

# Supervision and Administration Method for Inspection of Labels of Import and Export Prepackaged Food (Revised)

## Chapter I General

**Article 1** In order to specify the supervision and administration for inspection of labels of import and export prepackaged food, this method is hereby formulated, in accordance with related laws, administrative regulations such as *Food Safety Law of the People's Republic of China* and its enforcement regulations, *Law on the Inspection of Import and Export Commodities of the People's Republic of China* and its enforcement regulations.

**Article 2** This method applies to the supervision and administration work for inspection of labels of import and export prepackaged food.

**Article 3** The prepackaged food and food label included herein shall have the same definitions with those in national standard of food safety.

## Chapter II Corporate Responsibility

**Article 4** Overseas exporters and manufacturers of the import prepackaged food shall guarantee that all labels of such food to be exported to China shall meet Chinese laws and regulations as well as requirements of national standard of food safety, and take the responsibility for content of the labels.

**Article 5** Importers of the import prepackaged food are responsible for review of Chinese labels of their import prepackaged food, which may be imported only if Chinese laws and regulations as well as requirements of national standard of food safety are met. The importers shall retain labels of food imported by them for at least 2 years, and accept supervision and random inspection from inspection and quarantine authorities against such labels of the import prepackaged food.

**Article 6** Exporters and exporting manufacturers of the export prepackaged food shall guarantee that all labels of such food shall meet all standards of the importing countries (regions) or contractual requirements.

## Chapter III supervision for Inspection of Labels of Import Prepackaged Food

**Article 7** When declaring for inspection, importers or their agents of import prepackaged food shall submit such materials as required by the inspection, along with the following materials:

- (1) Sample of Chinese version of food label; in case of any product with original label, the

original label sample and its translation shall be submitted;

(2) Materials approving such content as highlighted in Chinese label of the food, including, in case of certain content highlighted on the label, such as any award and certificate, legal appellation and geographical indication; in case of any special ingredient; in case of nutritional ingredient content contained on the label, etc.

(3) *Letter of Commitment* from the corporate. The content hereinbelow shall be covered: 1. Chinese labels have been attached to or printed on the import prepackaged food and are consistent with the declared sample of Chinese label, and conform to Chinese laws and regulations and requirements of national food safety standard;

2. Where the label of import prepackaged food fails to meet Chinese laws and regulations and requirements of national food safety standard, a voluntary recall shall be initiated according to Article 63 of the *Food Safety Law*.

**Article 8** When handling the inspection declaration, the inspection and quarantine authorities shall make formal examination on such materials as declared by companies under Item 1, 3 of Article 7 hereinabove, and refuse to handle any insufficient materials.

**Article 9** Subject to *Management Specification for Entry-Exit Inspection and Quarantine Operation*,

The inspection and quarantine authorities shall perform an inspection to labels of randomly selected import prepackaged food, including:

(1) Field inspection: whether Chinese labels are attached to the import prepackaged food, and whether such labels are consistent with the declared materials;

(2) Label inspection: to perform an inspection to labels of the import prepackaged food, in accordance with the *Food Safety Law*, and laws and regulations related thereto, as well as requirements of the national food safety.

Relating to randomly unselected import prepackaged food, the inspection and quarantine authorities shall check the documents and release it only if the importer or its agent presents the *Letter of Commitment*.

**Article 10** In case of any false material, the importation shall be forbidden. In case of Chinese labels of import prepackaged food fail to meet Chinese laws and regulations and requirements of national food safety standard, the importation shall be forbidden.

**Article 11** As to any released import prepackaged food, the inspection and quarantine authorities may render a retrospective random inspection to labels and related materials submitted in connection to such food during declaration of inspection. In case of any inconformity to Chinese laws and regulations and requirements of national food safety standard, a timely reporting shall be made to related department according to requirements of the *Food Safety Law*.

**Article 12** Where any label of import prepackaged food is found to be disqualified during any link (including any consumer complaint or finding of any inspection and quarantine authority that is certified), the inspection and quarantine authority shall take tightened supervision measures to importers of such batch of food in question. When importing more import prepackaged food, such

importer shall make a statement item by item, other than such materials as included in Article 7, as to consistency between the labels of such food with Chinese laws and regulations and requirements of national food safety standard, and offer inspection reports in connection to all figures marked on the label. Any importer subject to tightened supervision will be entitled to ordinary supervision upon no discovered disqualification of labels of import prepackaged food in a period of 12 months or for continuous 60 batches.

#### Chapter IV Administration for Label of Export Prepackaged Food

**Article 13** When declaring for inspection to export prepackaged food, exporters and exporting manufacturers shall submit the label sample and its translation to entry-exit inspection and quarantine authorities along with a *Letter of Commitment*, and promise that such labels conform to standards of importing countries (regions) or any contractual requirements.

#### Chapter V Supplementary Provisions

**Article 14** In the event of imported exhibits and samples, food imported as duty-free operation (excluding offshore duty-free) or for self use by embassies and consulates, or food exported for self use by embassies and consulates and Chinese corporate staff stationed abroad, the supervision and administration for label inspection of import and export prepackaged food may be exempted as per related rules.

**Article 15** The supervision and administration for label inspection of import and export prepackaged food that is brought into the country by travelers themselves, by mail, express or other ways shall be subject to related rules.

**Article 16** This method shall be subject to interpretation by General Administration of Quality Supervision.

**Article 17** This method shall be put into use since Oct. 1st, 2018. In case of any conflict between other rules in regard to supervision and administration for label inspection of import and export prepackaged food and this method, the latter one shall prevail.