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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 24 June 2022, is the statement made by the United States of America at the 22-24 June 2022 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 response to requests for scientific justification or an explanation of how Decrees 248 and 249 will address food safety and public health concerns, and requests any risk assessments that informed the development of these decrees. The United States remains particularly interested in assessments that justify the identification of high-risk products and the application of these measures to low-risk products.
 2. The United States notes that the lack of guidance provided by China and inconsistencies in China's implementation and enforcement of the measures continues to cause considerable confusion for exporters and competent authorities.
 3. The inconsistent and changing application of these administrative measures is directly leading to disruptions in trade. US agencies continue to face administrative burdens as they work to resolve issues with shipments held up at ports in China.
 4. As we echo statements raised in every meeting of this Committee since June 2020, any measure of this magnitude requires far more time for producers, exporters, and competent authorities to implement. Therefore, we again ask that China take the following steps to facilitate trade:
 - First, the General Administration of Customs of China (GACC) should continue to use existing government-to-government facility registration processes, as outlined in Article 11 of Decree 248, and not require facilities to enter information online, where such pre-established processes exist;
 - Second, allow entry of all products from registered facilities until at least 1 July 2023 without requiring complete registration information or competent authority intervention. This additional time will allow facilities to accurately enter or update product information in their online registration;
 - Third, provide a central point of contact at the GACC for facilities to contact directly with concerns about the online registration system. Facilities should be able to communicate with this point of contact in English from outside of China, and the point of contact should not refer general registration questions to satellite GACC offices at individual ports;
 - Fourth, hold an informational session in Geneva for trading partners to learn more about GACC's implementation of the Decrees.

5. We note that GACC's requests for additional detailed information from facilities and competent authorities, such as process-specific food safety plans and photographs on an establishment-by-establishment basis, create additional administrative burdens for exporters and appear to be unnecessary and unjustified.

6. We look forward to China's response to these specific requests and comments.
