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Registration Required for Foreign Food Product Exporters

Report Categories:

Food and Agricultural Import Regulations and Standards - Certification

Approved By:

Scott Sindelar

Prepared By:

Melinda Meador

Report Highlights:

On April 4, 2012, AQSIQ published a Notice requiring the registration with its Inspection and Quarantine Bureau of exporters and importers of food products to China. For this purpose, AQSIQ developed an E-filing website, <http://ire.eciq.cn> (bilingual). The new regulations will come into force on October 1, 2012.

This report contains an unofficial translation of the Measures.

General Information:

Provisions for Administration of the Registration of Foreign Exporters/Agents of Food Products and Consignee of Imported Food Products to China

Chapter I: General Principles

Article 1 In order to oversee the information regarding the import and export of food products; to make clear the resources as well as the flow of imported foods and thus guarantee the traceability of imported goods; to effectively process the safety incidents of imported goods and to guarantee the safety of imported foods, this regulation is hereby issued based on the *Food Safety Law of the People's Republic of China*, *State Council's Special Regulations on Strengthening Food Product's Safety Surveillance and Management*, *Regulations on Imported and Exported Food's Safety Management* and other related regulations, laws, administrative ordinances and rules.

Article 2 This regulation applies to the registration management of any foreign exporter or agent exporting food to mainland China (not including Hong Kong and Macao) and any consignee of imported food within the boundaries of mainland China (hereinafter referred as importer-exporter).

Other related regulations shall be applied for products not listed in the Food Category attached to this regulation such as food additives, food-related products, certain food varieties, certain oil seed categories, fruit, and living animals for food purpose.

Article 3 The General Administration of Quality Supervision is in charge of the surveillance and management of the registration of food-importing importer-exporter. It is also responsible for the establishment of a registration filing management system (hereinafter referred as registration filing management system) for food-importing importers-exporters, and for publishing and modifying the list of food-importing importer-exporter.

Exit-Entry Inspection and Quarantine Bureau of the General Administration of Quality Supervision in each place (hereinafter referred as Inspection and Quarantine Bureau) is responsible for the process of food-importing consignee's application for registration filing, examination of registration filing information and verification of importer-exporter information when importing food.

Chapter II: Registration Filing of Exporters and Agents

Article 4 Any exporter and agent intending to export food to China shall apply to the General Administration of Quality Supervision for registration and bears responsibility for the accuracy of any registration information provided.

Article 5 Exporters and agents shall file information through a registration filing management system and submit a registration filing application form (Appendix 1). Information, such as the exporter and agent's name, country, area, address, contact name, telephone, business food scope, applicant's name

and telephone, should be provided. The exporter and agent shall ensure the accuracy and truthfulness of the information provided and shall guarantee that it can be reached through the registration information in case of an emergency situation.

Upon submitting the registration filing information, the exporter and agent will obtain a serial number generated by the filing management system. The exporter and agent can use the serial number to check its registration filing process and modify its registration filing information.

Article 6 In the event of a change of address and telephone, the exporter and agent shall make an amendment in the registration filing management system. The exporter and agent's submitted information and any modified information will be saved in the system. In the case of a change in business name, the exporter and agent shall reapply for registration.

Article 7 The General Administration of Quality Supervision will keep a file for exporters and agents which provides complete filing information. The list will be published on the General Administration of Quality Supervision website. Information published will include the exporter and agent's business name, country and area.

Chapter III Registration Filing for Food-importing Consignee

Article 8 A food importing consignee (hereinafter referred as consignee) shall apply to the Inspection and Quarantine Bureau at its commercial and industrial registered place for registration filing and shall be responsible for the accuracy of the information provided.

Article 9 The consignee shall, before importing food, apply to the related Inspection and Quarantine Bureau for registration. The following material must be provided:

- (1) A complete registration application form for consignee shall be provided,
- (2) Copies of commercial and industrial business licenses, business code, legal representative identification certificate, foreign trade business registration form shall be provided and an original copy of the aforesaid document shall be verified.
- (3) Consignee's enterprise quality and safety management system.
- (4) Food safety related organization, department function and position responsibility.
- (5) Business-intended food category, storage place.
- (6) Consignee which used to engage in food importing, processing and marketing business in the previous 2 years should provide corresponding information (food category and quantity).
- (7) Consignee which can process food inspection and quarantine by itself shall provide copies of its registration certificate as an organization able to process food inspection and quarantine by itself. Its original certificate shall also be verified.

Upon verifying information provided by the consignee enterprise, the Inspection and Quarantine Bureau shall keep a file of the consignee enterprise.

Article 10 While providing the abovementioned application materials, the consignee shall also provide information through the registration management system and submit an application form (Appendix 2). Information including consignee's name, address, contact name, telephone, business food category,

applicant's name, telephone and letter of undertaking shall be provided. Consignee shall also guarantee that it can be reached at its filed information in case of an emergency situation.

Upon submitting registration filing information, consignee will obtain a serial number generated by the filing management system. Consignee can use the serial number to check its registration filing process and modify its registration filing information.

Article 11 Consignee shall apply for modification through the filing management system in the event of a change in the consignee's name, address and telephone number. The amendment can only be made after the examination and consent of the Inspection and Quarantine Bureau. Consignee's information and related amendment will be saved in the filing management system.

Article 12 As long as the information provided for filing purposes is complete, the Inspection and Quarantine Bureau shall process the registration filing application and shall complete the file in five working days.

Article 13 After verifying consignee's filing material and electronic information, the Inspection and Quarantine Bureau shall grant a consignee a serial number. Consignee's list will be generated by the filing management system and will be published on the website of General Administration of Quality Supervision. Information published will include filed consignee's name, name of entry Inspection and Quarantine Bureau at its business place.

Chapter IV: Surveillance Management

Article 14 Inspection and Quarantine Bureau will conduct a selective surveillance check on filed food-importing importer-exporter information.

Inspection and Quarantine Bureau at each place shall examine filed exporter and agent's information by comparing it with information on the imported food. For consignee, the Inspection and Quarantine Bureau shall check its related certificate or shall conduct an on-site examination of the consignee's filed information.

Inspection and Quarantine Bureau reserves the right to request the importer-exporter to correct, or improve, its filed information if consignee's filed information does not comply with the requirements. For an importer-exporter which fails to correct and improve its filed information in a timely manner, its related information will be entered into the files of discredited food importing, exporting, producing and marketing enterprises.

Article 15 When processing with the Inspection and Quarantine Bureau of imported foods, a food importing consignee or its agent shall make clear the name of the importer and its filing serial number. The Inspection and Quarantine Bureau shall verify whether the serial number and information (food importer's name) provided is in accordance with the filed serial number and information. Food importers who do not file information in the registration management system, or the information provided is not in accordance with the filed information, shall be required by the Bureau to complete its information filing or correct its filed information correspondingly.

Article 16 Exporters and agents providing false filing application materials and information will be disqualified for registration. In a case where any filed exporter and agent is found to provide false information, its serial number will be cancelled.

Creditability filing management will be implemented and food inspecting and quarantine check will be strengthened for the exporter and agent whose food imported to China has epidemic, quality and safety problems. Any other unlawful behaviors will be dealt with according to related laws, rules and regulations.

Food-importing consignee providing false filing application material and information will be disqualified for registration filing. In the case that any filed consignee is found to have provided false information, its serial number will be cancelled.

Creditability filing management will be implemented and food inspecting and quarantine check will be strengthened for consignees in cases of serial number transfer, borrowing and misrepresentation.

Chapter V Supplementary Provisions

Article 17: This regulation will be put into practice from October 1st, 2012.

Application Form for Food Exporter/Agent

Appendix I.

<input type="checkbox"/> 初次申请备案 Initial Application for Filing	
第一项——企业信息 Section 1-Applicant's Information	
·企业名称 (中英文) Company Name (in Chinese and English)	
·企业地址 (中英文) Company Address (in Chinese and English)	
·企业类型 Company Type <input type="checkbox"/> 出口商 Exporter <input type="checkbox"/> 代理商 Agent	
·国家 (地区) Country/Region	·邮政编码 Postal Code
·联系人姓名 Contact Name:	
·联系人电话/传真 (请注明国家/地区代码及区域码) 或者手机 Contact Telephone/Fax(Include Country/Area/Region Code) or Cell Phone	
·联系人电子邮件信箱(Contact Person's Email)	
·第2项——经营食品种类 (多选项) Section 2 Business Food Category (multiple choice)	
<input type="checkbox"/> 肉类 Meat	

- 蛋及制品类 Egg and egg products
- 水产及制品类 Aquatic products and preserved aquatic products
- 中药材类 Traditional Chinese medicinal materials
- 粮谷及制品类 Grains, cereals and cereal products
- 油脂及油料类 Grease and oils
- 饮料类 Soft drink and beverage
- 糖类 Sugar
- 蔬菜及制品类 Vegetable and vegetable products
- 植物性调料类 Flavoring ingredient of plant origin
- 干坚果类 Dried fruit and nuts
- 其他植物源性食品类 Other foods of plant origin
- 罐头类 Canned foods
- 乳制品类 Diary products
- 蜂产品类 Bee products
- 酒类 Liquor and alcohol
- 糕点饼干类 Pastry biscuit and cracker
- 蜜饯类 Candied (preserved) fruit
- 卷烟类 Cigarette
- 茶叶类 Tea
- 调味品类 Flavoring ingredient
- 其他加工食品类 Other processed fruit
- 特殊食品类 Food for special dietary purpose
- 其他 , 请描述 Describe if others

第3项——中国贸易伙伴信息 Section 3-Information of the Chinese Trade partner

企业名称 (中文) Company Name (in Chinese)

企业地址 (中文) Company Address (in Chinese)

联系人 Contact person

电话/传真 Telephone/Fax

电子邮件信箱 E-mail

第4项——承诺书 Section 4-Letter of Undertaking

兹承诺：上述资料信息准确，真实。 I hereby certify that the above-mentioned information is authentic and accurate.

·填表人姓名（印刷体） Applicant's Name (printed)

·填表人电话/传真或者手机 Applicant's Telephone/Fax or Cell Phone

·填表人电子邮件信箱 Applicant's E-mail Address

第5项——填表说明 Section 5--Explanation

1. 标“*”的项目必须填写 Items with * must be filled in

附件2

Appendix II

Application Form for Registration Filing of Consignee

第1项——备案申请项目 Section 1-Filing Application Item

初次备案 Initial Filing

第2项——企业资料 Section 2-Company Profile

·企业名称 Company Name:

·企业地：省（市，自治区） 市 Company Address province (city, autonomous region) city

·联系人姓名：Contact Person's Name

·联系人电话：传真 手机 Contact Person's Telephone, Fax, Mobile

·企业组织机构代码：Company Business Code

·企业组织机构代码证书到期日：Expiry Date of Company Business Code Certificate

·工商营业执照到期日：Expiry Date of Industrial and Commercial Business License

·工商营业执照范围：Business scope of Industrial and Commercial Business License

·进出口企业代码（进口肉类企业填写） Import and Export Enterprise Code(for meat importing enterprise)

·企业工商注册号：Industrial and Commercial Registration Code

·企业工商注册地址：Industrial and Commercial Registration Address

·企业办公地址：Company Office Address

·企业法人：Company Legal Person

·第3项——经营食品种类（多选项） Section 3 Business Food Category (multiple choice)

肉类 Meat

蛋及制品类 Egg and egg products

- 水产及制品类 Aquatic products and preserved aquatic products
- 中药材类 Traditional Chinese medicinal materials
- 粮谷及制品类 Grains, cereals and cereal products
- 油脂及油料类 Grease and oils
- 饮料类 Soft drink and beverage
- 糖类 Sugar
- 蔬菜及制品类 Vegetable and vegetable products
- 植物性调料类 Flavoring ingredient of plant origin
- 干坚果类 Dried fruit and nuts
- 其他植物源性食品类 Other foods of plant origin
- 罐头类 Canned foods
- 乳制品类 Dairy products
- 蜂产品类 Bee products
- 酒类 Liquor and alcohol
- 糕点饼干类 Pastry biscuit and cracker
- 蜜饯类 Candied (preserved) fruit
- 卷烟类 Cigarette
- 茶叶类 Tea
- 调味品类 Flavoring ingredient
- 其他加工食品类 Other processed fruit
- 特殊食品类 Food for special dietary purpose
- 其他 , 请描述 Describe if others

第4项——企业承诺书 Section 4- Company Letter of Undertaking

兹承诺上述信息准确 , 真实

I hereby certify that the above-mentioned information is authentic and correct.

·填表人姓名 (印刷体) Applicant's Name (in printing form)

·填表人电话/传真或者手机 Applicant's Telephone/Fax or Cell Phone

·填表人电子邮件信箱 Applicant's E-mail Address

·填表日期 Form Filling Date

第5项——填表说明-Section 5--Explanation

1, 标“*”的项目必须填写Items with * must be filled in

End of Translation