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Committee on Sanitary and Phytosanitary Measures

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**CHINA'S ADMINISTRATIVE MEASURES FOR REGISTRATION OF OVERSEAS  
MANUFACTURERS OF IMPORTED FOOD (26 NOVEMBER 2019)  
– [SPECIFIC TRADE CONCERN 485](#)**

SUBMISSION BY THE UNITED STATES OF AMERICA

The following submission, received on 14 July 2023, is the statement made by the United States of America at the 12-14 July 2023 WTO SPS Committee, and is being circulated at the request of the Delegation of the [United States of America](#).

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1. The United States remains deeply concerned with China's lack of scientific justification or explanation of how Decrees 248 and 249 address food safety and public health concerns.
  2. In its response to the United States and other Members following previous SPS Committee meetings, China noted that limited guidance had been provided on these measures and stated the numbers of facilities that appear to have successfully registered per these Decrees. However, China did not respond to any of the substantive concerns raised and has not provided the scientific basis or risk assessment that informed the development of these Decrees, which the United States and other Members have repeatedly requested.
  3. The United States once again requests that China provide this vital information.
  4. In addition, we again note that China's General Administration of Customs requires foreign competent authorities to maintain information in China's online system for each registered facility from their country producing certain categories of products. Such a requirement creates tremendous administrative burdens on foreign competent authorities without a clear connection to food safety outcomes.
  5. It remains unclear to the United States how China determined which products may self-register and which products require registration through a competent authority. GACC should ensure that all facilities subject to Decree 248 requirements are able to self-register without foreign competent authority involvement.
  6. We look forward to receiving the information that we have requested from China.
  7. Finally, we note that new requirements that came into effect after 30 June 2023 have caused significant confusion for US exporters due to the lack of clear guidance. We once again emphasize the importance of meaningful outreach to foreign governments and private exporters well in advance of significant changes to the implementation of these Decrees.
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