

【Title】 Circular of the State Council on Banning the Trade of Rhinoceros Horns and Tiger Bones[现行有效]

【法规标题】 国务院关于禁止犀牛角和虎骨贸易的通知 [Effective]

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Circular of the State Council on Banning the Trade of Rhinoceros Horns and Tiger Bones

(Promulgated by the State Council on May 29, 1993)

The people's governments of all provinces, autonomous regions and municipalities directly under the Central Government, all ministries and commissions of the State Council, and all institutions directly under the State Council:

Rhinoceros and Tiger are wild animals on the brink of extinction. They are accorded special protection worldwide. 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 provisions of the [Law of the People's Republic of China on the Protection of Wildlife](#), the [Regulations for the Implementation of the People's Republic of China on the Protection of Terrestrial Wildlife](#) and the [Convention on International Trade of Species of Wildlife on the Brink of Extinction](#), this Circular is hereby issued for the purpose of protecting the rare species in the world and reiterating the banning of all trade activities of rhinoceros horns and tiger bones:

1. It is strictly forbidden to import or export rhinoceros horns or tiger bones (including those identifiable parts or medicine, crafts or other such products containing their ingredients, the same below). No unit or individual shall transport, carry or send by mail the rhinoceros horns or tiger bones into or out of the territory of China. Any commodity the packaging of which contains the wording of "rhinoceros horns" or "tiger bones" shall be treated as those containing the rhinoceros horns and tiger bones without exception.

2. The selling, purchasing, transporting, carrying and sending by mail of the rhinoceros horns and tiger bones are prohibited. With respect to the inventory of rhinoceros horns and tiger bones, the unit concerned must promptly check, register, seal them and ensure their safety and care accordingly. The owner thereof shall make an accurate declaration to the

国务院《关于禁止犀牛角和虎骨贸易的通知》

(1993年5月29日国务院发布)

犀牛和虎是国际上重点保护的濒危野生动物,被列为我国已签署了的[《濒危野生动植物种国际贸易公约》](#)附录一物种。为保护世界珍稀物种,根据[《中华人民共和国野生动物保护法》](#)、[《中华人民共和国陆生野生动物保护实施条例》](#)和[《濒危野生动植物种国际贸易公约》](#)的有关规定,重申禁止犀牛角和虎骨的一切贸易活动,特通知如下:

一、严禁进出口犀牛角和虎骨(包括其任何可辨认部分和含其成份的药品、工艺品等,下同)。任何单位和个人不得运输、携带、邮寄犀牛角和虎骨进出国境。凡包装上标有犀牛角和虎骨字样的,均按含有犀牛角和虎骨对待。

二、禁止出售、收购、运输、携带、邮寄犀牛角和虎骨。对库存的犀牛角和虎骨,必须立即进行清理,重新登记、封存,妥善保管,并由其拥有者如实向省级林业行政主管部门或其指定单位申

competent departments of the forestry administration at the provincial level or their designated units. The competent departments of the forestry administration at the provincial level or their designated units must compile the information on the inventory of rhinoceros horns and tiger bones into a 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 medical standards for rhinoceros horns and tiger bones shall be abolished. From now on, rhinoceros horns or tiger bones shall not be used in the preparation of medicines. With respect to the produced medicaments with set prescription of traditional Chinese medicine containing the ingredient of rhinoceros horns and tiger bones, they must be sealed within six months from the date of the promulgation of this Circular and shall be prohibited from selling.

4. The State encourages the medical development and research for the substitute of rhinoceros horns and tiger bones and actively populist and spread the researching achievement. Where it is necessary to use rhinoceros horns and tiger bones for purpose of studying of a substitute for rhinoceros horns and tiger bones or other special purposes, the unit concerned shall be approved by the Ministry of Public Health in advance, submitted to the Ministry of Forestry for the record, and be subject to the supervision and inspection by the competent regional departments of forestry administration.

5. Anyone who violates the provisions of this Circular to sell, purchase, transport, carry or mail rhinoceros horns or tiger bones, shall be investigated and handled by the State Administration of Industry and Commerce and the Customs of the People's Republic of China according to the law. If a crime of speculation or smuggling is constituted, the violator shall be investigated for the criminal liability according to the law by the judicial organ. The rhinoceros horns and tiger bones, thus, confiscated shall be transmitted to the competent departments of forestry administration above the county level in localities for disposal in accordance with the relevant provisions.

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

报。省级林业行政主管部门或其指定单位必须将犀牛角和虎骨库存情况编制成册，报国家濒危物种进出口管理办公室备案。

三、取消犀牛角和虎骨药用标准，今后不得再用犀牛角和虎骨制药。对已生产出的含犀牛角和虎骨成份的中药成方制剂，必须自本通知发布之日起半年内查封，禁止出售。

四、国家鼓励犀牛角和虎骨代用品药用的开发研究，积极宣传推广研究成果。因研究犀牛角和虎骨代用品等特殊情况需要使用犀牛角和虎骨的，必须先经卫生部批准，报林业部备案，并接受当地林业行政主管部门的监督检查。

五、凡违反本通知规定，出售、收购、运输、携带、邮寄犀牛角和虎骨的，由国家工商行政管理机关和中华人民共和国海关依法查处；构成投机倒把罪、走私罪的，由司法机关依法追究其刑事责任。对没收的犀牛角和虎骨，一律交当地县级以上林业行政主管部门按规定处理。

六、本通知自发布之日起施行，凡过去发布的有关规定与本通知不符的，一律以本通知为准。