

Voluntary Report – Voluntary - Public Distribution

Date: August 13, 2021

Report Number: CH2021-0092

Report Name: Interpretative Guidance on Imported Food Labeling
Requirements in Decree 249

Country: China - People's Republic of

Post: Beijing

Report Category: FAIRS Subject Report, Fishery Products, Livestock and Products, Agriculture in the News, MISC-Commodity, Sanitary/Phytosanitary/Food Safety, Trade Policy Monitoring, WTO Notifications

Prepared By: FAS China Staff

Approved By: Alan Hallman

Report Highlights:

On July 29, the General Administration of Customs of the People's Republic of China (GACC) published interpretative guidance for Article 30 of Decree 249 as a Policy Interpretive Note. Article 30 covers labeling requirements for imported food including fresh and frozen meat, aquatic products, health food and food for special dietary purposes. The guidance clarifies the relationship between Article 30 and earlier regulations. Decree 249 is scheduled to be implemented on January 1, 2022. GACC has not yet released implementing regulations.

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF
AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

On July 29, the General Administration of Customs of the People’s Republic of China (GACC) published interpretative guidance for Article 30 of Decree 249 as a Policy Interpretive Note. Article 30 covers labeling requirements for imported food including fresh and frozen meat, aquatic products, health food and food for special dietary purposes. The guidance clarifies the relationship between Article 30 and earlier regulations, identifies the purpose of some of the paragraphs in Article 30, and provides a definition for special dietary foods. An unofficial translation of the guidance is included below. For a complete translation of Decree 249, please see [GAIN Report CH2021-0051](#) published on May 7, 2021.

Note: The United States, other trading partners, and industry have raised concerns about Decree 249 and Decree 248 – which has the same implementation date. GACC has yet to respond to those concerns or release implementing regulations. For a complete translation of Decree 248, “Overseas Facilities Registration Regulation”, please see [GAIN Report CH2021-0045](#) published on April 20, 2021. End Note.

All text in the unofficial translation below is in the Policy Interpretive Note. However, newly published guidance in the Policy Interpretive Note has been italicized and indented to better separate it from the original text of Article 30 of Decree 249.

BEGIN UNOFFICIAL TRANSLATION

Policy Interpretive Note – GACC’s New Changes on Imported Food Labels

On April 12, 2021, GACC published Decree 249 announcing the Administrative Measures on Import and Export Food Safety. There are new regulations on the labeling of imported food. Let’s see what these changes are.

1. History of imported food labeling regulation

On October 1, 2019, GACC published No.70 announcement on elimination of the label filing requirements for first-time imported pre-packaged food.

On April 12, 2021, GACC published Decree 249 on new labelling regulation of imported fresh and frozen meat, imported aquatic products, and imported health food and foods for special dietary purposes.

2. Background of the formulation of the new regulations on imported food labeling

Decree 249, Article 30 regulates the labeling of imported food.

Article 30 - The packaging, labels, and markings of food imports shall conform with the provisions of Chinese laws, regulations, and national food safety standards; if product instructions are required, instructions in Chinese shall be attached.

This is to follow the “Food Safety Law” on general labeling requirements for ordinary imported food, no change from previous requirements.

For fresh and frozen meat imports, the inner and outer packaging shall have labels in Chinese and English or in Chinese and the language of the exporting country (region) that are securely fixed, clear, and easy to recognize. The labels shall include the following content: country (region) of origin, product name, registration number of the production facility, and batch number. The outer packaging shall include a label in Chinese with the

product specification, place of production (specific state/province/city), destination, date of production, shelf life, storage temperature, etc. The destination must be marked as the People's Republic of China, with the official inspection and quarantine labels of the exporting country (region) affixed.

This is to follow the labeling requirements for imported fresh and frozen meat of original AQSIQ Decree No. 136 on January 4, 2011 and amended in accordance with GACC Decree 243 the "Measures for Inspection, Quarantine, Supervision and Administration of Imported and Exported Meat Products" on November 23, 2018. Since the original "Measures for the Inspection, Quarantine, Supervision and Administration of Imported and Exported Meat Products" was repealed with the issuance of the "Measures for the Administration of Import and Export Food Safety of the People's Republic of China", the labeling requirements for imported fresh and frozen meat are reflected in this paragraph.

For aquatic product imports, the inner and outer packaging shall have labels in Chinese and English or Chinese and the language of the exporting country (region) that are firm, clear, and easy to recognize. The label shall include the following content: commodity name and scientific name, product specifications, date of production, batch number, shelf life and storage conditions, production methods (ocean catch, freshwater catch, or aquaculture), production area (marine fishing area, freshwater fishing country or region, country or region where the aquaculture products come from), the name/registration number/address (specific city/province/state) of all involved production and processing facilities (including fishing vessels, processing vessels, transport vessels, and independent cold storage). The destination must be marked as the People's Republic of China.

This is to follow the labeling requirements for imported aquatic product of original AQSIQ Decree No. 135 on January 4, 2011 and amended in accordance with GACC Decree 243 the "Measures for Inspection, Quarantine, Supervision and Administration of Imported and Exported Aquatic Products" on November 23, 2018. Since the original "Measures for the Inspection, Quarantine, Supervision and Administration of Imported and Exported Aquatic Products" was repealed with the issuance of the "Measures for the Administration of Import and Export Food Safety of the People's Republic of China", the labeling requirements for imported aquatic product are reflected in this paragraph.

The Chinese labels of imported health food and foods for special dietary purposes must be printed on the minimum sales packages; (Chinese labels) must not be affixed.

This aims to protect the food safety and health of certain consumer groups.

Tips: Health food refers to foods with specific health functions or for the purpose of supplementing vitamins and minerals. In other words, it is suitable for specific people to eat, has the function of regulating the body, is not for the purpose of curing diseases, and does not produce any acute, subacute, or chronic harm to the human body.

Special dietary foods refer to foods that are specially processed or formulated to meet special physical or physiological conditions and/or meet special dietary needs under conditions such as diseases and disorders. The nutrition and/or content of other nutrients of this type of food is significantly different from comparable ordinary foods. Special dietary foods include formula foods for infants and children, complementary foods for infants and children, formula foods for special medical purposes, and other special dietary foods (including complementary food supplements, sports nutrition foods, and other special dietary foods with corresponding national standards).

END UNOFFICIAL TRANSLATION

Attachments:

No Attachments.