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**Report Highlights:**

China released several significant food and agricultural import regulations and standards for public comment in 2020, including the draft Administrative Measures on Import and Export Food Safety, the Registration and Administration of Overseas Manufacturers of Imported Food, the Measures on Supervision and Management of Food Labeling, and two key labeling standards. These draft measures and standards are likely to be finalized in 2021. Five years after its implementation, the Food Safety Law is slated for a revision, as is the 2006 Law on Farm Product Quality and Safety. This report presents the key regulations and standards applicable to food and agricultural imports, including 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 their China-based representatives or customers prior to shipping.

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## Executive Summary

The government of China continues to highlight 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. In 2020, China pointed to the COVID-19 pandemic as justification for new requirements on imported foods, in particular foods imported through the cold chain.

Acting on instructions from the State Council to enact “reforms to streamline the government, delegate power, and improve government services,” Chinese ministries have been actively developing and revising policies, rules, and regulations overseeing food safety. In 2020, a few major regulations governing food import and export and some key national food safety standards (including the labeling standard, dairy standards, pesticides) were revised, issued for domestic comment, and notified to the WTO. China is preparing to revise the 2015 Food Safety Law, while the Law for Quality and Safety of Agriculture Products is still under revision. We expect the year 2021 will witness many regulatory updates.

## 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](http://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.

**PLEASE NOTE THAT SOME OF THE HYPERLINKS IN THIS REPORT ONLY FUNCTION WITH CERTAIN WEB BROWSERS AND/OR WHEN COPIED AND PASTED INTO CERTAIN WEB BROWSERS.**

## 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.

## Food and Agricultural Import Regulations and Standards Report

### Annual Report for China

#### 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. NHC holds the primary responsibility for the approval of food ingredients derived from biotechnology and decides whether MARA's technical experts need to assess biosafety of the products. 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.

##### 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. In 2019, the Ministry of Public Security established the Food and Drug Related Crime Investigation Bureau to coordinate with relevant departments in tackling food-and drug-related crimes.

## **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<sup>1</sup>).
- 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 special foods (e.g., health foods, infant formula, and foods for special medical purposes); and
- Imposes more severe punitive measures (including criminal penalties).

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<sup>1</sup> Now SAMR.

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 the 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.

## **2. The Law on Farm Product Quality and Safety**

### [Law on Farm Product Quality and Safety \(2006\)](#)

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<sup>2</sup>), 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**

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<sup>2</sup> 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.



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<sup>3</sup> 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.

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<sup>4</sup>**

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.<sup>5</sup> 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, particularly with respect to the establishment of GACC.

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<sup>3</sup> For full text of the Draft Implementing Regulations for the Law on the Protection of the Rights and Interests of Consumers in Chinese please visit <http://zqyj.chinalaw.gov.cn/readmore?listType=1&id=1488&1482144749402>.

<sup>4</sup> For full text of the Law on the Inspection of Import and Export Commodities (2018) in Chinese, please visit: [http://www.npc.gov.cn/npc/xinwen/2018-06/12/content\\_2055875.htm](http://www.npc.gov.cn/npc/xinwen/2018-06/12/content_2055875.htm)

<sup>5</sup> The Catalog is adjusted by the GACC regularly; the [latest Catalog](#) was published in January 2018.

The Implementing Regulations<sup>6</sup> 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 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. Administrative Measures on Import and Export Food Safety (AQSIQ Decree 144)**

On September 13, 2011, AQSIQ issued Decree 144, Administrative Measures on Import and Export Food Safety, 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. Since its implementation, the Measures have been revised twice in 2016 and 2018 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.

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<sup>6</sup> For full text of the Implementing Regulations of the Law on the Inspection of Import and Export Commodities (2019) in Chinese, please visit: <http://www.customs.gov.cn/customs/302249/302266/302267/2369666/index.html>.

On November 12, 2020, China notified the [Administrative Measures on Import and Export Food Safety \(Draft for Comments\) to the WTO Committee on SPS Measures as G/SPS/N/CHN/1191](#). The draft Measures intends to replace the AQSIQ Decree 144 and several administrative measures for inspection and quarantine of meat, aquatic products, dairy products, honey, and vegetables supplied to Hong Kong and Macao; it also reflected the evolved import and export food safety regulatory system in years. The Measures also includes the requirements on importers' review and inspection of overseas facilities that export food products to China.

### **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. 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.

### **5. Food Recall Regulation**

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

#### **The Administrative Measures for Food Recalls (CFDA Decree 12)<sup>7</sup>**

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. In November 2020, SAMR released the revised

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<sup>7</sup> Full text of Measures (in Chinese can be found at: [http://gkml.samr.gov.cn/nsjg/fgs/202011/t20201103\\_322883.html](http://gkml.samr.gov.cn/nsjg/fgs/202011/t20201103_322883.html))

Administrative Measures for Food Recalls, reflecting the change of the authority in charge of food recall (CFDA to SAMR, or food and drug authorities to the market supervision authorities).

## 6. E-commerce

On August 31, 2018, the Standing Committee of the 13th National People's Congress passed the E-commerce Law of the People's Republic of China. The Law entered into force on January 1, 2019. [USDA GAIN report "China Passes E-Commerce Law"](#) contains an unofficial translation of the E-commerce Law.

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 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 SAMR 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 January 2020, the State Council announced the intent to further expand CBEC imports. The number of CBEC pilot cities increased from 37 to include another 50 cities: Shijiazhuang, Qinhuangdao, Langfang, Taiyuan, Chifeng, Fushun, Yingkou, Huichun, Mudanjiang, Heihe, Xuzhou, Nantong, Lianyungang, Wenzhou, Shaoxing, Zhoushan, Wuhu, Anqing, Quanzhou, Jiujiang, Ji'an, Ganzhou, Jinan, Yantai,

Weifang, Rizhao, Linyi, Luoyang, Shangqiu, Nanyang, Yichang, Xiangyang, Huangshi, Hengyang, Yueyang, Shantou, Foshan, Beihai, Qinzhou, Chongzuo, Luzhou, Zunyi, Anshun, Dehong, Honghe, Lhasa, Xining, Haidong, Yinchuan, and Urumqi, and Hainan island. The CBEC business are now available in all the 31 Chinese provinces, autonomous regions, and municipalities. 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.

## **7. 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.<sup>8</sup> “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.

## **8. The National Food Safety Standards**

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

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 2020, China issued 38 new national food safety standards, and revised four. Since 2010, China has issued over 1,300 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.

The Administrative Measures for Food Safety Standards issued by the former Ministry of Health) in 2010 regulates the planning for food safety standard development, standard drafting, comment solicitation, announcement, and revision. On September 15, 2020, NHC released [draft revised Administrative Measures for Food Safety Standards for public comment](#). At the time of publication of this report, the Measures had not been finalized.

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

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<sup>8</sup> For full text of the NHFPC notice, please visit: <http://www.nhfpc.gov.cn/sps/s3585/201311/e8dc7f4ec58444f8bbf32ec079d7e905.shtml>

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 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.

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 additives.

##### **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.

##### **Approval of New Food Additives**

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:

<b>Issuance Date</b>	<b>Effective Date</b>	<b>Standard Number</b>	<b>Standard in Chinese</b>	<b>Standard in English</b>
4/20/2011	6/20/2012	GB2760-2015	食品添加剂使用标准	<a href="#">Standard for the Use of Food Additives</a>
11/29/2013	6/1/2015	GB29924-2013	食品添加剂标识通则	General Standard for the Labeling of Food Additives
7/15/2011	9/5/2011	GB26687-2011	复配食品添加剂通则	Standard for Blended Food Additives
10/19/2016	10/19/2017	GB9685-2016	食品接触材料及制品用添加剂使用标准	Standards for the Uses of Additives in Food Containers and Packaging Materials
6/21/2018	6/21/2019	GB31647-2018	食品添加剂生产通用卫生规范	General Hygiene Regulation for Food Additive Production

			生规范	Additive Production
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## 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:

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
09/11/2020	03/11/2021	GB 29938-2020	食品用香料通则	General Standard for Flavoring Substances and Natural Flavoring Complexes
09/11/2020	03/11/2021	GB 30616-2020	食品用香精	Food Additive Flavorings (Compounded Flavors)

## 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.

The Regulations on the Management of Pesticides is supported by several MARA rules and normative documents, including the Administrative Measures for Pesticide Registration, Administrative Measures for Production and Licensing of Pesticides, and the Administrative Measures for Business Licensing of Pesticides, etc.

The Department of Crop Production (Department of Agrochemical Management) in MARA is in charge of pesticide production, operation and quality supervision, as well as provide guidance for scientific and reasonable use of pesticides; the Institute for the Control of Agrochemicals, Ministry of Agriculture (ICAMA) affiliated with MARA specializes in nation-wide pesticide registration, quality control, bioassay and residue monitoring of pesticides.

### **Pesticide MRLs in Foods**

China plans to establish 10,000 maximum residue limits (MRL) for pesticides in food by 2020. China is expected to develop “uniform limit”<sup>9</sup> standards based on product categories and issue the import tolerance policy for pesticides that have not yet registered in China.

### **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.

### **MRL Standards**

On August 15, 2019, the Chinese Government released the [National Food Safety Standard - Maximum Residue Limits for Pesticides in Foods \(GB 2763-2019\)](#), which entered 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

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<sup>9</sup> 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.

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.<sup>10</sup> The Bureau of Animal Husbandry and Veterinary Services in MARA is the authority of veterinary drug supervision; the China Institute of Veterinary Drug Control (Center for Veterinary Drug Evaluation) affiliated to MARA is responsible for evaluation, supervision and inspection of veterinary drugs and their applications, monitoring veterinary drug residues, and developing national standards of veterinary drugs.

### **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 livestock and poultry products, aquatic products, and bee products. The standard covers virtually all 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 China 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 GB 2761-2017. On May 13, 2020, China notified the National Food Safety Standard for Maximum Levels of Mycotoxins in Foods (Draft for Comments) to the WTO SPS Committee as [G/SPS/N/CHN/1146 Addendum 1](#).

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<sup>10</sup> Full text of the MARA Rules for Administration of Veterinary Drugs is available at: [http://www.moa.gov.cn/gk/zcfg/xzfg/201812/t20181214\\_6164972.htm](http://www.moa.gov.cn/gk/zcfg/xzfg/201812/t20181214_6164972.htm)

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, 3-chloro-1, and 2-propanediol in foods.

On May 11, 2020, China notified the National Food Safety Standard for [Maximum Levels of Contaminants in Foods \(Draft for Comments\) to the WTO SPS Committee as G/SPS/N/CHN/1150](#). Later in September 2020, China notified the SPS 1150 Addendum 1 to the SPS, which modified the maximum limits for lead, cadmium, and 3-chloro-1, 2-propanediol in some foods and the classification of some foods. The draft standard, once finalized, will replace the GB2762-2017.

#### **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.

On May 11, 2020, China notified the National Food Safety Standard for [Pathogenic Microorganism Limits in Food \(Draft for Comments\) to the WTO SPS Committee as G/SPS/N/CHN/1151](#). The draft standard, once finalized, will replace the current standard GB 29921-2013.

On May 11, 2020, China notified the [National Food Safety Standard for Pathogen Limits for Ready-to-eat Food in Bulk \(Draft for Comments\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1152.

### **VI. 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.

In 2020, SAMR released the [Administrative Measures for Quality and Safety of Food-related products \(Draft for Comments\)](#) (link in Chinese). The Draft Measures apply to oversight of quality and safety of food-related products (packaging materials, containers, detergents, disinfectants that are used on food, and tools and equipment used in food production and operation).

On September 11, 2020, China notified the National Standard - Requirements of Restricting Excessive Package WTO as G/TBT/N/CHN 1502. This standard, not a food-safety standard, specifies the terms and definitions, requirements, detection, and judgment rules for restricting excessive packaging of food and cosmetics (it is not applicable to gifts or products not for sale). As of this report, the standard has not yet been finalized and published.

A series of hygienic and safety standards related to food packing and containers are:

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
4/25/2012	10/25/2012	GB 14930.2-2012	消毒剂	Disinfectant
4/25/2012	10/25/2012	GB11676-2012	有机硅防粘涂料	Anti-coherent silicone coating
4/25/2012	10/25/2012	GB11677-2012	易拉罐内壁水基改性环氧树脂涂料	Water soluble epoxy internal coatings of food beverage cans
5/17/2012	11/17/2012	GB9686-2012	内壁环氧聚酰胺树脂涂料	Epoxy Polyamide Resin Coating
11/21/2011	12/21/2011	GB9684-2011	不锈钢制品	Stainless Steel Products
9/21/2015	9/21/2016	GB31603-2015	食品接触材料及制品生产通用卫生规范	General Hygiene Regulation for Food contacting Materials and Their Products
9/22/2015	9/22/2016	GB31604.1-2015	食品接触材料及制品迁移试验通则	General Rules for Migration Testing of Food Contacting Materials and Products
10/19/2016	10/19/2017	GB4806.1-2016	食品接触材料及制品通用安全要求	<a href="#">General Safety Requirements of Food Contact Materials and Articles</a>
10/19/2016	10/19/2017	GB9685-2016	食品接触材料及制品用添加剂使用标准	Standards for Uses of Additives in Food Containers and Packaging Materials
10/19/2016	4/19/2017	GB4806.3-2016	搪瓷制品	Enamel Products
10/19/2016	4/19/2017	GB4806.4-2016	陶瓷制品	Ceramic Products
10/19/2016	4/19/2017	GB4806.5-2016	玻璃制品	Glass Products

10/19/2016	4/19/2017	GB4806.6-2016	食品接触用塑料树脂	Resins for Food Contact Plastic Materials and Articles
10/19/2016	4/19/2017	GB4806.7-2016	食品接触用塑料材料及制品	Food Contact Plastic Materials and Articles
10/19/2016	4/19/2017	GB4806.8-2016	食品接触用纸和纸板材料及制品	Food Contact Paper and Paper Board Materials and Articles <sup>11</sup>
10/19/2016	4/19/2017	GB4806.9-2016	食品接触用金属材料及制品	Food Contact Metal Materials and Articles <sup>12</sup>
10/19/2016	4/19/2017	GB4806.10-2016	食品接触用涂料及涂层	Food-contact Coating and Coating Layers
10/19/2016	4/19/2017	GB4806.11-2016	食品接触用橡胶材料及制品	Food Contact Rubber Materials and Articles

In 2020, China notified several national food safety standards of food contact materials to the Committee on Sanitary and Phytosanitary Measures, including:

- On November 5, 2020, China notified the draft national food safety standard of Wood and Bamboo Materials and Articles Intended to Come into Contact with Food to the WTO SPS Committee as SPS/N/CHN/1190.
- On November 4, 2020, China notified the draft national food safety standard of Ink for Food Contact Materials and Articles to the WTO SPS Committee as SPS/N/CHN/1187
- On November 4, 2020, China notified the draft national food safety standard for Detergent to the WTO SPS Committee as SPS/N/CHN/1185.
- 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.

## VII. Labeling requirements

Labeling is identified by import inspection authorities as one of the major reasons for noncompliance and has been the focus of a significant volume 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).

<sup>11</sup> On November 4, 2020, revised draft of the national food standard for “Food Contact Paper and Paper Board Materials and Articles” to the WTO SPS Committee as SPS/N/CHN/1186.

<sup>12</sup> On September 14, 2020, China notified the draft national food safety standard of Metal Materials and Articles for Food Contact to the WTO SPS Committee as SPS/N/CHN/1170.

- 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).

In 2020, China revises multiple labeling-related regulations and standards.

**Measures on Supervision and Management of Food Labeling**, issued in August 2007 and revised in 2009 by AQSIQ, is still effective. These Measures apply to labeling of foods produced and distributed in China (including special foods, food additives), and the oversight of food labeling.

On September 23, 2020, China notified the revised [draft Measures on Supervision and Management of Food Labeling](#) to the WTO as G/TBT/N/CHN 1401.Add.1. A previous draft of the measures was released by SAMR for public comment on November 20, 2019 and notified to the WTO on December 12, 2019 as G/TBT/N/CHN 1401.

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:

Date of issuance	Effective Date	Standard Number	Standard in Chinese	Standard in English
4/20/2011	4/20/2012	GB7718-2011	预包装食品标签通则	General Principles for the Labeling of Pre-packaged Foods
10/12/2011	1/1/2013	GB28050-2011	预包装食品营养标签通则	Standard for Nutrition Labeling of Prepackaged Foods
11/29/2013	6/1/2015	GB29924-2013	食品添加剂标识通则	General Standard for the Labeling of Food Additives
12/26/2013	5/1/2015	GB13432-2013	预包装特殊膳食用食品标签	Labeling of Pre-packaged Foods for Special Dietary Uses

Please note that in 2020, China revised two major national food standards for labeling of prepackaged food products:

- On May 11, 2020, China notified the draft revised National Food Standard of [General Principles for the Labeling of Prepackaged Foods \(GB7718-xxxx\) \(Draft Standard for Comments\)](#) to the WTO TBT Committee as G/TBT/N/CHN/1420 and to the WTO SPS Committee as G/SPS/N/CHN/1153.

- On September 14, 2020, China notified a draft revised National Food Safety Standard - [General Rules for Nutritional Labeling of Prepackaged Foods \(GB28050-xxxx\)](#) to the WTO as G/SPS/N/CHN/1165.

### **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<sup>13</sup> (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 [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 [GACC website](#).

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<sup>13</sup> Following the government reorganization, GACC now handles registration of overseas manufacturers of imported foods.

## Revision of Decree 145

In November 2019, GACC issued a [first revised draft of the Regulations on the Registration and Administration of Overseas Manufacturers of Imported Food \(Draft for Comments\)](#) for domestic comment. In November 2020, a [second revised draft of the Regulations was notified to the WTO TBT Committee as G/TBT/N/CHN/1522](#) for comments by trading partners. In comparison with AQSIQ Decree 145, the revised draft of November 2020 presents changes in the product scope, role of the competent authority of the exporting country, and the punitive measures imposed on instances of noncompliance. China is expected to finalize and implement the revised Regulations in 2021.

### **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. 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. The specific registration requirements for infant formula and FSMP can be found in the Special Foods Section of the report.

### **4. 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).

On September 11, 2020, NHC released the National Food Safety Standard of Hygienic Specifications of Food Cold-chain Logistics (GB31605-2020)<sup>14</sup>, which will enter into force on March 11, 2020. The standard is applicable to foods that need temperature-controlled logistics after leaving the production facility and before they enter the market for sale.

China has released the following national GMP standards:

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<sup>14</sup> Full text of the Standard could be downloaded at: <https://sppt.cfsa.net.cn:8086/db>



Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
3/26/2010	12/1/2010	GB12693-2010	乳制品良好生产规范	Good Manufacturing Practice for Dairy Products <sup>15</sup>
3/26/2010	12/1/2010	GB23790-2010	粉状婴幼儿配方食品良好生产规范	Good Manufacturing Practice for Powdered Formula for Infants and Young Children <sup>16</sup>
12/26/2013	1/1/2015	GB29923-2013	特殊医学用途配方食品良好生产规范	Good Manufacturing Practice for Food for Special Medical Purpose
12/24/2014	5/24/2015	GB31621-2014	食品经营过程卫生规范	Hygiene Regulations for Food Trading
5/24/2013	6/1/2014	GB14881-2013	食品生产通用卫生规范	<a href="#">General Hygiene Regulation for Food Production</a>
9/21/2015	9/21/2016	GB31603-2015	食品接触材料及制品生产通用卫生规范	General Hygiene Regulation for Food contacting Materials and Their Products
12/23/2016	12/23/2017	GB 8950-2016	罐头食品生产卫生规范	Code of Hygienic Practice for the Production of Canned Foods
12/23/2016	12/23/2017	GB 8951-2016	蒸馏酒及其配制酒生产卫生规范	Code of Hygienic Practice for the Production of Distilled Liquor and Formulated Liquor
12/23/2016	12/23/2017	GB 8952-2016	啤酒生产卫生规范	Code of Hygienic Practice for the Production of Beer
12/23/2016	12/23/2017	GB 8954-2016	食醋生产卫生规范	Hygienic Specification for Vinegar Production
12/23/2016	12/23/2017	GB 8955-2016	食用植物油及其制品生产卫生规范	Code of Hygienic Practice for the Production of Edible Vegetable Oil

<sup>15</sup> On May 12, 2020, China notified the draft [National Food Safety Standard: Good Manufacturing Practice for Dairy Products \(GB12693-xxxx\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1158.

<sup>16</sup> On May 12, 2020, China notified the draft [National Food Safety Standard: Good Manufacturing Practice for Powdered Formula for Infants and Young Children \(GB 23790-xxxx\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1159.

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
12/23/2016	12/23/2017	GB 8956-2016	蜜饯生产卫生规范	Code of Hygienic Practice for the Production of Preserved Fruits
12/23/2016	12/23/2017	GB 8957-2016	糕点、面包卫生规范	Code of Hygienic Practice for the Production of Pastry and Bread
12/23/2016	12/23/2017	GB12694-2016	畜禽屠宰加工卫生规范	<a href="#">Code of Hygienic Practice for the Livestock and Poultry Slaughtering Enterprise</a>
12/23/2016	12/23/2017	GB 12695-2016	饮料生产卫生规范	Code of Hygienic Practice for the Production of Beverages
12/23/2016	12/23/2017	GB 12696-2016	发酵酒及其配制酒生产卫生规范	Code of Hygienic Practice for Fermented Alcoholic Beverages and their Integrated Alcoholic Beverages
12/23/2016	12/23/2017	GB 13122-2016	谷物加工卫生规范	<a href="#">Code of Hygienic Practice for Grain Processing</a>
12/23/2016	12/23/2017	GB 17403-2016	糖果巧克力生产卫生规范	<a href="#">Code of Hygienic Practice for the Production of Candy and Chocolate</a>
12/23/2016	12/23/2017	GB 17404-2016	膨化食品生产卫生规范	Code of Sanitation Practice for the Production of Puffed Food
12/23/2016	12/23/2017	GB 18524-2016	食品辐照加工卫生规范	Code of Hygienic Practice for Radiation Processing of Food
12/23/2016	12/23/2017	GB 20799-2016	肉和肉制品经营卫生规范	<a href="#">Code of Hygienic Practice for the Storage, Distribution and Sale of Meat and Meat Products</a>
12/23/2016	12/23/2017	GB 20941-2016	水产制品生产卫生规范	Code of Hygienic Practice for the Production of Aquatic Products
12/23/2016	12/23/2017	GB 21710-2016	蛋与蛋制品生产卫生规范	Code of Hygienic Practice for the Production of Egg and Egg Products
12/23/2016	12/23/2017	GB 22508-2016	原粮储运卫生规范	Code of Hygienic Practice for the Storage and Transport of Unprocessed Food Grains

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
12/23/2016	12/23/2017	GB 31641-2016	航空食品卫生规范	Code of Hygienic Practice for Airline Meals
6/21/2018	12/21/2019	GB 8953-2018	酱油生产卫生规范	Code of Hygienic Practice for the Production of Soy Sauce
6/21/2018	6/21/2019	GB 19304-2018	包装饮用水生产卫生规范	Code of Hygienic Practice for the Production of Packaged Drinking Water
6/21/2018	6/21/2019	GB 31646-2018	速冻食品生产和经营卫生规范	Code of Hygienic Practice for Production and Operation of Quick-Frozen Products
6/21/2018	6/21/2019	GB 31647-2018	食品添加剂生产通用卫生规范	General Hygiene Regulation for Food Additive Production

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

SPS Notification No.	Standard Title (Chinese)	Standard Title (English)
1171	食品加工用菌种制剂生产卫生规范	Code of Hygienic Practice for Microbial Food Cultures
1069	即食鲜切蔬果生产卫生规范	Hygienic Specification on Processing of Ready-to-eat Fresh-cut Vegetables and Fruits
1068	食品中黄曲霉毒素的控制规范	Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Food
1067	餐（饮）具集中消毒卫生规范	Sanitary Standards of Tableware Centralized Disinfection
1066	熟肉制品生产卫生规范	Code of Hygienic Practice for Cooked Meat
880	冷藏乳制品贮运销售卫生规范	Sanitary Specifications for Storage and Marketing of Refrigerated Dairy Products
859	食品用热加工调味料生产卫生规范	Code of Hygienic Practice for Thermal Process Flavoring

## **IX. Product-Specific Regulations and Standards**

All agricultural and food products shipped to China must comply with the eligible laws, regulations, and standards. 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 revised Decree 152 to reflect the changes of regulating authorities.

GACC is revising the Administrative Measures on Import and Export Food Safety (AQSIQ Decree 144); the revised draft is intended to cover the inspection and quarantine of dairy products, i.e. Decree 152 will be incorporated into the new Measures.

#### **Regulating Sanitary Certificates for Dairy Imports**

The AQSIQ Public Notice concerning the Regulating of Sanitary Certificates for Dairy Imports ([2009] No.125)<sup>17</sup> 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**

##### **Principal Standards:**

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<sup>17</sup> 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>.

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
3/26/2010	12/1/2010	GB 12693-2010	乳制品良好生产规范	Good Manufacturing Practice for Dairy Products <sup>18</sup>

**Specific standards:**

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
3/26/2010	6/1/2010	GB19301-2010	生乳	Raw Milk
3/26/2010	12/1/2010	GB19645-2010	巴氏杀菌乳	Pasteurized Milk
3/26/2010	12/1/2010	GB25190-2010	灭菌乳	Sterilized Milk
3/26/2010	12/1/2010	GB25191-2010	调制乳	Modified Milk <sup>19</sup>
3/26/2010	12/1/2010	GB19302-2010	发酵乳	Fermented Milk <sup>20</sup>
3/26/2010	12/1/2010	GB13102-2010	炼乳	Evaporated Milk and Sweetened Condensed Milk <sup>21</sup>
3/26/2010	12/1/2010	GB19644-2010	乳粉	Milk Powders <sup>22</sup>
3/26/2010	12/1/2010	GB11674-2010	乳清粉和乳清蛋白粉	Whey Powder and Whey Protein Powder
3/26/2010	12/1/2010	GB19646-2010	稀奶油、奶油和无水奶油	Cream, butter, and anhydrous milkfat
3/26/2010	12/1/2010	GB5420-2010	干酪	Cheese <sup>23</sup>
3/26/2010	12/1/2010	GB25192-2010	再制干酪	Processed Cheese
6/21/2018	12/21/2018	GB25595-2018	乳糖	Lactose

[China Publishes Temporary Standard for Deproteinized Dairy Mineral Lactose Powder](#)

On May 15, 2020, NHC published a temporary standard for dairy permeate powder for human consumption (official name: deproteinized dairy mineral lactose powder). This standard is the first use

<sup>18</sup> On May 12, 2020, China notified the [National Food Safety Standard: Good Manufacturing Practice for Dairy Products \(GB12693-xxxx\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1158.

<sup>19</sup> On September 14, 2020, China notified the [revision to the National Food Safety Standard on Modified Milk \(GB 25191-XXXX\)](#) to the WTO SPS Committee for comments as G/SPS/N/CHN/1166.

<sup>20</sup> On September 14, 2020, China Notified the [revision to the National Food Safety Standard on Fermented Milk \(GB 19302-xxx\)](#) to the WTO SPS Committee for comments as G/SPS/N/CHN/1167.

<sup>21</sup> On June 3, 2019, China notified [a draft National Food Safety Standard for Evaporated and Condensed Milk as G/SPS/N/CHN/1143](#)

<sup>22</sup> On May 12, 2020, China notified [revisions to the National Food Safety Standard: Milk Powder \(GB19644-xxxx\)](#) to the WTO SPS Committee for comment as G/SPS/N/CHN/1160.

<sup>23</sup> On September 14, 2020, China notified the [revision to the National Food Safety Standard on Processed Cheese and Cheese Products \(GB 25192-XXXX\)](#) to the WTO SPS Committee for comments as G/SPS/N/CHN/1145/Add.1.

of a process China established under the Food Safety Law in 2017, whereby the NHC approves a temporary standard for imported products based on a foreign /international food standard if there is no applicable national food safety standard. Previous Chinese imports of dairy permeate powder were limited to use in animal feed only. The issuance of this standard was included as one of China's commitments under the U.S. - China Economic and Trade Agreement (ETA), but the standard is not exclusive to imports from the United States.

## **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. There is not a list of all registered infant formulas available; the [SAMR Special Food Information Query Platform](#) (link in Chinese) allows search for whether an individual recipes has been registered. 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, including the [Material Requirements for Infant Formula Product Registration](#).

#### **[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 CFDA Decree 26. 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.

## 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.

**Infant formulas are subject to the following principle standards:**

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
3/26/2010	12/1/2010	GB 23790-2010	粉状婴幼儿配方食品良好生产规范	Good Manufacturing Practice for Powdered Formula for Infants and Young Children <sup>24</sup>
3/26/2010	4/1/2011	GB 10765-2010	婴儿配方食品	Infant Formula
3/26/2010	4/1/2011	GB 10767-2010	较大婴儿和幼儿配方食品	Older Infants and Young Children Formula

### [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

<sup>24</sup> On May 12, 2020, China notified [the National Food Safety Standard: Good Manufacturing Practice for Powdered Infant Formula \(GB23790-xxxx\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1159.

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. There is not a list of all registered FSMP available; the [SAMR Special Food Information Query Platform](#) (link in Chinese) allows search for whether a specific FSMP been registered. In addition, several supporting documents for Decree 24, available on the [SAMR website](#), provide additional details on FSMP registration.

In November 2020, the China Nutrition and Health Food Association solicited comments about introducing a special logo for FSMP. By the issuance of this report, the guidance for using and the pattern of the logo has not been issued.

### **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. In November 2020, SAMR released the revised Administrative Measures for the Registration and Record Filing of Health Food, reflecting the change of the authority in charge of food recall (CFDA to SAMR, or food and drug authorities to the market supervision authorities). The revised Administrative Measures is available on the [SAMR website](#) (link in Chinese).

There is not a list of all registered/filed health foods available; the [SAMR Special Food Information Query Platform](#) (link in Chinese) allows search for whether an individual health food has been registered/filed for record with SAMR. 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.<sup>25</sup>

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<sup>25</sup> The Guidance for Naming of Health Food (2019 Version) in Chinese is available at: [http://gkml.samr.gov.cn/nsjg/tssps/201911/t20191112\\_308443.html](http://gkml.samr.gov.cn/nsjg/tssps/201911/t20191112_308443.html)



In June 2019, SAMR published the Guidance for Labeling of Warning Statement for Health Foods.<sup>26</sup> 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.

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).<sup>27</sup> The Measures regulate the development, adjustment, and announcement of the two catalogues of health foods.

### 3. Meat and Poultry Products

GACC is the Chinese competent authority 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](#).

**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.

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<sup>26</sup> The Guidance for Labeling of Warning Statement for Health Foods in Chinese is available at: [http://gkml.samr.gov.cn/nsjg/tssps/201908/t20190820\\_306116.html](http://gkml.samr.gov.cn/nsjg/tssps/201908/t20190820_306116.html)

<sup>27</sup> The Administrative Measures in Chinese are available at: [http://gkml.samr.gov.cn/nsjg/fgs/201908/t20190820\\_306117.html](http://gkml.samr.gov.cn/nsjg/fgs/201908/t20190820_306117.html)

**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 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 \(GB2726-2016\)](#)

On December 23, 2016, the Chinese Government released the National Food Safety Standard for Cooked Meat Products (GB2726-2016). This standard was implemented on June 23, 2017 and applies to imported and domestically produced prepackaged cooked meat products except canned meat. The Standard replaces the Hygiene Standard for Cooked Meat Products (GB 2726 - 2005) and its subsequent modification. In 2019, China published GB 31650-2019 setting certain veterinary drug residue limits in livestock, poultry, and aquatic products. For more information, please see GAIN Report CH2019-0176.

China has published the following national food safety standards related to meat and meat products:

Issuance Date	Effective Date	Standard Number	Standard in Chinese	Standard in English
9/6/2019	4/1/2020	GB31650-2019	食品中兽药最大残留限量	<a href="#">Maximum Residue Limits for Veterinary Drugs in Foods</a>
12/23/2016	12/23/2017	GB12694-2016	畜禽屠宰加工企业卫生规范	Code of Hygienic Practice for the Livestock and Poultry Slaughtering Enterprise
12/23/2016	12/23/2017	GB20799-2016	肉和肉制品经营卫生规范	Code of Hygienic Practice for the Storage, Distribution and Sale of Meat and Meat Products
12/23/2016	6/23/2017	GB 2707-2016	鲜（冻）畜、禽产品	Fresh and Frozen Livestock and Poultry Products
12/23/2016	6/23/2017	GB 2726-2016	熟肉制品	Cooked meat products

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

SPS Notification No.	Standard in Chinese	Standard in English
1071	食用动物血制品	Edible Animal Blood Products
1066	熟肉制品生产卫生规范	Code of Hygienic Practice for Cooked Meat

#### 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> 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. 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 and decides whether MARA technical experts (NBC members) need to assess the product's safety. GACC is responsible for testing of agricultural and food products for GE content at Chinese ports of entry.

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.

From December 2019 to July 2020, MARA issued biosafety certificates for cultivation of five domestically developed traits (not including cotton and papaya). However, China still has not published a regulation establishing a path to variety registration for GE crops other than cotton and papaya, which is a required step before seed with these traits can be produced and planted.

Please see the [2020 USDA Agriculture Biotechnology Annual 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.

### **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 regularly. GACC will approve and upload the list to its website. The GACC approved U.S. list of grain and oilseed exporters is available on [GACC website](#). 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](mailto: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)<sup>28</sup> 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.

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<sup>28</sup> For full Chinese text of the State Council Decree 407 please visit:  
<http://www.chinagrains.gov.cn/n316635/n746789/n746794/c898761/content.html>

[A new draft law on management of grain reserves](#) was released for public comments on December 3, aiming to clarify accountability and harshly punish the accountable agency which failed to correct the problems existed in the amount, quality and safety of government reserve. Main contents are as follow:

1. Establish and improve grain reserve usage coordination mechanism, to coordinate central, local, and socially responsible reserve functions.
2. Government reserve shall follow strict management under plan. Without the state council or local people's municipality approval, no one can use it. The reserve will be mainly food grains.
3. The draft stipulates government reserve's responsible storages' conditions, quality management, storage management, loan and fiscal subsidy management, safety, and residual management.
4. The draft clarifies the reserve rotation rules, sets the rotation proposal plan and deadline.
5. Establish socially responsible reserve mechanism. Provincial governments shall set the scale, layout and subsidize reserve facilities, loans to support social reserve.
6. The drafts set the procedures of how to use the reserve; sets the inspection and management mechanism.
7. Quality problems will be harshly punished
8. The draft clarifies that the government reserve will separate policy function and business functions. However, industry experts believe it's hard to do it as companies like Sinograin is developing grain processing and trade business.

### [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**

On October 10, 2018, China's State Administration for Market Regulation (SAMR) published a new national standard for rice, [GB/T 1354-2018](#), which replaced GB/T 1354-2009. The new national standard for rice applies 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 list of countries/regions that are allowed to export feed additives and feed additive premix can be found at [GACC website](#).

The list of countries/regions that are allowed to export feed materials, pet food, and formula feed can be found at [GACC website](#).

The GACC approved U.S. list of feed exporters is available on [GACC website](#). The U.S. list of feed additive exporters is prepared and submitted by U.S. Food and Drug Administration (FDA) to GACC. Given the GACC's registration of exporters together with MARA's requirement for product registration license, FDA and GACC are finalizing details on how to publish the list to GACC website. Please refer to FDA ([AskCVM@fda.hhs.gov](mailto:AskCVM@fda.hhs.gov)) for more updates.

**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]<sup>29</sup> 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](#) (in Chinese).

**e) MARA Public Notice (2019) No. 226 and 227 on Requirements for Feed Ingredient and Feed Additive License**

In late 2019, MARA issued two notices which update the application process for feed ingredient and feed additive licenses. These measures lay out new application requirements related to the safety of the product and aim at better facilitating applications for both domestic and foreign feed manufacturers. The second measure institutes a consultation service for applicants. For more details of the two notices, please read the USDA GAIN report - [MARA Updates Application Requirements for Feed Ingredient and Feed Additive Licenses](#) for more details.

**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 [Bureau of Animal Husbandry and Veterinary Services](#).

**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 [Bureau of Animal Husbandry and Veterinary Services](#).

**h) [Feed Label Standard](#)**

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**

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<sup>29</sup> The [2016] No. 3 Decree in Chinese could be found at:  
[http://www.moa.gov.cn/nybgb/2016/diliuqi/201712/t20171219\\_6102508.htm](http://www.moa.gov.cn/nybgb/2016/diliuqi/201712/t20171219_6102508.htm)

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,<sup>30</sup> 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 [GACC website](#).

## **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](#).

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<sup>30</sup> The MARA Public Notice [2019] No. 20 in Chinese could be found at:  
[http://www.moa.gov.cn/gk/zcfg/nybgz/201805/t20180504\\_6141413.htm](http://www.moa.gov.cn/gk/zcfg/nybgz/201805/t20180504_6141413.htm)

#### **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**

Revised implementing regulations for organic product certification entered into force on January 1, 2020. The full text of the revised regulations are available in Chinese at:

[http://www.cnca.gov.cn/xxgk/ggxx/2019/201911/t20191112\\_57457.shtml](http://www.cnca.gov.cn/xxgk/ggxx/2019/201911/t20191112_57457.shtml)

#### **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/t20191112\\_57458.shtml](http://www.cnca.gov.cn/xxgk/ggxx/2019/201911/t20191112_57458.shtml).

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

The revised national standard for organic products (GB/T 19630-2019) entered into force on January 1, 2020. The new standard replaces and incorporates the previous standards on organic products (GB/T 19630-2011), including production, processing, labeling, and management systems. The new organic standard is available in Chinese at:

<http://openstd.samr.gov.cn/bzgk/gb/newGbInfo?hcno=6C7830BA57AF12ACE93AF43B8CA7B315>

### **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.

#### **a) 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

<http://jckspj.customs.gov.cn/spj/zwgk75/2706880/2811812/2812040/index.html> (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://jckspj.customs.gov.cn/spj/zwgk75/2706880/index.html> (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.

#### **b) Registration of Foreign Live Seafood/Aquatic Animal 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 <http://dzs.customs.gov.cn/dzs/2747042/2753600/index.html>.

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). The U.S. list of aquaculture farms and facilities for breeding purposes is available on <http://dzs.customs.gov.cn/dzs/2747042/2952029/index.html>. The U.S. list of aquaculture farms and facilities for ornamental purposes has been submitted to GACC for records, and APHIS needs to notify GACC in advance for each export consignment (please talk to APHIS for more clarification). The 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.

#### **c) 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)**

On November 13, 2015, NHFPC (now NHC) published the [National Food Safety Standard for Fresh and Frozen Aquatic Animal Products \(GB 2733-2015\)](#). This Standard entered into force on November 13, 2016. It applies to edible fresh and frozen aquatic animal products, including marine and freshwater products.

#### **d) 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. Plant-based Meat**

Domestic research and development, production, and marketing for plant-based meat products have been expanding rapidly during the last two years, building on a long history of consuming meat alternatives in China. Since 2019, a dozen plant-based meat companies have emerged, introducing to the market a large variety of plant-based meat products to consumers in China. Although the sector is still in its early stages, companies are optimistic and increasing investment indicates that this sentiment is shared.

China does not have specific government regulations for plant-based meat, however, as food products, plant-based meat must follow some general regulatory requirements: (the second two items below only apply to new products/materials/additives):

- Food production licensing through the local market regulations authority.
- Approval of new food materials by the NHC.
- Approval of new food additives by NHC.
- Labeling.

FAS China is currently preparing a GAIN report about the plant-based meat sector in China, which will be published in the [USDA GAIN system](#) upon completion.

### **12. 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.

## **X. Trademarks, Brand Names, and Intellectual Property Rights**

China's new [Trademark Law](#) (link in Chinese), released on April 23, 2019, came into effect November 1, 2019.

According to the Trademark Law, a trademark is protected once it is successfully registered, upon which the trademark registrant has the right to exclusive use of the trademark. The Trademark Office of the National Intellectual Property Administration oversees national trademark registration and management. Trademark applicants must submit a registration application to the Trademark Office, which will provide a decision within nine months from the date of receipt of the trademark registration application documents. Foreigner individuals or companies that apply for trademark registration in China will be handled in accordance with any agreement signed between their country of origin and the People's Republic of China, any applicable international treaties jointly participated in, or the principle of reciprocity. Foreign individuals or companies that wish to apply for trademark registration or handle other trademark-related matters in China must engage an eligible Chinese trademark agency to represent them. The period of validity of a registered trademark is ten years, counting from the date of approval of registration. The period of validity may be extended subject to approval.

According to the Trademark Law, any logo that can distinguish the products of natural persons, legal persons, or other organizations from the products of others, including text, graphics, letters, numbers, three-dimensional signs, color combinations, and sounds, etc., as well as combinations of the above elements, can be registered as a trademark. Trademarks must have distinctive features, be easy to identify, and must not conflict with the legal rights acquired by others in advance.

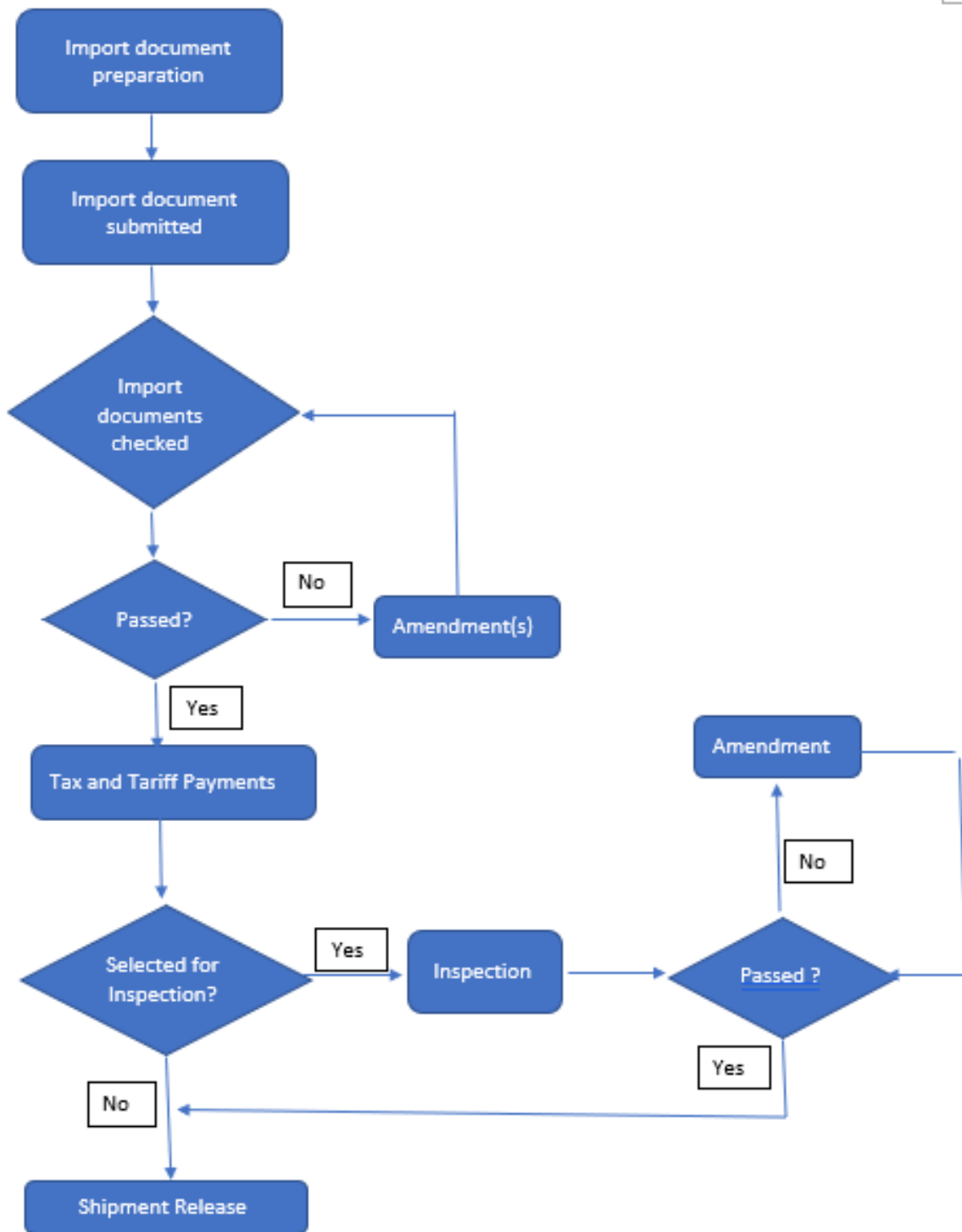
The trademark application form in Chinese is available at:

<http://sbj.cnipa.gov.cn/sbsq/sqss/201705/P020190226550868431181.doc>

The trademark registration flow chart is available at: <http://sbj.cnipa.gov.cn/sbsq/zclct/>.

## **XI. Import Procedures**

GACC's [Bureau of Import and Export Food Safety](#) formulates rules and procedures on safety control, inspection, and quarantine of imported and exported food. The [Department of Animal and Plant Quarantine](#) is in charge of formulating rules and procedures on the inspection and quarantine of imported animals, plants and related live products. Each port of entry has a custom clearance inspection office which is responsible for carrying out the Bureau of Import and Export Food Safety and the Department of Animal and Plant Quarantine rules. The export-customs clearance follows:



All documents must be submitted electronically in GACC's system. Document checks may be completed electronically for certain shipments. If all documents are true and correct, clearance can be completed within one half to one-day. Generally, the time from shipment arrival to its release is one to two days by airfreight, and three to five days by sea. Some shipments will be purposely (or randomly) selected for inspection. This inspection may take an additional one to 10 days depending on the product. Products that are considered high risk may be delayed. Delays are usually caused by duplicate inspections of high-risk products. GACC has a [Department of Risk Management](#) to monitor risk. Products that are considered high-risk will be selected more for inspections. For complex inspections which may take longer than anticipated, importers may arrange to pick up the goods before the inspection is completed, but these products should not be traded until officially released. Most documents do not need to be translated into Chinese. For packaged products, Chinese labels with necessary production and nutritional information (depending on the product) may be pasted on the outside the package.

Samples for trade shows which are not intended for commercial distribution are not subject to the same import regulations as commercial goods. For most products that are included in the bilateral agreement, even if the company is not registered under GACC, their products can still enter for use in trade shows by going through a special custom clearance channel for trade shows (exhibitions). The [Department of Port Control](#) formulates and enforces rules on inbound/outbound mail, and temporarily imported and exported goods for exhibitions.

Some products may enter China through the cross-border e-commerce (CBEC). CBEC is a special government program that waives import tariffs and streamlines the customs clearance process for certain consumer-oriented products. Importers are responsible for managing and moving products through established CBEC pilot zones. For more information about CBEC and which products are allowed to enter through this channel view the [FAS GAIN on Cross Border E-commerce](#).

## **XII. Trade Facilitation**

GACC now encourages pre-clearance for all products. Custom clearance agents usually submit import documents when they receive cargo manifests from shipping companies, which is usually two or three days before the shipments arrive by sea. For airfreight, custom agents usually begin submitting import documents once the flight departs. Generally, if all documents are ready in advance, and shipment is not selected for inspection, customs clearance may be completed in advance of arrival. China doesn't use the Global e-phyto hub. For airfreight, a trader is expected to pay terminal charges (by weight, product category, and temperature requirements), inspection fees if selected for inspection, taxes and tariffs, and custom clearance fees (around RMB 1500 per shipment). Customs agents may charge an extra storage fee may be assessed if the shipment is transported from custom to designated warehouses.

For sea shipments, the cost structure is almost the same as airfreight, which includes port surcharges, inspection fees if selected for inspection, taxes and tariffs, custom clearance fees. Demurrage is another cost that traders must consider if containers are detained more than two weeks. For example, the cost for a 40-foot container of packaged food, fruits, meat, or seafood is about RMB 6,000 (room



temperature) to RMB 8,000 (temperature controlled) not including the logistics fees. For bulk commodities, such as soybeans, wheat, peanuts, grains, and alfalfa, the average cost of a 40-foot container is around RMB 3,000, not including logistics fees. Costs may vary depending on the product, port of entry, and other factors.

## **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](http://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](http://www.customs.gov.cn)

#### **Ministry of Agriculture and Rural Affairs (MARA)**

11 Nongzhanguan Nanli, Chaoyang District

Beijing 100026

China

[www.moa.gov.cn](http://www.moa.gov.cn)

#### **National Health Commission (NHC)**

1 Xizhimenwai Nanlu, Xicheng District

Beijing 100044

China

[www.nhc.gov.cn](http://www.nhc.gov.cn)

#### **Ministry of Commerce (MOFCOM)**

2, Dong Chang An Street, Dongcheng District

Beijing 100731

China

[www.mofcom.gov.cn](http://www.mofcom.gov.cn)

## **2. Other Import Specialist Contacts**

### **USDA Office Contact Information in Washington, D.C.**

FAS Office of Trade Policy and Geographic Affairs, Asia Pacific Division

Phone: (202) 378-1060

Fax: (202) 690-2079

Email: [China.Desk@usda.gov](mailto:China.Desk@usda.gov)

### **USDA Office Contact Information in China**

#### **Agriculture Affairs Office, Beijing**

Contact: Bobby Richey, Minister Counselor for Agricultural Affairs

Phone: (86-10) 8531-3600

Fax: (86-10) 8531-3636

Email: [agbeijing@fas.usda.gov](mailto:agbeijing@fas.usda.gov)

#### **Agricultural Trade Office, Beijing**

Contact: Lashonda McLeod Harper, Director

Phone: (86-10) 8531-3950

Fax: (86-10) 8531-3050

Email: [atobeijing@fas.usda.gov](mailto:atobeijing@fas.usda.gov)

#### **Agricultural Trade Office, Guangzhou**

Contact: Michael Francom, Director

Phone: (86-20) 3814-5310

Email: [atoguangzhou@fas.usda.gov](mailto:atoguangzhou@fas.usda.gov)

#### **Agricultural Trade Office, Shanghai**

Contact: Erik Hansen, Director

Phone: (86-21) 6279-8622

Fax: (86-21) 6279-8336

Email: [atoshanghai@fas.usda.gov](mailto:atoshanghai@fas.usda.gov)

#### **Agricultural Trade Office, Shenyang**

Contact: Chris Frederick, Director

Phone: (86-24) 2322-1198

Fax: (86-24) 2322-1733

Email: [atoshenyang@fas.usda.gov](mailto:atoshenyang@fas.usda.gov)

#### **USDA Animal and Plant Health Inspection Service – China Office**

Contact: Silvia Kreindel, Regional Manager, Asia & Pacific

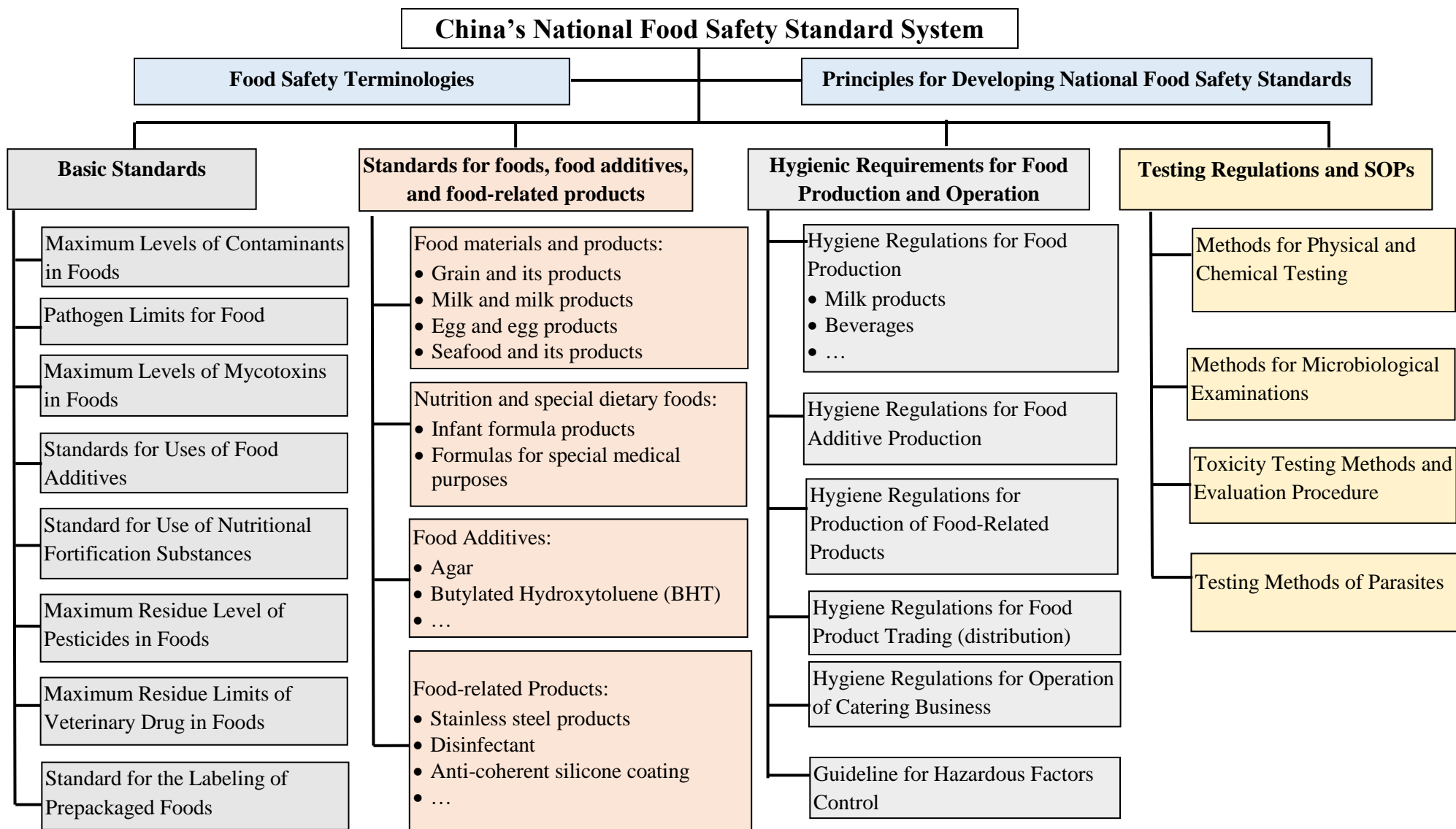
Phone: (86-10) 8531-3030

Fax: (86-10) 8531-3033  
Email: [Silvia.Kreindel@aphis.usda.gov](mailto:Silvia.Kreindel@aphis.usda.gov)

**USDA Food Safety and Inspection Service – China Office**

Contact: Ronnie Dunn, Country Director  
Phone: (86-10) 8531-3983  
Fax: (86-10) 8531-3636  
Email: [Ronnie.Dunn@fsis.usda.gov](mailto:Ronnie.Dunn@fsis.usda.gov)

### 3. Framework of the National Food Safety Standard System



#### 4. Full list of the existing national food safety standards

##### General Standards

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
1	9/6/2019	4/1/2020	GB31650-2019	食品中兽药最大残留限量	Maximum Residue Limits for Veterinary Drugs in Foods
2	8/15/2019	2/15/2020	GB2763-2019	食品中农药最大残留限量	Maximum Residue Level of Pesticides in Foods
3	3/17/2017	9/17/2017	GB2761-2017	食品中真菌毒素限量	Maximum Levels of Mycotoxins in Foods
4	3/17/2017	9/17/2017	GB2762-2017	食品中污染物限量	Maximum Levels of Contaminants in Foods
5	12/26/2013	7/1/2014	GB29921-2013	食品中致病菌限量	Pathogen Limits for Food <sup>31</sup>
6	12/24/2014	5/24/2015	GB2760-2014	食品添加剂使用标准	Standards for Uses of Food Additives
7	10/19/2016	10/19/2017	GB9685-2016	食品接触材料及制品用添加剂使用标准	Standards for Uses of Additives in Food Containers and Packaging Materials
8	3/15/2012	1/1/2013	GB14880-2012	食品营养强化剂使用标准	Standard Regarding Nutritional Fortification Substances in Foods
9	4/20/2011	4/20/2012	GB7718-2011	预包装食品标签通则	General Principles for the Labeling of Prepackaged Foods
10	10/12/2011	1/1/2013	GB28050-2011	预包装食品营养标签通则	Standard for Nutrition Labeling of Pre-packaged Foods
11	12/26/2013	5/1/2015	GB13432-2013	预包装特殊膳食用食品标签	The Labeling of Pre-packaged Foods for Special Dietary Uses
12	11/29/2013	6/1/2015	GB29924-2013	食品添加剂标识通则	General Standard for the Labeling of Food Additives

<sup>31</sup> On May 11, 2020, China notified the [National Food Safety Standard for Pathogen Limits for Ready-to-eat Food in Bulk \(Draft for Comments\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1152.

## Food Products

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
1	3/26/2010	12/1/2010	GB 5420-2010	干酪	Cheese
2	3/26/2010	12/1/2010	GB 11674-2010	乳清粉和乳清蛋白粉	Whey Powder and Whey Protein Powder
3	3/26/2010	12/1/2010	GB 13102-2010	炼乳	Evaporated Milk and Sweetened Condensed Milk
4	3/26/2010	6/1/2010	GB 19301-2010	生乳	Raw Milk
5	3/26/2010	12/1/2010	GB 19302-2010	发酵乳	Fermented Milk
6	3/26/2010	12/1/2010	GB 19644-2010	乳粉	Milk Powders
7	3/26/2010	12/1/2010	GB 19645-2010	巴氏杀菌乳	Pasteurized Milk
8	3/26/2010	12/1/2010	GB 19646-2010	稀奶油、奶油和无水奶油	Cream, butter, and anhydrous milkfat
9	3/26/2010	12/1/2010	GB 25190-2010	灭菌乳	Sterilized Milk
10	3/26/2010	12/1/2010	GB 25191-2010	调制乳	Modified Milk
11	3/26/2010	12/1/2010	GB 25192-2010	再制干酪	Process(ed) Cheese
12	4/20/2011	10/20/2011	GB 14963-2011	蜂蜜	Honey
13	11/21/2011	12/21/2011	GB 19295-2011	速冻面米制品	Quick Frozen Flour and Rice Products <sup>32</sup>
14	9/15/2011	3/15/2012	GB 26878-2011	食用盐碘含量	Iodine Content in Edible Salt
15	8/6/2012	2/1/2013	GB 2757-2012	蒸馏酒及其配制酒	Distilled Spirits and their Integrated Alcoholic Beverages
16	8/6/2012	2/1/2013	GB 2758-2012	发酵酒及其配制酒	Fermented Alcoholic Beverages and their Integrated Alcoholic Beverages
17	12/24/2014	5/24/2015	GB 2711-2014	面筋制品	Gluten Products
18	12/24/2014	5/24/2015	GB 2712-2014	豆制品	Bean Products
19	12/24/2014	5/24/2015	GB 2718-2014	酿造酱	Fermented Sauces

<sup>32</sup> On May 12, 2020, China notified the [National Food Safety Standard for Quick-Frozen Flour and Rice Products and Quick-Frozen Prepared Foods \(Draft for Comments\)](#) to the WTO SPS Committee as G/SPS/N/CHN/1154.

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
20	12/24/2014	5/24/2015	GB 7096-2014	食用菌及其制品	Edible Fungi and their Products
21	12/24/2014	5/24/2015	GB9678.2-2014	巧克力、代可可脂巧克力及其制品	Chocolate, Cocoa Butter Replacer, and Related Products
22	12/24/2014	5/24/2015	GB 10133-2014	水产调味品	Aquatic Dressing
23	12/24/2014	5/24/2015	GB 13104-2014	食糖	National Food Safety Standards for Sugars
24	12/24/2014	5/24/2015	GB 15203-2014	淀粉糖	Starch Sugar
25	12/24/2014	5/24/2015	GB 16740-2014	保健食品	Health Food
26	12/24/2014	5/24/2015	GB 17401-2014	膨化食品	Puffed Foods
27	12/24/2014	5/24/2015	GB 19298-2014	包装饮用水	Packaged Drinking Water
28	12/24/2014	5/24/2015	GB 19300-2014	坚果与籽类食品	Nuts and Seeds Products
29	9/22/2015	9/22/2016	GB 2713-2015	淀粉制品	Starch Products
30	9/22/2015	9/22/2016	GB 2714-2015	酱腌菜	Preserved Vegetables
31	9/22/2015	9/22/2016	GB 2720-2015	味精	Gourmet Powder
32	9/22/2015	9/22/2016	GB 2721-2015	食用盐	Food Grade Salt
33	9/22/2015	9/22/2016	GB 2730-2015	腌腊肉制品	Cured meat products
34	11/13/2015	11/13/2016	GB 2733-2015	鲜、冻动物性水产品	Fresh and frozen aquatic animal products
35	11/13/2015	11/13/2016	GB 2749-2015	蛋与蛋制品	Eggs and their Products
36	11/13/2015	11/13/2016	GB 2759-2015	冷冻饮品和制作料	Frozen Beverages and Related Materials
37	11/13/2015	11/13/2016	GB 7098-2015	罐头食品	Canned Food
38	9/22/2015	9/22/2016	GB 7099-2015	糕点、面包	Pastries and Bread
39	9/22/2015	9/22/2016	GB 7100-2015	饼干	Cookies and Crackers
40	11/13/2015	11/13/2016	GB 7101-2015	饮料	Beverages
41	11/13/2015	11/13/2016	GB 10136-2015	动物性水产制品	Processed aquatic products of animal origin
42	11/13/2015	11/13/2016	GB 10146-2015	食用动物油脂	Edible Animal Oils
43	9/22/2015	9/22/2016	GB 14967-2015	胶原蛋白肠衣	National Food Safety Standards for Collagen



No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
					Casings
44	11/13/2015	11/13/2016	GB 15196-2015	食用油脂制品	Edible Oil Products
45	11/13/2015	11/13/2016	GB 17325-2015	食品工业用浓缩液（汁、浆）	Concentrated Liquid (Juice, Plasm) for Food Industry
46	9/22/2015	9/22/2016	GB 17400-2015	方便面	Instant Noodles
47	11/13/2015	11/13/2016	GB 19299-2015	果冻	Jellies
48	11/13/2015	11/13/2016	GB 19641-2015	食用植物油料	Edible Vegetable Oil Seeds
49	11/13/2015	11/13/2016	GB 31602-2015	干海参	Dried Sea Cucumber
50	12/23/2016	6/23/2017	GB 2707-2016	鲜（冻）畜、禽产品	Fresh and Frozen Livestock and Poultry Products
51	12/23/2016	6/23/2017	GB 2715-2016	粮食	Grains
52	12/23/2016	6/23/2017	GB 2726-2016	熟肉制品	Cooked meat products
53	12/23/2016	6/23/2017	GB 14884-2016	蜜饯	Preserved Fruits
54	12/23/2016	6/23/2017	GB 14932-2016	食品加工用粕类	Food Processing Meal
55	12/23/2016	6/23/2017	GB 17399-2016	糖果	Candies
56	12/23/2016	6/23/2017	GB 19640-2016	冲调谷物制品	Reconstituted cereal products
57	12/23/2016	6/23/2017	GB 19643-2016	藻类及其制品	Algae and algae products
58	12/23/2016	6/23/2017	GB 20371-2016	食品加工用植物蛋白	Vegetable Protein for Food Processing
59	12/23/2016	6/23/2017	GB 31636-2016	花粉	Pollen
60	12/23/2016	6/23/2017	GB 31637-2016	食用淀粉	Food Starch
61	12/23/2016	6/23/2017	GB 31638-2016	酪蛋白	Casein
62	12/23/2016	6/23/2017	GB 31639-2016	食品加工用酵母	Yeasts used for food processing
63	12/23/2016	6/23/2017	GB 31640-2016	食用酒精	Edible alcohol
64	6/21/2018	12/21/2019	GB 2717-2018	酱油	Soy Sauce
65	6/21/2018	12/21/2019	GB 2719-2018	食醋	Vinegar
66	6/21/2018	6/21/2019	GB 8537-2018	饮用天然矿泉水	Natural Mineral Water

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
67	6/21/2018	12/21/2018	GB 25595-2018	乳糖	Lactose
68	6/21/2018	12/21/2019	GB 31644-2018	复合调味料	Compound Condiment
69	6/21/2018	12/21/2018	GB 31645-2018	胶原蛋白肽	Collagen Peptide

### Special Foods

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
1	3/26/2010	4/1/2011	GB 10765-2010	婴儿配方食品	Infant Formula
2	3/26/2010	4/1/2011	GB 10767-2010	较大婴儿和幼儿配方食品	Older infants and young children formula
3	3/26/2010	4/1/2011	GB 10769-2010	婴幼儿谷类辅助食品	Cereal-Based Complementary Foods for Infants and Young Children
4	3/26/2010	4/1/2011	GB 10770-2010	婴幼儿罐装辅助食品	Canned Complementary Foods for Infant and Young Children
5	12/21/2010	1/1/2012	GB 25596-2010	特殊医学用途婴儿配方食品通则	General Standard of Formulas for Special Medical Purposes Intended for Infants
6	12/26/2013	7/1/2014	GB 29922-2013	特殊医学用途配方食品通则	Formulas for Special Medical Purposes
7	4/29/2014	11/1/2014	GB 22570-2014	辅食营养补充品	Complementary Food Supplements
8	11/13/2015	11/13/2016	GB 24154-2015	运动营养食品通则	General Standard for Sports Nutritional Food
9	11/13/2015	11/13/2016	GB 31601-2015	孕妇及乳母营养补充食品	Multi-nutrient supplementary food for pregnant and lactating women

## Food Additive Standards

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
1	7/15/2011	9/5/2011	GB 26687-2011	复配食品添加剂通则	Standard for Blended Food Additives
2	9/11/2020	3/11/2021	GB 29938-2020	食品用香料通则	General Standard for Flavoring Substances and Natural Flavoring Complexes
3	9/11/2020	3/11/2021	GB 30616-2020	食品用香精	Food additive Flavorings (compounded flavors)

Other quality and specification standards: omitted

## Food-related Products

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
1	9/22/2015	9/22/2016	GB 14930.1-2015	洗涤剂	Detergent
2	4/25/2012	10/25/2012	GB 14930.2-2012	消毒剂（代替 GB 14930.2-1994）	Disinfectant (replacing GB 14930.2-1994)
3	9/22/2015	9/22/2016	GB 31604.1-2015	食品接触材料及制品迁移试验通则	General Rules for Migration Testing of Food Contacting Materials and Products
4	10/19/2016	4/19/2017	GB 4806.1-2016	食品接触材料及制品通用安全要求	General Safety Requirements of Food Contact Materials and Articles
5	9/22/2015	9/22/2016	GB 4806.2-2015	奶嘴	Nipple
6	10/19/2016	4/19/2017	GB 4806.3-2016	搪瓷制品	Enamel Products
7	10/19/2016	4/19/2017	GB 4806.4-2016	陶瓷制品	Ceramic Products
8	10/19/2016	4/19/2017	GB 4806.5-2016	玻璃制品	Glass Products
9	10/19/2016	4/19/2017	GB 4806.6-2016	食品接触用塑料树脂	Resins for Food Contact Plastic Materials and Articles
10	10/19/2016	4/19/2017	GB 4806.7-2016	食品接触用塑料材料及制品	Food Contact Plastic Materials and Articles
11	10/19/2016	4/19/2017	GB 4806.8-2016	食品接触用纸和纸板材料及制品	Food Contact Paper and Paper Board Materials and

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
					Articles
12	10/19/2016	4/19/2017	GB 4806.9-2016	食品接触用金属材料及制品	Food Contact Metal Materials and Articles
13	10/19/2016	4/19/2017	GB 4806.10-2016	食品接触用涂料及涂层	Food-contact Coating and Coating Layers
14	10/19/2016	4/19/2017	GB 4806.11-2016	食品接触用橡胶材料及制品	Food Contact Rubber Materials and Articles
15	10/19/2016	4/19/2017	GB 14934-2016	消毒餐（饮）具	Disinfected Tableware

### Production and Operation GMP

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
1	9/11/2020	3/11/2021	GB 31605-2020	食品冷链物流卫生规范	Hygienic Specifications of Food Cold-chain Logistics
2	5/24/2013	6/1/2014	GB 14881-2013	食品生产通用卫生规范	General Hygiene Regulation for Food Production
3	12/24/2014	5/24/2015	GB 31621-2014	食品经营过程卫生规范	Hygienic Practice for Food Operation
4	3/26/2010	12/1/2010	GB 12693-2010	乳制品良好生产规范	Good Manufacturing Practice for Dairy Products
5	3/26/2010	12/1/2010	GB 23790-2010	粉状婴幼儿配方食品良好生产规范	Good Manufacturing Practice for Powdered Formula for Infants and Young Children
6	12/26/2013	1/1/2015	GB 29923-2013	特殊医学用途配方食品良好生产规范	Good Manufacturing Practice for Food for Special Medical Purpose
7	9/21/2015	9/21/2016	GB 31603-2015	食品接触材料及制品生产通用卫生规范	General Hygiene Regulations for Food contacting Materials and Related Products
8	12/23/2016	12/23/2017	GB 8950-2016	罐头食品生产卫生规范	Code of Hygienic Practice for the Production of Canned Foods
9	12/23/2016	12/23/2017	GB 8951-2016	蒸馏酒及其配制酒生产卫生规范	Code of Hygienic Practice for the Production of Distilled Liquor and Formulated Liquor
10	12/23/2016	12/23/2017	GB 8952-2016	啤酒生产卫生规范	Code of Hygienic Practice for the Production of

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
					Beer
11	12/23/2016	12/23/2017	GB 8954-2016	食醋生产卫生规范	Hygienic Specification for Vinegar Production
12	12/23/2016	12/23/2017	GB 8955-2016	食用植物油及其制品生产卫生规范	Code of Hygienic Practice for the Production of Edible Vegetable Oil
13	12/23/2016	12/23/2017	GB 8956-2016	蜜饯生产卫生规范	Code of Hygienic Practice for the Production of Preserved Fruits
14	12/23/2016	12/23/2017	GB 8957-2016	糕点、面包卫生规范	Code of Hygienic Practice for the Production of Pastry and Bread
15	12/23/2016	12/23/2017	GB12694-2016	畜禽屠宰加工卫生规范	Code of Hygienic Practice for the Livestock and Poultry Slaughtering Enterprise
16	12/23/2016	12/23/2017	GB 12695-2016	饮料生产卫生规范	Code of Hygienic Practice for the Production of Beverages
17	12/23/2016	12/23/2017	GB 13122-2016	谷物加工卫生规范	Code of Hygienic Practice for Grain Processing
18	12/23/2016	12/23/2017	GB 17403-2016	糖果巧克力生产卫生规范	Code of Hygienic Practice for the Production of Candy and Chocolate
19	12/23/2016	12/23/2017	GB 17404-2016	膨化食品生产卫生规范	Code of Sanitation Practice for the Production of Puffed Food
20	12/23/2016	12/23/2017	GB 18524-2016	食品辐照加工卫生规范	Code of Hygienic Practice for Radiation Processing of Food
21	12/23/2016	12/23/2017	GB 21710-2016	蛋与蛋制品生产卫生规范	Code of Hygienic Practice for the Production of Egg and Egg Products
22	12/23/2016	12/23/2017	GB 12696-2016	发酵酒及其配制酒生产卫生规范	Code of Hygienic Practice for Fermented Alcoholic Beverages and their Integrated Alcoholic Beverages
23	12/23/2016	12/23/2017	GB 22508-2016	原粮储运卫生规范	Code of Hygienic Practice for the Storage and Transport of Unprocessed Food Grains
24	12/23/2016	12/23/2017	GB 20941-2016	水产制品生产卫生规范	Code of Hygienic Practice for the Production of Aquatic Products

No.	Issuance Date	Effective Date	GB Number	Standard in Chinese	Standard in English
25	12/23/2016	12/23/2017	GB 20799-2016	肉和肉制品经营卫生规范	Code of Hygienic Practice for the storage, distribution and sale of meat and meat products
26	12/23/2016	12/23/2017	GB 31641-2016	航空食品卫生规范	Code of Hygienic Practice for Airline Meals
27	6/21/2018	12/21/2019	GB 8953-2018	酱油生产卫生规范	Code of Hygienic Practice for the Production of Soy Sauce
28	6/21/2018	6/21/2019	GB 19304-2018	包装饮用水生产卫生规范	Code of Hygienic Practice for the Production of Packaged Drinking Water
29	6/21/2018	6/21/2019	GB 31646-2018	速冻食品生产和经营卫生规范	Code of Hygienic Practice for Production and Operation of Quick-Frozen Products
30	6/21/2018	6/21/2019	GB 31647-2018	食品添加剂生产通用卫生规范	General Hygiene Regulation for Food Additive Production

**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