Provisions on the Administration of the Filing of Imported Food Importers and Exporters of the People’s Republic of China

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — General Provisions

Article 1 — These Provisions are formulated in accordance with the Food Safety Law of the People’s Republic of China and its implementing regulations, the Special Provisions of the State Council on Strengthening the Supervision and Administration of the Safety of Food and Other Products, the Measures for the Administration of the Safety of Imported and Exported Food of the People’s Republic of China, and other laws, administrative regulations and rules, for the purposes of safeguarding the safety of imported food and enhancing the traceability of imported food.

Article 2 — These Provisions apply to the filing administration of overseas exporters or agents that export food to the territory of China, and of domestic food importers (hereinafter collectively referred to as “importers and exporters”).

Products other than the food categories listed in the schedule to these Provisions, such as food additives and food-related products, shall be subject to the relevant provisions.

Article 3 — The General Administration of Customs (GACC) shall be responsible for the supervision and administration of the filing of importers and exporters, and shall publish the filing information of importers and exporters.

Local customs offices shall be responsible for the acceptance, filing, alteration and cancellation of filing applications of domestic food importers, and for the supervision and inspection of filed enterprises.

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Chapter II — Filing Conditions and Procedures

Article 4 — An overseas exporter or agent that exports food to the territory of China shall apply to GACC for filing, submit the Filing Information Form for Overseas Exporters or Agents of Imported Food (Annex 1), and be responsible for the authenticity and validity of the filing information provided.

Article 5 — A domestic food importer applying for filing shall lawfully obtain the corresponding domestic business entity qualification and the customs filing of a consignor/consignee of import and export goods, submit the Food Importer Filing Information Form (Annex 2) to the customs office at its domicile, and be responsible for the authenticity and validity of the filing information provided.

A domestic food importer may complete the importer filing simultaneously when completing the filing of a consignor/consignee of import and export goods.

Article 6 — Where the filing application form is fully completed and the accompanying materials are complete, customs shall accept the application and complete the filing within three working days from the date of acceptance. Where the filing application materials fail to meet the requirements, customs shall inform the applicant of all deficiencies at one time within three working days.

For an overseas exporter or agent that has obtained filing, customs shall issue a filing code.

The filing information shall be published through the “China Customs Enterprise Import and Export Credit Information Publicity Platform.”

The filing of importers and exporters shall be valid on a long-term basis.

Article 7 — Where the filing contents of an importer or exporter change, the alteration formalities shall be completed with the filing customs office within 60 days from the date the change occurs.

Where the information of a domestic food importer changes due to relocation or other reasons, it shall promptly apply for the information alteration with the customs office at its new domicile. Where the alteration of the filing of a consignor/consignee of import and export goods is involved, the alteration shall be applied for simultaneously.

Article 8 — Customs shall cancel the filing of an importer or exporter in accordance with law under any of the following circumstances:

(1) it has been terminated due to dissolution, declaration of bankruptcy or other statutory causes;

(2) its registration has been cancelled or revoked, or its business license has been revoked, by the market supervision and administration department;

(3) the importer or exporter has applied on its own initiative for cancellation;

(4) its filing as a consignor/consignee of import and export goods has been cancelled with customs; or

(5) other circumstances under which cancellation is required in accordance with law.

Article 9 — An importer or exporter may apply to customs for filing, alteration or cancellation through the “single window” for international trade or “Customs Administrative Services.” A domestic food importer may also submit a paper Food Importer Filing Information Form to the customs office at its domicile to apply for filing, alteration or cancellation.

Chapter III — Supervision and Administration

Article 10 — Customs may supervise the filing of importers and exporters, including conducting on-site inspections, consulting materials in accordance with law, or requiring importers and exporters to submit relevant materials. Importers and exporters shall cooperate and truthfully provide the relevant information and materials.

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Article 11 — When food is declared for import, the name of the importer/exporter, the unified social credit code of the domestic food importer, the filing code of the overseas exporter or agent, and other information shall be truthfully reported.

Customs shall verify the information of importers and exporters.

Article 12 — Where customs discovers in the course of supervision that the filing information of an importer or exporter is inconsistent with the actual situation, it shall require the importer or exporter to correct and improve the filing information within a prescribed time limit. Where the information is not corrected or improved in a timely manner as required, customs shall order correction within a prescribed time limit.

Chapter IV — Supplementary Provisions

Article 13 — These Provisions shall be effective from the date of issuance. GACC shall be responsible for the interpretation of these Provisions. The Provisions on the Administration of the Filing of Imported Food Importers and Exporters, published as Annex 1 to Announcement No. 55 of 2012 of the former General Administration of Quality Supervision, Inspection and Quarantine, shall be repealed simultaneously.

Disclaimer: This translation is provided for reference and informational purposes only. In the event of any discrepancy, the official Chinese text issued by the General Administration of Customs of the People's Republic of China shall prevail. This translation does not constitute legal advice.