

FEBRUARY DEADLINES

Feb 14:

Entry into force of the agreement

Feb 14

Annex 2. Dairy and Infant Formula

1. **As soon as practicable following the date of entry into force of this Agreement**, the General Administration of Customs of the People's Republic of China (GACC) and the U.S. Food and Drug Administration (FDA) shall initiate bilateral technical discussions to review 3-4 Import Alert 99-30 "Detention Without Physical Examination of All Milk Products, Milk Derived Ingredients and Finished Food Products Containing Milk from China due to the Presence of Melamine and/or Melamine Analogs" in order to clarify the steps necessary for the removal of Import Alert 99-30. Dairy Products

2. Aiming to better meet Chinese consumers' ever-growing needs for dairy products, China shall:

(a) **upon entry into force of this Agreement, allow imports of U.S. dairy products** that are:

(i) manufactured at a facility on a list compiled by the FDA; and (ii) accompanied by an Agricultural Marketing Service (AMS) dairy sanitary certificate;

(b) within 10 days of the date of entry into force of this Agreement, recognize the U.S. dairy-safety system as providing at least the same level of protection as China's dairy-safety system;

(c) each time the United States provides China with an updated and complete list of dairy facilities and products under the jurisdiction of the FDA, within 20 working days of receipt of the list: (i) register the facilities and publish the list of facilities and products on the GACC website; and (ii) allow U.S. dairy imports into China from those facilities;

(d) allow imports of U.S. dairy products of bovine, ovine, and caprine origins when accompanied by an AMS dairy sanitary certificate;

(e) with respect to extended shelf life (ESL) milk: (i) allow ESL milk produced in the United States to be imported and sold as pasteurized milk in China; (ii) notify the draft standard to the WTO should China undertake development of a new standard for ESL milk; (iii) ensure that the

new standard and all implementing actions are consistent with China's WTO obligations; and (iv) allow imports of U.S. ESL milk consistent with Paragraph 2(a), (c), and (d);

(f) with respect to fortified milk: (i) allow fortified milk produced in the United States to be imported into China subject to China's National Food Safety Standard - Modified Milk (GB25191), consistent with Paragraph 2(a), (c), and (d); (ii) allow such product to be labeled and sold to consumers as "pasteurized modified milk" provided the product is pasteurized; (iii) notify the draft standard to the WTO should China undertake development of a new standard for fortified milk; and (iv) ensure that the new standard and all implementing actions are consistent with China's WTO obligations;

(g) with respect to U.S. ultrafiltered fluid milk: (i) allow U.S. ultrafiltered fluid milk to be imported into China referring to China's National Food Safety Standard - Modified Milk (GB25191), consistent with Paragraph 2(a), (c), and (d) and such products should be labeled with "ultrafiltration technology"; (ii) allow such products to be labeled as "pasteurized-modified milk" provided the product is pasteurized; (iii) notify the draft standard to the WTO once China develops a draft of a new standard for ultrafiltered milk; and (iv) ensure that the new standard and all implementing actions are consistent with China's WTO obligations; and 3-6

(h) with respect to U.S. dairy permeate powder: (i) within 60 working days of the date of entry into force of this Agreement: a. complete the approval process for U.S. dairy permeate powder for human consumption consistent with the requirements of the Notice of the General Office of the National Health and Family Planning Commission for Regulating the Review of Imported Foods for Which There Is No Chinese National Food Safety Standards (GuoWeiBanShiPinFa [2017] No.14); and b. allow the importation of U.S. dairy permeate powder; (ii) notify the draft standard to the WTO should China undertake development of a new standard for dairy permeate powder; and (iii) ensure that the new standard and all implementing actions are consistent with China's WTO obligations.

Feb 14

Annex 7. Meat, Poultry and Processed Meat

1. Upon entry into force of this Agreement, China shall recognize FSIS oversight of U.S. meat, poultry meat, and processed meat and poultry meat facilities for purposes of allowing imports of U.S. meat, poultry meat, and processed meat and poultry meat.

2. Upon entry into force of this Agreement, China shall accept meat, poultry meat, and processed meat and poultry meat, except for those products listed in Appendix I (Beef, Pork, and Poultry Products Considered Not Eligible for Import into China), inspected by the FSIS in an FSIS-approved facility and accompanied by a FSIS Export Certificate of Wholesomeness (FSIS 9060-5/FSIS 9295-1).

3. Each time the United States provides China with an updated and complete list of FSIS approved facilities, China shall, within 20 working days of receipt, publish the list on the GACC website and allow the importation into China of products from all facilities on the list.

4. China continues to have the right to audit the U.S. meat and poultry food safety regulatory system, including a representative sample of U.S. meat and poultry facilities, in coordination with the FSIS. Such auditing shall be risk-based. China also continues to have the right to conduct inspections of a risk-based selection of shipments of U.S. meat and poultry products at the port of entry. If China determines, based on scientific inspection, that a particular shipment of U.S. meat or poultry products is in violation of applicable food safety import requirements, China may refuse importation of that shipment. If China determines that there is a significant, sustained or recurring pattern of non-conformity with an applicable food safety measure by a particular facility, China may refuse to accept shipments from that facility until the problem is resolved. China shall notify the FSIS of such non-conformity. The Parties shall exchange information on their meat and poultry food safety regulatory systems and other public health matters.

5. In consultation with U.S. experts, China shall conduct a risk assessment for ractopamine in cattle and swine as soon as possible without undue delay, and in a manner consistent both with Codex and FAO/World Health Organization (WHO) Joint Expert Committee on Food Additives (JECFA) risk assessment guidance and with the risk assessment for ractopamine previously conducted by the FAO/WHO JECFA. The risk assessment shall be based on verifiable data and the approved conditions of ractopamine use in the United States. China and the United States shall establish a joint working group to discuss the steps to be taken based on the results of the risk assessment

Feb 14-21

Annex 13. Pet Food and Non-ruminant Derived Animal Feed

1. China shall: (a) within one month of the date of entry into force of this Agreement: (i) lift its ban on U.S. pet food containing ruminant ingredients in accordance with Annex 4.2 (Beef); and (ii) eliminate the use of Polymerase Chain Reaction (PCR) testing on all U.S. pet food products containing ruminant ingredients, and limit PCR testing of U.S. pet food products not containing ruminant ingredients to a riskbased selection of shipments; (b) upon entry into force of this Agreement, allow the importation of U.S. pet foods containing poultry products; (c) not require completion or submission of any facility questionnaire for registration purposes, except that China may request completion of a facility questionnaire with respect to a facility that China is auditing; and (d) allow the importation of pet foods with animal-origin ingredients from a 3rd country as long as the ingredients are legally imported into the United States, meet U.S. domestic requirements for inclusion in pet food, and are traceable to the country of origin.

2. **Upon entry into force of this Agreement**, the Parties shall engage in technical discussions to discuss the importation of U.S. pet food into China. Within two months of the date of entry into force of this Agreement, the Parties shall sign a protocol on U.S. pet food imports into China. Before a new protocol is signed, China shall continue to allow imports of U.S. pet food as detailed in the Protocol on the Veterinary Health Requirements for Non-Ruminant Derived Animal Feed and Tallow to be Imported from the United States of America to the People's Republic of China, dated November 18, 2004.

3. China has completed its review of 24 new U.S. pet food and animal feed facilities and shall, **within five working days of the date of entry into force of this Agreement**, include those facilities on the list of facilities allowed to export to China pet food or non-ruminant derived animal feed.

4. The United States shall, **on a monthly basis**, provide to China any updates to the list of U.S. pet food and non-ruminant derived animal feed facilities that the United States has determined to be eligible to export pet food or non-ruminant derived animal feed to China. Upon receipt of each update to the list, China shall, within 20 working days, register the facilities, publish the updates to the list of facilities on the GACC website, and allow imports of pet food and non-ruminant derived animal feed from U.S. facilities on the list on the GACC website.

5. China continues to have the right to audit the U.S. pet food and non-ruminant derived animal feed safety regulatory system, including a representative sample of U.S. pet food and non-ruminant derived animal feed facilities, in coordination with the relevant U.S. competent authority. Such auditing shall be risk-based. China also continues to have the right to conduct inspections of a risk-based selection of shipments of U.S. pet food and non-ruminant derived animal feed at the port of entry. If China determines, based on scientific inspection, that a particular shipment of U.S. pet food and non-ruminant derived animal feed is in violation of applicable pet food and non-ruminant derived animal feed safety import requirements, China may refuse importation of that shipment. If China determines that there is a significant, sustained or recurring pattern of non-conformity with an applicable feed safety measure by a particular facility, China may refuse to accept shipments from that facility until the problem is resolved. China shall notify the relevant U.S. competent authority of such non-conformity. The Parties shall exchange information on their pet food and non-ruminant derived animal feed safety regulatory systems.

Feb 21

Infant formula (from Dairy and Infant Formula section)

Aiming to better meet Chinese consumers' ever-growing needs for infant formula products, China shall: (a) take into full consideration section 412 of the U.S. Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 350a) and its implementing regulations when China reviews applications for, and decides on, the registration of U.S. infant formula products;

- (b) accept, complete review of, and issue a decision on product registration applications regardless of whether the submitting entity is associated with an already-registered facility;
- (c) complete technical reviews of infant formula product registration applications and do so ordinarily within 45 working days from receipt of the application;
- (d) normally complete within 40 working days of completing the technical review, provided the U.S. manufacturer provides timely access if needed, any audit, inspection, sampling, or testing that is required in order to register an infant formula product;
- (e) taking into consideration the FDA's previous product reviews, inspections, and determinations of the regulatory standing of the facility or facilities where the product is manufactured, complete the product registration within 20 working days following completion of the technical review or of any required audit, inspection, sampling, or testing;
- (f) ensure non-disclosure of all trade secrets provided in the infant formula product registration process;
- (g) each time the United States provides China with an updated and complete list of infant formula facilities under the jurisdiction of the FDA, within 20 working days of receipt of the list, register the facilities, publish the list on the GACC website, and allow U.S. infant formula imports into China from those facilities, provided the infant formula product is registered with the State Administration of Market Regulation;
- (h) not require renewal of registration of: (i) infant formula facilities more frequently than once every four years; and (ii) infant formula products more frequently than once every five years;
- (i) take into account previous Chinese audit reports, U.S. regulatory information, and any other relevant information, including information provided by the manufacturer, when determining whether a facility inspection is required for product registration or re-registration; and
- (j) within one week of the date of entry into force of this Agreement, register those U.S. infant formula facilities whose products have been approved in China and that have facility registration applications pending review by the GACC by publishing the complete list of facilities on the GACC website.**

Feb 21 or 23

Annex 11. Plant Health

1. Within one month of the date of entry into force of this Agreement, the Parties shall start technical consultations in order to sign, as soon as possible, a phytosanitary protocol on

Chinese Bonsai in growing mediums for export to the United States excluding orchids, with a view to realizing trade as soon as possible.

2. Within 45 days of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese fragrant pear.

3. Within two months of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese citrus.

4. Within one month of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese Jujube.

5. Within seven working days of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. fresh potatoes for processing into China.

6. Within one month of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California nectarines into China.

7. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. blueberries into China.

8. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California Hass avocados into China.

9. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. barley into China. The GACC, in coordination with USDA/APHIS, may conduct an on-site visit of U.S. barley production.

10. Within one month of the date of entry into force of this Agreement, the GACC shall meet with USDA/APHIS and conduct an on-site visit of U.S. production of U.S. alfalfa hay pellets and cubes, U.S. almond meal pellets and cubes, and U.S. timothy hay. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow importation into China of these products.

11. The Parties confirm they shall not require a phytosanitary certificate for the importation from the other Party of frozen fruits and vegetables.

12. The Parties shall continue technical consultations concerning facilitation of trade in grain and oilseed products.

Feb 24

Dairy products

Aiming to better meet Chinese consumers' ever-growing needs for dairy products, China shall:

(a) **upon entry into force** of this Agreement, allow imports of U.S. dairy products that are: (i) manufactured at a facility on a list compiled by the FDA; and (ii) accompanied by an Agricultural Marketing Service (AMS) dairy sanitary certificate;

(b) **within 10 days of the date of entry into force** of this Agreement, recognize the U.S. dairy-safety system as providing at least the same level of protection as China's dairy-safety system;

(c) each time the United States provides China with an updated and complete list of dairy facilities and products under the jurisdiction of the FDA, within 20 working days of receipt of the list: (i) register the facilities and publish the list of facilities and products on the GACC website; and (ii) allow U.S. dairy imports into China from those facilities;

(d) allow imports of U.S. dairy products of bovine, ovine, and caprine origins when accompanied by an AMS dairy sanitary certificate;

(e) with respect to extended shelf life (ESL) milk: (i) allow ESL milk produced in the United States to be imported and sold as pasteurized milk in China; (ii) notify the draft standard to the WTO should China undertake development of a new standard for ESL milk; (iii) ensure that the new standard and all implementing actions are consistent with China's WTO obligations; and (iv) allow imports of U.S. ESL milk consistent with Paragraph 2(a), (c), and (d);

(f) with respect to fortified milk: (i) allow fortified milk produced in the United States to be imported into China subject to China's National Food Safety Standard - Modified Milk (GB25191), consistent with Paragraph 2(a), (c), and (d); (ii) allow such product to be labeled and sold to consumers as "pasteurized modified milk" provided the product is pasteurized; (iii) notify the draft standard to the WTO should China undertake development of a new standard for fortified milk; and (iv) ensure that the new standard and all implementing actions are consistent with China's WTO obligations;

(g) with respect to U.S. ultrafiltered fluid milk: (i) allow U.S. ultrafiltered fluid milk to be imported into China referring to China's National Food Safety Standard - Modified Milk (GB25191), consistent with Paragraph 2(a), (c), and (d) and such products should be labeled with "ultrafiltration technology"; (ii) allow such products to be labeled as "pasteurized-modified milk" provided the product is pasteurized; (iii) notify the draft standard to the WTO once China

develops a draft of a new standard for ultrafiltered milk; and (iv) ensure that the new standard and all implementing actions are consistent with China's WTO obligations; and

(h) with respect to U.S. dairy permeate powder: (i) within 60 working days of the date of entry into force of this Agreement: a. complete the approval process for U.S. dairy permeate powder for human consumption consistent with the requirements of the Notice of the General Office of the National Health and Family Planning Commission for Regulating the Review of Imported Foods for Which There Is No Chinese National Food Safety Standards (GuoWeiBanShiPinFa [2017] No.14); and b. allow the importation of U.S. dairy permeate powder; (ii) notify the draft standard to the WTO should China undertake development of a new standard for dairy permeate powder; and (iii) ensure that the new standard and all implementing actions are consistent with China's WTO obligations.

Feb 24

Annex 6. Pork

1. The Parties intend to promote cooperative activities within the Global African Swine Fever Research Alliance (GARA) to share publicly-available scientific knowledge and information to contribute to the progressive control and eradication of African swine fever (ASF).

2. Aiming to better meet Chinese consumers' ever growing needs for meat, **within 10 working days of the date of entry into force of this Agreement China shall permit the importation into China of those pork and pork products inspected by the FSIS in an FSIS-approved facility.**

MARCH DEADLINES

March 5

Annex 9. Aquatic Products

1. **As soon as practicable following the entry into force of this Agreement**, the GACC and the FDA shall resume bilateral meetings of the U.S.-China Technical Working Group on Seafood. The Technical Working Group shall identify steps China can take to provide evidence for FDA to assess whether China has controls that would ensure that Chinese aquatic products exported to the United States meet U.S. requirements. The United States confirms that if a Chinese aquatic product producer or exporter submits sufficient evidence to the FDA and the FDA determines that the firm and product should be excluded from Import Alert 16-131, the

Chinese aquatic product producer or exporter shall be added to the Green List for Import Alert 16.

2. Aiming to better meet Chinese consumers' ever-growing needs for aquatic products, as soon as practicable following the entry into force of this Agreement, the GACC and the U.S. National Oceanic and Atmospheric Administration (NOAA) shall meet to discuss the process for approving the importation into China of the aquatic species that are sold in U.S. interstate commerce but that are not authorized for sale in China. If the NOAA submits sufficient evidence to the GACC concerning one of these aquatic species, the GACC shall determine whether the species is safe to consume and will be allowed to be imported into China.

3. Within 20 working days of the date of entry into force of this Agreement, China shall allow imports into China from those: (a) aquatic products facilities considered to be in good regulatory standing by the FDA and also registered by the GACC, when the shipment is accompanied by the bilaterally-agreed certificate issued by the NOAA; and (b) fish meal processing facilities considered to be in good regulatory standing by the NOAA and also registered by the GACC, when the shipment is accompanied by the bilaterally-agreed certificate issued by the NOAA.

4. China shall: (a) each time the United States provides China with an updated and complete list of aquatic products facilities under the jurisdiction of the FDA, within 20 working days of receipt of the list, register the facilities, publish the list of the facilities on the GACC website, and allow U.S. aquatic product imports into China from those facilities; and (b) each time the United States provides China with an updated and complete list of fish meal processing facilities under the jurisdiction of the NOAA, within 20 working days of receipt of the list, register the facilities, publish the list of the facilities on the GACC website, and allow U.S. fish meal imports into China from those facilities.

5. China continues to have the right to audit the U.S. aquatic products food safety regulatory system, including a representative sample of U.S. aquatic product facilities, in coordination with the FDA. Such auditing shall be risk-based. China also continues to have the right to conduct inspections of a risk-based selection of shipments of U.S. aquatic products at the port of entry. If China determines that a particular shipment of U.S. aquatic products is in violation of applicable food safety import requirements, China may refuse importation of that shipment. If China determines that there is a significant, sustained or recurring pattern of non-conformity with an applicable food safety measure by a particular facility, China may refuse to accept shipments from that facility until the problem is resolved. China shall notify the FDA of such nonconformity. The Parties shall exchange information on their aquatic products food safety regulatory systems and other public-health matters concerning aquatic products

Mar 14

Annex 13. Pet Food and Non-ruminant Derived Animal Feed

1. China shall: (a) **within one month of the date of entry into force of this Agreement:** (i) lift its ban on U.S. pet food containing ruminant ingredients in accordance with Annex 4.2 (Beef); and (ii) eliminate the use of Polymerase Chain Reaction (PCR) testing on all U.S. pet food products containing ruminant ingredients, and limit PCR testing of U.S. pet food products not containing ruminant ingredients to a riskbased selection of shipments;

(b) upon entry into force of this Agreement, allow the importation of U.S. pet foods containing poultry products;

(c) not require completion or submission of any facility questionnaire for registration purposes, except that China may request completion of a facility questionnaire with respect to a facility that China is auditing; and

(d) allow the importation of pet foods with animal-origin ingredients from a 3rd country as long as the ingredients are legally imported into the United States, meet U.S. domestic requirements for inclusion in pet food, and are traceable to the country of origin.

2. **Upon entry into force of this Agreement,** the Parties shall engage in technical discussions to discuss the importation of U.S. pet food into China. Within two months of the date of entry into force of this Agreement, the Parties shall sign a protocol on U.S. pet food imports into China. Before a new protocol is signed, China shall continue to allow imports of U.S. pet food as detailed in the Protocol on the Veterinary Health Requirements for Non-Ruminant Derived Animal Feed and Tallow to be Imported from the United States of America to the People's Republic of China, dated November 18, 2004.

3. China has completed its review of 24 new U.S. pet food and animal feed facilities and shall, **within five working days of the date of entry into force of this Agreement,** include those facilities on the list of facilities allowed to export to China pet food or non-ruminant derived animal feed.

4. The United States shall, **on a monthly basis,** provide to China any updates to the list of U.S. pet food and non-ruminant derived animal feed facilities that the United States has determined to be eligible to export pet food or non-ruminant derived animal feed to China. Upon receipt of each update to the list, China shall, within 20 working days, register the facilities, publish the updates to the list of facilities on the GACC website, and allow imports of pet food and non-ruminant derived animal feed from U.S. facilities on the list on the GACC website.

5. China continues to have the right to audit the U.S. pet food and non-ruminant derived animal feed safety regulatory system, including a representative sample of U.S. pet food and non-ruminant derived animal feed facilities, in coordination with the relevant U.S. competent authority. Such auditing shall be risk-based. China also continues to have the right to conduct inspections of a risk-based selection of shipments of U.S. pet food and non-ruminant derived

animal feed at the port of entry. If China determines, based on scientific inspection, that a particular shipment of U.S. pet food and non-ruminant derived animal feed is in violation of applicable pet food and non-ruminant derived animal feed safety import requirements, China may refuse importation of that shipment. If China determines that there is a significant, sustained or recurring pattern of non-conformity with an applicable feed safety measure by a particular facility, China may refuse to accept shipments from that facility until the problem is resolved. China shall notify the relevant U.S. competent authority of such non-conformity. The Parties shall exchange information on their pet food and non-ruminant derived animal feed safety regulatory systems.

March 14

Annex 4. Beef

1. The Parties shall continue implementing the 2017 Protocol for the importation of U.S. beef and beef products into China; however, this Agreement shall prevail over any requirements in the Protocol that are inconsistent with this Agreement. The two Parties may revise the Protocol according to this Agreement if appropriate.

2. China acknowledges that the United States has submitted all relevant and necessary information as requested by China to enable completion of a risk assessment related to the importation of all U.S. beef, beef products, and pet food containing ruminant ingredients. China shall, **within one month of the date of entry into force of this Agreement, eliminate the cattle age requirements for the importation of U.S. beef and beef products.**

3. China recognizes the U.S. beef and beef products traceability system. The U.S. Government, in accordance with U.S. regulations, continuously maintains measures, including for traceability, that meet or exceed OIE guidelines for maintaining negligible risk status for the bovine disease addressed in Chapter 11.4 of the 2018 OIE Terrestrial Animal Health Code. Provided the United States maintains its OIE negligible risk classification for that disease, China shall not impose new import restrictions or requirements related to that disease on imports of U.S. beef. Should the United States' negligible risk status change, China shall administer the regulations for imports of U.S. beef in accordance with the 2018 OIE Terrestrial Animal Health Code, Chapter 11.4, Article 11.4.11 or any successor provisions.

4. Aiming to better meet Chinese consumers' ever-growing needs for meat, **within one month of the date of entry into force of this Agreement, China shall permit the importation into China of those beef and beef products, except for those listed in Appendix I (Beef, Pork, and Poultry Products Considered Not Eligible for Import into China), inspected by the USDA's Food Safety and Inspection Service (FSIS) in an FSIS-approved facility.**

5. **Within one month of the date of entry into force of this Agreement, China shall adopt**

maximum residue limits (MRLs) for zeranol, trenbolone acetate, and melangesterol acetate for imported beef. For beef tissues for which Codex has established MRLs for these hormones, China shall adopt the Codex MRLs. For beef tissues for which Codex has not established MRLs for these hormones, China shall adopt its MRLs by following Codex standards and guidelines and referring to MRLs established by other countries that have performed science-based risk assessments.

March 14

Annex 5. Live Breeding Cattle

1. Based on the request and information provided by the United States on February 13, 2019, and on March 6, 2019, the Parties shall, **within one month of the date of entry into force of this Agreement, commence technical discussions on the preparation of a U.S. export health certificate and a protocol for the importation into China of U.S. breeding cattle, with a view to realizing trade as soon as possible.**

March 14

Article 1.28: Enforcement of (intellectual property rights) Judgments

1. The Parties shall ensure expeditious enforcement of any fine, penalty, payment of monetary damages, injunction, or other remedy for a violation of an intellectual property right ordered in a final judgment by its own court.

2. Measures China shall take include executing work guidelines and implementation plans to ensure expeditious enforcement of judgments, **publishing its work guidelines and implementation plans within one month after the date of entry into force of this Agreement,** as well as publishing online quarterly reports of implementation results.

March 14

Annex 11. Plant Health 1.

Within one month of the date of entry into force of this Agreement, the Parties shall start technical consultations in order to sign, as soon as possible, a phytosanitary protocol on Chinese 3-14 Bonsai in growing mediums for export to the United States excluding orchids, with a view to realizing trade as soon as possible.

2. Within 45 days of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese fragrant pear.

3. Within two months of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese citrus.
4. **Within one month of the date of entry into force of this Agreement**, USDA/APHIS shall complete its regulatory notice process for imports of Chinese Jujube.
5. Within seven working days of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. fresh potatoes for processing into China.
6. **Within one month of the date of entry into force of this Agreement**, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California nectarines into China.
7. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. blueberries into China.
8. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California Hass avocados into China.
9. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. barley into China. The GACC, in coordination with USDA/APHIS, may conduct an on-site visit of U.S. barley production.
10. **Within one month of the date of entry into force of this Agreement**, the GACC shall meet with USDA/APHIS and conduct an on-site visit of U.S. production of U.S. alfalfa hay pellets and cubes, U.S. almond meal pellets and cubes, and U.S. timothy hay. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow importation into China of these products.
11. The Parties confirm they shall not require a phytosanitary certificate for the importation from the other Party of frozen fruits and vegetables.
12. The Parties shall continue technical consultations concerning facilitation of trade in grain and oilseed products.

March 14

Annex 13. Pet Food and Non-ruminant Derived Animal Feed

1. China shall: (a) **within one month of the date of entry into force of this Agreement:** (i) lift its ban on U.S. pet food containing ruminant ingredients in accordance with Annex 4.2 (Beef); and (ii) eliminate the use of Polymerase Chain Reaction (PCR) testing on all U.S. pet food products containing ruminant ingredients, and limit PCR testing of U.S. pet food products not containing ruminant ingredients to a risk-based selection of shipments;

(b) upon entry into force of this Agreement, allow the importation of U.S. pet foods containing poultry products;

(c) not require completion or submission of any facility questionnaire for registration purposes, except that China may request completion of a facility questionnaire with respect to a facility that China is auditing; and

(d) allow the importation of pet foods with animal-origin ingredients from a 3rd country as long as the ingredients are legally imported into the United States, meet U.S. domestic requirements for inclusion in pet food, and are traceable to the country of origin.

2. Upon entry into force of this Agreement, the Parties shall engage in technical discussions to discuss the importation of U.S. pet food into China. Within two months of the date of entry into force of this Agreement, the Parties shall sign a protocol on U.S. pet food imports into China. Before a new protocol is signed, China shall continue to allow imports of U.S. pet food as detailed in the Protocol on the Veterinary Health Requirements for Non-Ruminant Derived Animal Feed and Tallow to be Imported from the United States of America to the People's Republic of China, dated November 18, 2004.

3. China has completed its review of 24 new U.S. pet food and animal feed facilities and shall, within five working days of the date of entry into force of this Agreement, include those facilities on the list of facilities allowed to export to China pet food or non-ruminant derived animal feed.

4. The United States shall, **on a monthly basis**, provide to China any updates to the list of U.S. pet food and non-ruminant derived animal feed facilities that the United States has determined to be eligible to export pet food or non-ruminant derived animal feed to China. Upon receipt of each update to the list, China shall, within 20 working days, register the facilities, publish the updates to the list of facilities on the GACC website, and allow imports of pet food and non-ruminant derived animal feed from U.S. facilities on the list on the GACC website.

5. China continues to have the right to audit the U.S. pet food and non-ruminant derived animal feed safety regulatory system, including a representative sample of U.S. pet food and non-ruminant derived animal feed facilities, in coordination with the relevant U.S. competent authority. Such auditing shall be risk-based. China also continues to have the right to conduct inspections of a risk-based selection of shipments of U.S. pet food and non-ruminant derived animal feed at the port of entry. If China determines, based on scientific inspection, that a particular shipment of U.S. pet food and non-ruminant derived animal feed is in violation of

applicable pet food and non-ruminant derived animal feed safety import requirements, China may refuse importation of that shipment. If China determines that there is a significant, sustained or recurring pattern of non-conformity with an applicable feed safety measure by a particular facility, China may refuse to accept shipments from that facility until the problem is resolved. China shall notify the relevant U.S. competent authority of such non-conformity. The Parties shall exchange information on their pet food and non-ruminant derived animal feed safety regulatory systems.

March 15

Annex 3. Poultry

1. The Parties **shall sign and implement the Protocol on Cooperation on Notification and Control Procedures for Certain Significant Poultry Diseases within 30 days of the date of entry** into force of this Agreement.
2. For those U.S. poultry and poultry products imported into China prior to January 1, 2015, China shall, **within 30 days of the date of entry into force of this Agreement, issue, based on its previously-conducted assessment of the U.S. regulatory system, a final decision on whether to permit the importation of the product.** China shall permit their importation consistently with existing bilaterally-agreed import protocols.
3. China shall maintain measures consistent with the 2018 World Organization for Animal Health (OIE) Terrestrial Animal Health Code Chapter 10.4, or any successor provisions.
4. Within 30 days following receipt from China of a formal request for an evaluation of a region of China for avian disease free recognition and a completed information package to support such a request that addresses the eight factors outlined in 9 CFR Part 92, or any successor provisions, the USDA's Animal and Plant Health Inspection Service (APHIS) shall initiate such an evaluation.

March 15-30

Article 1.35 on IPR Implementation

Within 30 **working days** after the date of entry into force of this Agreement, China will promulgate an Action Plan to strengthen intellectual property protection aimed at promoting its high-quality growth. This Action Plan shall include, but not be limited to, measures that China will take to implement its obligations under this Chapter and the date by which each measure will go into effect.

March 30

Annex 11. Plant Health

1. Within one month of the date of entry into force of this Agreement, the Parties shall start technical consultations in order to sign, as soon as possible, a phytosanitary protocol on Chinese 3-14 Bonsai in growing mediums for export to the United States excluding orchids, with a view to realizing trade as soon as possible.
2. **Within 45 days of the date of entry into force of this Agreement**, USDA/APHIS shall complete its regulatory notice process for imports of Chinese fragrant pear.
3. Within two months of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese citrus.
4. Within one month of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese Jujube.
5. Within seven working days of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. fresh potatoes for processing into China.
6. Within one month of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California nectarines into China.
7. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. blueberries into China.
8. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California Hass avocados into China.
9. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. barley into China. The GACC, in coordination with USDA/APHIS, may conduct an on-site visit of U.S. barley production.
10. Within one month of the date of entry into force of this Agreement, the GACC shall meet with USDA/APHIS and conduct an on-site visit of U.S. production of U.S. alfalfa hay pellets and cubes, U.S. almond meal pellets and cubes, and U.S. timothy hay. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow importation into China of these products.

11. The Parties confirm they shall not require a phytosanitary certificate for the importation from the other Party of frozen fruits and vegetables.

12. The Parties shall continue technical consultations concerning facilitation of trade in grain and oilseed products.

APRIL DEADLINES

April 14

Annex 11. Plant Health

1. Within one month of the date of entry into force of this Agreement, the Parties shall start technical consultations in order to sign, as soon as possible, a phytosanitary protocol on Chinese 3-14 Bonsai in growing mediums for export to the United States excluding orchids, with a view to realizing trade as soon as possible.

2. Within 45 days of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese fragrant pear.

3. **Within two months of the date of entry into force of this Agreement**, USDA/APHIS shall complete its regulatory notice process for imports of Chinese citrus.

4. Within one month of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese Jujube.

5. Within seven working days of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. fresh potatoes for processing into China.

6. Within one month of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California nectarines into China.

7. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. blueberries into China.

8. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California Hass avocados into China.

9. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. barley into China. The GACC, in coordination with USDA/APHIS, may conduct an on-site visit of U.S. barley production.

10. Within one month of the date of entry into force of this Agreement, the GACC shall meet with USDA/APHIS and conduct an on-site visit of U.S. production of U.S. alfalfa hay pellets and cubes, U.S. almond meal pellets and cubes, and U.S. timothy hay. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow importation into China of these products.

11. The Parties confirm they shall not require a phytosanitary certificate for the importation from the other Party of frozen fruits and vegetables.

12. The Parties shall continue technical consultations concerning facilitation of trade in grain and oilseed products.

April 14

Annex 13. Pet Food and Non-ruminant Derived Animal Feed

1. China shall: (a) within one month of the date of entry into force of this Agreement: (i) lift its ban on U.S. pet food containing ruminant ingredients in accordance with Annex 4.2 (Beef); and (ii) eliminate the use of Polymerase Chain Reaction (PCR) testing on all U.S. pet food products containing ruminant ingredients, and limit PCR testing of U.S. pet food products not containing ruminant ingredients to a risk-based selection of shipments;

(b) upon entry into force of this Agreement, allow the importation of U.S. pet foods containing poultry products;

(c) not require completion or submission of any facility questionnaire for registration purposes, except that China may request completion of a facility questionnaire with respect to a facility that China is auditing; and

(d) allow the importation of pet foods with animal-origin ingredients from a 3rd country as long as the ingredients are legally imported into the United States, meet U.S. domestic requirements for inclusion in pet food, and are traceable to the country of origin.

2. Upon entry into force of this Agreement, the Parties shall engage in technical discussions to discuss the importation of U.S. pet food into China. **Within two months of the date of entry into force of this Agreement, the Parties shall sign a protocol on U.S. pet food imports into China.** Before a new protocol is signed, China shall continue to allow imports of U.S. pet food as detailed in the Protocol on the Veterinary Health Requirements for Non-Ruminant Derived Animal Feed and Tallow to be Imported from the United States of America to the People's Republic of China, dated November 18, 2004.

3. China has completed its review of 24 new U.S. pet food and animal feed facilities and shall, within five working days of the date of entry into force of this Agreement, include those facilities on the list of facilities allowed to export to China pet food or non-ruminant derived animal feed.

4. The United States shall, **on a monthly basis**, provide to China any updates to the list of U.S. pet food and non-ruminant derived animal feed facilities that the United States has determined to be eligible to export pet food or non-ruminant derived animal feed to China. Upon receipt of each update to the list, China shall, within 20 working days, register the facilities, publish the updates to the list of facilities on the GACC website, and allow imports of pet food and non-ruminant derived animal feed from U.S. facilities on the list on the GACC website.

5. China continues to have the right to audit the U.S. pet food and non-ruminant derived animal feed safety regulatory system, including a representative sample of U.S. pet food and non-ruminant derived animal feed facilities, in coordination with the relevant U.S. competent authority. Such auditing shall be risk-based. China also continues to have the right to conduct inspections of a risk-based selection of shipments of U.S. pet food and non-ruminant derived animal feed at the port of entry. If China determines, based on scientific inspection, that a particular shipment of U.S. pet food and non-ruminant derived animal feed is in violation of applicable pet food and non-ruminant derived animal feed safety import requirements, China may refuse importation of that shipment. If China determines that there is a significant, sustained or recurring pattern of non-conformity with an applicable feed safety measure by a particular facility, China may refuse to accept shipments from that facility until the problem is resolved. China shall notify the relevant U.S. competent authority of such non-conformity. The Parties shall exchange information on their pet food and non-ruminant derived animal feed safety regulatory systems.

April 14

Dairy products

Aiming to better meet Chinese consumers' ever-growing needs for dairy products, China shall:

(a) upon entry into force of this Agreement, allow imports of U.S. dairy products that are: (i) manufactured at a facility on a list compiled by the FDA; and (ii) accompanied by an Agricultural Marketing Service (AMS) dairy sanitary certificate;

(b) within 10 days of the date of entry into force of this Agreement, recognize the U.S. dairy-safety system as providing at least the same level of protection as China's dairy-safety system;

(c) each time the United States provides China with an updated and complete list of dairy facilities and products under the jurisdiction of the FDA, within 20 working days of receipt of the list: (i) register the facilities and publish the list of facilities and products on the GACC website; and (ii) allow U.S. dairy imports into China from those facilities;

(d) allow imports of U.S. dairy products of bovine, ovine, and caprine origins when accompanied by an AMS dairy sanitary certificate;

(e) with respect to extended shelf life (ESL) milk: (i) allow ESL milk produced in the United States to be imported and sold as pasteurized milk in China; (ii) notify the draft standard to the WTO should China undertake development of a new standard for ESL milk; (iii) ensure that the new standard and all implementing actions are consistent with China's WTO obligations; and (iv) allow imports of U.S. ESL milk consistent with Paragraph 2(a), (c), and (d);

(f) with respect to fortified milk: (i) allow fortified milk produced in the United States to be imported into China subject to China's National Food Safety Standard - Modified Milk (GB25191), consistent with Paragraph 2(a), (c), and (d); (ii) allow such product to be labeled and sold to consumers as "pasteurized modified milk" provided the product is pasteurized; (iii) notify the draft standard to the WTO should China undertake development of a new standard for fortified milk; and (iv) ensure that the new standard and all implementing actions are consistent with China's WTO obligations;

(g) with respect to U.S. ultrafiltered fluid milk: (i) allow U.S. ultrafiltered fluid milk to be imported into China referring to China's National Food Safety Standard - Modified Milk (GB25191), consistent with Paragraph 2(a), (c), and (d) and such products should be labeled with "ultrafiltration technology"; (ii) allow such products to be labeled as "pasteurized-modified milk" provided the product is pasteurized; (iii) notify the draft standard to the WTO once China develops a draft of a new standard for ultrafiltered milk; and (iv) ensure that the new standard and all implementing actions are consistent with China's WTO obligations; and

(h) with respect to U.S. dairy permeate powder: (i) **within 60 working days of the date of entry into force of this Agreement:** a. complete the approval process for U.S. dairy permeate powder for human consumption consistent with the requirements of the Notice of the General Office of the National Health and Family Planning Commission for Regulating the Review of

Imported Foods for Which There Is No Chinese National Food Safety Standards (GuoWeiBanShiPinFa [2017] No.14); and b. allow the importation of U.S. dairy permeate powder; (ii) notify the draft standard to the WTO should China undertake development of a new standard for dairy permeate powder; and (iii) ensure that the new standard and all implementing actions are consistent with China's WTO obligations.

MAY DEADLINES

May 14

Annex 11.

Plant Health

1. Within one month of the date of entry into force of this Agreement, the Parties shall start technical consultations in order to sign, as soon as possible, a phytosanitary protocol on Chinese 3-14 Bonsai in growing mediums for export to the United States excluding orchids, with a view to realizing trade as soon as possible.
2. Within 45 days of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese fragrant pear.
3. Within two months of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese citrus.
4. Within one month of the date of entry into force of this Agreement, USDA/APHIS shall complete its regulatory notice process for imports of Chinese Jujube.
5. Within seven working days of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. fresh potatoes for processing into China.
6. Within one month of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California nectarines into China.
7. **Within three months of the date of entry into force of this Agreement**, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. blueberries into China.

8. **Within three months of the date of entry into force of this Agreement**, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of California Hass avocados into China.

9. **Within three months of the date of entry into force of this Agreement**, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow the importation of U.S. barley into China. The GACC, in coordination with USDA/APHIS, may conduct an on-site visit of U.S. barley production.

10. Within one month of the date of entry into force of this Agreement, the GACC shall meet with USDA/APHIS and conduct an on-site visit of U.S. production of U.S. alfalfa hay pellets and cubes, U.S. almond meal pellets and cubes, and U.S. timothy hay. Within three months of the date of entry into force of this Agreement, USDA/APHIS and the GACC shall sign and implement a phytosanitary protocol to allow importation into China of these products.

11. The Parties confirm they shall not require a phytosanitary certificate for the importation from the other Party of frozen fruits and vegetables.

12. The Parties shall continue technical consultations concerning facilitation of trade in grain and oilseed products.

May 14

Article 4.3: Credit Rating Services

1. China affirms that a wholly U.S.-owned credit rating services supplier has been allowed to rate domestic bonds sold to domestic and international investors, including for the interbank market. China commits that it shall continue to allow U.S. service suppliers, including wholly U.S.-owned credit rating services suppliers, to rate all types of domestic bonds sold to domestic and international investors. **Within three months after the date of entry into force of this Agreement, China shall review and approve any pending license applications of U.S. service suppliers to provide credit rating services.**

2. Each Party shall allow a supplier of credit rating services of the other Party to acquire a majority ownership stake in the supplier's existing joint venture.

3. The United States affirms that it accords non-discriminatory treatment to Chinese credit rating services suppliers.

May 14:

Article 1.19: Counterfeit Goods with Health and Safety Risks

Measures China shall take include **significantly increasing the number of enforcement actions within three months after the date of entry into force of this Agreement**, and publishing data online on the measurable impact of these actions each quarter, beginning within four months after the date of entry into force of this Agreement

May 14:

Article 1.21: IPR Border Enforcement Actions

China shall provide a sustained increase in the number of trained personnel to inspect, detain, seize, effect administrative forfeiture, and otherwise execute customs' enforcement authority against counterfeit and pirated goods, with an emphasis on counterfeit and pirated goods that are exported or in transit. Measures China shall take include significantly increasing training of relevant customs enforcement personnel within nine months after the date of entry into force of this Agreement. China also shall **significantly increase the number of enforcement actions beginning within three months after the date of entry into force of this Agreement, and publishing online quarterly updates of enforcement actions.**

JUNE DEADLINES

June 14

Article 1.19: Counterfeit Goods with Health and Safety Risks

Measures China shall take include significantly increasing the number of enforcement actions within three months after the date of entry into force of this Agreement, and publishing data online on the measurable impact of these actions each quarter, **beginning within four months after the date of entry into force of this Agreement**

June 14

Article 1.22: Enforcement at Physical Markets

Measures China shall take include **significantly increasing the number of enforcement actions beginning within four months after the date of entry into force of this Agreement**, and publishing online quarterly updates of enforcement actions at physical markets.

JULY DEADLINES

July 14

Article 4.2: Banking Services

1. The Parties acknowledge the importance of mutually beneficial cooperation to enhance market access and strengthen the Parties' respective banking services sectors.
2. China commits that when a qualified subsidiary of a U.S. financial institution provides or seeks to provide securities investment fund custody services, its parent company's overseas assets shall be taken into consideration in order to fulfill applicable asset requirements. **Within five months after the date of entry into force of this Agreement**, China shall allow branches of U.S. financial institutions to provide securities investment fund custody services, and the parent company's overseas assets shall be taken into consideration in order to fulfill applicable asset requirements. China shall review and approve qualified applications by U.S. financial institutions for securities investment fund custody licenses on an expeditious basis.
3. China affirms that U.S. financial institutions applying to serve as Type-A lead underwriters for all types of non-financial debt instruments shall be evaluated and granted licenses based on the revised formula for granting lead underwriting licenses for non-financial enterprise debt instruments, which takes into account U.S. financial institutions' international qualifications in order to fulfill applicable requirements for the entity seeking the license in China.
4. The United States acknowledges current pending requests by Chinese institutions, including by CITIC Group, and affirms that such requests will be considered expeditiously.

AUGUST DEADLINES

Aug 14

Article 1.18 Counterfeit medicines provision.

Publishing online annually, beginning within six months after the date of entry into force of this Agreement, the data on enforcement measures, including seizures, revocations of business

licenses, fines, and other actions taken by the National Medical Products Administration, Ministry of Industry and Information Technology, or any successor entity.

OCTOBER DEADLINES

Oct 14

Article 1.23: Unlicensed Software

Measures China shall take include requiring annual audits by qualified third parties of China with no government ownership or affiliation and the publication online of the audit results, **beginning within seven months after the date of entry into force of this Agreement.**

NOVEMBER DEADLINES

Nov 14

Article 1.21: Border Enforcement Actions

China shall provide a sustained increase in the number of trained personnel to inspect, detain, seize, effect administrative forfeiture, and otherwise execute customs' enforcement authority against counterfeit and pirated goods, with an emphasis on counterfeit and pirated goods that are exported or in transit. Measures China shall take include **significantly increasing training of relevant customs enforcement personnel within nine months after the date of entry into force of this Agreement.** China also shall significantly increase the number of enforcement actions beginning within three months after the date of entry into force of this Agreement, and publishing online quarterly updates of enforcement actions.

FEBRUARY 2021 DEADLINES

Feb 14, 2021 Annex 16. Agricultural Biotechnology

1. To help realize the benefits of agricultural biotechnology for sustainable agriculture, the Parties agree to carry out exchanges on agricultural biotechnology, and intend to take steps to enhance engagement with the public concerning agricultural biotechnology and public awareness of scientific information relevant to agricultural biotechnology, with the aim of building public confidence in, and acceptance of, the use of safe biotechnology in agriculture and the food system.

2. China shall implement a transparent, predictable, efficient, science- and risk-based regulatory process for safety evaluation and authorization of products of agricultural biotechnology. For agricultural biotechnology products for feed or further processing, China shall significantly reduce, to no more than 24 months, the average amount of time between: (a) the submission of a formal application for authorization of such a product; and (b) the final decision on approval or disapproval of the product. China shall base its safety evaluation procedures on the relevant international standards and recommendations of Codex and the International Plant Protection Convention. China shall base any safety evaluation that it conducts on scientific data and information obtained using appropriate methods and analyzed using appropriate statistical techniques.

3. The Parties shall strengthen communication on biotechnology regulation, in order to increase mutual understanding and to facilitate trade in products of agricultural biotechnology.

4. China shall: (a) within five working days of receipt of the product dossier submitted in support of a formal application for approval of a product of agricultural biotechnology, prescreen for completeness, by means of comparison against the requirements on the application form, the dossier and inform the applicant of any deficiencies in the sufficiency of information in the dossier; (b) accept complaints from applicants concerning the operation of the approval procedure for agricultural biotechnology products to be used for purposes of food, feed, and processing, and take corrective action upon receipt of a justified complaint; (c) when additional information from an applicant is necessary for the National Biosafety Committee (NBC) to finalize a safety evaluation, within 20 working days of the NBC meeting at which the NBC ascertained its need for the additional information, request all such information in writing and provide a written explanation to the applicant of how the requested information would be relevant to the safety of the product's intended use; (d) when additional information has been submitted to the NBC by an applicant, ensure that the NBC meets as soon as possible and as often as necessary thereafter in order to finalize the NBC's review of the application; and 3-21 (e) convene at least two NBC meetings per year and increase, depending on the number of applications, the frequency of NBC meetings as much as necessary.

5. China shall establish an authorization period of at least five years for any agricultural biotechnology product.

6. China shall, **within 12 months of the date of entry into force of this Agreement, establish and make public a simplified, predictable, science- and risk-based, and efficient safety assessment procedure for approval of food ingredients derived from genetically modified microorganisms.**

7. China shall: (a) accept applications for agricultural biotechnology product approvals on an ongoing, year-round basis; (b) if prior to receipt by China of a formal application for approval of an agricultural biotechnology product but following the submission of the dossier for the product to U.S. authorities, the dossier for the product is submitted to China, pre-screen the dossier within five working days of receipt for completeness against the Chinese requirements that will apply following the submission of a formal application for approval of the product in China; (c) upon receipt of a formal application, begin review of any application for approval of an agricultural biotechnology product; (d) not request information unnecessary for assessing the safety of a product for its intended use; and (e) for any product that passes China's safety evaluation, make the administrative decision of approval and issue a biosafety certificate within 20 working days of conclusion of the NBC meeting.

8. In the event of an occurrence of low-level presence (LLP) affecting a U.S. shipment exported to China, China shall: (a) without undue delay, inform the importer or the importer's agent of the LLP occurrence and of any additional pertinent information that will be required to be 3-22 submitted to assist China to make a decision on the management of the LLP occurrence; (b) provide to the United States a summary of any risk or safety assessment that China has conducted in connection with the LLP occurrence; (c) ensure that the LLP occurrence is managed without unnecessary delay; and (d) take into account any relevant risk or safety assessment provided, and authorization granted, by the United States or any foreign country when deciding how to manage the LLP occurrence.

9. China shall evaluate inadvertent or technically unavoidable LLP occurrences on a case-by-case basis to minimize trade disruptions.

10. The Parties agree to organize experts to conduct further studies on the issue of LLP and to collaborate internationally on practical approaches to addressing LLP.