative to the management and control measures for tobacco pests in the areas of interest, including *P. tabacina*. The AQSIQ may visit the new areas of production proposed, as scope of the pest risk analysis.

In order to start negotiations for this Protocol, with the assistance and support of SENASICA, the AQSIQ will send two inspectors to conduct on-site inspection of the phytosanitary status of the production place of tobacco leaves, processing plants and warehouses. The inspectors will also check the conditions relating to the supervision of the production site, records and treatment or control measures related to pests of concern to China, including *P. tabacina*.

The costs of the visit, including transportation, accommodation and meals, will be covered by the party interested in exporting. SENASICA will send a formal invitation, a proposed agenda and will support the work of Chinese inspectors.

If new consensus be reached by both sides this protocol should be modified and re-signed or an additional agreement should be signed both sides of Mexico and China to expand new item. The additional agreement is of equal force with the Protocol.

Article 10

The AQSIQ, according to the occurrence of pests, as well as the information on interceptions, will conduct a more detailed risk assessment, and will consult SAGARPA to adjust the list of quarantine pests and the relevant quarantine measures.

This Protocol will enter into force on the date of its signing and will be valid for two (2) years. If either party requires modification or termination hereof, within at least six (6) months prior to the expiration date, this Protocol will be automatically extended for a period of two (2) years.

This protocol is signed in Beijing, People's Republic of China, on December 07, 2015, in Spanish, Chinese and English language, in duplicate counterparts, each party has a counterpart of the three texts. The three texts are equally authentic. In case of divergence, English text shall prevail.

**BY THE SECRETARIAT OF
AGRICULTURE, LIVESTOCK,
RURAL DEVELOPMENT,
FISHERIES AND FOOD OF
MEXICO**


José Eduardo Calzada Rovirosa
Secretary

**BY THE GENERAL
ADMINISTRATION OF QUALITY
SUPERVISION, INSPECTION
AND QUARANTINE OF THE
PEOPLE'S REPUBLIC OF CHINA**


Zhi Shuping
Minister

Annex

Pests of concern to China

- Oospore of *Peronospora tabacina*
- *Lasioderma serricorne*
- *Ambrosia artemisiifolia*
- *Chenopodium murale*
- *Lepidium draba*
- *Sorghum halepense*