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Lead Food officers
REHIS
SFELC

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FSS/ENF/17/002

Dear Colleagues,

**Changes to Chinese Food Law - Requirement for harmonised Export Health
Certificates for all food and drink exports**

**Action requested: To note the new arrangements coming into force on 1
October 2017.**

Summary:

The Chinese government has recently implemented changes to their Food Law which will require formal Export Health Certificates to be provided for all food and drink products being exported to China. The new arrangements have to be implemented by October 2017. FSS are working closely with FSA, Defra, the Animal and Plant Health Agency (APHA), DAERA, Welsh Government, and the Rural Payments Agency (RPA) to develop a process to implement the required new system. We want to ensure that any future potential burdens on local authority resources are fully taken into account during these discussions.

We also want to ensure that local authorities are aware of these future changes in case they receive enquiries from local exporters.

Issue:

In 2015, China introduced a new Food Safety Act which set out a framework to help them strengthen controls on food safety. China is now in the process of gradually bringing forward implementing measures to put the Act into practice.

In recent years, the level of food imports into China has grown rapidly and this has included new products not seen in the Chinese market before. This increase has made control over food safety more challenging for the Chinese Government and, for this reason, the implementing measures aim to strengthen and create new requirements for both domestic producers and companies exporting food and drink products to China.

The UK Government has engaged with Chinese authorities throughout the consultation phase, both bilaterally and as part of the European Union. They have emphasised that the UK adheres to strong food safety standards and that any new requirements should be proportionate, aligned with international standards and not unnecessarily burdensome on exporters. The consultation process is ongoing and the final outcome is uncertain, but the pace of change means that both UK competent authorities and exporters must be prepared for swift implementation.

Although detailed guidance has not yet been issued for all requirements and these may be subject to amendment in the ongoing consultation process, key changes include the following:

- i) The introduction of new harmonised Export Health Certification (EHC) requirements for ambient products that have not required this to date. At this stage, Defra have not agreed the format of the new EHC with the Chinese authorities. These requirements come into force on 1 October 2017.
- ii) A strengthening of the requirements for Chinese labelling on foreign products.

- iii) Stronger controls over imports into China of infant formula, including on labelling and the number of brands that can be exported.
- iv) Stronger controls over other categories considered by China as high risk, such as 'health' or nutritional foods.

Defra's current understanding is that the existing EHCs issued by the Animal and Plant Health Agency (APHA) and DAERA for exports of meat, fish, eggs and dairy to China will be unaffected.

FSS are working closely with FSA, Defra, the Animal and Plant Health Agency (APHA), DAERA, Welsh Government, and the Rural Payments Agency (RPA) to develop a process to implement the required new system.

Defra plan to hold some workshop events on these new arrangements for both local authorities and industry in the next few months. FSS will provide further details of these as soon as they are available. We will also keep you updated of any further developments on this important area of work.

Action required:

Should you receive any enquiries from businesses regarding these changes, please refer them to the industry information note which Defra have published on the website of the China-Britain Business Council (CBBC) at the following links:

<http://www.cbcc.org/sectors/food-and-drink/>

<http://www.cbcc.org/news/food-safety-law-of-the-prc/>

Timescale:

New export health certification arrangements will be implemented from 1 October 2017.

Yours sincerely

A handwritten signature in black ink that reads "Patrick Smyth". The signature is written in a cursive style with a period at the end.

Patrick Smyth
Senior Environmental Health Manager
Food Standards Scotland