Report Name: Food and Agricultural Import Regulations and Standards Country Report

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Report Highlights:

China implemented or proposed several significant food and agricultural import regulations and standards in 2019. The Implementing Regulations of the 2015 Food Safety Law entered into force on December 1, 2019. Also this year, China issued two national food safety standards on maximum residue limits, one for pesticides (GB 2763-2019) and another for veterinary drugs (GB 13650-2019), both of which will enter into force during the first half of 2020. In addition, the Chinese government announced plans to revise the Administrative Measures for Registration of Overseas Manufacturers of Imported Foods (AQSIQ Decree 145) to expand the requirement to all food and beverage products. This report presents the key regulations and standards applicable to food and agricultural imports, and includes changes to existing standards. Given the dynamic nature of China’s food regulations, U.S. exporters should verify the full set of import requirements with foreign customers prior to shipping.
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Executive Summary

In recent years, the government of China has identified food safety as a priority area for policy and regulatory attention. Many difficulties and challenges exist, including microbial contamination, excessive pesticide and veterinary drug residues, the improper use of food additives, and the marketing of counterfeit products.

To address such food safety challenges and to finalize the implementation of the 2018 government restructuring, China has been actively developing food and agricultural policies, rules, and regulations. In 2019, China released the Implementing Regulations of the Food Safety Law after four years of development, and made progress towards the promulgation of the Law on Farm Product Quality and Safety (also known as the Law for Quality and Safety of Agriculture Products), the Law for Safeguarding Food Security, and the Regulation on the Administration of Grain Circulation. The State Administration for Market Regulations released draft Measures on Supervision and Management of Food Labeling for domestic comment, while the General Administration of Customs of China issued draft Administrative Measures for Registration of Overseas Manufacturers of Imported Foods, which was designed to replace AQSIQ Decree 145.

In 2019, China released two significant national food safety standards—one which provides the Maximum Residue Limits for Pesticides in Foods, and the other the Maximum Residue Limits for Veterinary Drugs in Foods.

The Ministry of Agriculture and Rural Affairs announced plans to introduce an edible agriculture product compliance certificate system and a National Agriculture Product Quality and Safety Traceability Platform.

The following special notes are related to the 2018 Chinese government reorganization:

- Certain Chinese regulations still contain the names of the government authorities in existence at the time the regulations took effect (e.g., AQSIQ and CFDA), although the current authorities are GACC and SAMR, respectively.

- The publicly available internet links to many previously announced regulations (in particular those released by CFDA and AQSIQ) are no longer functional, due to the ongoing transition to newly-created websites for the new authorities. We believe the regulations will be added gradually to the new websites. Some hyperlinks in this report may become inactive after publication.

- Relevant ministries, including GACC, are in the process of updating regulations and procedures to reflect the change in governing authorities under the reorganization. We believe there will be a large number of updates during the next one to two years. FAS-Beijing strongly suggests that stakeholders closely monitor relevant Chinese Government websites for policy updates that may impact their operations. FAS-Beijing will provide timely reporting about revised or newly issued regulations that may impact international trade.

Report Format

This report is the China Food and Agricultural Import Regulations and Standards (FAIRS) Working Index. It is a working index of major regulations and standards pertaining to food and agricultural imports, some of which have been translated by the Office of Agriculture Affairs of the U.S. Embassy in Beijing and submitted as individual GAIN reports. Such reports can be accessed by clicking the hyperlinked text in this report. These
reports can also be accessed through the Foreign Agricultural Service website at www.fas.usda.gov under the Attaché Reports section. Please check the FAS website periodically for the most current FAIRS Working Index.

These translations are UNOFFICIAL and should be used only as guidelines. Exporters are advised to thoroughly discuss all regulatory and implementation details with their Chinese customers. Chinese regulations may not be consistently implemented at each individual port. Many regulations are short on specifics, and interpretation can differ from port to port and from ministry to ministry.

For answers to specific questions, U.S. exporters should contact any FAS offices in China, or FAS headquarters in Washington, D.C. Contact information can be found in Appendix 2 of this report.

**Disclaimer**

This report was prepared by the Office of Agriculture Affairs of the USDA/Foreign Agriculture Service in Beijing, China for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. U.S. exporters should verify the full set of import requirements with their foreign customers, who are best equipped to consult with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF ENTRY.**
I. Chinese Food Safety Regulators

1. State Administration for Market Regulation (SAMR)

The State Administration for Market Regulation (SAMR) consolidates market regulation functions previously shared by the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ), the China Food and Drug Administration (CFDA), and the State Administration of Industry and Commerce (SAIC). The Provisions on the Jurisdiction, Department and Staffing of the State Administration for Market Regulation outlines SAMR’s organization, functions, and division of responsibilities with other ministries when they are working on the same issue. SAMR is responsible for the comprehensive coordination of China’s food safety system; the development of major food safety related laws, policies, and regulations; the implementation of domestic market inspections; and the registration of special foods.

2. National Health Commission (NHC)

In the food safety regulatory system, NHC is responsible for food-safety risk assessment. NHC formulates and implements food safety risk monitoring plans in collaboration with SAMR and other departments. The Provisions on the Jurisdiction, Department and Staffing of the State Administration for Market Regulation delineate roles of NHC and SAMR in this area. NHC develops most National Food Safety Standards (while MARA develops pesticide and veterinarian drug standards).

3. General Administration of Customs of China (GACC)

The Regulations on the Allocation of Functions, Internal Bodies and Staffing of the General Administration of Customs published by the State Council, outlines GACC’s organization and functions. GACC is primarily concerned with public security and border protection, entry-exit inspection of goods, and the collection of import and export duties. GACC also handles food and agricultural inspections at the port of entry, and manages import and export policies. GACC’s Import and Export Food Safety Bureau is responsible for registering foreign facilities that produce certain food and agricultural products for export to China. This duty was previously under the purview of the Certification and Accreditation Administration (CNCA).

4. Ministry of Agriculture and Rural Affairs (MARA)

MARA is responsible for regulating the quality and safety of domestically produced edible agricultural products, from planting and breeding products to wholesale and retail markets, but before delivery to food processors. MARA is also responsible for animal and plant disease prevention and control, regulating livestock and poultry slaughtering, and raw milk production. MARA works with SAMR and GACC on market access issues and product traceability. MARA regulates agricultural biotechnology.

5. Ministry of Commerce (MOFCOM)
MOFCOM regulates catering services and alcoholic product distribution. It also manages issues related to the World Trade Organization (WTO), including serving as China’s National Notification Authority responsible for sending notifications to the WTO Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) Committees in consultation with the issuing agency.

6. Ministry of Public Security

The Ministry of Public Security is responsible for the criminal investigation portion of food and drug violations. The 2015 Food Safety Law expands the scope of food and drug violations considered criminal.

II. General Food Laws

The legal framework for food safety in China is primarily composed of the Food Safety Law, the Law on Farm Product Quality and Safety, the Consumer Rights Protection Law, and the Law on the Inspection of Import and Export Commodities.

1. The Food Safety Law

The 2015 Food Safety Law

In 2015, the National People’s Congress promulgated a revised food safety law, which was implemented on October 1, 2015. The 2015 Food Safety Law contains 154 articles in ten chapters. The Law:

- Integrates domestic food safety regulatory and enforcement authority (under China Food and Drug Administration, CFDA\(^1\));
- Emphasizes oversight of the food production process rather than the finished product;
- Holds food producers and traders accountable for food safety incidents caused by unsafe food products;
- Refocuses toward risk prevention;
- Imposes stringent oversight of specials foods (e.g., health foods, infant formula, and foods for special medical purposes); and
- Imposes more severe punitive measures (including criminal penalties).

The Law imposed several new requirements, including registration of infant formula recipes, on-site evaluations of foreign exporters and production companies by food importers, and recalls of food products by importers. The Law also addresses food safety in the e-commerce sales channel.

The Implementing Regulations of the 2015 Food Safety Law

On October 31, 2019, Chinese Premier Li Keqiang signed State Council Decree 721, which formally released the revised Implementing Regulations of the 2015 Food Safety Law after four years of development. The Implementing Regulations, which contains 86 articles in 10 chapters, entered into force on December 1, 2019. The Implementing Regulations echo the principles found in the Law itself, including the stipulation that food producers and operators hold primary accountability for food safety, and the importance of traceability of food and agricultural products sold in China.

On August 14, 2017, China notified a draft of the Implementing Regulations to the WTO SPS Committee as SPS 1055.

\(^1\) Now SAMR.
2. The Law on Farm Product Quality and Safety

Law on Farm Product Quality and Safety

The Law on Farm Product Quality and Safety pertains to the quality and safety management of primary edible products derived from agriculture (edible agricultural products\(^2\)), as well as agricultural inputs (pesticides and fertilizers). Once these products have entered the market, they are subject to the 2015 Food Safety Law.

The Law on Farm Product Quality and Safety was promulgated in 2006. On June 17, 2019, MARA released a draft Law on Farm Product Quality and Safety for public comments. The draft Law presents the following changes:

- Reflects the changes in jurisdiction following the 2018 government restructuring;
- Revises the articles that are inconsistent with other laws (such as the 2015 Food Safety Law and the Law on Soil Pollution Prevention and Control) and regulations (such as the Regulations on the Management of Pesticides and the Veterinary Drug Management Regulations);
- Reinforces oversight of sources of agriculture (soil) and the whole process of agricultural production;
- Tightens oversight of agriculture inputs (such as pesticides), establishes a traceability system for agricultural inputs (including pesticides); and
- Establishes a qualification certificate system for edible agricultural products and a traceability system for the quality and safety of agricultural products.

It is expected that China will notify the draft Law to the WTO for trading partner comment before it is formally promulgated.

3. The Consumer Rights Protection Law

In 2013, China passed an amendment to the Consumer Rights Protection Law, which entered into force on March 15, 2014. In consideration of consumer safety and food safety related incidents, the amendment added language to address issues pertaining to online shopping, product recalls, and compensation to consumers related to purchases of noncompliant food products.

Implementing Regulations for the Consumer Rights Protection Law

In 2016, the State Council released draft Implementing Regulations for the Consumer Rights Protection Law\(^3\) for public comment. As of the date of this report, the Implementing Regulations have not been finalized. Among other issues, the Regulations seek to address the long-debated issue of “professional buyers/consumers.” These individuals and entities reportedly take advantage of new food safety regulations by making claims of wrongdoing to seek financial compensation at the expense of traders and producers. However, major food manufacturers say that the draft Regulations do not offer greater clarity to the definition of “consumer,” and this will allow “professional buyers/consumers” to carry on with their current activities.

\(^2\) Edible agricultural products cover primary products; such as vegetables, melons, fruits, unprocessed meats, etc.; while foods refer to finished products or materials for human consumption, or products that are traditionally treated as both food and medicine.

The Consumer Rights Protection Law and the Food Safety Law have inconsistent provisions regarding the value of the punitive fines imposed for the same violations. The definition of what constitutes a “severe” offense, which ultimately determines the value of the fine, also remains unclear. Domestic and foreign food manufacturers are working to find solutions to address these inconsistencies.

U.S. exporters and food operators in China should exercise caution in ensuring products meet the relevant standards. In particular, careful attention should be paid to labeling, even the labeling of traditionally traded products. Labeling errors have reportedly been the highest cause of non-compliance complaints submitted by “professional buyers/consumers.”

4. The Law on the Inspection of Import and Export Commodities and its Implementing Regulations

This Law, which was originally promulgated in 1989, applies to all import and export commodities, including food products, which are listed in the Catalog of Import and Export Commodities that are Subject to Inspection. The Law provides customs clearance guidelines by product, and a checklist of documents needed. A revised version of the Law was promulgated in April 2018 to reflect the government reorganization, in particular, with respect to GACC.

The Implementing Regulations of the Law on Inspection of Import and Export Commodities was revised in March 2019 following the revision of the Law in April 2018.

5. The Law on Entry and Exit Animal and Plant Quarantine

This Law was released on October 30, 1991 and entered into force on April 1, 1992. The Law was revised on August 27, 2009. The Law and its implementing regulations regulate the quarantine and inspection of:

- Animals, plants, and related products that enter, exit, or transit through China;
- Containers, packaging materials, and bedding materials that contain or carry animals, plants, and related products; and
- Means of transport from animal/plant epidemic or infected areas.

With the government restructuring, FAS-Beijing believes that the Law will be revised to reflect the change in competent authority from AQSIQ to GACC, as well as possible changes to the inspection and quarantine procedures, in which case FAS-Beijing will publish a GAIN report with a translation of the revised law.

III. Additional Food Safety Regulations, Rules, and Standards

1. The Special Rules of the State Council to Reinforce the Safety Supervision and Management of Food and Other Products

The Special Rules were issued on July 26, 2007 as State Council Order No. 503. The Rules clarify the division of responsibility for food safety between food producers and traders on the one hand, and food safety regulators

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5 The Catalog is adjusted by the GACC regularly; the latest Catalog was published in January 2018.
on the other hand. The Rules emphasize that producers and traders are primarily accountable for the safety of the foods they produce and sell.

2. AQSIQ Administrative Measures for the Safety of Imported and Exported Foods (Decree 144)

On September 13, 2011, AQSIQ issued Decree 144, Administrative Measures for the Safety of Imported and Exported Foods, which entered into force on March 1, 2012. The Measures are the core regulations for the inspection and oversight of food imports and exports, including foreign food producer registration requirements, imported food inspection procedures, and a risk alert mechanism. The Measures also grant local AQSIQ inspectors the authority to conduct on-site inspections of foreign food manufacturing facilities, verify documents, and detain products that fail to comply with the regulations.

On September 13, 2017, China notified the draft Measures for the Supervision and Administration of Import and Export Food Safety to the WTO SPS Committee as SPS 1056. The draft Measures are a revision of AQSIQ Decree 144. Some of the articles in the notified draft reflect measures already implemented, while others are currently being considered for implementation by the relevant authorities. The U.S. government submitted comments. As of the date of this report, the Measures have not been finalized.

With the government restructuring, GACC has revised the Measures multiple times to reflect changes in the relevant authorities and working procedures. The latest revised Measures, in Chinese, were published on the GACC website in November 2018.

3. Entry-Exit Inspection and Quarantine Process Management Rules

Entry-Exit Inspection and Quarantine Process Management Rules

On October 16, 2017, AQSIQ released the Entry-Exit Inspection and Quarantine Process Management Rules. The Rules do not impose new requirements for the entry-exit inspection and quarantine of all imports, but rather specify inspection and quarantine procedures. The procedures include acceptance of declarations for inspection and quarantine, examination of documents, field and lab inspection and quarantine reports, isolation quarantine of animals and plants, quarantine treatment (if necessary), comprehensive evaluation, issuance of certificates and release forms, and archiving. The Rules also define jurisdictions for AQSIQ and its local branches for each step of the process. The Rules provide sample testing frequencies on incoming shipments depending on risk and traders’ “track record.”

4. AQSIQ Proposed Certificate Requirement for Imported Foods (known as Measure 327)

On June 19, 2017, China notified the draft Measures for the Administration of Certificates Attached to Foods Exported to China to the WTO as TBT 1209. The Measures would have required that all food and beverage products shipped to China, including low risk processed products, be accompanied by an official health certificate. However, following strenuous objections voiced by many of China’s trading partners, Chinese government officials indicated in bilateral and multilateral meetings that the Measures would not be implemented. China has not yet published an official withdrawal of the Measures. [See Section VIII. 1 regarding China’s proposed Administrative Measures for Registration of Overseas Manufacturers of Imported Foods.]

5. Traceability
The 2015 Food Safety Law requires the establishment of a comprehensive traceability system for food safety. Food producers and operators are requested to establish food safety traceability systems to record information such as incoming inspection, pre-delivery inspection, and food sales.

China has pledged to establish a unified edible agricultural food traceability platform and to develop standards and procedures for the traceability of agricultural products and foods.

6. Food Recall Regulation

Food recalls are categorized into three grades depending on the seriousness and degree of emergency of the food safety risk. SAMR oversees food recall in China.

The Administrative Measures for Food Recalls (CFDA Decree 12)

In March 2015, CFDA published the Administrative Measures for Food Recalls (Decree 12), which entered into force on September 1, 2015. Decree 12 stipulates that food producers and traders will be accountable for food safety and will honor their obligations regarding termination of trade, recall and treatment/disposal of unsafe food products. Since Decree 12, there have been no new food recall regulations.

7. E-commerce


Through a series of policy announcements beginning in 2014, former AQSIQ established the Cross Border e-Commerce (CBEC) import channel. CBEC consists of importing certain products directly from foreign suppliers through an internet platform registered by AQSIQ (now GACC), and only through certain CBEC pilot ports of entry. Since import duties are waived and value added taxes as well as consumption tax are discounted by thirty percent, the retail price of CBEC goods can be significantly lower compared to the same goods imported through traditional trade. Product compliance inspections within CBEC pilot zones are similar to that of passenger baggage inspections, which are on average shorter and less restrictive (i.e., lower customs sampling rates). Since CBEC remains a government trial policy, individual pilot zones have been allowed flexibility in the way they inspect products, collect tax, and follow national registration policies for imported products.

Since 2016, the Chinese Government (i.e., 11 ministries and commissions) has maintained a “positive list” of the products that are permitted in CBEC, rather than a “negative list” of the products that are not permitted in CBEC. In late 2018, the Ministry of Finance, together with other twelve ministries and agencies released the notice on Adjustment of the Positive Products List of Cross-Border E-commerce Retail Imports (2018). The positive list is effective from January 1, 2019. The current positive list contains 1,321 items, of which about 370 items are food, pet food or other agricultural products that can enter through CBEC channels. Importers of goods included on the positive list are exempt from submitting an import license to Customs. Chinese language labels also do not need to be affixed physically onto the products. Exporters can keep the original foreign packaging and labeling. However, products under CFDA rules (such as special foods, including infant formula) require product registration prior to import. Items not on the positive list will not be allowed entry through CBEC.
In 2016, two new rules “Tax Policy for Cross-Border E-Commerce Retail Imports” and “List of Imported Commodities for Retail in Cross-Border E-Commerce” were coupled with stronger implementation from the Chinese authorities to level the playing field between CBEC and conventional trade. The changes outlined in the 2016 regulations greatly affected the different taxes (e.g., import duties, value-added tax, and consumption tax) for CBEC products. The GAIN report “Chinese Government Policies Change for Cross-Border e-Commerce” provides a more detailed description of these policies.

In November 2018, the State Council announced the intent to expand CBEC imports. The measures increased CBEC pilot zones from 15 (Tianjin, Shanghai, Hangzhou, Ningbo, Zhengzhou, Guangzhou, Shenzhen, Chongqing, Fuzhou, Pingtan, Hefei, Chengdu, Dalian, Qingdao, and Suzhou) to include another 22 cities: Beijing, Hohhot, Shenyang, Changchun, Harbin, Nanjing, Nanchang, Wuhan, Changsha, Nanjing, Haikou, Guiyang, Kunming, Xi’an, Lanzhou, Xiamen, Tangshan, Wuxi, Weihai, Zhuhai, Dongguan, and Yiwu. The policy changes also increased the threshold that individuals can spend per order from 2,000 RMB (about $300) to 5,000 RMB (about $700) and per year from 20,000 RMB (about $3,000) to 26,000 RMB (about $3,750).

The notice [2018] No.486 Improving the Regulation of Cross-border E-commerce Retail Imports also made it clear that retail goods imported via cross-border e-commerce platforms will be regulated as imported items for personal use and not be subject to the requirements for licensing, registration or filing related to goods imported for the first time.

8. New Food Materials

On October 15, 2013, the National Health and Family Planning Commission (NHFPC, now NHC) released the Provisions for Application and Acceptance for New Food Materials and the Standard Procedures for Safety Review of New Food Materials. “New food materials” refers to edible items that are not traditionally consumed in China, and might have been recently developed for human consumption. The Procedures provide specific guidance on how to apply for approval for new food materials in the Chinese market.

9. The National Food Safety Standards

The National Food Safety Standards are mandatory standards that apply to both domestic and imported products.

The NHC, together with SAMR, are the national authorities for food safety standard development and implementation (while MARA develops national food safety standards for maximum residue limits of pesticides and veterinary drugs in foods). In 2019, China issued 13 new national food safety standards. Since 2010, China has issued over 1,200 national food safety standards, and has preliminarily established the national food safety standard framework. Appendix 3 of this report provides the Framework of China’s National Food Safety Standards, and Appendix 4 is the full list of the existing national food safety standards.

Food Safety Standards Administrative Measures (Draft for Comments)

On April 2, 2019, China Notified the Food Safety Standards Administrative Measures (draft for comments) as SPS/CHN/1130. The Measures provide guidance on the planning and procedures for national food safety

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7 For full text of the NHFPC notice, please visit: [http://www.nhfpc.gov.cn/sps/s3585/201311/e8dc7f4ec58444f8bfb32ec079d7e905.shtml](http://www.nhfpc.gov.cn/sps/s3585/201311/e8dc7f4ec58444f8bfb32ec079d7e905.shtml)
standard development, development and approval of local food safety standards, and imported foods without national food safety standards. At the time of publication of this report, the Measures had not been finalized.

**Imported Foods without Corresponding Chinese National Food Safety Standards**

Article 92 of the Food Safety Law provides that Imported foods, food additives and food-related products shall comply with China’s national food safety standards.

Article 93 of the Food Safety Law and Article 47 of the Implementing Regulations of the Food Safety Law provide guidance for imported foods without corresponding Chinese national food safety standards. When there is no national food safety standard available for an imported food product, the product’s producer, exporter, or importer may submit to NHC the regional, national, or international standards applicable to the product. NHC will review the submitted standards, determine if they meet Chinese food safety requirements, and decide whether or not to temporarily apply the standards in China. If NHC approves the temporary use of a foreign/international standard, it will then develop a corresponding Chinese national food safety standard in a timely manner.

Pursuant to the Notice for Regulating the Standard Review of Imported Foods without National Food Safety Standard issued by the NHFPC (now NHC) in April 2017, the Center for Food Safety Risk Assessment Center (CFSA) is responsible for conducting technical reviews of imported foods without existing Chinese national food safety standards. The Notice states that the foreign producer or exporter, or an entrusted importer, can submit applications (including the applicable foreign/international standard) to CFSA for technical review. However, the Notice does not provide details as to how applicants can make submissions, nor does it provide specific guidance as to the treatment of traditionally traded products versus new-to-market products.

Foods already covered by general or fundamental national food safety standards do not fall into the scope of “foods without national food safety standards,” as provided in Article 93 of the Food Safety Law.

**IV. Food Additive Regulations**

The NHC is responsible for approving new food additive registration.

1. **Food Additives**

China applies a positive list with respect to food additives. Only additives listed on the National Food Safety Standard for Use of Additives (GB2760-2014) are allowed to be used in food products. In 2017, NHFPC (now NHC) released the revised GB 2760 for domestic review, and it is expected that China will notify the draft standards to the WTO.

**New Variety Food Additive Applications**

To apply for approval of a new additive, or the expansion of approved uses of a listed additive, an application should be submitted to the NHC pursuant to the Administrative Measures for New Variety of Food Additives (Ministry of Health [MOH, now NHC] Decree 73), the Provisions for Application Submission and Acceptance of New Variety of Food Additives, and the Notice Concerning Regulating Approving of New Food Additive Variety (MOH Public Notice [2011] No.29). NHC will then conduct a risk assessment of the additive and determine whether the additive can be added to the positive list.
Instructions on the application procedures and material requirements can be found on the NHC website (scroll down to New Variety Food Additive Applications - 食品添加剂新品种审批).

Given the complexity of the application process, applicants should consider contracting with a private sector specialist in Beijing to register new food additives. Beside the language barrier, many steps require materials and documents to be delivered in person. The NHC does not consider foreign governments (e.g., FAS) to be valid entities to apply for new additives, therefore embassies are not able to complete these steps on a company’s behalf.

**Food Additive Production**

Food additive production is subject to licensing requirements. Only facilities that have “food additive production” listed in their operating licenses can produce food additives.

**Imported Products Containing Food Additives without a Chinese National Food Safety Standard**

AQSIQ (now GACC) and MOH (now NHC) issued the notice Relevant Applicable Standards for Inspection of Import Food and Food Additives to address imported products that contain food additives without corresponding Chinese national food safety standards. The notice stipulates that importers must submit an import request, including relevant safety assessment materials, to the NHC. If NHC approves the request, it will issue an import permit, which the importer must present to the quarantine and inspection authorities at a port of entry as part of the normal product clearance process.

The 2015 Food Safety Law requires that all imported products comply with Chinese standards. Accordingly, the NHFPC (now NHC) started reviewing the above practice to determine how to best handle traditionally imported food products containing food additives that do not have corresponding Chinese food safety standards. As of the date of this report, no decision has been published.

**Main Food Additive Standards**

The five most important food additive standards are:

<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/19/2016</td>
<td>10/19/2017</td>
<td>GB9685-2016</td>
<td>食品接触材料及制品用 添加剂使用标准</td>
<td>Standards for the Uses of Additives in Food Containers and Packaging Materials</td>
</tr>
</tbody>
</table>
2. Flavoring Substances and Flavors

Flavoring substances and flavors are categorized as food additives in China.

The two basic standards for flavoring substances and flavors are:

<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
</table>

On December 4, 2018, China notified the National Food Safety Standard - Flavorings (Compounded Flavors) (Draft for Comments) to the WTO SPS Committee as SPS/N/CHN/1092. The Standard, when finalized, will replace the National Food Safety Standard for Flavorings (Compounded Flavors) (GB 30616-2014).

On December 4, 2018, China notified the General Standard for Flavoring Substances and Natural Flavoring Complexes (Draft for Comments) to the WTO SPS Committee as SPS/N/CHN/1093. The General Standard, when finalized, will replace the National Food Safety Standard - General Standard for Flavoring Substances and Natural Flavoring Complexes (GB29938-2013).

3. Nutritional Fortification Substances

“Nutritional fortification substances” refers to natural or artificial nutrients or other nutritional components added to foods in order to improve the food’s nutritional qualities.

On March 15, 2012, China issued the Standard Regarding Nutritional Fortification Substances in Foods (GB 14880-2012), which became effective on January 1, 2013. The Standard defines the purposes of nutritional fortification substances, provides a positive list of allowable fortification substances, identifies the food categories for which their use is permitted, and provides the allowable sources of fortification substances.

For substances that can be categorized as either nutritional fortification substances or food additives, if the purpose of use is to improve the nutrition component in food, the substances must comply with the Standard Regarding Nutritional Fortification Substances in Foods (GB14880-2012). If the substance is used as a food additive, it must comply with provisions of the Standards for Uses of Food Additives (GB2760-2011).

V. Pesticides, Veterinary Drugs, and Other Contaminants

1. Pesticides

The 2015 Food Safety Law imposes stringent regulations for the use of pesticides. The Law also urges the elimination of extremely toxic pesticides with high residues, facilitates research on and application of substitute products, and encourages the use of highly efficient and low-toxic pesticides with low residues.

On March 16, 2017 the State Council released the Regulations on the Management of Pesticides (State Council Decree 677), which entered into force on June 1, 2017. These Regulations pertain to the registration,
production, distribution, and use of pesticides. They were first promulgated in 1997 as State Council Decree 216, and later revised in 2001.

China plans to establish 10,000 maximum residue limits (MRL) for pesticides by 2020. China is expected to develop “uniform limit” standards based on product categories and issue the import tolerance policy for pesticides.

Guide for Establishment of Pesticide MRLs in Foods

In October 2015, MARA released the Guide, which outlines the common procedures for setting MRLs, conditions to review existing MRLs, frequency of MRL reviews (15 years for regular MRLs, and 5 years for temporary MRLs and Codex extraneous MRLs (EMRLs)), special circumstances for temporary MRL/EMRL exemptions, and other issues.

Registration of Import Tolerances:

China does not have a formal registration process to establish import tolerances for agrochemicals without Chinese MRLs. However, according to MARA, regulations for establishing import tolerances are currently under consideration.

Pesticide MRLs in Foods

On August 15, 2019, the Chinese Government released the National Food Safety Standard - Maximum Residue Limits for Pesticides in Foods (GB 2763-2019), which will enter into force on February 15, 2020. GB 2763-2019 covers all pesticides that have received approval for use in China. The Standard sets 7,107 MRLs for 483 pesticides in 256 categories of food. It expands the defined pesticide MRLs in animal-origin foods, providing 703 limits for 109 pesticides in 27 types of animal-origin foods, including meat, milk, and eggs. Taking into account the significant increase in recent years in Chinese food and agricultural imports, which may have residues of pesticides that are not registered in China, China applies the applicable CODEX standard for 1,109 MRLs for 77 pesticides that have not yet registered in China.

2. Veterinary Drugs

In China, the research, production, distribution, import, export and use of veterinary drugs are regulated by the Rules for Administration of Veterinary Drugs.9

Maximum Residue Limits for Vet Drugs in Foods

On October 12, 2019, MARA, NHC, and SAMR jointly issued the National Food Safety Standards - Maximum Residue Limits for Veterinary Drugs in Foods” (GB 13650-2019), which will enter into force on April 1, 2020. The new veterinary drug MRL standard sets 2,191 MRLs and use requirements for 267 veterinary drugs in

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8 Many countries, including the United States, Japan, and South Korea, use the Positive List System (PLS) for pesticides. Some of the countries that use the PLS set “uniform limit” standards for pesticides that are not registered in that country (i.e., are not in the PLS). The uniform limit is usually a fixed and low residue level between 0.01 and 0.1mg/kg.

9 Full text of the MARA Rules for Administration of Veterinary Drugs is available at: http://www.moa.gov.cn/gk/zcfg/zxfg/201812/t20181214_6164972.htm
livestock and poultry products, aquatic products and bee products. The standard covers virtually all of the commonly used veterinary drug varieties and the main animal products.

GB 31650-2019 replaces the relevant content in the Ministry of Agriculture Public Notice No. 235 - Maximum Residue Limits of Veterinary Drugs in Animal-origin Foods, published in 2002. The new standard will increase the number of defined vet drug MRLs by 643, and the number of vet drugs covered by 76. Over 90% of the MRLs in the new standard coincide with Codex standards.

MARA pledged to develop vet drug MRLs for all permitted vet drugs in China during the next 3 to 5 years.

3. **Maximum Levels of Mycotoxins in Foods**

On March 17, 2017, the Chinese Government released the National Food Safety Standard for Maximum Levels of Mycotoxins in Foods (GB2761-2017), which entered into force on September 17, 2017. This standard sets limits for Aflatoxin B1, Aflatoxin M1, Deoxynivalenol, Patulin, Ochratoxin A and Zearalenone in foods.

On June 3, 2019, China notified the Draft National Food Safety Standard for Maximum Levels of Mycotoxins in Foods to the WTO SPS Committee as SPS/N/CHN/1146. The Standard, once finalized and implemented, will replace the National Food Safety Standard for Maximum Levels of Mycotoxins in Foods (GB 2761-2017).

On March 16, 2018, China notified the draft standard Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Food to the WTO SPS Committee as SPS/N/CHN/1068. The Code applies to peanuts, corn, cottonseed, tree nuts, and feed for dairy cows. The deadline for comments was May 15, 2018. The U.S. government submitted comments. As of the date of this report, the standard has not been finalized.

4. **Maximum Levels of Contaminants in Foods**

On March 17, 2017, the Chinese Government released the National Food Safety Standard for Maximum Levels of Contaminants in Foods (GB2762-2017), which entered into force on September 17, 2017. This standard sets limits for lead, cadmium, mercury, arsenic, tin, nickel, chromium, nitrite, nitrate, Benzo[a]pyrene, N-nitrosodimethylamine, polychlorinated biphenyl, 3chloro-1, and 2-propanediol in foods.

5. **Pathogen Limits for Food**

On December 26, 2013, China released the National Food Safety Standard for Pathogen Limits for Food (GB 29921-2013). This standard provides an index of pathogens in foods, pathogen limits, and testing methods, which apply to pre-packaged foods (not including canned foods). The standard became effective on July 1, 2014.

6. **Packaging and Container Requirements**

The 2015 Food Safety Law defined food packaging materials and containers as “products made of paper, bamboo, wood, metal, porcelain, plastic, rubber, natural fiber, chemical fiber, or glass and used to contain food or additives, or coating in direct contact with food or additives.” The Law also requires that food for direct consumption must be contained in small packages or use non-toxic and clean packaging material and containers. The containers for storing, transporting and loading/unloading food must be safe, maintain the food in clean condition, and prevent food contamination.
Accordingly, a series of hygienic and safety standards were announced to address the issue:

<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/25/2012</td>
<td>10/25/2012</td>
<td>GB 14930.2-2012</td>
<td>消毒剂</td>
<td>Disinfectant</td>
</tr>
<tr>
<td>4/25/2012</td>
<td>10/25/2012</td>
<td>GB11676-2012</td>
<td>有机硅防粘涂料</td>
<td>Anti-coherent silicone coating</td>
</tr>
<tr>
<td>4/25/2012</td>
<td>10/25/2012</td>
<td>GB11677-2012</td>
<td>易拉罐内壁水基改性环氧树脂涂料</td>
<td>Water soluble epoxy internal coatings of food beverage cans</td>
</tr>
<tr>
<td>5/17/2012</td>
<td>11/17/2012</td>
<td>GB9686-2012</td>
<td>内壁环氧聚酰胺树脂涂料</td>
<td>Epoxy Polyamide Resin Coating</td>
</tr>
<tr>
<td>9/21/2015</td>
<td>9/21/2016</td>
<td>GB31603-2015</td>
<td>食品接触材料及制品生产通用卫生规范</td>
<td>General Hygiene Regulation for Food contacting Materials and Their Products</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>10/19/2017</td>
<td>GB4806.1-2016</td>
<td>食品接触材料及制品通用安全要求</td>
<td>General Safety Requirements of Food Contacting Materials and Articles</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>10/19/2017</td>
<td>GB9685-2016</td>
<td>食品接触材料及制品用添加剂使用标准</td>
<td>Standards for Uses of Additives in Food Containers and Packaging Materials</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.3-2016</td>
<td>搪瓷制品</td>
<td>Enamel Products</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.4-2016</td>
<td>陶瓷制品</td>
<td>Ceramic Products</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.5-2016</td>
<td>玻璃制品</td>
<td>Glass Products</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.6-2016</td>
<td>食品接触用塑料树脂</td>
<td>Resins for Food Contact Plastic Materials and Articles</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.7-2016</td>
<td>食品接触用塑料材料及制品</td>
<td>Food Contact Plastic Materials and Articles</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.8-2016</td>
<td>食品接触用纸和纸板材料及制品</td>
<td>Food Contact Paper and Paper Board Materials and Articles</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.9-2016</td>
<td>食品接触用金属材料及制品</td>
<td>Food Contact Metal Materials and Articles</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.10-2016</td>
<td>食品接触用涂料及涂层</td>
<td>Food-contact Coating and Coating Layers</td>
</tr>
<tr>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB4806.11-2016</td>
<td>食品接触用橡胶材料及制品</td>
<td>Food Contact Rubber Materials and Articles</td>
</tr>
</tbody>
</table>

On June 3, 2019, China notified the Draft National Food Safety Standard for Adhesives for Food Contact Materials and Articles to the WTO SPS Committee as SPS/N/CHN/1147. This standard specifies the scope, terminology and definitions, product classification, basic requirements, technical requirements, and labeling requirements for adhesives for food contact materials and products.
VII. Labeling requirements

Although not directly affecting food safety, labeling is reported by import inspection authorities as one of the major reasons for noncompliance, and has created a lot of consumer complaints. Pursuant to the 2015 Food Safety Law, pre-packaged food must be labeled with the following information:

- Name, specification, net content, and date of production;
- Table of ingredients or formulation;
- Producer name, address, and contact information;
- Shelf life;
- Code of product standard(s);
- Storage requirements;
- Generic name of the food additives as used in the national standard;
- Production License Number [Note: for imports, the facility registration number]; and
- Other information as required for specific products, such as infant formula and products derived from agricultural biotechnology (see Section IX on product-specific regulations and standards).

On December 12, 2019, China notified the Food Labeling Supervision and Management Measures (Draft for Comments) to the WTO TBT Committee as TBT/N/CHN/1401. Comments are due on February 10, 2020. These Measures, once finalized, will be the umbrella regulation for labeling of food and agricultural products.

On April 22, 2019, GACC issued the Public Notice concerning the Oversight of Labels for Imported and Exported Pre-packaged Foods. According to the notice, as of October 1, 2019, companies are no longer required to file imported food labels with GACC before the first shipment, as they were previously required to do. The new regulation will reduce the administrative burden on traders shipping packaged food to China. However, upon detection of any labeling non-conformities, GACC may take actions pursuant to the relevant laws and regulations, including detaining, destroying, or rejecting the non-compliant shipment.

On January 9, 2018, China notified the Measures Pertaining to the Inspection and Supervision of Import and Export Prepackaged Food Labeling to the WTO TBT Committee as TBT/CHN/1246. The Measures outline the responsibilities of food producers, the materials to be submitted for label inspections, and the procedures to be followed by inspection and quarantine authorities in reviewing labels. The Measures went into force on October 1, 2018. The required format and contents of labels are provided in the following specific standards:

<table>
<thead>
<tr>
<th>Date of issuance</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/26/2013</td>
<td>5/1/2015</td>
<td>GB13432-2013</td>
<td>预包装特殊膳食用食品标签</td>
<td>Labeling of Pre-packaged Foods for Special Dietary Uses</td>
</tr>
</tbody>
</table>
In 2016, CFSA began revising the Standard for the Labeling of Prepackaged Foods (GB7718-2011). We expect China to notify the draft revision to the WTO SPS Committee before it is finalized and implemented.

VIII. Facility and Product Registration Requirements

1. **AQSIQ Administrative Measures for Registration of Overseas Manufacturers of Imported Food (Decree 145)**

On March 22, 2012, AQSIQ released the Administrative Measures for Registration of Overseas Manufacturers of Imported Food (AQSIQ Decree 145), which entered into force on May 1, 2012. The Measures require foreign food production facilities that export to China to be registered with CNCA\(^{10}\) (now GACC).

On December 21, 2015, AQSIQ released the *Implementation Catalogue for Registration of Overseas Manufacturers of Imported Food*, which stipulates the products that require facility registration. Registration requirements vary by commodity, but according to the latest catalogue, meat (to include poultry), seafood, dairy, infant formula, and cubilose (bird nest) production facilities require facility registration.

U.S. meat and poultry facilities under the jurisdiction of USDA’s Food Safety and Inspection Service (FSIS) are exempt from the full registration requirements. However, U.S. beef and poultry facilities must be listed with GACC. For more information on how U.S. beef facilities can be listed with GACC, please see GAIN Report CH17033 and for poultry facilities, please see GAIN Report CH2019-0153. FSIS is working with GACC to determine how U.S. processed meat facilities will meet registration requirements.

Beef Establishments are required to participate in the *USDA, AMS Export Verification Program for Bovine* for the People’s Republic of China., an AMS Beef Traceability Program. A list of establishments eligible to export eligible beef products can be obtained from the AMS web site. Each establishment that participates in the AMS EV Program for beef to China is required to maintain a unique product identification system, which can be accessed by authorized FSIS inspection personnel on Partner Web via the FSIS' Intranet. There is currently no other mandated registration requirement by China.

The current lists of registered facilities are accessible on the GACC website.

**Revision of Decree 145**

On November 26, 2019, GACC issued the Administrator Measures for Registration of Overseas Manufacturers of Imported Foods (Draft for Comments), which is designed to replace AQSIQ Decree 145. Some major changes in the draft Measures compared to AQSIQ Decree 145 include:

- The scope of food products that are subject to overseas facilities registration is expanded to include all agricultural, food, and beverage products;
- More responsibility is placed on the competent authorities of the exporting countries;
- GACC will determine the focus, methods, and frequency of inspections and oversight depending on the risk level of the facilities;

\(^{10}\) Following the government reorganization, GACC now handles registration of overseas manufacturers of imported foods.
China has stated that it will notify the draft revision to the WTO before it is finalized and implemented.

2. Record Filing for Foreign Exporters/Agents of Food Products and Consignees of Imported Food Products to China (2015 Update to AQSIQ Public Notice [2012] No. 55)

In 2012, AQSIQ launched a system for record filing for foreign exporters/agents of food products and consignees of imported food products to China. In 2019, the website where exporters and consignees of certain food categories file their information changed from http://ire.eciq.cn to http://ire.customs.gov.cn/. Exporters and importers must file their records on this website in order to have their shipments released by customs.

3. AQSIQ Notice Soliciting Comments on the Draft Administrative Measures for Importers’ Review and Inspection of Overseas Establishments that Export Food Products to China

The 2015 Food Safety Law requires that importers review relevant documents of their foreign suppliers (exporters and producers). Furthermore, if imported food products fall within the seven categories listed below, importers are required to conduct on-site inspections of their overseas exporters and producers. The importers must keep proper records of these document reviews and on-site inspections or be subject to punitive measures.

- Infant formula;
- Food for special medical uses;
- Health food;
- Meat;
- Fresh and frozen seafood for direct consumption;
- Rice; and
- Bulk vegetable oil.

At the time of publication of this report, the Measures had not been finalized.

4. Registration of Special Foods

The 2015 Food Safety Law introduced the concept of “special foods,” which covers infant formula, foods for special medical purposes (FSMP), and health foods. There are specific registration requirements for FSMP. For more information, locate the FSMP section in the table of contents at the beginning of this report.

5. Good Manufacturing Practices

The hygienic requirements for food production and operation, or good manufacturing practices (GMP), compose one of the four pillars of China’s national food safety standard framework (with the other three pillars being basic standards, standards for foods/food additives/food-related products, and testing regulations/SOPs).

China has released the following national GMP standards:
<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/26/2010</td>
<td>12/1/2010</td>
<td>GB23790-2010</td>
<td>粉状婴幼儿配方食品良好生产规范</td>
<td>Good Manufacturing Practice for Powdered Formula for Infants and Young Children</td>
</tr>
<tr>
<td>12/26/2013</td>
<td>1/1/2015</td>
<td>GB29923-2013</td>
<td>特殊医学用途配方食品良好生产规范</td>
<td>Good Manufacturing Practice for Food for Special Medical Purpose</td>
</tr>
<tr>
<td>12/24/2014</td>
<td>5/24/2015</td>
<td>GB31621-2014</td>
<td>食品经营过程卫生规范</td>
<td>Hygiene Regulations for Food Trading</td>
</tr>
<tr>
<td>5/24/2013</td>
<td>6/1/2014</td>
<td>GB14881-2013</td>
<td>食品生产通用卫生规范</td>
<td>General Hygiene Regulation for Food Production</td>
</tr>
<tr>
<td>9/21/2015</td>
<td>9/21/2016</td>
<td>GB31603-2015</td>
<td>食品接触材料及制品生产通用卫生规范</td>
<td>General Hygiene Regulation for Food contacting Materials and Their Products</td>
</tr>
<tr>
<td>12/23/2016</td>
<td>12/23/2017</td>
<td>GB 8955-2016</td>
<td>食用植物油及其制品生产卫生规范</td>
<td>Code of Hygienic Practice for the Production of Edible Vegetable Oil</td>
</tr>
<tr>
<td>12/23/2016</td>
<td>12/23/2017</td>
<td>GB 8957-2016</td>
<td>糕点、面包卫生规范</td>
<td>Code of Hygienic Practice for the Production of Pastry and Bread</td>
</tr>
<tr>
<td>12/23/2016</td>
<td>12/23/2017</td>
<td>GB 17403-2016</td>
<td>糖果巧克力生产卫生规范</td>
<td>Code of Hygienic Practice for the Production of Candy and Chocolate</td>
</tr>
<tr>
<td>12/23/2016</td>
<td>12/23/2017</td>
<td>GB 17404-2016</td>
<td>膨化食品生产卫生规范</td>
<td>Code of Sanitation Practice for the Production of Puffed Food</td>
</tr>
<tr>
<td>Issuance Date</td>
<td>Effective Date</td>
<td>Standard Number</td>
<td>Standard in Chinese</td>
<td>Standard in English</td>
</tr>
<tr>
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</tr>
<tr>
<td>12/23/2016</td>
<td>12/23/2017</td>
<td>GB 18524-2016</td>
<td>食品辐照加工卫生规范</td>
<td>Code of Hygienic Practice for Radiation Processing of Food</td>
</tr>
<tr>
<td>12/23/2016</td>
<td>12/23/2017</td>
<td>GB 20941-2016</td>
<td>水产制品生产卫生规范</td>
<td>Code of Hygienic Practice for the Production of Aquatic Products</td>
</tr>
</tbody>
</table>

China has also notified the WTO SPS Committee of the following regulations, which are expected to be finalized soon:

<table>
<thead>
<tr>
<th>SPS Notification No.</th>
<th>Standard Title (Chinese)</th>
<th>Standard Title (English)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1069</td>
<td>即食鲜切蔬果生产卫生规范</td>
<td>Hygienic Specification on Processing of Ready-to-eat Fresh-cut Vegetables and Fruits</td>
</tr>
<tr>
<td>1068</td>
<td>食品中黄曲霉素的控制规范</td>
<td>Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Food</td>
</tr>
<tr>
<td>1067</td>
<td>餐（饮）具集中消毒卫生规范</td>
<td>Sanitary Standards of Tableware Centralized Disinfection</td>
</tr>
<tr>
<td>1066</td>
<td>熟肉制品生产卫生规范</td>
<td>Code of Hygienic Practice for Cooked Meat</td>
</tr>
<tr>
<td>880</td>
<td>冷藏乳制品贮运销售卫生规范</td>
<td>Sanitary Specifications for Storage and Marketing of Refrigerated Dairy Products</td>
</tr>
<tr>
<td>859</td>
<td>食品用热加工香料生产卫生规范</td>
<td>Code of Hygienic Practice for Thermal Process Flavoring</td>
</tr>
</tbody>
</table>

IX. Product-Specific Regulations and Standards
All agricultural and food products shipped to China must comply with the eligible laws, regulations, and standards listed in the other sections of this report. In addition, there are specific regulations and standards for some products.

1. Dairy Products

GACC regulates dairy imports.

Regulations

AQSIQ Decree 152, the Measure for Dairy Product Import/Export Inspection and Quarantine Management, took effect on May 1, 2013. The Decree sets requirements for food safety system assessments and oversight, market access, certificates, inspection, facilities registration. The products that are subject to Decree 152 include raw milk, raw milk products, pasteurized milk, and modified milk produced through pasteurization. For a full scope of products subject to Decree 152, see Article 2 in the above link. In November 2018, GACC made revisions to Decree 152 to reflect the changes of regulating authorities.

Regulating Sanitary Certificates for Dairy Imports

The AQSIQ Public Notice concerning the Regulating of Sanitary Certificates for Dairy Imports ([2009] No.125) requests the adoption of sanitary certificates for dairy products issued by the exporting country’s competent authority. The U.S. Department of Agriculture (USDA) issues dairy sanitary certificates for exports to China. For more information about this process, visit the USDA website.

Registration of Foreign Dairy Facilities that Export to China

As a part of the registration of overseas food manufacturers (AQSIQ Decree 145), AQSIQ Public Notice [2013] No.62 of April 28, 2013 announced that foreign dairy producers that export products to China must also register with CNCA (now GACC). The registration lists are available on the GACC website, and the lists are updated on a semi-regular basis.

National Standards

In 2019, China notified three national food safety standards for cheese, processed cheese, and condensed and evaporated milk to the WTO SPS Committee. These three standards were first issued and implemented in 2010.

Principal Standards:

<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
</table>

11 Public Notice [2009] No. 125 in Chinese is no longer accessible on the AQSIQ website; the full text is available at [http://law.foodmate.net/show-164158.html](http://law.foodmate.net/show-164158.html).
2. Special Foods

Special food products, including infant formula, foods for special medical purposes, and health foods, are regulated by SAMR’s Department of Special Food Safety Supervision.

a) Infant Formula

Infant Formula Recipe Registration

The Administrative Measures for the Registration of Recipes for Formula Powder Products for Infants and Young Children (CFDA Decree 26) require infant formula products manufactured on or after January 1, 2018 to be registered with CFDA (now SAMR). Foreign infant formula powder products must be registered before the products may be shipped to China. The list of registered infant formulas is available on the SAMR website. There are several supporting documents for Decree 26 available on the SAMR webpage for special food registration, which provides additional details on the infant formula product registration process.

China Notifies Draft Administrative Measures for Infant Formula Recipe Registration for Domestic Comments

On June 26, 2019, SAMR released draft Administrative Measures for the Registration of Infant and Young Children Formula Milk Powder Recipe for domestic comments. The draft is a revision to the Administrative Measures for the Registration of Recipes for Formula Powder Products for Infants and Young Children. The main changes in the proposed regulation include, but are not limited to: more stringent requirements placed on
applicants (for example, applicants must possess a complete manufacturing process); a simplified registration process (such as the free transfer of recipes between group companies and subsidiaries, and reduced timeline for product testing); more details about the process and timeline for on-site audits. An electronic certification system will be used in the process of administering infant formula recipe registration.

**Infant Formula Facility Registration**

Foreign manufacturing facilities that export infant formula to China are required to register with GACC pursuant to the AQSIQ Administrative Measures for Registration of Overseas Manufacturers of Imported Food (Decree 145). The registration list is available on the GACC website.

**Packaging, Labeling, and Other Product-Specific Requirements**

Infant formula producers are required to review their labels to ensure the labels conform to relevant laws, rule, regulations, and standards. Imported infant formula must be packaged in the smallest retail package feasible, with the Chinese label printed on the package before import into China. It is forbidden to import infant formula in bulk packaging for the purpose of repackaging in China. Imported infant formula must have a minimum of three months of shelf-life upon clearing Customs. CFDA Decree 26 and AQSIQ Public Notice 133 (see above) outline additional requirements for and prohibitions on infant formula.

**Production Outsourcing, Repackaging, and other Prohibited Practices**

The Decree Concerning Banning Entrustment and OEM Production and Repackaging of Infant Formula Milk Powder (CFDA Decree 43) prohibits infant formula production plants from producing infant formula for third parties, such as other companies, brand owners, or agents. Furthermore, companies may not operate infant formula plants in China if they have registered formula plants outside of China. Organizations and individuals are prohibited from purchasing infant formula for repackaging, relabeling, and resale. In addition, plants may not produce infant formula with different product names but containing the same ingredients. Plants may only use cow milk, sheep milk, goat milk, and other dairy products (such as milk protein and lactose) to produce infant formula.

**Principle Standards:**

<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/26/2010</td>
<td>12/1/2010</td>
<td>GB 23790-2010</td>
<td>粉状婴幼儿配方食品良好生产规范</td>
<td>Good Manufacturing Practice for Powdered Formula for Infants and Young Children</td>
</tr>
<tr>
<td>3/26/2010</td>
<td>4/1/2011</td>
<td>GB 10767-2010</td>
<td>较大婴儿和幼儿配方食品</td>
<td>Older Infants and Young Children Formula</td>
</tr>
</tbody>
</table>

**Revised National Food Safety Standard for Infant Formula**
On September 19, 2018, China notified a revised National Food Safety Standard for Infant Formula to the WTO SPS Committee as SPS/CHN/1082. The standard applies to formula for infants aged 0-6 months old, and once finalized, will replace GB 10765-2010. There is currently no proposed date of entry into force.

Revised National Food Safety Standard for Follow-up Formula for Older Infants
On September 19, 2018, China notified a revised National Food Safety Standard for Follow-up Formula for Older Infants to the WTO SPS Committee as SPS/CHN/1083. The standard applies to formula for infants aged 7-12 months old, and once finalized, will replace GB 10767-2010 (together with SPS/CHN/1084 below). There is currently no proposed date of entry into force.

Revised National Food Safety Standard for Follow-up Formula for Young Children
On September 19, 2018, China notified a revised National Food Safety Standard for Follow-up Formula for Young Children to the WTO SPS Committee as SPS/CHN/1084. The standard applies to formula for children aged 13-36 months old, and once finalized, will replace GB 10767-2010 (together with the SPS/CHN/1083 above). There is currently no proposed date of entry into force.

b) Foods for Special Medical Purposes (FSMP)

The Administrative Measures for the Registration of Formula Foods for Special Medical Purposes (FSMP) (CFDA Decree 24) regulate the registration of FSMPs distributed in China, whether the product is imported or produced domestically. CFDA implemented the Measures on July 1, 2016 and granted an enforcement grace period until January 1, 2019. As of December 2019, there are 40 registered, individually branded FSMPs. The list is available on the SAMR website (in Chinese). In addition, several supporting documents for Decree 24, available on the SAMR website, provide additional details on FSMP registration.

c) Health Foods

The Administrative Measures for the Registration and Record Filing of Health Food (CFDA Decree 22), which entered into force on July 1, 2016, regulate the registration and record filing of health foods distributed in China, whether the product is imported or produced domestically. The list of registered health foods is available on the SAMR website. Several supporting documents for Decree 22, available on the SAMR website, provide additional details on health food registration and record filing.

To regulate health food naming and claims made about health foods, SAMR released the Guidance for Naming of Health Food (2019 Version) in November 2019.12

In June 2019, SAMR published the Guidance for Labeling of Warning Statement for Health Foods.13 The Guidance provides a warning statement, “Health foods are not medicines and cannot be substituted for medicines to treat diseases,” which must be included on the package labels of health foods. The Guidance also requires that the shelf life labeling of health foods be presented in the following format: “The quality guarantee period ends on xxxx (year) xx (month) xx (day).” The Guidance entered into force on January 1, 2020.

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In August 2019, SAMR released the Administrative Measures for the Catalogue of Raw Materials and the Catalogue of Health Functions of Health Foods (SAMR Decree 13).\textsuperscript{14} The Measures regulate the development, adjustment, and announcement of the two catalogues of health foods.

3. Meat and Poultry Products

GACC is the CCA for the inspection and quarantine of imported meat.

Import Regulations

**Registration of U.S. Facilities:** Per AQSIQ Decree 145, all U.S. facilities intending to export meat and poultry products to China must be listed with GACC (see Section VIII.1 above for more information on Decree 145). The U.S. facility must appear on the GACC website. Following the Chinese government reorganization, a separate registration with CNCA is no longer required.

**Quarantine Inspection Permit:** AQSIQ Public Notice 73 Concerning the Quarantine Review of Animals and Plants Entering (into China) requires that importers obtain a Quarantine Import Permit (QIP) as part of the customs clearance process. The Notice also provides several amendments to the quarantine review procedure, including: extending the validity of QIP’s to six months, allowing QIP’s to be annulled or voided in the event of a government-issued warning or ban, and requiring that contracts reflect the quarantine requirements of the corresponding QIP.

**Only Designated Ports Can Receive Meat Imports:** AQSIQ Public Notice 49 requires that meat imports must enter China through the port designated on the QIP. A list of the ports that accept meat imports (in Chinese) is maintained and updated by GACC.

**Port Clearance Procedures:** The Regulations on the Inspection and Quarantine of Entry-Exit of Meat Products (AQSIQ Decree 136) outline the clearance procedures for imported meat, excluding canned meat. On November 23, 2018, GACC issued Decree 243, a revised version of Decree 136, to reflect the change in CCA for imported meat from AQSIQ to GACC. The Administrative Rules for Inspection and Quarantine on Entry Meat Products (AQSIQ Public Notice 49) serve as the implementing rules for both AQSIQ Decree 136 (now GACC Decree 243) and AQSIQ Decree 170.

**FSIS Health Certificates:** During the port clearance process, importers must supply appropriate health certificate information to Chinese customs officials. Please see the USDA Food Safety Inspection Service Export Library for specific requirements.

National Standards

**National Food Safety Standard for Fresh (Frozen) Meat, Poultry Products (GB 2707-2016)**

Published in late December 2016, this standard combines two existing standards, Fresh and Frozen Poultry Products (GB 16869-2005) and Hygienic Standard for Fresh (Frozen) Meat of Livestock (GB2707-2005). This consolidated standard details the technical requirements for testing, hygiene, labeling, packaging, and storage

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\textsuperscript{14} The Administrative Measures in Chinese are available at: http://gkml.samr.gov.cn/nsjg/fgs/201908/t20190820_306117.html
requirements for fresh and frozen meat and poultry products. The standard went into force on June 23, 2017 and applies to imported and domestic products.

**Hygienic Standard for Cooked Meat Products (GB2726-2016)**


China has published the following National Food Safety Standards related to meat and meat products:

<table>
<thead>
<tr>
<th>Issuance Date</th>
<th>Effective Date</th>
<th>Standard Number</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
</table>

China has also notified to the WTO SPS Committee the following standards, which are expected to be finalized soon:

<table>
<thead>
<tr>
<th>SPS Notification No.</th>
<th>Standard in Chinese</th>
<th>Standard in English</th>
</tr>
</thead>
<tbody>
<tr>
<td>1071</td>
<td>食用动物血制品</td>
<td>Edible Animal Blood Products</td>
</tr>
<tr>
<td>1066</td>
<td>熟肉制品生产卫生规范</td>
<td>Code of Hygienic Practice for Cooked Meat</td>
</tr>
</tbody>
</table>

4. **Vegetable Oil**

Edible oil shipments must comply with the following requirements to enter the Chinese market:

Edible oil shipments must be accompanied by phytosanitary certificates issued by the competent authority of the exporting country.

Foreign oil exporters and Chinese oil importers must file their information at [http://ire.customs.gov.cn](http://ire.customs.gov.cn) in order to have their shipments released by the customs.
Vegetable oil produced from crops that are derived from agricultural biotechnology is also subject to AQSIQ Decree 62, the Administrative Measures for the Inspection and Quarantine of Entry-Exit GM Products. The Measures entered into force on May 24, 2004 and the latest revision was issued in April 2019. The Measures require importers to present an Agricultural Biotechnology Safety Certificate (import permit) and a File for Review of Agricultural GMO Label for customs clearance.

On June 21, 2018, China released the national food safety standard Edible Vegetable Oil (GB 2716-2018), which entered into force on December 21, 2018. The standard replaced GB2716-2005 (Hygienic Standard for Edible Vegetable Oil) and GB7102.1-2003 (Hygienic Standard for Edible Vegetable Oils Used in Frying Food). Crude vegetable oil, edible vegetable oil, edible vegetable blend oil, and various edible vegetable oils used in frying food are subject to the standard. Edible oil products (such as edible hydrogenated oil, margarine, shortening, cocoa butter replacer, whipped cream, powdered oil) are not covered by the standard.

In November 2016, China implemented the national food safety standard Edible Vegetable Oil Seeds (GB 19641-2015). The standard applies to oil seeds used in the production of edible vegetable oil.

5. Agricultural Biotechnology

Imports of products derived from agricultural biotechnology are subject to strict oversight in China.

MARA holds the primary responsibility for the approval of biotech crops for import and domestic production, as well as for the development of agricultural biotechnology policy. The National Health Commission (NHC) holds the primary responsibility for the approval of food ingredients derived from biotechnology once MARA has conducted a biosafety review. Following the government reorganization, GACC is responsible for managing the inspection and quarantine of the entry and exit of all biotech products.

The biotechnology regulatory environment for agriculture is outlined in the State Council’s Administrative Rules for Safety of Agriculture GMOs (issued in 2001, and revised in 2017). The Rules are implemented by the following Measures:

- Administrative Measures for the Safety Assessment of Agriculture GMOs (issued on January 5, 2002, latest revision issued on November 30, 2017);
- Administrative Measures for Safety of Agriculture GMO Imports (issued on January 5, 2002, latest revision issued on November 30, 2017);
- Administrative Measures on Labeling of Agriculture GMOs (issued on January 5, 2002, latest revision issued on November 30, 2017);
- Measures for the Review and Approval of Agricultural Genetically Modified Organisms for Processing (implemented on July 1, 2006);
- Technical guidance, standards, and procedures released as MARA public notices; and
- AQSIQ Decree 62, Administrative Measures of Inspection and Quarantine on Entry-Exit GM Products (implemented on May 24, 2004, latest revision issued in April, 2019).

China requires the labeling of certain products derived from biotechnology and prohibits the importation and sale of any unlabeled or mislabeled products. The types of products subject to mandatory labeling include:

1. Soybean seed, soybeans, soybean flour, soybean oil, and soybean meal;
2. Corn seed, corn, corn oil, and corn flour (including corn flour under HS codes 11022000, 11031300, and 11042300);
3. Rapeseed for planting, rapeseed, rapeseed oil, and rapeseed meal;
4. Cottonseed; and
5. Tomato seed, fresh tomato, and tomato paste.

The Implementing Regulations of the Food Safety Law released in October 2019 provide that “Production and trading of genetically modified foods should be conspicuously marked; the measures for marking (the production and trading) will be developed by the food safety supervision and administrative department of the State Council together with the agricultural administrative department of the State Council.” By issuance of this report, the measures have not been released.

Please see the USDA Annual Agriculture Biotechnology GAIN report, which provides more detail on the overall biotechnology environment in China.

6. Grains

The Draft Grains Law was submitted to the National People’s Congress for consideration in February 2016. In the context of the Grains Law, “grain” refers to cereals and their finished products, soybeans, and tubers. If finalized, the Grains Law will apply to grain production, distribution, and consumption within China. China was scheduled to finalize the Grains Law in 2016. However, China has not yet finalized it nor notified it to the WTO.

China Grants U.S. Market Access for Milled Rice Exports to China

On December 27, 2018, GACC granted market access to U.S. milled rice and listed 7 U.S. rice facilities as approved to export to China. An additional 25 facilities were listed as approved to export to China on February 28, 2019. For more information on how to export rice to China, please see the forthcoming GAIN report “China Grants U.S. Market Access for Milled Rice Exports to China.”

Registration of Grain Exporters (AQSIQ Decree 177)

GACC is responsible for grains facility registration.

In February 2016, AQSIQ released the Administrative Measures of Inspection and Quarantine for Entry and Exit Grain (AQSIQ Decree 177), which includes registration requirements for overseas production, processing, and warehousing enterprises that ship grains (including soybeans and pulses) to China. Decree 177 entered into force on July 1, 2016.

In order to implement Decree 177, AQSIQ (now GACC) asked foreign governments to establish registration systems for grain exporters and provide lists for publication on a Chinese government website. AQSIQ indicated that it will use the lists to monitor compliance with grain import requirements. In 2017, USDA provided AQSIQ with a list of U.S. exporters of commodities covered by the U.S. Grain Standards Act (USGSA). This list is maintained by USDA’s Federal Grain Inspection Service (FGIS) which operates under the USGSA of 1916, as amended.

While the USGSA pertains to U.S. entities shipping more than 15,000 metric tons, entities that ship less than 15,000 metric tons who request and are approved for a waiver will also be included on the list, which is then
provided to GACC. Therefore, U.S. entities exporting or interested in exporting grain (including soybeans and pulses) to China must now be registered with FGIS. More information about exporting grain and a link to the registration application are available at https://www.gipsa.usda.gov/fgis/exportinggrain.aspx.

Any questions, comments, or concerns pertaining to this issue can be sent to FGIS-DIIA@usda.gov.

Other Measures affecting Grain Purchase, Storage, Transportation, and Processing

The Regulation on the Administration of Grain Circulation (State Council Decree 407)\(^{15}\) was originally published in 2004 and revised in 2016. The Decree applies to the purchase, sale, storage, transportation, processing, import and export of grain (wheat, rice, corn, coarse grain and finished product of grains), and other related business operations. The measures list general requirements for conducting grain business in China, such as the application process for obtaining a grain purchasing license and requirements on storage facilities, transportation, and record filing. The Decree also designates government agencies in charge of general oversight of the grain market, and instructs them to conduct inspections in accordance with laws and policies.

**National Food Safety Standard for Grains (GB 2715-2016)**

On December 23, 2016, the Chinese Government released the National Food Safety Standard for Grains (GB2715-2016), which entered into force on June 23, 2017. This standard applies to unprocessed and processed grains for human consumption, which include cereals, beans, and tubers. The standard does not apply to raw materials for the processing of edible oils.

**Revised National Food Safety Standards on Grain Processing**

The National Food Safety Standard for Code of Hygienic Practice for Grain Processing (GB 13122-2016) entered into force on December 23, 2017. This Standard specifies the basic requirements and management rules for sites, facilities, and personnel involved in raw material procurement, processing, packaging, storage, and transportation in the processing of grains to rice, wheat flour, corn particles, corn flour, and other primary products by means of mechanical and other physical methods.

Chinese authorities refer to these standards when inspecting foreign grain processing facilities that apply to export grain products to China.

**Code of Hygienic Practice for Storage and Transportation of Raw Grains**

The National Food Safety Standard for Code of Hygienic Practice for Grain Processing (GB 22508-2016) entered into force on December 23, 2017. This Standard applies to the storage and transport of unprocessed food grains, including hygienic requirements for raw grains, depot areas, storage facilities and equipment, transportation facilities and equipment, and safety control measures.

**National Standard GB/T 1354-2018: National Standard for Rice**


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\(^{15}\) For full Chinese text of the State Council Decree 407 please visit: http://www.chinagrain.gov.cn/n316635/n746789/n746794/c898761/content.html
to both domestically produced and imported rice, narrowing grading specifications for each class of rice. Some of the technical terms in this standard reference international standards. GB/T 1354-2018 entered into force on May 1, 2019.

7. Feed and Feed Additives

Feed and feed additives are subject to strict regulations. Companies need to complete the following three steps before they can export feed ingredients or additives to China:

1) Obtain a product import registration license from MARA;
2) Foreign competent authority applies for market access for product with GACC; and
3) Register the manufacturing facility with AQSIQ (now GACC) pursuant to AQSIQ Decree 118.

This process can include an audit at the expense of the exporter. Products considered to be traditionally traded by AQSIQ (now GACC) can continue to be exported to China while they complete steps two and three.

The FAS GAIN report Roadmap to China’s Challenging New Feed Regulatory System is a comprehensive introduction to the feed regulatory system in China.

Major Feed and Feed Additive Regulations:

a) State Council Regulation on the Administration of Feed and Feed Additives (State Council Decree 609)

Decree 609 was released by the State Council on November 3, 2011, and entered into force on May 1, 2012. The Regulation identifies the responsibilities of the Ministry of Agriculture (MOA, now MARA) in feed and feed additive oversight, including reviewing applications for feed/feed additive production, reviewing and approving applications for new feed and feed additives, developing the catalogues of feed materials and feed additive varieties approved for use in China, and developing quality standards for such products. Foreign producers that export feed and feed additives to China must register the company and products with MARA. They must sell their products through agents based in China. The regulations also set requirements on feed and feed additive labeling and punishments for violators.

b) Administrative Measures for Inspection, Quarantine of Imports and Exports of Feed and Feed Additives (AQSIQ Decree 118)

AQSIQ Decree 118, echoing State Council Decree 609, is the principal regulation for the inspection and quarantine of feed and feed additive imports and exports. Decree 118 requires that China only import feed and feed additives from foreign facilities that are registered with AQSIQ (now GACC). To register, a facility must comply with domestic laws, regulations, and standards, which must have the equivalent effect as Chinese regulations and standards. Qualified companies must be recommended by their respective government to AQSIQ (now GACC) for registration.

Decree 118 also sets requirements on record filing for Chinese importers, labeling requirements, and Chinese feed exports.
Please note that with the government restructuring, Decree 118 has been revised to reflect the changes in governing authorities and new import procedures.

c) **Implementing Regulations for AQSIQ Decree 118 (AQSIQ Notice [2009] No. 372)**

According to AQSIQ Notice No. 372, AQSIQ (now GACC) will maintain a list of countries/regions which are eligible to export feed products to China, as well as a list of permitted products. GACC is expected to gradually finalize phytosanitary certificates with major trading partners, and develop and implement safety and hygienic inspection guidance for feed imports and exports.

Appendix I of Notice 372 sets out the requirements on feed and feed additive labeling.

The countries/regions that are allowed to export feed additives and feed additive premix are listed on the [GACC website](http://www.gov.cn). The countries/regions that are allowed to export feed materials, pet food, and formula feed are listed on the [GACC website](http://www.gov.cn).

d) **Administrative Measures for Registration of Feed and Feed Additive Imports (MOA Decree [2014] No. 2)**

Decree 2 sets requirements on dossiers, samples, and application procedures for registering feed and feed additives with MARA. In 2016, MOA Decree 3 [2016] slightly revised the Measures.

Detailed requirements and procedures for applying for registration of feed and feed additive imports can be found on the [MARA website](http://www.gov.cn) (in Chinese).

e) **MARA Public Notice (2019) No. 226 on Amended Requirements for Relevant Documents for Applications of New Feed Additives**

On November 4, 2019, MARA released Public Notice [2019] No. 226 on Amended Requirements for Relevant Documents for Applications of New Feed Additives, which includes amended requirements and formats for new feed additive application documents. These amended requirements took effect on December 4, 2019.

f) **Feed Ingredient Catalogue**

MARA is responsible for updating the Feed Ingredient Catalogue. Updates (in Chinese) are published irregularly on the website of the MARA Department of Livestock Production.

g) **Feed Additive Catalogue**

MARA is responsible for updating the Feed Additive Catalogue. Updates (in Chinese) are published irregularly on the website of the MARA Department of Livestock Production.

h) **Feed Label Standard**

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On October 10, 2013, AQSIQ published the amended Feed Label Standard (GB 10648-2013), which entered into force on July 1, 2014. The mandatory feed labeling standard provides the basic principles for labeling feed, feed additives, feed ingredients, and requirements on the content and pattern of the label.

i) **Hygienic Standard for Feeds (GB13078-2017)**

On October 14, 2017, the Chinese Government released a revised National Standard for Feed (GB13078-2017), which entered into force on May 1, 2018. This standard includes maximum limits of toxic and hazardous substances and microorganisms in animal feed, and outlines test methods.

8. **Pet Food**

In China, pet food is regulated as feed. The major regulations for feed, including the State Council Regulation on the Administration of Feed and Feed Additives (State Council Decree 609), AQSIQ Decree 118, the Administrative Measures for Registration of Feed and Feed Additive Imports (MOA Decree [2014] No. 2), and the MARA Public Notice (2019) No. 226 apply to pet food as well.

In April 2018, MARA Public Notice No. 20 [2019] released six normative regulations,\(^\text{18}\) including:

- Administrative Measures for Pet Feed;
- Licensing Conditions for Pet Feed Manufacturers;
- Labeling Regulations for Pet Feed;
- Hygienic Regulations for Pet Feed;
- Requirements for Application Materials for Pet Compound Feed Production Licensing; and
- Requirements for Application Materials for Pet Additive Premix Feed Production Licensing.

These regulations only apply to pet food for dogs and cats, including compound pet food, pet additive premix food, and other pet food.

**Pet Food Labeling**

The new labeling regulation provides very detailed requirements for the labeling of pet food, which must include the product name, raw materials, product component analysis guaranteed value, net weight, storage conditions, instructions for use, cautions, production date, shelf life, name and address of the manufacturer, licensing certificate number and product standard. The labeling regulation has strict requirements for claims about pet food, including claims about ingredients, special features, and functions.

The Provisions for Labeling of Pet Feed stated that labels of domestic and imported pet food must comply with these provisions by September 1, 2019. However, on September 2, 2019, MARA issued Public Notice [2019] No. 210, granting an additional six months transition period for domestic and foreign pet food producers to transition to the new labels that comply with relevant provisions.

**Facility Registration**

The overseas pet food facilities that have registered with GACC are listed on the [GACC website](http://www.moa.gov.cn/gk/zcfg/nybgz/201805/t20180504_6141413.htm).

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9. Organic food

Following the government reorganization, SAMR is responsible for managing organic food certification and accreditation, including the issuance of national standards and certification regulations for organic food. SAMR is responsible for maintaining the list of certified organic products. At this time, the lists of certified organic products (in Chinese) are still published on the CNCA website.

a) Administrative Measures on Organic Certification

On November 20, 2013, AQSIQ announced its revised Administrative Measures for Organic Product Certification, which entered into force on April 1, 2014. The Measures are applicable to China’s domestic certification, production, processing, imports, and sales of organic products. Noticeable changes include, but are not limited to, a stipulation that the content of organic ingredients must be equal to or above 95 percent, and that the term “organic” must be listed on the product package and label.

b) Implementing Regulations for Organic Product Certification


c) Updated organic certification catalogue

The 2019 organic certification catalogue has been modified to include all products in the supplementary catalogues released between 2012 and 2018. Notably, wolfberry has been added to the new catalogue, but honey has not. The complete list of products eligible for organic certification in China is available at http://www.cnca.gov.cn/xxgk/ggxx/2019/201911/t201911112_57458.shtml.

d) Revised National Standard for Organic Products (GB/T 19630-2019)


10. Seafood

GACC is the authority for inspection and quarantine of seafood imports, as well as the registration of facilities that export seafood products to China.

The Administrative Measures of Inspection, Quarantine, and Supervision on Entry and Exit Aquatic Products (AQSIQ Decree 135) is the umbrella regulation for the oversight of seafood imports and exports. The Measures require that foreign seafood manufacturing facilities register with GACC, that foreign exporters and Chinese importers maintain trading records, and that traders issue risk alerts and conduct product recalls, when necessary.

1) Registration of Foreign Processed Seafood Facilities (AQSIQ Decree 145)
Overseas facilities must follow AQSIQ Decree 145 to register with GACC before exporting seafood products to China. The registration lists are available on the GACC website (in Chinese). Users can search for a registered facility by registration application number, company name, registration number, product category, region (continent).

GACC maintains a List of Seafood Species Approved for Exports to China by Country/Region. The list is available at http://www.gaccfoodsafecom/ (in Chinese). For seafood species that are to be exported to China for the first time, exporters are advised to contact the Seafood Inspection Program Office of U.S. National Oceanic and Atmospheric Administration (NOAA) for the submission of a market access request to GACC.

Firms on the seafood export list can request a change to their listing information by contacting their U.S. Food and Drug Administration (FDA) district coordinator for the seafood export list. Districts coordinators compile all requests and send them to the Center for Food Safety and Applied Nutrition on a quarterly basis for transmittal to the foreign competent authorities. Firms may contact CFSANExportCertification@fda.hhs.gov for more information.

2) Registration of Foreign Live Seafood Facilities AQSIQ Decree 183

On July 26, 2016, AQSIQ published the Administrative Measures for the Inspection, Quarantine and Supervision of Imports of Aquatic Animals (AQSIQ Decree 183). These measures entered into force on September 1, 2016.

The Measures stipulate the inspection, quarantine, and supervision requirements for the import of live aquatic animals. The Measures establish a quarantine access system and require foreign aquaculture farms and packaging enterprises to register with AQSIQ (now GACC). Chinese importers will also be requested to register and keep business records.

The List of Countries/Regions that are Permitted for Entry of Aquatic Animals and Product Categories is available on the GACC website.

In late 2016, AQSIQ (now GACC) began the registration of U.S. aquaculture farms and facilities for non-edible live seafood (for ornamental or breeding purposes), while registration for edible live seafood was launched in early 2017. USDA and other U.S. agencies continue to work with GACC to assist U.S. facilities to complete the registration process. As of this report, traditional U.S. live seafood trade is expected to continue as the registration process unfolds.

3) Designated Ports for Entry of Edible Aquatic Animals

In July 2016, AQSIQ launched the System of Designated Ports for Entry of Edible Aquatic Animals (AQSIQ Public Notice [2016] 74). The Notice provides basic requirements for ports that are designated to accept imports of edible aquatic animals and a list of the ports. In January 2017, AQSIQ released a public notice containing the second batch of ports designated to receive aquatic animals. Following the government reorganization, the original links are no longer accessible. However, FAS-Beijing does not believe there has been a departure from past practices.

National Food Safety Standard for Fresh and Frozen Aquatic Animal Products (GB 2733-2015)

4) Vet Drug Limits

Imported seafood products should comply with the limits set in the “National Food Safety Standards - Maximum Residue Limits for Veterinary Drugs in Foods” (GB 13650-2019).

11. Measures on the Inspection, Quarantine, Supervision and Administration of Entry-Exit Non-Edible Animal Products (Decree 159)

On November 13, 2014, AQSIQ (now GACC) issued Decree 159, the Measures on the Inspection, Quarantine, Supervision and Administration of Entry-Exit Non-Edible Animal Products. The Measures entered into force on February 1, 2015. Decree 159 applies to the inspection and quarantine of non-edible animal products for entry, exit or transit. These Measures do not apply to feed and feed additives of animal origin, animal breeding materials, and biological materials of animal origin and their products. According to Decree 159, non-edible animal products that enter China are subject to quarantine access requirements, which include product risk analysis, assessment of the exporting country/region’s regulatory system, determination of inspection and quarantine requirements, as well as registration of overseas manufacturing establishments.
Appendix:

1. Chinese Government Regulatory Agency Contacts

State Administration for Market Regulation (SAMR)
8 Sanlihe Donglu, Xicheng District
Beijing 100820
China
www.samr.gov.cn

General Administration of Customs, China (GACC)
6, Jian Guo Men Nei Dajie, Dongcheng District
Beijing 100730
China
www.customs.gov.cn

Ministry of Agriculture and Rural Affairs (MARA)
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3. Framework of the National Food Safety Standard System

China’s National Food Safety Standard System

## Basic Standards
- Maximum Levels of Contaminants in Foods
- Pathogen Limits for Food
- Maximum Levels of Mycotoxins in Foods
- Standards for Uses of Food Additives
- Standard for Use of Nutritional Fortification Substances
- Maximum Residue Level of Pesticides in Foods
- Maximum Residue Limits of Veterinary Drug in Foods
- Standard for the Labeling of Prepackaged Foods

## Standards for foods, food additives, and food-related products
- Food materials and products:
  - Grain and its products
  - Milk and milk products
  - Egg and egg products
  - Seafood and its products
- Nutrition and special dietary foods:
  - Infant formula products
  - Formulas for special medical purposes
- Food Additives:
  - Agar
  - Butylated Hydroxytoluene (BHT)
  - …
- Food-related Products:
  - Stainless steel products
  - Disinfectant
  - Anti-coherent silicone coating
  - …

## Hygienic Requirements for Food Production and Operation
- Hygiene Regulations for Food Production
  - Milk products
  - Beverages
  - …
- Hygiene Regulations for Food Additive Production
- Hygiene Regulations for Production of Food-Related Products
- Hygiene Regulations for Food Product Trading (distribution)
- Hygiene Regulations for Operation of Catering Business
- Guideline for Hazardous Factors Control

## Testing Regulations and SOPs
- Methods for Physical and Chemical Testing
- Methods for Microbiological Examinations
- Toxicity Testing Methods and Evaluation Procedure
- Testing Methods of Parasites

## Food Safety Terminologies

## Principles for Developing National Food Safety Standards
4. Full list of the existing national food safety standards

**General Standards**

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**Special Foods**

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# Food Additive Quality Specifications

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# Food-related Products

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<td>Food-contact Coating and Coating Layers</td>
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<td>14</td>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB 4806.11-2016</td>
<td>食品接触用橡胶材料及制品</td>
<td>Food Contact Rubber Materials and Articles</td>
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<td>15</td>
<td>10/19/2016</td>
<td>4/19/2017</td>
<td>GB 14934-2016</td>
<td>消毒餐（饮）具</td>
<td>Disinfected Tableware</td>
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Production and Operation GMP

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<th>No.</th>
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<td>General Hygiene Regulation for Food Production</td>
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<td>3/26/2010</td>
<td>12/1/2010</td>
<td>GB 23790-2010</td>
<td>粉状婴幼儿配方食品良好生产规范</td>
<td>Good Manufacturing Practice for Powdered Formula for Infants and Young Children</td>
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<td>GB 29923-2013</td>
<td>特殊医学用途配方食品良好生产规范</td>
<td>Good Manufacturing Practice for Food for Special Medical Purpose</td>
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<td>GB 31603-2015</td>
<td>食品接触材料及制品生产通用卫生规范</td>
<td>General Hygiene Regulations for Food contacting Materials and Related Products</td>
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<td>Code of Hygienic Practice for the Production of Canned Foods</td>
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<td>Code of Hygienic Practice for the Production of Pastry and Bread</td>
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<td>肉和肉制品经营卫生规范</td>
<td>Code of Hygienic Practice for the storage, distribution and sale of meat and meat products</td>
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Nutritional Fortification Substances (Omitted)

Physical and Chemical Testing Methods (Omitted)

Micro-organisms Testing Methods (Omitted)

Toxicity Testing Methods and GMP (Omitted)

Veterinary Drug Residue Testing Methods (Omitted)

Attachments:
No Attachments