

CIRCULAR OF THE STATE COUNCIL ON BANNING THE TRADE OF RHINOCEROS HORN AND TIGER BONE

Category	FOREIGN TRADE	Organ of Promulgation	The State Council	Status of Effect	In Force
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Circular of the State Council on Banning the Trade of Rhinoceros Horn and Tiger Bone

(May 29, 1993)

Rhinoceros and tiger are the wild animals on the brink of extinction under the special protection in the world. They are listed into the species of Annex I of the Convention on International Trade of Species of Wildlife on the Brink of Extinction signed by our country. In accordance with the relevant stipulations of the Law of the People's Republic of China on Protection of Wildlife, of the Regulations for the Implementation of the People's Republic of China on the Protection of Terrestrial Wildlife and of the Convention on International Trade of Species of Wildlife on the Brink of Extinction, this Circular is issued for the purpose of protecting the rare species in the world and reiterating the banning of all trade activities of rhinoceros horn and tiger bone:

1. It is strictly forbidden to import or export rhinoceros horn or tiger bone (including those identifiable parts or medicine, crafts or other such products containing their ingredients, the same below). No unit or individual may transport, carry or send by post the rhinoceros horn or tiger bone into or out of the territory. In the case of using with the indication in characters "rhinoceros horn" and "tiger bone" on the packing of commodities, the commodities shall be treated as those containing the rhinoceros horn and tiger bone without exception.

2. Selling, purchasing, transporting, carrying and sending by post the rhinoceros horn and tiger bone shall be prohibited. With respect to reserve of rhinoceros horn and tiger bone, the unit concerned must check up promptly, register and seal up for safekeeping again, and take care of them appropriately. The owner thereof shall make an accurate declaration to the competent departments of forestry administration at provincial level or their designated unit. The competent departments of forestry administration at provincial level or their designated unit must compile the information on the reserve of rhinoceros horn and tiger bone into book form, and submit it to the State Office for the Administration of the Import and Export of Species on the Brink of Extinction for the record.

3. The medicinal standards for rhinoceros horn and tiger bone shall be abolished. From now on, rhinoceros horn or tiger bone shall not be used in making medicine anymore. With respect to the produced medicaments with set prescription of traditional Chinese medicine containing the ingredient of rhinoceros horn and tiger bone, they must be sealed within six months as of the date of the promulgation of this Circular and be prohibited from selling.

4. The state encourages the medicinal development and research for the substitute of rhinoceros horn and tiger bone, and actively propagate and spread the researching achievement. Where using rhinoceros horn and tiger bone is necessary for studying of substitute of rhinoceros horn and tiger bone or other special purposes, the unit concerned must be approved by the Ministry of Public Health in advance, submit to the Ministry of Forestry for file, and be subject to the supervision and inspection by the competent departments of forestry administration in localities.

5. Anyone who violates the stipulations of this Circular to sell, purchase, transport, carry and send by post rhinoceros horn and tiger bone, shall be investigated and handled by the State Administrative Department for Industry and Commerce and the Customs of the People's Republic of China according to law. If constituting a crime of speculation or smuggling, the violator shall be prosecuted for the criminal liability according to law by the judicial organ. The rhinoceros horn and tiger bone thus confiscated shall, in accordance with the relevant provisions, be transmitted to the competent departments of forestry administration above the county level in localities to be disposed of.

6. This Circular shall enter into force on the date of promulgation. In the event of any conflicts between this Circular and other relevant provisions promulgated before, this Circular shall prevail.

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