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China - Peoples Republic of

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

This report lists major export certificates required by the Chinese government for imports of food and agricultural products.

ACRONYMS

FSIS- USDA Food Safety and Inspection Service

APHIS- USDA Animal and Plant Health Inspection Service

AMS- USDA Agricultural Marketing Service (USDA)

FGIS- USDA Federal Grain Inspection Service

FDA- US Food and Drug Administration

CIQ - Chinese Inspection and Quarantine Bureau

MOH-Ministry of Health

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

MOFCOM- Ministry of Commerce of the People's Republic of China

NOTE:

1. Please refer to Appendix 1 for reference materials and more information relating to these organizations.

For a list of common agricultural trade abbreviations, please refer to our website:

http://usdachina.org/info_details2.asp?functionID=11100408

Executive Summary & Disclaimer

The passage and implementation of China's 2009 Food Safety Law (GAIN Report *Food Safety Law of the People's Republic of China*, 3/11/2009) accelerated changes in China's regulation of imported foods, particularly in the areas of general standards, product standards, food additives, food related products, practices, and testing methods.

This report was prepared by the USDA/Foreign Agriculture Service Office of Agriculture Affairs Beijing for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate because policies have changed since its preparation, or clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Section I. List of All Export Certificates Required By Government (Matrix) :

China has strict documentation requirements for the majority of imported food and agricultural products, including those relating to quality, quarantine, origin and import control, and which can vary between products and product categories. Products may also have to meet other criteria such as packaging requirements, pre-clearance (if applicable), treatment options, labeling requirements, and container conditions.

An inconsistent record of sanitary and phytosanitary notifications to the WTO means some import

measures are modified and implemented without prior notice. This aspect makes it vital for U.S. exporters to work closely with Chinese importers to ensure that documentation requirements are met before shipping. Failure to do so could result in delays in product entering the country or even a rejection at the border.

Export Certification Requirement Examples

The following provides a sample of products and certification requirements. Example copies of attestations are not available as they differ for each product and are subject to change.

Table 1: Documentation Requirements

Products	Title of Certificate	Attestation Required on Certificate	Purpose	Requesting Ministry
All Agricultural and Food Products	Quarantine Inspection Permit (QIP)	Information regarding the content, volume, and physical characteristics of the shipment.	General Import Certificate	AQSIQ
Milk and Milk Products	AMS Export Sanitary Certificate ^[1]	Product has been heat treated and conforms to processing requirements of country.	Sanitary Certificate	AQSIQ
Dairy Products for Feed	APHIS Export Health Certificate	Certifies that the U.S. is free of animal diseases such as rinderpest, foot and mouth disease, and contagious bovine pleuropneumonia.	Health Certificate	AQSIQ
Fresh Fruits & Vegetables, Tree Nuts, & Forest Products	Phytosanitary Certificate	Varies by product. Certifies product is free of quarantine pests. (Note: For apples, the shipment must also show proof that cold treatment was applied.)	Plant Health	AQSIQ
Fresh Fruits & Vegetables, Tree Nuts	Certificate of Origin	Varies by product. A State Chamber of Commerce or other official body certifies product originates from China-approved growing sites.	Product Origin	AQSIQ
Tree Nuts	Certificate of Quality	Processor or packer provides certificate	Product Quality	AQSIQ

		authenticating quality and standards.		
Cotton	(1) APHIS Phytosanitary Certificate	Certifies cotton free of quarantine pests.	Plant Health	AQSIQ
	(2) AMS Quality Classification	Certifies quality of cotton imports.	Product Quality	AQSIQ
Poultry & Meat Products	(1) FSIS Export Health Certificate [2]	Certifies quality and safety of products.	Food Safety	AQSIQ
	(2) Meat Quarantine Import Permit	Import permit supplied by the importer only.	Import Control	AQSIQ
Poultry	Automatic Registration Form	Import permit supplied by the importer only.	Import Control	MOFCOM
Pork	H1N1 Certificate	Certifies pork is free of H1N1	Animal Health	AQSIQ
Processed Products	Certificate of Origin	Varies by product. State Chamber of Commerce or other official body certifies product originates from China-approved locations.	Product Origin	AQSIQ
Animal Feed	(1) Imported Feed and Feed Additive Registration License	Certifies safety of imported feed and feed additive. Decree 1773 requirements begin on January 1, 2013.	Animal Health	MOA
	(2) Facility Registration (pending negotiation)	Certifies that the production facility meets phytosanitary requirements.	Animal and Plant Health	AQSIQ
	(3) Health Certificate for Fishmeal and Fish Oil and other Aquatic Protein	Certifies imported products come from registered establishments, meet veterinary sanitary requirements and are only for feed use	Animal health	AQSIQ
Animal Genetic Materials	APHIS Export Health Certificate	Certifies animal health, and certifies bovine genetic materials are BSE free	Animal Health	AQSIQ
Live Animals	APHIS Export Health Certificate	Certifies animal health. (Note: Cattle cannot be	Animal Health	AQSIQ

		exported to China due to BSE-related restrictions)		
Live Swine	APHIS Temporary Attestation for Live Swine Certificate for H1N1	Certifies live swine are free of H1N1	Animal Health	AQSIQ
Soybeans, corn, wheat, and other grains/ oilseeds	(1) APHIS Phytosanitary Certificate	Certifies products are free of quarantine pests.	Plant Health	AQSIQ
	(2) FGIS Grain Inspection Service	Certifies product quality.	Product Quality	AQSIQ
Soybeans, corn, canola, and cotton	MOA Biosafety Import Certificate	Certifies that the product “contains registered GMO’s.” Proper labeling is also required for all biotech products.	Plant Health	MOA/ AQSIQ
Vegetable Oil	Export Certificate– Processed Plant Products (pending negotiation)	Health and Phytosanitary	Plant Health	AQSIQ
Fisheries – Processed Aquatic Products	DOC (NOAA) Health Certificate [3]	Certifies imported fishery products come from approved establishments, meet veterinary sanitary requirements and are fit for human consumption.	Health Certificate	AQSIQ
Live Aquatic Products	DOC (NOAA) Certificate for US - origin live aquatic products, intended for exportation to China for direct human consumption	Certifies Health and Origin	Animal Health	AQSIQ
Wood and Wood Products	(1) APHIS Phytosanitary Certificate	Certifies wood and wood products are free from quarantine pests.	Plant Health	AQSIQ
	(2) Certificate of Origin	Certifies origin of wood and wood product	Product Origin	AQSIQ

		imports.		
	(3) Declaration of No-Wood Packing Materials	To certify that shipments do not contain wood packing materials, if requested.	Declaration	AQSIQ
Wood	Certification of Fumigation	To certify that logs with bark are fumigated to prevent pests.	Plant Health	AQSIQ
Hides/Skins/Wools	Animal Quarantine Certificate	Certifies products are free from rinderpest, foot-and-mouth disease, classical swine fever, swine vesicular disease, African swine fever, and contagious bovine pleuropneumonia.	Animal Health	AQSIQ

^[1] A new U.S. dairy export health certificate for China issued by the Agricultural Marketing Service (AMS) at U.S. Department of Agriculture is currently under negotiation, and is likely to be implemented in 2013. The bilingual certificate is almost done waiting for AQSIQ to approve, and is likely to be implemented in the beginning of 2013.

^[2] An electronic pre-notification of the certificate information must be submitted through e-TDE as of June 1, 2012 to AQSIQ. AQSIQ will forward to local CIQ offices at entry port. Without the electronic pre-notification, AQSIQ/CIQ will not clear imported meat and poultry products even goods have arrived at Chinese ports.

^[3] The new health certificate format will be implemented for use beginning January 1, 2013. For further details, please refer to GAIN report CH 12073 – Fishery Annual.

Section II. Purpose of Specific Export Certificate(s)

Certificate of Origin

For some products, China requires a certificate of origin, which is a document issued by the relevant authority of the exporting country's government, local or state Chambers of Commerce, state government, industry association, or manufacturer/supplier. This certificate should accompany the export consignment of all food and agricultural products, including processed and packaged food. Close collaboration with importers is recommended to obtain the type of certificate of origin that will satisfy the local quarantine and customs authorities.

Quarantine Inspection Permit (QIP)

To import any agricultural good into China, an importer must apply for a quarantine inspection permit (QIP) to cover that contract amount. The importer must supply documentation regarding the origin and volume of the shipment to AQSIQ with the QIP application. A QIP can technically cover multiple load/containers and is valid for six months.

Phytosanitary Certificates

This certificate is required to strengthen the administration of the examination and approval of animal and plant import quarantine and prevent infectious or parasitic animal diseases, insect pests and weeds that are dangerous to plants and other harmful organisms, from spreading into the country.

Section III. Specific Attestations Required on Export Certificate(s)

An original export certificate must accompany each export consignment at the time of entry into China. The certificate and attestation information must match the container numbers in the shipment. Export declarations provided by suppliers or manufacturers and U.S. State issued phytosanitary certificates are not acceptable. However, China will accept State-issued certificates of origin or certificate of free sale (see Section IV).

Section IV. Government Certificate's Legal Entry Requirements

Apart from quarantine regulations, product imports may also have to meet other requirements, details of which are contained in the China Food and Agriculture Import Regulations and Standards (FAIRS) report. The most recent update in December 2012, can be downloaded from FAS' website:

<http://gain.fas.usda.gov/Pages/Default.aspx>

Section V. Other Certification/Accreditation Requirements

Registration of Overseas Food Manufacturing Facilities

AQSIQ, China's quarantine authority, published Administrative Measures for Registration of Overseas Manufacturers of Imported Food effective May 1, 2012 (AQSIQ Decree 145). A draft of Decree 145 was notified to the WTO on August 19, 2011 as SPS/ N/472. AQSIQ is establishing the registration requirements industry by industry and, at this time, meat and seafood production facilities are the only industries impacted by this Measure. Currently, AQSIQ has agreed that US meat production (slaughter) facilities are exempt from registration under a pre-existing protocol. However, AQSIQ has taken a position that U.S. processed meat facilities are not covered under this protocol and as such, are subject to the registration requirements. U.S. seafood registration requirements will be enforced after May 1, 2013.

AQSIQ has indicated that dairy and wine will be the next industries targeted for registration requirements but no details have been announced. Until registration requirements are implemented for a particular industry, no additional registration requirements are required to export a manufactured food product to China.

For details of the registration requirements, please refer to GAIN report CH 12020 (6/27/2012).

Registration Required for Foreign Food Product Exporters

On October 1, 2012, AQSIQ began requiring the registration of exporters and importers of food products to China with its Inspection and Quarantine Bureau. For this purpose, AQSIQ developed an E-filing website, <http://ire.eciq.cn> (bilingual). For detailed requirements of the registration and some supplemental information, please refer to GAIN report CH12040 and CH 12057.

Certificate of Origin/Certificate of Free Sale

For some products, China requires a certificate of origin issued by the relevant authority of the exporting country's government, local or state Chambers of Commerce, state government, industry association, or manufacturer/supplier. This certificate should accompany the export consignment of all

food and agricultural products, including processed and packaged food. Some China Inspection and Quarantine (CIQ) offices require only a certificate of origin. However, in many instances, CIQs require both the certificate of origin and a certificate of free sale.

The certificate should mention the order number, container number, port of discharge, buyer's name, and product description, in addition to a declaration along the following lines: "The undersigned for (relevant organization) declares that the following mentioned goods as consigned above (or below) are the products of the United States of America and are eligible for free distribution and use within the United States. We hereby certify the goods to be of United States of America origin."

Meat Quarantine Import Permit (MQIP)

A meat quarantine import permit (MQIP) covering the contract amount (the volume of the shipment must be included with the MQIP application) is required to import meat to China. A MQIP can technically cover multiple load/containers and is valid for six months. An importer can have multiple outstanding MQIPs with different companies, but can have only one outstanding MQIP with a particular production plant. Please refer to GAIN report CH7043 (6/13/2007) for more information.

Automatic Registration Form (ARF) on Poultry

In addition to the AQSIQ regulated MQIP, the Chinese Ministry of Commerce (MOFCOM) administers a separate import permit system for poultry, the Automatic Registration Form (ARF), which allocates a specific volume to eligible importers. According to MOFCOM, there is no predetermined trade volume limiting the issuance of ARFs; virtually all traders who apply for an ARF receive one. Please refer to GAIN report CH7043 (6/13/2007) for more information.

Agriculture Biotech Product Labeling Policy

China's labeling regulations, governed by Ministry of Agriculture Decree 10 (GAIN report CH7053, 6/22/2007), are "to strengthen the administration of GMO labeling, standardize the selling activities of agricultural GMOs, guide the production and consumption of GMOs and protect consumers' right to be informed." The regulations spell out the type of labeling required as well as the specific language that is required on the individual labels. The types of products listed are:

1. Soybean seed, soybeans, soybean powder, soybean oil and soybean meal;
2. Corn seeds, corn, corn oil and corn powder;
3. Rapeseed for planting, rapeseed, rape oil and rape meal;
4. Cotton seed;
5. Tomato seed, fresh tomato and tomato paste.

H1N1 Certification for Pork

China halted pork imports from all H1N1-infected countries in May 2009. In May 2010, AQSIQ lifted

its A-H1N1 ban, but all pork imports from the U.S. must have H1N1 certification and pack dates must be on or after March 24, 2010.

H1N1 Certification for Live Swine

Effective March 2011, U.S. exports of live swine to China must be accompanied by an APHIS temporary attestation certifying that the live swine is free from H1N1.

Organic Certification

Organic field crops, livestock, aquaculture, wild plants, honey, fungus, processed foods, fertilizers, and pesticides products sold in China may qualify for organic certification. For certification, producers must pay the expenses associated with a Chinese certifier in-country inspection as well as the certification fee. The certificate is valid for one year. Renewal of the certification requires a follow-up in-country visit from Chinese inspectors. For more information, please refer to the *GAIN Organics Report*, 10/26/2010.

New Certification Regulations on Domestic Organic Products

China's Certification and Accreditation Administration (CNCA) released its new certification rules for domestic organic products. These rules became effective on March 1, 2012.

For details for the new regulations, please refer to GAIN report CH12025 (3/16/2012).

Food Safety Law

On June 1, 2009, China enacted a new Food Safety Law (FSL). For those ingredients or components not registered in China, GAIN report (6/9/2009) provides registration details for new-to-China ingredients/components. Any food or food ingredient/component that had an import history prior to the new FSL will be allowed entry even if there is no Chinese standard.

To check for relevant Chinese standards on imported foods, food additives, and food colorings, please see the Excel (.xls) appendices found on the FAS China website under the Food Regulations – Food Safety Law link: http://www.usdachina.org/info_details1.asp?id=2431

Animal Feed and Feed Additive Regulations

Since 2009, China has published a host of feed quarantine regulations. Some key documents include:

- AQSIQ Feed Quarantine Regulation 118 (*GAIN New Feed Quarantine Regulation*, 9/8/2009)
- AQSIQ Feed Quarantine Implementing Announcement 372 (*GAIN Implementation of Feed Quarantine Regulation 118*, 9/25/2009)
- Regulation on the Administration of Feed and Feed Additives (FINAL) - CH12008
- MOA Draft Regulation on Feed and Feed Additive Import Registration – CH 12024
- MOA Feed Ingredient Catalogue (MOA Decree 1773) –CH 12079

According to Announcement 372, “AQSIQ will publish a list of countries/regions which are eligible to export their feed products to China, as well as a list of the permitted products, and will carry out this registration of foreign feed producers in an orderly manner. For those countries/regions who have completed registration, the imported feeds shall only be sourced from the registered producers or processors.” China has noted that this registration process is for quarantine, product safety and traceability reasons. For more information on facility registration process, please see AQSIQ Decree 118.

Exporters of non-ruminant animal derived feed (such as pet food) must complete AQSIQ’s quarantine facility registration process. To comply, they should request USDA’s Animal Plant Health Inspection Service (APHIS) to certify that their product(s) meet China’s quarantine requirements, and then request that APHIS place their name on its list of certified exporters submitted to AQSIQ. Generally speaking, AQSIQ accepts the list several times a year and updates its internal list for distribution to provincial offices (CIQs). At this point, APHIS will certify a product is eligible for a “Health Certificate/Export Certificate for Animal Products” for export to China whose provisions are governed by the Protocol for Veterinary Health Requirements for Non-Ruminant Derived Animal Feed and Tallow to be Imported from the United States of American into the People’s Republic of China. For further information, please refer to APHIS IRegs site:

http://www.aphis.usda.gov/regulations/vs/iregs/products/downloads/ch_pf_fi.pdf, and CH9071 (AQSIQ Feed Quarantine Regulation 118), CH9074 (Implementation of Feed Quarantine Regulation 118), CH9075 (Risk Levels and Inspection and Quarantine Supervision Methods for Import and Export of Feed and Feed Additives), CH9057 (Corn Quality Standards), and CH9083 (Feed Labeling).

On June 1, 2012, China's Ministry of Agriculture (MOA) published Decree No.1773, which is the final version of the Feed Ingredient Catalogue. This Feed Catalogue lists 87 single feed ingredients that need to have an import registration license by January 1, 2013; otherwise, the product cannot be imported. For various products, MOA Decree 1773 also requires more ingredients to be listed or be labeled.

Neither the draft Feed Ingredient Catalogue, published on March 7, 2012 (GAIN CH12029), nor the Decree No. 1773 was notified to the World Trade Organization. Details on the feed registration process and history can be found in GAIN Reports CH6083 (2006), CH6084 (2006), CH6080 (2006), CH6099 (2006), CH6101 (2007), and CH6091 (2006). This process involves extensive submissions of information to MOA, can involve a significant amount of time, and may potentially include proprietary production information.

On March 1, 2012, China's Ministry of Agriculture (MOA) published a Notice on “Regulation on Feed and Feed Additive Import Registration (Draft)” for public comments. The Regulation, when finalized, will replace the “Regulation on Feed and Feed Additive Import Registration (enforced on August 17, 2000).” MOA indicated that the final version may be promulgated in the first half of 2013, and asked exporters to follow the 1999 version (please refer to GAIN Report CH6083- Registration of Imported Feeds and Feed Additives) to register products in order to be in compliance of Decree 1773.

On November 3, 2011, China's State Council published Decree No.609 on Regulation on the Administration of Feed and Feed Additives, which was approved by China's State Council on October 26, 2011, and entered into force on May 1, 2012. The Feed and Feed Additive Regulation (Draft) was published on February 20, 2010 (GAIN 10009). The Regulation (FINAL) was not notified to the World Trade Organization. A preliminary study of the Regulation (FINAL) shows no significant changes from the Draft. U.S. industry is recommended to pay attention to Chapter 2 for verification and registration for exports of feed and feed additives to China.

Table 2. AQSIQ list for Countries and Product Categories that are permitted to be imported into China: U.S.

Products	Registration Status
Dairy products for feed usage	Import allowed, will complete the registration process step by step
Pet foods	Only from the facilities registered with APHIS and AQSIQ
Animal feed with non-ruminant origin ingredient	Only from the facilities registered with APHIS and AQSIQ
Fishmeal, fish oil	Only from the facilities registered with APHIS and AQSIQ
Brine shrimp	Import allowed, will complete the registration process step by step
DDGS	Import allowed, will complete the registration process step by step/subject to anti-dumping duties
Wheat bran	Import allowed, will complete the registration process step by step
Alfalfa hay	Only from the facilities registered with APHIS and AQSIQ
Raw rice bran	Only from the facilities registered with APHIS and AQSIQ
Soybean cake and soybean meal	Import allowed, will complete the registration process step by step
Cotton seed meal	Import allowed, will complete the registration process step by step
Cacao shell	Import allowed, will complete the registration process step by step

Source: http://dzwjyjgs.aqsiq.gov.cn/zwgk/slaq/jjsljtjj/zrmd/201207/t20120730_226865.htm

(Updated on November 26, 2012)

Note 1: Pet Foods, Animal feed with non-ruminant origin ingredient, and Alfalfa Hay trade is governed by specific bilateral agreements, whose terms and restrictions can be found on the APHIS website.

Note 2: For other feed products, China requires commodities be accompanied by a quarantine import permit (QIP) issued by AQSIQ/CIQ before export and an export certificate issued by the competent agency.

Appendix I. Electronic Copy or Outline of Each Export Certificate

