

National Forestry and Grasslands Administration notification regarding reliable and proper follow-up work on the prohibition on eating wild animals

NFGA Notification No. 42 (2020)

Departments of forestry and grasslands of each province, autonomous region and municipalities, and the departments of forestry and grasslands of Inner Mongolia, Daxinganling Forestry Industry Group Company and Xinjiang Production and Construction Corps:

In order to further implement the “Decisions of the Standing Committee of the National People’s Congress relating to a total prohibition on illegal wildlife trade, eliminating the bad habit of excessive eating of wildlife, and effectively safeguarding the lives and health of the public” (hereafter referred to as “The Decisions”), in accordance with the relevant requirements of the State Council, combined with the progress in each locality in implementing NFGA Notification No. 22 (2020), and following research and consultation with the Ministry of Agriculture and Rural Affairs, the relevant requirements regarding reliable and proper follow-up work on the prohibition on eating wild animals are as follows.

1) Accurately establish the actual situation, scientifically evaluate the impact of the prohibition on eating wildlife

Departments responsible for forestry and grasslands in all locations should, integrating last year’s industry statistics and the survey results from late January to February 2020, further investigate and verify the primary entities and individuals engaged in captive breeding of wildlife in the region, and the situation regarding the types, numbers, uses, breeding and holding facilities, methods of breeding, permits held etc., and especially grasp in detail the situation with regards to poor farmers engaged in the industry or breeding facilities who had been supported through poverty alleviation employment or profit sharing. It is necessary to distinguish between legal breeding and illegal breeding, and between food and non-food purposes, to reasonably calculate the potential losses faced by businesses and households who had been engaged in legal breeding caused by the ban on consumption of wild animals as food; scientifically assess the risk of households entering into or returning to poverty; and provide policy support to local governments. This work must adhere to laws and regulations, seek the truth from facts, resolutely put an end to behaviours such as formalism, bureaucracy and fraud, and ensure objectivity and authenticity of statistical data.

2) Correctly understand the scope of the prohibition on eating of wild animals, categorisation for management, and facilitating a smooth transition

According to the Decisions and the provisions of the Wildlife Protection Law, the Animal Husbandry Law and the Fisheries Law, aquatic wildlife that is not categorised as precious and endangered is subject to the provisions of the Fisheries Law. Animals included in the National Catalogue of Livestock and Poultry Genetic Resources are regarded as livestock and poultry, and are subject to the provisions of the Animal Husbandry Law. Departments responsible for forestry and grasslands in all locations

should correctly grasp the delineation of policies, strengthen communication and coordination with departments responsible for fisheries, livestock and veterinary medicine, and ensure orderly convergence of relevant work. For those breeding aquatic wildlife and the livestock and poultry listed in the published National Catalogue of Livestock and Poultry Genetic Resources, repeal and cancel administrative permits or certificates already issued and ensure effective sharing and transfer of information and resources with departments responsible for fisheries, livestock and veterinary medicine, to safeguard the farmers' normal production and trade activities. For those breeding animals which fall within the scope of the prohibition on food consumption but for which there are legal non-food uses such as scientific research, medicinal use or exhibition, effectively amend or reissue administrative permits or certificates in accordance with the law and regulations to guide and assist farmers to adjust and shift the direction of their production and trade. For those breeding wildlife that falls within the scope of the prohibition on trading as food, but for which the facilities could be used to breed and keep other animals, actively guide farmers in adjusting their breeding structures through improved information services and technical guidance, so they can continue to make use of their breeding facilities. For those whose breeding activities are now prohibited following the prohibition on trade in wild animals as food, actively support, guide and help these farmers in changing their livelihood, minimising the impact as far as possible, with the support of local government.

3. Properly deal with captive wild animals to prevent occurrence of secondary issues

Departments responsible for forestry and grasslands in all locations shall properly deal with those captive wild animals in which breeding is now prohibited following the prohibition on consumption as food, according to the nature and characteristics of the species. Firstly, release into nature conducted in a scientific manner. For captive wild animals which occur naturally in China, appropriate habitat within the natural range or historical range of that species should be selected; numbers released should be kept within the scientifically calculated carrying capacity of the habitat; observation and testing of the health of released individuals should be carried out along with adaptive preparations; and releases should only be carried out after scientific evaluation to ensure it will not cause ecological damage. For those held in large numbers which exceed the capacity of local habitat, departments responsible for forestry and grasslands at the provincial level and above shall coordinate across regions to conduct staggered release into the wild in batches over different areas. Secondly, convert to legal non-food uses. For those captive wild animals which have medicinal or ornamental value, expedite work relating to administrative permits and information platforms in accordance with the law and regulations to accelerate use of stock. Thirdly, foreign wild animals that fall within the scope of the ban on consumption and which farmers have ceased rearing should not be released into nature, but should be entrusted to others or handed over to qualified rescue and shelter organisations. Hereafter they shall be reasonably allocated according to need for use in scientific research or public education. Fourth, for captive wild animals that definitely cannot be

dealt with through one of the aforementioned three measures, they shall be disposed of in a harmless and timely manner.

4. Coordinate compensation to assist farmers in resolving difficulties

In order to address the losses and impacts felt by some farmers and individuals in the industry caused by the measures to prohibit trade in wildlife as food, departments responsible for forestry and grasslands at all levels shall, having established a clear baseline and on the basis of scientific evaluation, report to the local government in a timely manner with suggestions for reasonable compensation, and shall clarify the scope of compensation. The recipients thereof shall be those who had been legally breeding wildlife and have ceased in accordance with regulations; those who had obtained administrative permits in contravention of regulations or who had been engaged in illegal breeding activities shall not receive compensation. They shall formulate reasonable compensation standards, taking into consideration the species and numbers of wild animals raised, and appropriate consideration shall be given to factors such as investment in breeding facilities and breeding models; and shall strengthen cross-sectoral communication and coordination to avoid excessive conflict caused by gaps in compensation standards. They shall actively research and draw up support measures, implement precise measures based on the specific situation faced by farmers, and support prioritised incorporation of those eligible into existing policies, programmes, funds and other channels. They shall combine this support work with poverty alleviation, focusing on poor regions where farmers are concentrated, and those farmers who were engaged in farming as a means of escaping poverty. Support for these farmers shall be conducted in a spirit of "one household, one policy, implementing policy for the household"; shall increase support of efforts to alleviate poverty through industry and employment; shall help them through various means to realise the transition into new industries and development of substitute industries; and shall implement bottom-line safeguards and consolidation of the results of poverty alleviation.

5. Strengthen public awareness and guidance, and ensure effective interpretation of policy

Departments responsible for forestry and grasslands in all locations shall attach great importance to the prohibition on trade in wild animals as food in their region; shall organise forces to visit and communicate with the main entities and farmers involved in the industry; shall vigorously promote the significance of protecting wild animals and eliminating the bad habit of excessive consumption of wildlife animals in the interests of safeguarding the lives and health of the public and the legal effect of the Decisions; shall not only understand the specific difficulties faced by farmers but shall actively guide farmers in understanding the strong voice of the overwhelming majority of the population on eliminating the bad habit of excessive consumption of wild animals; and shall guide farmers in understanding the overall situation and adjusting their direction of development. They shall pay close attention to the difficulties and demands faced by those in the industry, and shall actively investigate and resolve

conflicts and disputes, respond to public concerns in a timely manner, effectively communicate and explain the policy, and strive for understanding and support. They shall strengthen guidance and supervision of relevant work, urge the publication of related policies as soon as possible, and ensure that all measures are practical and detailed. They shall strengthen coordination and communication with relevant departments; study and judge the actual situation and communicate information in a timely manner; and shall report major incidents relating to this work in a timely manner.

Hereby notified.

National Forestry and Grasslands Administration

8 April 2020

http://www.gov.cn/zhengce/zhengceku/2020-04/09/content_5500486.htm