

Reply to questions regarding Decree No. 248 of the General Administration of Customs

1. Implementation time

Starting from 1 January 2022, overseas production companies exporting food products to China shall obtain registration with the General Administration of Customs.

2. The scope of registration

(1) Do all the companies involved in the production process have to register?

Regulations on Registration and Administration of Overseas Manufacturers of Imported Food of the People's Republic of China (Decree No. 248 of the General Administration of Customs, hereinafter referred to as the "Registration Regulations") aims to ensure the safety of food exported to China.

For the production, processing and storage entities that are legally responsible for exporting products to China need to register in accordance with the "Registration Regulations". No registration is required for room temperature transit warehouses that have not undergone any processing, packaging or repacking, and exporters who are not involved in any manufacturing, processing and storage activities.

(2) Can a food operator with multiple manufacturing plants under one company name (and one business license) register only once, and remain valid for all plants.

A production site can apply for multiple registration numbers in China for different product categories, and one company name can also apply for multiple registration numbers in China for different products. But multiple production sites are not allowed to use one registration number in China, Alternatively, multiple processing companies are not allowed to use one registration number in China.

(3) Can establishments start both processes (government registration (art. 8) and self-registration (art. 9) at same time to secure registration?

Yes they can.

For overseas production enterprises of 18 categories of imported food listed in Article 7 of the "Registration Regulations", their registration system account shall be assigned by the competent authority of the country (region) where they are located, and follow the procedures of the registration management system for imported food overseas production enterprises (hereinafter referred to as the "registration system") to submit application.

The registration system account of the overseas competent authority shall be assigned by the General Administration of Customs after contacting them for confirmation.

Overseas food production companies other than Category 18 should apply for an account through the registration system by themselves, and submit applications for company registration according to the registration system process.

3. Registration regarding the HS code

The "Product Category and HS Code, Inspection and Quarantine Code Table" of the products involved in the registration of imported food overseas production enterprises can be checked in the registration system within this week. Click –Home-Menu-Product Category Query.

Registration system website: <https://cifer.singlewindows.cn/>

It can also be accessed through the following path: China International Trade Single Window (<https://www.singlewindows.cn/>) portal homepage or Standard Edition Application-Imported Food Overseas Production Enterprise Registration Management System.

4. 18 Types of food registration issues

(1) When will EU member states receive feedback from the General Administration of Customs for the information submitted before 31 October 2021?

Currently, China Customs are stepping up relevant audits and confirmations, and the EU member states submitted lists

before 31 October will gradually release in the registration system in December.

(2) Can GACC confirm what happens to companies not yet formally registered by 1 January 2022?

Reply: As of 1 January 2022, overseas manufacturers of imported food that have been registered and given a Chinese registration number shall, when declaring imported food, fill their Chinese registration number accordingly in the “Overseas Manufacturers Registration of Imported Food” that listed under the “Product Qualification” of the customs declaration form. Oversea manufacturers that fail to fill in the Chinese registration number shall be deemed as unregistered. Foods produced by unregistered manufacturers will not be accepted for import declarations.

The General Administration of Customs of the People’s Republic of China (GACC) will make every effort to prevent interruption or bottlenecks from happening to the food trade with China. We also call for positive coordination from the competent authorities of EU and its member states to complete the registration applications and approvals of all existing trading manufacturers by the end of this year.

(3) Implementation issues

1. For the overseas manufacturers of four types of registered products (including meat and meat products, aquatic products, dairy products, edible bird's nest and edible bird's nest products), the registration remains valid.

2. For overseas manufacturers that export the above four types of products to China for the first time, the GACC will, in accordance with Articles 11 to 17 of the Administrative Measures of the People's Republic of China on the Registration and Administration of Imported and Exported Food Safety, evaluate and review the food safety management system and food safety status of overseas countries (regions) to determine the corresponding inspection and quarantine requirements. Where the GACC has completed the evaluation and review, and determined the corresponding inspection and quarantine requirements, competent authorities of overseas countries/regions can recommend manufacturers of the above four types of products for registration according to relevant requirements of Article 8 of the Regulations of the People's Republic of China on the Registration and

Administration of Overseas Manufacturers of Imported Food (“Regulations”).

3. For overseas manufacturers of the following 14 types of products: casings, bee products, eggs and egg products, edible oils and fats, stuffed pastry products, edible grains, milled grain industry products and malt, fresh and dehydrated vegetables and dried beans, condiments, nuts and seeds, dried fruits, unroasted coffee beans and cocoa beans, food for special dietary purposes, and functional food, that have exported products listed in the Catalog of Existing Imported Food to China since 1 January, 2017, competent authorities of their countries/regions can add them into the List of Recommended Overseas Manufacturers for Registration of Imported Food before November 30, 2021, and submit it to the Bureau of Import and Export Food Safety, GACC together with the Declaration of Compliance of the Recommended Registered Enterprise (Reference Format) (see the Letter of the Food Safety Bureau [2021] No. 353 for details). The GACC shall promptly review and approve the registration of relevant manufacturers on the list submitted on time.

4. For those who fail to submit the list of relevant manufacturers on time or export the aforementioned 14 types of products to China for the first time, as of January 1, 2022, relevant overseas manufacturers of imported food shall apply for registration in accordance with relevant requirements listed in Article 8 of the Regulations.

5. Where there are agreements between relevant competent authorities of foreign countries/regions and the GACC on the application methods and materials, the registration application of 18 types of imported food by overseas manufacturers listed in Article 7 of the Regulations shall be submitted through the registration system. Their registration system accounts shall be assigned by the competent authorities of the country (region) where they are located, and then they shall submit the registration application in accordance with the registration procedure. The accounts of overseas competent authorities shall be assigned by the GACC after contacting them for confirmation.

6. For overseas manufacturers of imported food that have been registered before January 1, 2022, where information and materials for inspection are incomplete,

relevant overseas competent authorities and manufacturers can submit the supplements through the registration system before 30 June, 2023.

5. Website problem

Reply: Up to 30 November 2021, data of overseas dairy enterprises that applied for registration via <http://spj.customs.gov.cm/cifer> are still valid, and they will be uploaded to <https://cifer.singlewindow.cn>. New applications via <http://spj.customs.gov.cm/cifer> will not be accepted as of 1 December 2021.

Data confidential problem

Reply: The GACC will ensure the security of information and document data uploaded by manufacturers through the registration system in accordance with relevant regulations.

The registration system identifies users through accounts and passwords to ensure information security. The upload and download of documents are not open to the public. Overseas manufacturers and competent authorities where they are located must log in to the registration system with a registered account and password before uploading and downloading

documents. Overseas manufactures can view information filled in and documents submitted only. The account and password shall be kept properly. Please do not disclose them to the third party, or use them to log in to the third-party platforms.

Regarding the claim of “anyone can download the files uploaded to the platform during the registration” you mentioned, further detailed clarification is needed for giving feedback.

When is the registration system operational?

Reply: The registration management system for overseas manufacturers of imported food has been put into operation on 1 November, and it is running well. A number of manufacturers have successfully registered through the system.

Allocation of Registration Numbers

Reply: Food manufacturers that have not yet exported products to China can submit application for registration through the system. The Chinese registration number is related to the product category of overseas manufacturers,

which means different products by the same manufacturers may have different Chinese registration numbers. One manufacturing site can apply for multiple Chinese registration numbers for different product categories, but it is not allowed for multiple manufacturing sites to use one and the same Chinese registration number, or multiple processing enterprises to use one and the same Chinese registration number. There is no deadline for obtaining the Chinese registration number from the GACC.

Documentations needed for self-registration

Reply: As for information provided by manufacturers who apply for registration by themselves, the main manufacturing/processing technology are mandatory fields, raw materials/ingredients, countries of origin and product composition are optional fields that manufacturers are encouraged to fill in, which is helpful for China Customs to review.

The English version of the registration system has been launched. Applicants can check the process status after submitting the application through the system. The function

to search the Chinese registration number of registered manufacturers will be introduced soon. If overseas manufacturers fail to be granted the registration number by their local competent authorities of food safety, they are allowed to use their own business registration number, tax number, and value-added tax number instead, which can be used as their identification numbers to apply for an account in the registration system.

As for the registration system, any constructive suggestions for improvement are welcome.

Change of Registration Number

Reply: According to Article 19 of the Regulations, manufacturers shall not apply for adjustments to related registration items based on the ways of change where they change their manufacturing sites, legal representatives, or registration numbers granted by the country (region) where they are located. Instead, they shall submit new registration application and corresponding materials via the ways of application in accordance with the Regulations.

After the new registration application is approved, the former Chinese registration numbers will automatically become invalid, and the former registration qualification will be cancelled. The customs clearance and declaration will be unaffected before the new registration number is approved; The new Chinese registration number shall prevail for customs clearance when it is approved.

Registration Guideline

Reply: For the registration guideline and related appendices of overseas manufacturers of imported food, please refer to the GACC website: “Internet + Customs” - Administration Approval - Registration of Overseas Manufacturers of Imported Food – “Guidelines for Registration of Overseas Manufacturers of Imported Food”.

New labelling requirements

Timelines for compliance with new labelling requirements

Reply: Registered overseas manufacturers of imported food shall mark their Chinese registration numbers or the registration numbers approved by the competent authority of the country (region) on the inner and outer packaging of the

food that manufactured as of 1 January 2022 and exported to China. The labels on the packaging of food exported to China that manufactured before that date are still subject to the former requirements.

Other problems

Reply: Except for functional food and food for special dietary purposes with special requirements for labelling, pre-packaged food must comply with relevant requirements. Others that are not prohibited can be labelled according to the actual situation, and the labels on products that eventually enter the market must meet the requirements of relevant Chinese laws and regulations and national standards for food safety.

Other than products with special requirements, the labels on the smallest sales package must comply with Chinese requirements.