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Order No. 249 of the General Administration of Customs (Order on the Publication of the Measures for the Administration of Food Safety in Imports and Exports of the People's Republic of China)

The Measures for the Administration of Food Safety in Imports and Exports of the People's Republic of China were approved by the General Administration of Customs on March 12, 2021 and are hereby promulgated and will come into effect on January 1, 2022. Decree No. 144 of the former State Administration of Quality Supervision, Inspection and Quarantine of September 13, 2021 and Decree No. 184 of the former State Administration of Quality Supervision, Inspection and Quarantine of October 18, 2016 and November 23, 2018 Measures for the Administration of Food Safety in Imports and Exports, as amended by Order No. 243 of the General Administration of Customs, Order No. 20 of the former State Administration of Inspection and Quarantine of 22 February 2000 and amended by Order No. 238 of the General Administration of Customs of 28 April 2018. Measures for the Administration of Export Honey Inspection and Quarantine, Order No. 135 of the former State Administration of Quality Supervision, Inspection and Quarantine of January 4, 2011 and revised by Order No. 243 of the General Administration of Customs of November 23, 2018 Measures for Administration, "Measures for supervision and administration of imported and exported meat products inspection quarantine" published by Decree No. 136 of the former State Administration of Quality Supervision, Inspection and Quarantine of January 4, 2011 and amended in accordance with Order No. 243 of the General Administration of Customs of November 23, 2018 Measures for the Supervision and Administration of Imported and Exported Dairy Inspection and Quarantine, Published by Decree No. 152 of the former State Administration of Quality Supervision, Inspection and Quarantine of January 24, 2013 and amended in accordance with Order No. 243 of the General Administration of Customs of November 23, 2018, 2 On November 14, 2017, the regulations on the filing and administration of export food production enterprises, promulgated by Decree No. 192 of the former State Administration of Quality Supervision, Inspection and Quarantine and amended by Order No. 243 of the General Administration of Customs of November 23, 2018, shall be repealed at the same time.

Director-General Yu Yue

April 12,

Measures for the Administration of Food Safety in Imports and Exports of the People's Republic of China

Chapter 1 General

Article 1 In order to safeguard the food safety of imports and exports and protect the lives and health of human beings, animals and plants, in accordance with 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 Import and Export Commodity Inspection Law of the People's Republic of China and its implementing regulations, the Entry and Exit Animal and Plant Quarantine Law of the People's Republic of China and its implementing regulations, the Border Health and Quarantine Law of the People's Republic of China and its implementing rules, the Agricultural Product Quality and Safety Law of the People's Republic of China These Measures are formulated in accordance with the provisions of laws and administrative regulations such as the Special Provisions of the State Council on Strengthening the Safety Supervision and Administration of Food and Other Products.

Article 2 These Measures shall be observed when engaging in the following activities:

(1) Import and export food production and business activities;

(2) The Customs shall supervise and manage the food safety of the producers and operators of imported and exported food and their imports and exports.

The production and operation activities of imported and exported food additives and food-related products shall be carried in accordance with the relevant regulations of the General Administration of Customs.

Article 3 Import and export food safety work adheres to the principles of safety first, prevention first, risk management, control and international governance.

Article 4 Import and export food producers and operators shall be responsible for the food safety of imports and exports of their production and operation.

Import and export food producers and operators shall engage in import and export food production and operation activities in accordance with international treaties and agreements concluded or acceded to by China, Chinese laws and regulations and national standards for food safety, accept supervision and management in accordance with the law, ensure food safety for import and export, be responsible to society and the public, and assume social responsibility.

Article 5 The General Administration of Customs shall be in charge of the supervision and administration of food safety in imports and exports throughout the country.

Customs at all levels are responsible for the supervision and management of food safety in imports and exports of the region under their jurisdiction.

Article 6 Customs uses information technology to improve the level of food safety supervision and management of imports and exports.

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

Customs strengthens exchanges and cooperation with international organizations on food safety, overseas government agencies, overseas food industry associations, overseas consumer associations, etc., and creates an international common governance pattern for import and export food safety.

Article 8 Customs personnel engaged in food safety supervision and management of imports and exports shall have relevant professional knowledge.

Chapter II Food Imports

Article 9 Imported food shall comply with Chinese laws and regulations and national standards for food safety, and if there are special requirements for international treaties and agreements to which China has concluded or acceded, it shall also comply with the requirements of international treaties and agreements.

The import of food products that do not have national standards for food safety shall comply with the relevant standards for provisional application issued by the administrative department of health under the State Council.

Food produced from new food raw materials shall obtain the administrative license for the hygiene of new food raw materials under the administrative department of health under the State Council in accordance with the provisions of Article 37 of the Food Safety Law.

Article 10 The Customs shall carry out conformity assessment of imported food products in accordance with the provisions of relevant laws and administrative regulations on the inspection of imported and exported goods.

Imported food conformity assessment activities include: evaluation and review of the food safety management system of overseas countries (regions) that export food to China (hereinafter referred to as overseas countries (regions)), registration of overseas production enterprises, filing and qualification guarantees of importers and exporters, entry animal and plant quarantine examination and approval, accompanying certificate of conformity inspection, document examination, on-site inspection, supervision and sampling, import and sales record inspection, and various combinations.

Article 11 The General Administration of Customs may conduct an assessment and examination of the food safety management system and food safety status of an overseas country (region) and determine the corresponding inspection and quarantine requirements on the basis of the results of the assessment and examination.

Article 12 The General Administration of Customs may initiate an assessment and examination of an overseas country (region) if one of the following circumstances occurs:

- (1) If an overseas country (region) applies for the first export of certain kinds of food to China;
- (2) Major adjustments have taken place in food safety, animal and plant quarantine laws and regulations, organizations, etc. in overseas countries (regions);
- (3) If the competent department of an overseas country (region) applies for a major adjustment to the inspection and quarantine requirements of certain types of food products that it has exported to China;
- (4) Major animal and plant outbreaks or food safety incidents have occurred in overseas countries (regions);
- (5) If the Customs finds serious problems in the food exported to China and considers that there is an outbreak of animals, plants or a food safety hazard;
- (vi) Other circumstances requiring assessment and review.

Article 13 The evaluation and examination of food safety management systems in overseas countries (regions) mainly include assessment and confirmation of the following:

- (1) Laws and regulations related to food safety, animal and plant quarantine;
- (2) The organization of food safety supervision and management;
- (3) The epidemic of animals and plants and the prevention and control measures;
- (4) Management and control of pathogenic microorganisms, agricultural and veterinary drugs and pollutants;
- (5) Safety and health control of food production and processing, transportation and storage;
- (6) Export food safety supervision and management;
- (7) Food safety protection, traceability and recall system;
- (viii) Early warning and emergency response mechanisms;
- (9) Technical support capacity;
- (10) Other situations involving animal and plant outbreaks and food safety.

Article 14 The General Administration of Customs may organize experts to carry out assessments and examinations through information examination, video examination, on-site inspection and other forms and combinations.

Article 15 The General Administration of Customs shall organize experts to examine the application materials and written assessment questionnaires submitted by the countries (regions) under evaluation and examination, including the authenticity, completeness and validity of the information. Depending on the information review, the General Administration of Customs may request the competent authorities of the relevant country (region) to supplement the missing information or information.

For countries that have passed the data review, the General Administration of Customs may organize experts to carry out video inspection or on-site inspection of their food safety management system. The problems found may require the relevant national (regional) authorities and related enterprises to carry out rectification.

The relevant country should provide the necessary assistance for the assessment and review.

Article 16 In one of the following cases in a country (region) under assessment and review, the General Administration of Customs may terminate the assessment and examination and notify the competent authorities of the relevant country (region):

- (1) If no feedback is received within 12 months of receipt of the written assessment questionnaire;

(2) The notification received from the General Administration of Customs of additional information and materials was not provided as required within 3 months;

(3) a sudden major animal and plant outbreak or a major food safety incident;

(4) failing to cooperate with the Chinese side in completing the video inspection or on-site inspection, or failing to complete the rectification effectively;

(5) Applying for termination of assessment and examination on its own initiative.

In the first and second cases of the preceding paragraph, the competent departments of the relevant countries (regions) may apply for extension for special reasons and, with the consent of the General Administration of Customs, submit the relevant materials within the time limit re-determined by the General Administration of Customs.

Article 17 Upon completion of the assessment and examination, the General Administration of Customs shall inform the competent authorities of the country (region) under assessment and review of the results of the assessment and examination.

Article 18 The General Administration of Customs shall implement the registration management for overseas production enterprises exporting food products to China and publish the list of enterprises that have been registered.

Article 19 An overseas exporter or agent (hereinafter referred to as an "overseas exporter or agent") who exports food to China shall file a record with the General Administration of Customs.

The food importer shall file a record with the customs office of his place of residence.

When an overseas exporter or agent or food importer files a record, he shall be responsible for the authenticity and validity of the information provided by him.

The list of foreign exporters or agents or food importers shall be published by the General Administration of Customs.

Article 20 If a change occurs in the record contents of an overseas exporter or agent or food importer, the procedures for change shall be submitted to the filing authority within 60 days from the date of the change.

If the Customs discovers that the overseas exporter or agent or food importer has made an error in the filing information or the contents of the record have not been changed in time, it may order it to correct it within the prescribed time limit.

Article 21 A food importer shall establish a system for the recording of food imports and sales, truthfully record the name, net content/specification, quantity, date of production, batch number of production or import, shelf life, name, address and contact information of overseas exporters and purchasers, date of delivery, etc., and keep relevant documents. The shelf life of records and vouchers shall not be less than 6 months after the expiration of the shelf life of food products;

Article 22 Food importers shall establish an audit system for overseas exporters and overseas production enterprises, focus on the following:

(1) The development and implementation of food safety risk control measures;

(2) To ensure that food conforms to Chinese laws and regulations and national standards for food safety.

Article 23 The Customs shall, in accordance with the law, supervise and inspect the implementation of audit activities by food importers. Food importers should actively cooperate and provide relevant information and materials truthfully.

Article 24 The Customs may, in accordance with the needs of risk management, carry out the import of imported food at designated ports and designate supervision sites for inspection. The list of designated ports and designated regulatory sites shall be published by the General Administration of Customs.

Article 25 When importing food products, food importers or their agents shall, in accordance with the law, make a truthful declaration to the Customs.

Article 26 The Customs shall, in accordance with the law, impose quarantine on imported food products that should be subject to entry quarantine.

Article 27 The Customs shall, in accordance with the law, implement quarantine examination and approval management for imported food products that require entry animal and plant quarantine examination and approval. The food importer shall obtain an entry animal and plant quarantine permit before entering the country by signing a trade contract or agreement.

Article 28 The Customs shall, in accordance with the needs of supervision and management, carry out on-site inspection of imported food products, including but not limited to the following:

- (1) whether the means of transport and storage meet the requirements of safety and health;
- (2) whether the container number, seal number, the contents of the logo on the internal and external packaging, and whether actual condition of the goods is consistent with the declaration information and the accompanying documents;
- (3) whether there are any conditions as stipulated in Article 22 of the Regulations on the Implementation of the Law on The Entry and Exit of Animal and Plant Quarantine;
- (4) whether the internal and external packaging conforms to the national standards for food safety, whether there is pollutant damage, wet immersion, penetration;
- (5) whether the labels, markings and instructions of internal and external packaging comply with laws, administrative regulations, national standards for food safety and the requirements prescribed by the General Administration of Customs;
- (6) whether the sensory characteristics of the food conform to the proper characteristics of the food;
- (7) The freshness of frozen refrigerated food, whether the central temperature meets the requirements, whether there are lesions, whether the temperature of the refrigerated and refrigerated environment meets the relevant standard requirements, whether the cold chain temperature control equipment facilities are operating normally, whether the temperature record meets the requirements, and, if necessary, can be cooked.

Article 29 The Customs shall formulate an annual national plan for the supervision and sampling of imported food safety and special plan for the supervision and sampling of imported food safety, and organize its implementation.

Article 30 The packaging, labelling and marking of imported food shall comply with Chinese laws and regulations and national standards for food safety; if there should be instructions in accordance with the law, there shall also be Chinese instructions.

For imported frozen meat products, the internal and external packaging should have a solid, clear, legible Chinese and English or Chinese and export countries (regions) written logo, indicating the following: country of origin (region), product name, production enterprise registration number, production lot number; The outer packaging shall be marked with Chinese specifications, origin (specific to state/province/city), destination, date of production, shelf life, storage temperature, etc., and the destination shall be marked as the People's Republic of China, and the official inspection and quarantine mark of the exporting country (region) must be marked.

For imported aquatic products, the internal and external packaging should have a strong, clear, legible Chinese and English Chinese and export countries (regions) written logo, indicating the following: commodity name and academic name, specifications, date of production, lot number, shelf life and preservation conditions, mode of production (sea fishing, freshwater) Fishing, aquaculture), production areas (marine fishing areas, freshwater fishing countries or regions, countries or regions where farmed products are located), the names, registration numbers and addresses of all production and processing enterprises involved (including fishing vessels, processing vessels, transport vessels, independent cold storage vessels), be marked with the destination of the People's Republic of China.

Chinese Labels For Imported Health Food And Special Dietary Foods Must Be Printed On The Minimum Sales Package And Shall Not Be Affixed.

If there are special marking provisions for the internal and external packaging of imported food products, they shall be implemented in accordance with the relevant provisions.

Article 31 After the imported food has arrived at the port, it shall be stored in a place designated or approved by the Customs; if it is necessary to move, it must be approved by the Customs and necessary security measures shall be taken in accordance with the requirements of the Customs.

Designated or approved places shall comply with the requirements stipulated in laws, administrative regulations and national standards for food safety.

Article 32 Bulk imported food shall be inspected at the port of discharge in accordance with the requirements of the Customs

Article 33 If the imported food is qualified by the customs, it shall be allowed to be imported.

If the imported food products have failed the customs conformity assessment, the customs shall issue a certificate of non-conformity; if the items involving safety, health and environmental protection are not qualified, the customs shall notify food importer in writing and order them to destroy or return the goods; and if the other items fail, they shall be allowed import if they meet the conformity assessment requirements after technical treatment. If the relevant imported food product cannot be completed within the prescribed time or are still unqualified by technical treatment, the customs shall order the food importer to destroy or return them.

Article 34 If a food safety incident outside China may lead to food safety hazards in China, or if the Customs discovers substandard imported food products or other food safety problems during the implementation of the supervision and administration of imported food, the General Administration of Customs and the authorized direct customs may, on the basis of the results of the risk assessment, implement control measures such as increasing the proportion of supervision and sampling of imported food products.

If the Customs, in accordance with the provisions of the preceding paragraph, adopts control measures such as increasing the proportion of supervision and sampling of imported food, and again discovers that there are non-conforming imported food products, or if there is evidence of significant safety hazards in imported food products, the General Administration of Customs and the authorized direct customs may require food importers to submit inspection reports issued by qualified inspection institutions to the Customs on a case-by-case basis. Customs shall verify the inspection reports provided by food importers.

Article 35 In any of the following cases, the General Administration of Customs may, on the basis of the results of the risk assessment, take control measures to suspend or prohibit the import of the relevant food products:

- (1) If a major animal and plant outbreak occurs in the exporting country (region) or a major change in the food safety system fails to effectively guarantee food safety in China;
- (2) Imported food is contaminated by the pathogens of quarantine infectious diseases, or there is evidence that it can be used as a vector for quarantine infectious diseases and that effective sanitary treatment cannot be carried out;
- (3) If the Customs implements the control measures stipulated in the second paragraph of Article 34 of these Measures and again finds that the relevant safety, health and environmental protection items are not qualified;
- (4) The overseas production enterprise violates the relevant laws and regulations of China and the circumstances are serious;
- (5) If other information indicates that there is a major safety hazard in the relevant food products.

Article 36 When the risk of imported food safety has been reduced to a controllable level, the General Administration of Customs and the authorized direct customs may lift the corresponding control measures in the following manner:

- (1) If a food product that implements the control measures of Article 34 (1) of these Measures is not found to be ineligible within the prescribed time and batch, the control measure may be lifted on the basis of a risk assessment;
- (2) If the exporting country (region) has taken preventive measures to implement the control measures of Article 34 (2) of these Measures, and the risk of animal and plant outbreaks can be guaranteed by a risk assessment by the General Administration of Customs, or if no non-conforming food is found within the prescribed time or batch from the date of implementation of the control measures, the Customs may lift the control measures on the basis of the risk assessment;
- (3) For food products subject to suspension or prohibition of import control measures, the competent department of the exporting country (region) has taken risk control measures and, if assessed by the General Administration of Customs to meet the requirements, may lift the suspension or prohibition of import measures. To resume the import of food products, the General Administration of Customs may, depending on the assessment, take the control measures stipulated in Article 34 of these Measures.

Article 37 If a food importer discovers that the imported food does not conform to laws, administrative regulations and national standards for food safety, or has evidence that it may endanger human health, it shall, in accordance with Article and 94 (3) of the Food Safety Law, immediately stop importing, selling and using the food, implement the recall, notify the relevant production operators and consumers, record the recall and notification, and report the food recall, notification and handling to the local customs.

Chapter III Food Exports

Article 38 Export food production enterprises shall ensure that their exported food conforms to the standards or contractual requirements of the importing country (region) and, if there are special requirements for international treaties or agreements to which China has concluded or acceded, it shall also comply with the requirements of international treaties and agreements. If the importing country (region) does not have a standard, the contract does not require it, and the international treaty agreements to which China has concluded or acceded have no relevant requirements, the export food production enterprise shall ensure that its exported food conforms to China's national standards for food safety.

Article 39 The Customs shall supervise and manage the export of food products in accordance with the law. Export food supervision and management measures include: export food raw materials cultivation and farm filing, export food production enterprises for the record, enterprise verification, document audit, on-site inspection, supervision and sampling, port spot checks, overseas notification verification and various combinations.

Article 40 The cultivation and farm of exported food raw materials shall be filed with the local customs office.

The General Administration of Customs shall publish the list of records of raw material cultivation and farms in a unified manner, and the procedures and requirements for the filing shall be formulated by the General Administration of Customs.

Article 41 The Customs shall, in accordance with the law, supervise the cultivation and breeding of raw materials for the record by means of data examination, on-site inspection and enterprise verification.

Article 42 An export food production enterprise shall file a record with the customs at the place of residence, and the procedures and requirements for filing the record shall be formulated by the General Administration of Customs.

Article 43 If an overseas country (region) implements registration management for an export food production enterprise that China exports to that country (region) and requires the recommendation of the General Administration of Customs, the export food production enterprise shall apply to the customs of the place of residence, which shall report it to the General Administration of Customs after the initial examination.

The General Administration of Customs shall, in conjunction with the organization of enterprise credit, supervision and management, as well as the preliminary examination of customs at the place of residence, carry out the work of external recommendation registration, and the procedures and requirements for external recommendation registration shall be formulated by the General Administration of Customs.

Article 44 Export food production enterprises shall establish and improve a traceable food safety and hygiene control system, ensure the effective operation of the food safety and hygiene control system, and ensure that the process of production, processing and storage of exported food products continues to comply with the relevant laws and regulations of China and the safety and hygiene requirements of export food production enterprises;

Export food production enterprises shall establish a supplier evaluation system, a record system for inspection of incoming goods, a system for production records, a system for factory inspection records, a system for the traceability of exported products and a system for the disposal of non-conforming food products. The relevant records shall be true and valid, and the shelf life shall not be less than 6 months after the expiration of the shelf life of the food product;

Article 45 Export food production enterprises shall ensure that the packaging and mode of transportation of exported food conform to the requirements of food safety.

Article 46 Export food production enterprises shall mark on the transport packaging the record number of the production enterprise, the name of the product, the batch number of the production and the date of production.

If the importing country (region) or contract has special requirements, the export food production enterprise may, with the consent of the customs directly under the direct control, adjust the marking items stipulated in the preceding paragraph, provided that the products are traceable.

Article 47 The Customs shall supervise and inspect the operation of the food safety and health control system of the export food production enterprises within the jurisdiction. Supervision and inspection includes daily supervision and inspection and annual supervision and inspection.

Supervision and inspection may take the means of data examination, on-site inspection and enterprise verification, and may be carried out in conjunction with the overseas notification verification, supervision and spot inspection and on-site inspection of exported food products.

Article 48 Exported food shall be subject to inspection and quarantine by the customs of the place of origin in accordance with the law.

The General Administration of Customs may designate other places to carry out inspection and quarantine in accordance with the needs of facilitating foreign trade and export food inspection and quarantine.

Article 49 Export food production enterprises and exporters shall, in accordance with laws, administrative regulations and provisions of the General Administration of Customs, submit an application for pre-export supervision to the customs of the place of origin or group of goods.

After accepting the application for supervision before the declaration of food export, the customs department of the place of origin or group of goods shall carry out on-site inspection and supervision of the inspection and sampling of the export food which needs to be inspected and quarantined in accordance with the law.

Article 50 The Customs shall formulate an annual plan for the supervision and sampling of national export food safety and organize its implementation.

Article 51 If an exported food product meets the requirements through on-site inspection and supervision by the customs, the customs shall issue a certificate and grant the export. If the requirements of the importing country (region) change the form and content of the certificate, the form and content of the certificate may be changed with the consent of the General Administration of Customs.

If the exported food fails to meet the requirements through on-site inspection and supervision by the Customs, the Customs shall notify the exporter or his agent in writing. If the relevant export food products can be processed by technology, they shall be allowed to be exported after passing the technical treatment; if they cannot be technically treated or if they are still unqualified by technical treatment, they shall not be allowed to export.

Article 52 When exporting food products, food exporters or their agents shall, in accordance with law, make a truthful declaration to the Customs.

Article 53 The Customs shall carry out inspection of the exported food products at the port and, if they fail the inspection, shall not be allowed to export them.

Article 54 If an exported food product is notified by an international organization or an overseas government agency because of a safety problem, the General Administration of Customs shall organize and carry out verification and, as necessary, implement control measures such as adjusting the proportion of supervision and sampling, requiring food exporters to submit inspection reports issued by qualified inspection institutions to the Customs on a case-by-case basis, and withdrawing their registration recommendations to the official authorities abroad.

Article 55 If there is a safety problem in the export of food products and it has caused or is likely to cause harm to human health and life safety, the exporting food producers and operators shall immediately take appropriate measures to avoid and reduce the occurrence of damage and report it to the local customs office.

Article 56 If the Customs discovers a safety problem in the implementation of the supervision and administration of export food, it shall notify the food safety department of the government at the same level and the government at the next higher level.

Chapter Four Supervision and Management

Article 57 The General Administration of Customs shall, in accordance with Article 100 of the Food Safety Law, collect and summarize import and export food safety information and establish a management system for import and export food safety information.

Customs at all levels shall be responsible for the collection and collation of import and export food safety information designated by the customs within their respective jurisdictions and at higher levels, and shall notify local governments, relevant departments, institutions and enterprises in their respective jurisdictions in accordance with the relevant provisions. Where the notification relates to other areas, the relevant regional customs shall be notified at the same time

The import and export food safety information collected and summarized by the Customs includes information on technical trade measures for food products abroad, in addition to the contents stipulated in Article 100 of the Food Safety Law.

Article 58 The Customs shall conduct risk research on the import and export food safety information collected and determine corresponding control measures on the basis of the results of the risk determination.

Article 59 If a food safety incident or epidemic disease occurs inside or outside the country that may affect the import and export of food safety, or if serious food safety problems are found in the import and export of food, the Customs directly under it shall promptly report it to the General Administration of Customs;

Where the General Administration of Customs issues a risk warning notice, it shall adopt the control measures stipulated in Articles 34, 35, 36 and 54 of these Measures for the import and export of food products in accordance with the requirements of the risk warning notification.

Article 60 The Customs shall formulate an annual national food safety risk monitoring plan for import and export, and systematically and continuously collect monitoring data and related information on foodborne diseases, food pollution and harmful factors in imported and exported food products.

Article 61 If a food safety incident occurring abroad may have an impact on China's territory, or if it is assessed that there is an uncontrollable risk, the General Administration of Customs may, in accordance with international practice, issue a risk warning notice directly within the customs system or issue a risk warning notice to consumers, and adopt the control measures stipulated in Articles 34, 35 and 36 of these Measures.

Article 62 The Customs shall formulate and organize the implementation of emergency plans for the emergency disposal of food safety emergencies in import and export.

Article 63 The Customs shall have the right to take the following measures when it performs its duties of supervision and management of food safety in import and export in accordance with the law:

- (1) entering production and operation sites to carry out on-site inspections;
- (2) to carry out sampling and inspection of the food products in production and operation;
- (3) to consult and copy relevant contracts, bills, books of account and other relevant information;
- (4) Seizure or seizure of food products that have evidence of non-compliance with national standards for food safety or evidence of safety hazards and illegal production and operation.

Article 64 The Customs shall, in accordance with the law, implement credit management for import and export enterprises.

Article 65 The Customs shall, in accordance with the law, carry out inspections and verifications on the producers and operators of imported and exported food products, as well as on the cultivation and farming of raw materials for the record

Article 66 Transit food shall comply with the regulatory requirements of the General Administration of Customs for goods in transit. During the transit of food in transit, no packaging or unloading of means of transport may be opened or unloaded without the approval of the Customs, and the export shall be transported within the prescribed time limit.

Article 67 If the producers and operators of imported and exported food products object to the inspection results of the Customs, they may apply for re-examination in accordance with the relevant provisions on the re-inspection of imported and exported commodities.

In one of the following cases, the Customs shall not accept the re-examination:

- (1) If the test results show that the microbial index exceeds the standard;
- (2) If the re-examination of the backup sample exceeds the shelf life;
- (3) If other reasons cause the backup sample to fail to achieve the purpose of re-examination.

Chapter 5 Legal Responsibility

Article 68 If the contents of the food importer's record are changed and the procedures for change are not carried out with Customs in accordance with the provisions, and if the circumstances are serious, the Customs shall issue a warning.

If a food importer provides false filing information in the record, the Customs shall impose a fine of not more than 10,000 yuan.

Article 69 If a domestic producer or operator of imported or exported food refuses to cooperate with the food safety verification work of the customs for import and export, refuses to accept inquiries, provides materials, or replies and provides materials that do not conform to the actual situation, the Customs shall impose a warning or a fine of not more than 10,000 yuan.

Article 70 In the supervision of imported prepackaged food, the Customs shall impose a warning or a fine of not more than 10,000 yuan if it finds that the imported prepackaged food has not been labeled Chinese or Chinese labels do not conform to laws and regulations and national standards for food safety.

Article 71 If, without the permission of the Customs, the imported food is removed from the place designated or approved by Customs, the Customs shall order it to make corrections and impose a fine of not more than 10,000 yuan.

Article 72 If the following illegal acts belong to the "export of food in accordance with the provisions of this Law" as stipulated in Article 129,1 (3) of the Food Safety Law, the Customs shall impose penalties in accordance with the provision Article 124 of the Food Safety Law:

- (1) unauthorized exchange of export food products that have been subject to customs supervision and sampling and have issue certificates;
- (2) Exporting adulterated food, falsely filling it with truth, sub-filling good food, or impersonating qualified export food with unqualified export food;
- (3) Exporting food produced by a food production enterprise that has not been recorded for export;
- (4) Exporting food products produced by a registered export food production enterprise to a country (region) that has registration requirements, or food products that have been exported outside the registered scope of production by a registered export food production enterprise;
- (5) If the export food produced by the export food production enterprise fails to use the raw materials for planting and farming in accordance with the provisions;
- (6) The producers and operators of exported food shall have the conditions stipulated in Articles 123, 124, 125 and 126 of Food Safety Law, and the exported food products shall not meet the requirements of the importing country (region).

Article 73 Anyone who violates the provisions of these Measures and constitutes a crime shall be investigated for criminal responsibility in accordance with the law.

Chapter 6 By-laws

Article 74 The supervision and management of food safety in the special areas of customs supervision, bonded places of supervision, market procurement, small trade at the border and import and export of trade between border people and people shall be carried out in accordance with the relevant provisions of the General Administration of Customs.

Article 75 The supervision and administration of food safety for the import and export of mail, express mail, cross-border commerce retailing and passenger carrying methods shall be handled in accordance with the relevant provisions of the General Administration of Customs.

Article 76 Non-traded food such as samples, gifts, giveaways, display goods and assistance, food operated duty-free, food for public and self-use by foreign embassies and consulates in China and their personnel, food for common and self-use by embassies and consulates abroad and their personnel, and food for the use of Chinese enterprises abroad shall be handled in accordance with the relevant provisions of the General Administration of Customs.

Article 77 The producers and operators of imported and exported food referred to in these Measures include: overseas production enterprises, overseas exporters or agents, food importers, export food production enterprises, exporters and related persons who export food to China.

The overseas production enterprises of imported food referred to in these Measures include overseas production, processing and storage enterprises that export food to China.

Importers and exporters of imported food referred to in these Measures include overseas exporters or agents or food importers who export food to China.

Article 78 These Measures shall be interpreted by the General Administration of Customs.

Article 79 These Measures shall come into effect on January 1, 2022. Decree No. 144 of the former State Administration of Quality Supervision, Inspection and Quarantine of September 13, 2011 and Decree No. 184 of the former State Administration of Quality Supervision, Inspection and Quarantine of October 18, 2016 and November 23, 2018 Measures for the Administration of Food Safety in Imports and Exports, as amended by Order No. 243 of the General Administration of Customs, Order No. 20 of the former State Administration of Inspection and Quarantine of 22 February 2000 and amended by Order No. 238 of the General Administration of Customs of 28 April 2018. Measures for the Administration of Export Honey Inspection and Quarantine, Order No. 135 of the former State Administration of Quality Supervision, Inspection and Quarantine of January 4, 2011 and revised Order No. 243 of the General Administration of Customs of November 23, 2018 Measures for Administration, "Measures for supervision and administration of imported and exported meat products inspection and quarantine" published by Decree No. 13 of the former State Administration of Quality Supervision, Inspection and Quarantine on January 4, 2011 and amended in accordance with Order No. 243 of the General Administration of Customs of November 23, 2018 The Measures for the Supervision and Administration of Imported and Exported Dairy Inspection and Quarantine, Published by Decree No. 152 of the former State Administration of Quality Supervision, Inspection and Quarantine of January 24, 2013 and amended in accordance with Order No. 243 of the General Administration of Customs of November 23, 2018, 2 On November 14, 2017, the regulations on the filing and administration of export food production enterprises, promulgated by Decree No. 192 of the former State Administration of Quality Supervision, Inspection and Quarantine and amended by Order No. 243 of the General Administration of Customs of November 23, 2018, shall be repealed at the same time.

Download link of Order 249 of the General Administration of Customs: [The Order of the General Administration of Customs on Publication of the Measures for the Administration of Food Safety in Imports and Exports of the People's Republic of China](#)

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