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## China Food Imports

*All Foreign Enterprises that Produce, Process and Store Foods in Order to Export to China Required to Register with China Customs in Advance*

China issued the Provisions on Administration of Registration of Foreign Enterprises Producing Imported Food (“**New Rule**”), which will be effective on January 1, 2022. The New Rule will substitute the registration administration provisions published in 2012. We compared the new and old rules, and provide the following key points for your reference.

### 1. **Who is required to register?**

Under the old rule, only the foreign enterprises that produce, process or store meat, aquatic products, dairy products and bird’s nest were required to register before exporting to China. However, from January 1, 2022, the New Rule will greatly expand the registration scope; **any and all** foreign enterprises that produce, process, and/or store any kinds of foods will be required to register with China Customs in advance before the export.

For the purpose of the New Rule, the foreign enterprises that produce, process and/or store food additives or food-related products are not required to register with China Customs.

### 2. **Registration Authority**

China Customs.

### 3. **Procedure of Registration**

There are two categories: registration by recommendation and registration by enterprises.

### 3.1 Registration by recommendation:

#### 3.1.1 Foods required to be registered by recommendation

As mentioned above, before the effective of the New Rule, only the foreign enterprises that produce, process or store meat, aquatic products, dairy products, and bird's nest were required to register with China Customs in advance. These enterprises cannot apply for registration by themselves only, instead, they shall be recommended by their own country/region's competent authority to China Customs for registration. From January 1, 2022, the foreign enterprises who aim to export the following foods to China must register with China Customs by recommendation:

- Casing
- Plant-derived food
- Traditional Chinese medicine
- Unroasted coffee bean and cocoa beans
- Bee products
- Special dietary foods
- Dietary supplements
- Eggs and egg products
- Edible fats and oils
- Bread Stuffing & Pasta
- Edible cereals
- Industrial products for grain milling and malt
- Preserved and dehydrated vegetables and dried beans
- Spices
- Nuts and seeds
- Dried fruits

#### 3.1.2 Application material

- a) Recommendation letter issued by their own country/region's competent authority;
- b) Enterprises list and their registration application;
- c) Enterprises' identity certification such as business license issued by their own country/region's competent authority;
- d) Affidavit issued by the enterprises recommended by their country/region's competent authority stating that the applicants comply with this New Rule;
- e) Examination report issued by their country/region's competent authority after the authority examines and inspects the relevant enterprises.

If necessary, China Customs may require the enterprises to submit the food safety, sanitation and protection system documents, such as the plan of the factory area, workshop and cold storage, and the process flow chart.

### 3.2 Registration by enterprise

Those foreign enterprises that produce, process or store foods outside the aforesaid scope shall apply for registration with China Customs independently. They must provide the following documents:

- a) Enterprise's registration application , which shall include the category of food, production type, and production ability;
- b) Food registration certificate issued by their own country/region's competent authority;
- c) Enterprise's identity certificate, for example, the business license issued by its own country/region's competent authority;
- d) Affidavit issued by the enterprises confirming that they comply with this New Rule.

The Foreign Enterprises shall be responsible for the truth, completeness and legality of the documents submitted.

## 4. Validity Period

The validity period of the registration is changed from 4 years to 5 years, which will be recorded on the certificate issued by China Customs.

## 5. Material change that will revoke the registration

Where the production address, the legal representative or the registration number issued by the enterprises' own country/region is changed, the registration with China Customs will be invalid automatically. A new registration application is required.

## 6. New requirements on packaging

6.1 It was only required that the registration number issued by China shall be shown on the outside packaging under the old rule. According to the New Rule, the registration number shall be shown on both inside and outside packaging.

6.2 For dietary supplements and special dietary foods, the Chinese labels must be printed on the smallest sales package. Sticker is prohibited.

## 7. Junhou's Service

As the New Rule will impact all the producing, processing and storage enterprises who plan to export food to China, it is strongly suggested that these enterprises shall prepare the required documents in advance and submit the application to China Customs once the New Rule comes into force. Junhou has extensive experience working with China

Customs and can assist our members to serve your clients. It's estimated that our charge will not exceed €2000 for each registration.

If you need any further information, please contact us by [Jennifer@gdjunhou.com](mailto:Jennifer@gdjunhou.com).

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