

Remarks:

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**REGULATION ON REGISTRATION FOR FOREIGN
ESTABLISHMENTS INTENDED TO EXPORT FOODS TO
CHINA**

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General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China

**CHAPTER 1
GENERAL PROVISIONS**

Article 1

In order to protect the safe production of Chinese agriculture, forestry, husbandry and fishery and the human health, to enhance the inspection, quarantine and supervision on import food, this regulation is formulated in accordance with the relevant provisions of the Law of the People's Republic of China on Quarantine of Entry-Exit Animal and Plant and its implementing regulation, the Food Hygiene Law of the People's Republic of China, and the Law of the People's Republic of China on Import and Export Commodity Inspection and its implementing regulation.

Article 2

This regulation is applicable to the registration management of foreign establishments manufacturing, processing and storing foods (including edible products of animal and plant origins, the same below), intended to export to China (hereinafter referred to as foreign establishments).

Article 3

Authorized by the State Council, the Certification and Accreditation Administration of the People's Republic of China (hereinafter referred to as CNCA) shall be uniformly in charge of administration of the registration, supervision for foreign establishments intended to export foods to China.

Article 4

CNCA shall be in charge of the formulation and promulgation of the List of Import Foods Subject to Registration of Establishments (hereinafter referred to as the "List").

Article 5

All foreign establishments intended to export foods included in the “List” to China must apply to CNCA for registration. No food from establishments without registration with CNCA, can be permitted to be imported into China.

Article 6

Foods included in this regulation are referred to as all finished products and all raw materials intended for human consumption.

CHAPTER 2 CONDITIONS FOR REGISTRATION APPROVAL

Article 7

The veterinary service system, plant protection system and public health control system of the country (region) where the foreign establishment is located and intended to apply for registration approval should pass the assessment conducted by CNCA.

Article 8

The country (region) where the foreign establishment is located and intended to apply for registration approval should be epizootic free area. Necessary information should be presented to prove that food intended to be exported to China is made from animal and/or plant originated from epizootic free area.

Article 9

The foreign establishment intended to apply for registration should be approved and under the effective supervision of the competent authorities of the country (region) where it is located. Its hygienic conditions should be in compliance with the relevant requirements stipulated by the Chinese laws, regulations, standards and criteria.

CHAPTER 3 APPLICATION AND APPROVAL FOR REGISTRATION

Article 10

The foreign establishment intended to apply for registration approval should present formal written application to CNCA, with the following information:

(1) Laws and regulations of the country (region) concerning its animal and plant diseases, veterinary hygiene, public health, plant protection and residue monitoring and control of pesticides and animal drugs; Written information about the organization and personnel situation of the competent authorities and the implementation of laws and regulations of the country (region) where the establishment is located;

(2) The name list of foreign establishments applying for registration;

(3) Auditing report on the actual situation of quarantine and public health for the recommended establishment conducted by the competent authorities of the country (region);

(4) Commitment of the competent authorities of the country (region) declaring that the establishment is in compliance with the requirements of Chinese laws and regulations;

(5) Related documents of the establishment (layouts of factory, workshop, cold storage and process flowchart etc.).

Article 11

CNCA shall organize experts to review the above-mentioned documents presented by the exporting country (region). If the documents are acceptable, CNCA shall send the auditing group to evaluate the recommended foreign establishments on the spot and to submit the report. Registration shall be granted to the qualified foreign establishment after the approval of CNCA.

CHAPTER 4 SUPERVISION MANAGEMENT

Article 12

CNCA shall be in charge of the supervision management on the registration of foreign establishments from which the food is imported, and a re-audit shall be made to the registered foreign establishment, if necessary.

Article 13

For the unacceptable establishment upon re-auditing, CNCA shall inform the competent authorities of the country (region) to supervise the establishment to make rectification within a specified period, or cancel its registration approval. If the establishment applies for retaining its registration approval, the competent authorities of the country (region) should present a written report to CNCA after completing the rectification by the establishment. Export to China should be resumed after the report is reviewed and approved by CNCA.

Article 14

The foreign registered establishment manufacturing, processing and storing foods intended to export to China should be under the supervision of the competent authorities of the country (region). The registration number approved by CNCA shall be marked on the package of food to be exported.

Article 15

When importing, the foods from the registered foreign establishment should be inspected and quarantined by the Entry-Exit Inspection and Quarantine authorities of China (CIQ) in accordance with the laws and regulations.

Article 16

If the food from the registered foreign establishment is found to be unacceptable, upon inspection and quarantine according to the relative laws and regulations of China, the food shall be rejected, destroyed or hygienically treated. In serious cases, registration approval shall be cancelled.

Article 17

The registration number of the foreign establishment for importing food shall be used only by the registered establishment itself. Transferred usage of the registered number is forbidden. In case the registered foreign establishment is found to export foods not produced by itself or transfer its registered number to other establishments, its registration approval will be canceled by CNCA.

CHAPTER 5 SUPPLEMENTAL PROVISIONS

Article 18

In case that epizootic outbreaks are reported by international organizations or the competent authorities of the exporting country (region), or serious problems like epizootics and losing control of public health are found during inspection and quarantine when the product is imported, a communique will be issued by the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (AQSIQ) to suspend the importing of all relative products from this country (region).

Article 19

The competent authorities of the exporting country (region) should provide necessary assistance to the auditing group dispatched by CNCA to conduct the auditing on the spot.

Article 20

Any alteration of the registered foreign establishment should be immediately reported to CNCA via the competent authorities of the exporting country (region).

Article 21

All written documents concerning registration presented to CNCA shall be in Chinese or English version.

Article 22

Authorized by AQSIQ, CNCA shall be responsible for the explanation of this regulation.

Article 23

This regulation shall come into effect from the date of promulgation. Administration Rules on Registration of Foreign Establishments for Import Food (for trial implementation) promulgated by the State Administration of Entry-Exit Inspection & Quarantine on December 30, 1999 shall become abrogated at the same time.

Attachment:

The List of Import Foods Subject to Registration of Establishments (the first lot):

Meat (including all meats of animal origin, meat products and edible by-products and offal)

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