



# F51/21 China: Registration of Food Manufacturing Premises

## Animal Products, Plant Products and Processed Food

1 November 2021

For Your Information

### 1 Background

- (1) This FYI replaces [F36/21 China: Manufacturer Registration of Food Exported to China \(Plant and Plant-derived Food Products\)](#) and [F37/21 China: Manufacturer Registration of Food Exported to China \(Animal Products\)](#).
- (2) In April 2021, China's General Administration of Customs (GACC) published a [regulation regarding the registration of manufacturers of food exported to China \(Decree 248\)](#). The regulation comes into effect on 1 January 2022.
- (3) For an unofficial translation of Decree 248, operators can refer to the United States Department of Agriculture (USDA) [Global Agricultural Information Network \(GAIN\) report 'Overseas Facilities Registration Regulation - Decree 248'](#).
- (4) Decree 248 requires that all overseas manufacturers of specific foods that are imported to China (from all countries) need to obtain GACC registration. Food additives and food-related products (eg food packaging) are exempt from this requirement.
- (5) GACC has confirmed that fresh fruit does not come under the scope of Decree 248, and China registration of premises that pack or process these types of products for export to China sits with GACC's Animal and Plant Quarantine Department (APQD).
- (6) MPI encourages exporters and operators of manufacturing premises that pack or process food for export to China to seek advice from their importer or agent in China to clarify whether the food comes under the scope of Decree 248.
- (7) Under Decree 248, there are two methods to apply for registration with GACC. The registration method depends on which product category the food product that the operator manufactures for export to China comes under.
  - a) Under Article 7 of Decree 248, manufacturers that are within the scope of the following (18) product categories need to apply for registration via the Ministry for Primary Industries (MPI):
    - meat and meat products
    - casings
    - aquatic products
    - dairy products
    - bird's nest and bird's nest products
    - bee products
    - eggs and egg products
    - edible fats and oils
    - stuffed pasta
    - edible grains
    - milled grain industry products and malt

- fresh and dehydrated vegetables and dried beans
  - seasonings
  - nuts and seeds
  - dried fruits
  - unroasted coffee beans and cocoa beans
  - food for special dietary purpose
  - health food (functional food)
- b) Under Article 9 of Decree 248, manufacturers which are not within the scope of the (18) product categories in Article 7 (as identified above) need to apply for registration directly with GACC (self-registration). Operators of these manufacturing premises should refer to Section 4 of this FYI for more information about how to self-register with GACC.
- (8) MPI understands that all consignments of food that comes under the scope of Decree 248 that are presented to GACC from 1 January 2022 will need to meet the registration requirements, unless they are granted a customs exemption from the registration requirement.

## 2 Clarification of the scope of Decree 248

### 2.1 Fruit

- (1) China registrations under phytosanitary protocols agreed with GACC (ie for avocados, apples and persimmons) remain valid and are not under the scope of Decree 248.
- (2) In addition, MPI has confirmed directly with GACC that premises that process or pack fresh fruit are not required to register under Decree 248. This is the case regardless of whether a phytosanitary protocol is in place that requires registration of packhouses for phytosanitary purposes.
- (3) The [lists of fresh fruit, frozen fruit and vegetables](#) that MPI sent to GACC in August 2020 (refer to [F6/21: China: Fresh and frozen fruit and vegetables](#)) do not appear to have been published by GACC and therefore are not expected to be used for China border clearance.
- (4) For other types of fruit products:
- a) MPI is uncertain as to whether frozen fruit comes under the scope of Decree 248 and encourages exporters and operators of manufacturing premises that pack or process frozen fruit for export to China to seek advice from their importer or agent in China to clarify.
  - b) For dried fruit, refer to Section 3.5 of this FYI.
  - c) MPI understands that where the fruit has been highly processed (eg fruit puree, fruit juice), it is likely to fall under the self-registration method in Decree 248 (refer to Section 4).

### 2.2 Vegetables

- (1) MPI understands that premises that pack or process vegetables are within scope of Decree 248 and advises operators of these premises to apply for registration under Decree 248. The method of registration will depend on the product category (refer to Section 1 (7) of this FYI).
- (2) MPI does not currently have sufficient clarity on how the ['frozen vegetables' and 'squash' lists](#) that MPI sent to GACC in August 2020 (refer to [F6/21: China: Fresh and frozen fruit and vegetables](#)) relate to Decree 248.

### 2.3 Scope clarification for self-registration

- (1) Self-registration is a commercial activity and so MPI is unsure which product types will need to self-register with GACC, and which product types do not come under the scope of Decree 248. MPI

strongly encourages exporters and operators of manufacturing premises to seek advice from their importer or agent in China to clarify this.

### **3 Operators who need to apply for GACC manufacturer registration via MPI**

#### **3.1 Meat and meat products, aquatic products, and dairy products (including dairy-based infant and young children formula)**

- (1) GACC has advised MPI that for those product categories with existing GACC registrations, ie meat and meat products, aquatic products, and dairy products (including dairy-based infant and young children formula), the current registrations remain valid at this time.

#### **3.2 Bee products**

- (1) GACC offered MPI an expedited registration process for bee products manufacturing premises for a limited period in September 2021. This was to cover historic or existing trade from New Zealand to China for bee products from 1 January 2018 to 30 September 2021.
- (2) Operators of premises who manufacture bee products for export to China should refer to the [OMAR Notification: 21/020 China Registration of Final Manufacturing Premises of Bee Products](#). Note that this is a password protected document.
- (3) Note that this OMAR Notification may be replaced in the future by another OMAR Notification, or incorporated into the China OMAR. Bee products operators should stay aware of the latest versions on the MPI [China OMAR page](#).

#### **3.3 Casings**

- (1) MPI has submitted a list to GACC of premises eligible to process casings for export to China: [MPI List for China: Casings manufacturing premises](#).
- (2) GACC has confirmed that manufacturer registration for casings includes premises processing frozen casings (certified for export on MPI certificate template CN112) as well as premises processing salted casings (certified on the CN113).
- (3) Once GACC publishes the casings register, MPI will notify the manufacturing premises listing requirements and publish the list of premises eligible to process casings for export to China.

#### **3.4 Edible fats and oils; milled grain industry products and malt; fresh and dehydrated vegetables and dried beans; food for special dietary purpose; health food (functional food).**

- (1) For those products categories listed in Decree 248 Article 7 (refer to Section 1 (7) a) above), and for which there are no current New Zealand GACC registers, GACC offered MPI an expedited registration process for a limited period in October 2021. This was to cover historic or existing trade from New Zealand to China for these product categories from 1 January 2017 to 31 October 2021.
- (2) This expedited process was only applicable to products within these product categories in Article 7 for which New Zealand has current market access into China.

- (3) Aside from those product categories with existing GACC registrations (meat and meat products, aquatic products, and dairy products (including dairy-based infant and young children formula)), and aside from bee products, New Zealand has market access into China for the following specific products within the product categories under Article 7 of Decree 248, as stipulated by GACC:
- a) dried peas
  - b) blackcurrant seeds
  - c) borage seeds
  - d) malt
  - e) fresh or chilled broad beans (fava beans)
  - f) fresh or chilled pumpkin, winter squash and gourd (Cucurbita)
  - g) fresh or chilled celery
  - h) fresh or chilled Chinese yam
  - i) fresh or chilled winged (four-angled) bean
  - j) fresh or chilled peas (whether or not in pod)
  - k) fresh or chilled perilla
  - l) flaxseed (linseed)
  - m) evening primrose seed
  - n) edible vegetable oil
  - o) food for special dietary purposes
  - p) health foods/functional foods
- (4) The expedited process for China registration has now closed, and MPI has provided the following five lists to GACC of recommended premises for China registration:
- a) [MPI List for China: Edible fats and oils manufacturing premises](#)
  - b) [MPI List for China: Milled grain industry products and malt manufacturing premises](#)
  - c) [MPI List for China: Fresh and dehydrated vegetables and dried beans manufacturing premises](#)
  - d) [MPI List for China: Food for special dietary purpose manufacturing premises](#)
  - e) [MPI List for China: Health food \(functional food\) manufacturing premises](#)
- (5) Definitions for each of these categories are found at the bottom of each list.
- (6) These lists include New Zealand manufacturing premises that process product for export to China where:
- a) New Zealand has market access into China for the product, as listed in (3) above, and
  - b) Product processed at that premises has been exported to China between 1 January 2017 and 31 October 2021, and
  - c) The premises carries out the final processing step for the product, ie the step where the final packaging of the exposed product occurs prior to export from New Zealand, and
  - d) The operator of the manufacturing premises expressed interest to MPI in October 2021 to be included on the list, and declared that:
    - i) They can meet the relevant regulations of China and New Zealand
    - ii) They can meet the '[Regulations of the People's Republic of China on the Registration and Administration of Overseas Manufacturers of Imported Food](#)' (GACC Decree 248).
- (7) MPI understands that the lists that MPI provided to GACC will form the basis of several GACC registers of New Zealand premises. Any decision to register a premises will rest with GACC. It is unknown when GACC will publish these registers.
- (8) Operators and exporters should be aware that if products listed in (3) from premises not on the lists in (4) arrive in China from New Zealand after 1 January 2022, and an importer applies for a customs clearance in China, it is highly likely that they will not get a customs clearance.
- (9) Operators should note that customs clearance at a China port relies on China's animal and plant quarantine measures, and so for plant products the [Importing Country Phytosanitary Requirements](#) apply.

- (10) For those food premises whose products listed in (3) have not been exported to China between 1 January 2017 and 31 October 2021:
- MPI understands that there will be an opportunity to apply for China premises registration from January 2022.
  - As China's Decree 248 comes into force on 1 January 2022, the registration process will reflect GACC's implementing mechanism for this new regulation.
  - GACC has not yet published details of this new mechanism. MPI will provide further advice once it is aware of these details.

### 3.5 Products for which New Zealand does not have current market access into China

- (1) MPI understands that New Zealand does not have market access into China for products that fall within the following product categories, as listed in the [GACC catalogue of countries and regions exporting food products that meet assessment and review requirements and have historic trade with China](#):
- bird's nest and bird's nest products
  - eggs and egg products
  - stuffed pasta
  - edible grains
  - seasonings
  - nuts and seeds
  - dried fruits
  - unroasted coffee beans and cocoa beans
- (2) These product categories appear to cover primary food products that have not been processed, or only minimally processed. MPI understands that foods that may seem to fall into one of these product categories but have been highly processed are likely to fall under the self-registration method in Decree 248 (refer to Section 4).

## 4 Operators who need to self-register directly with GACC

- (1) Operators of manufacturing premises for food products that are exported to China, where the food comes under the scope of Decree 248 and where the food does not come under one of the 18 categories in Article 7 of Decree 248 (ie. that need to register via MPI), should apply for registration directly with GACC (self-register) in accordance with relevant requirements of Decree 248.
- (2) Decree 248 Article 9 states that manufacturers who self-register should submit the following application materials: a registration application; a manufacturer identity document issued by MPI; and a statement that the manufacturer promises to meet the requirements of Decree 248.
- (3) Decree 248 Article 10 states that the registration application should include information such as manufacturing premises name, country where the premises is located, premises address, legal representative, contact person and contact information, registration number approved by MPI, type of food applying for registration, production type, production capacity, etc.
- The registration number used in the application should be the Food Act Site Registration number, Risk Management Programme ID (RMP), Unique Location Identifier ID (ULI), or any other registration number approved by MPI, of the manufacturing premises.
- (4) GACC has advised MPI that manufacturers will be able to self-register from 1 November 2021 by visiting the "Registration Management App for Overseas Manufacturers of Imported Food Products" system which will be available through China's single window of international trade ([www.singlewindow.cn](http://www.singlewindow.cn)).

- (5) MPI understands that this self-registration should be completed before Decree 248 comes into effect on 1 January 2022.
- (6) Operators should be wary of websites that claim to be a GACC website but are not, and that may ask for payments. If unsure, please contact [MPI Market Access](#).
- (7) MPI may provide further advice regarding the process of self-registration with GACC if further information is received. However as the self-registration process is a commercial activity, MPI encourages exporters and operators of manufacturing premises to seek advice from their importer or agent in China.

## 5 Some other requirements under Decree 248

### 5.1 Labelling

- (1) MPI would like to remind operators that Decree 248 Article 15 states that manufacturers that have been approved for GACC registration will need to include either their China registration number or their registration number approved by MPI on the inner and outer packaging of foods exported to China.
- (2) MPI understands that a carton liner is not considered as inner or outer packaging in this context.
- (3) MPI recommends that the registration number approved by MPI is used for the Decree 248 labelling requirement.
  - a) The registration number approved by MPI is the Food Act Site Registration Number, Risk Management Programme ID (RMP), Unique Location Identifier ID (ULI), or any other registration number approved by MPI, of the manufacturing premises.
  - b) Where operators print other types of premises identifiers on the labels (eg phytosanitary identifiers for vegetable packhouses), MPI recommends that these remain on the labels as well.

### 5.2 Changes to location, legal representative, or MPI registration number

- (1) Decree 248 Article 19 states that in the following three circumstances, the Chinese registration number will automatically become invalid and operators would need to re-apply for GACC registration:
  - a) Relocation of manufacturing premises, or
  - b) Alteration of legal representative, or
  - c) Alteration of registration number approved by MPI.
- (2) If the registered premises address changes but the location remains unchanged, MPI understands that this would require a registration modification application to GACC rather than a re-registration application.
- (3) MPI understands that the legal representative is a person representing the registered premises who can be held responsible.
- (4) Operators need to be aware that MPI Food Act Site Registration needs to be renewed annually via the relevant registration authority. Operators are therefore cautioned to ensure this renewal is always completed in time so that the Food Act Registration Number doesn't change, as would be the case if the MPI Food Act Site Registration lapses. This would result in the operator having to re-apply for GACC registration.
- (5) For operators who need to apply for GACC registration via MPI (refer to Section 3), MPI will publish further advice regarding the application processes of registration modification and re-registration once more information is available from GACC.

### 5.3 Validity and renewal of registration

- (1) Article 16 states that GACC registrations of overseas manufacturers of importer food will be valid for 5 years. MPI expects the expiry date of each premises will be clear when GACC publishes the registers.
- (2) Article 20 states that manufacturers should apply to renew their GACC registration from 3-6 months before the date of expiry. This renewal should be done using the same registration method as was used for the initial registration, ie either via MPI (Article 7) or directly with GACC (Article 9).
- (3) MPI will publish further advice regarding the process of registration renewal once more information is available from GACC.

### 5.4 Other

- (1) GACC has confirmed to MPI that the new registration regulation (Decree 248) does not overlap with GACC's filing requirements.

### Contact for further information

Ministry for Primary Industries (MPI)  
Policy and Trade Branch  
Market Access Directorate  
PO Box 2526  
Wellington 6140  
Email: [market.access@mpi.govt.nz](mailto:market.access@mpi.govt.nz)

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