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**Government Agency**

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

**Measures for supervision and administration of labeling  
of imported and exported pre-packaged food(Revision)**

进出口预包装食品标签检验监督管理办法(修订稿)

***HPA Comments:***

***The new version will apply to supplements imported to China as general food. This has no effect on labels of registered or recorded health food products.***

## **Chapter 1. General Rules**

1.1 In order to standardize the supervision and administration of labeling of imported and exported pre-packaged food, these measures were made according to "Food Safety Law of People's Republic of China", "Imported and Exported Goods Inspection Law of People's Republic of China" and other relevant regulations and laws.

1.2 These measures apply to practices regarding labeling supervision and administration of imported and exported pre-packaged food.

1.3 The definitions of "pre-packaged food" and "food label" keep consistent with the definitions in national standard of food safety (*GB 2760, GB means China national standard*).

## **Chapter 2. Corporate Responsibility**

2.1 The foreign exporters and manufacturers shall ensure the label of pre-packaged food is in conformity with Chinese laws, regulations and national standards, and take responsibilities of the label contents.

2.2 The importer shall take charge of verification of the Chinese label of imported pre-packaged food. Foods shall be allowed to be imported to China only after meeting all requirements of relevant laws, regulations and national standards. The importer should record all labeling materials for at least 2 years and be prepared to undergo any random checks by Inspection and quarantine institution.

2.3 Domestic exporters and manufacturers should ensure the exported food labels are in conformity with contracts or regulations in importing countries (regions).

### **Chapter 3. Supervision and Inspection on the Imported Pre-packaged Food Label**

3.1 When the imported food is under customs inspection, besides corresponding materials, additional documents should be submitted at the same time by the importer or its agent,

3.1.1 Sample of Chinese label, sample of original label (if have) and its translation.

3.1.2 Evidentiary materials of any emphatic claims on the label, including: awards, certificates, place of origin, special ingredients, nutrition facts etc.

3.1.3 Corporate undertaking with following contents:

3.1.3.1 The printed or subsequently attached Chinese label is in conformity with the submitted sample and relevant regulations, laws, national standards as well.

3.1.3.2 The already imported food with substandard label shall be recalled proactively according to Article 63, “Food Safety Law of People’s Republic of China”.

3.2 The inspection and quarantine institution shall conduct formal examination on submitted materials of 3.1.1 and 3.1.3. Cases with inadequate materials should be refused.

3.3 According to “Administrative regulations of procedures of exit-entry goods inspection”, the label spot check shall consider:

3.3.1 On-site inspection: If there is a Chinese label on imported pre-packaged food, if the label is in conformity with application materials.

3.3.2 Label inspection: If the label obeys relevant laws, regulations and national standards. For unchecked imported pre-packaged food with corporate undertaking they, shall be released after documents examination.

3.4 Application shall be refused if applicants provide fake evidentiary materials. Application shall be refused if the Chinese label doesn't comply with the relevant laws, regulations and national standards.

3.5 For already released pre-packaged food, inspection institution can conduct reviewing inspection on label and other materials submitted during customs inspection. The relevant departments shall get informed of any non-conformity cases according to "Food Safety Law of People's Republic of China".

3.6 For any non-conformity cases discovered (including consumer complaints or found and confirmed by other government departments), the importer shall receive a tighter supervision on the subsequent importations. Besides documents required in 3.1, they have to explain in details which regulation are they referred to for each content on the label and provide testing reports for every data point on the label.

Normal supervision will resume only after there are no non-conformity cases against the importer found in 12 months or 60 batches.

## **Chapter 4. Management of Exported Pre-packaged Food Label**

4.1 The exporter shall submit sample of label and its translation as well as undertaking to inspection institution during customs exporting inspection. The undertaking should indicate that the labeling of exported food meets requirements of the contract and laws and regulations in the importing countries (regions).

## Chapter 5. Supplementary Provisions

5.1 Products as samples, showpieces or for duty-free businesses, self-use are free from export and import inspections according to relevant regulations.

5.2 Products brought into China by passengers or in ways of parcel and express, shall receive supervision according to other relevant regulations.

5.3 AQSIQ is responsible for the final explanation.

5.4 These Measures shall come into effect on Oct 1, 2018. Where any provision relating to inspection and supervision on labeling of export and import pre-packaged food is inconsistent with these measures, these measures shall prevail.

### Original Chinese Document listed Below

# 进出口预包装食品标签检验监督管理办法 (修订稿)

## 第一章 总则

第一条 为规范进出口预包装食品标签检验监督管理，根据《中华人民共和国食品安全法》及其实施条例、《中华人民共和国进出口商品检验法》及其实施条例等有关法律、行政法规，制定本办法。

第二条 本办法适用于进出口预包装食品标签检验监督管理工作。

第三条 本办法所称预包装食品和食品标签的定义与食品安全国家标准的规定一致。

## 第二章 企业责任

第四条 进口预包装食品的境外出口商、境外生产企业应当保证向我国出口的预包装食品的标签符合我国法律法规的规定和食品安全国家标准的要求，并对标签的内容负责。

第五条 进口预包装食品的进口商负责审核其进口预包装食品的中文标签，符合我国法律法规的规定和食品安全国家标准的要求，方可进口。进口商应当保留所进口食品的标签资料至少 2 年，并接受检验检疫机构对已进口预包装食品标签的监督检查。

第六条 出口预包装食品的出口商、出口生产企业应确保出口食品的标签符合进口国（地区）的标准或者合同要求。

### 第三章 进口预包装食品标签检验监督

第七条 进口预包装食品的进口商或其代理人在报检时，应当按照报检规定提交相应材料，并同时提交以下材料：

（一）食品的中文标签样张；产品有原文标签的，还应提交原文标签样张及翻译件；

（二）食品中文标签中强调标注内容的证明材料，包括：标签中强调某一内容，如获奖、获证、法定产区、地理标志及其他内容的；强调含有特殊成分的；标签标示营养成分含量等。

（三）企业承诺书。应包括以下内容：

1.进口预包装食品已加贴或印制中文标签，且与申报的中文标签样张一致，并符合我国法律法规的规定和食品安全国家标准的要求；

2.已进口预包装食品标签不符合我国法律法规的规定和食品安全国家标准的要求，依照《食品安全法》第六十三条的规定主动召回。

第八条 检验检疫机构在受理报检时，应对企业申报的上述第七条第一、三项材料进行形式审核，资料不全的不予受理。

第九条 按照《出入境检验检疫流程管理规定》，检验检疫机构对抽批抽中的进口预包装食品的标签实施检验，包括：

（一）现场查验：进口预包装食品是否加施中文标签，中文标签与申报材料是否一致；

（二）标签检验：按照《食品安全法》及其相关法律、法规的规定、食品安全国家标准的要求，对预包装食品标签实施检验。

检验检疫机构对抽批未抽中的进口预包装食品，在进口商或其代理人出具承诺书的基础上，实施审单放行。

第十条 提供虚假材料的，禁止进口。进口预包装食品中文标签不符合我国法律法规的规定和食品安全国家标准的要求，不得进口。

第十一条 对已通关放行的进口预包装食品，检验检疫机构可对其报检时提交的标签及其相关资料实施回顾性抽查检验，发现不符合我国法律法规的规定和食品安全国家标准的要求的，按照《食品安全法》的要求及时通报相关部门。

第十二条 在任何环节发现进口预包装食品标签不合格的（包括消费者投诉、其他监管部门发现并被证实的），检验检疫机构对该批食品的进口商实施加严监管措施。该进口商再次进口预包装食品时，在提交上述第七条资料的同时，还应逐条说明进口预包装食品标签标注内容符合我国法律法规的规定和食品安全国家标准的要求，标签中所有标注数值应提供检测报告。对实施加严监管的进口商，自实施之日起 12 个月内或连续 60 批未再发现进口预包装食品标签不合格的，恢复为常规监管。

#### **第四章 出口预包装食品标签管理**

第十三条 出口预包装食品报检时，出口商、出口生产企业应向出入境检验检疫机构提供标签样张及翻译件，并提交承诺书，承诺出口预包装食品标签符合进口国（地区）的标准或者合同要求。

#### **第五章 附则**

第十四条 进口展示品、样品、进口用作免税经营（离岛免税除外）的、使领馆自用的食品，出口用作使领馆、我国企业驻外人员等自用的食品，按相关规定，免于进出口预包装食品标签检验监管。

第十五条 旅客携带入境及通过邮寄、快件等形式入境的进口预包装食品标签监管，按有关规定执行。

第十六条 本办法由国家质检总局负责解释。

第十七条 本办法自 2018 年 10 月 1 日起实施，此前有关进出口预包装食品标签检验监管的规定与本办法不符的，以本办法为准。