



Administrative Measures on Safety of Import and Export Food of the People's Republic of China

中华人民共和国进出口食品安全管理办法

General Administration of Customs of the
People's Republic of China

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Administrative Measures on Safety of Import and Export Food of the People's Republic of China

Chapter I General Provisions

Article 1 For the purpose of guaranteeing the safety of import and export food and protecting the life and health of human beings, animals and plants, these Measures are hereby formulated as prescribed by the *Food Safety Law of the People's Republic of China* (hereinafter referred to as the *Food Safety Law*) and its implementing regulations, the *Customs Law of the People's Republic of China*, the *Law on Import and Export Commodity Inspection of the People's Republic of China* and its implementing regulations, the *Law on Entry and Exit Animal and Plant Quarantine of the People's Republic of China* and its implementing regulations, the *Frontier Health and Quarantine Law of the People's Republic of China* and its implementing regulations, the *Law on Agricultural Product Quality and Safety of the People's Republic of China*, the *Special Provisions of the State Council on Strengthening the Safety Supervision and Administration of Food and Other Products*, and other laws and administrative regulations.

Article 2 Whoever engage in the following activities shall follow these Measures:

- (1) Import and export food production and operation activities;
- (2) Supervision and administration implemented by the Customs to import and export food producers and business operators;

All production and operation activities of import and export food additives and food-related products shall comply with the relevant provisions of the General Administration of Customs.

Article 3 Import and export food safety work shall adhere to the principles of safety first, prevention dominated, risk management, full-process control and international co-governance.

Article 4 Producers and business operators of import and export food shall be responsible for the safety of the import and export food under their production and operation.

Producers and business operators of import and export food shall engage in the production and operation activities of import and export food according to the international treaties and agreements concluded or acceded to by China, Chinese laws and regulations, and national food safety standards, accept supervision and administration according to the law, ensure the safety of import and export food, be responsible to the society and the public, and assume the social responsibility.

Article 5 The General Administration of Customs shall be responsible for the supervision and administration of import and export food safety throughout the country.

The customs offices at all levels shall be responsible for the supervision and administration of import and export food safety in the regions under their respective jurisdictions.

Article 6 The Customs shall use information technology to improve the supervision and administration level of import and export food safety.

Article 7 The Customs shall strengthen the publicity and education of import and export food safety, carry out the popularization of food safety laws and administrative regulations, as well as national food safety standards and relevant knowledge.

The Customs shall strengthen exchanges and cooperation with international food safety organizations, overseas government agencies, overseas food industry associations, overseas consumer associations, etc. to create an international co-governance pattern for import and export food safety.

Article 8 The personnel of the Customs engaged in the supervision and administration of import and export food safety shall have relevant professional knowledge.

Chapter II Food Import

Article 9 Import food shall comply with Chinese laws, regulations and national food safety standards. If there are special requirements in the international treaties and agreements concluded or acceded to by China, it shall also meet the requirements of the international treaties and agreements.

In case of importing food with no available national food safety standards, it shall comply with the requirements of the relevant standards temporarily applicable as promulgated by the health administrative department of the State Council.

For food produced by using new food raw materials, a hygienic administrative license of new food raw material shall be obtained from the health administrative department of the State Council as prescribed by Article 37 of the *Food Safety Law*.

Article 10 The Customs shall carry out conformity assessment on import food according to the relevant laws and administrative regulations on the inspection of import and export commodities.

The conformity assessment activities on import food shall include: assessment and review on the food safety management system of the foreign countries (regions) that export food to China (hereinafter referred to as the “foreign country (region)”), registration of overseas production enterprises, notification and conformity assurance of importers and exporters, entry animal and plant quarantine approval, inspection of attached conformity certificates, document review, on-site inspection, supervision and random inspection, import and sales record inspection and the combination of the above-mentioned various items.

Article 11 The General Administration of Customs can carry out assessment and review of the food safety management system and the food safety status of foreign countries (regions), and determine the corresponding requirements on inspection and quarantine based on the assessment and review results.

Article 12 Under any of the following circumstances, the General Administration of Customs can initiate assessment and review of foreign countries (regions):

- (1) A foreign country (region) applies for the export of a certain category (type) of food to China for the first time;
- (2) Major adjustments have been made to the food safety, animal and plant quarantine laws and regulations, and organizational frameworks of a foreign country (region);
- (3) The competent authorities of a foreign country (region) apply for making major adjustments to the inspection and quarantine requirements for a certain category (type) of food exported to China;



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