

## **DAERA Stakeholder/Industry – China Update for Fish Exporters**

**Bulletin 10/21**

**Issued: 07 December 2021**

**Audience:** Fish Processors and Fishing Vessels listed for export of fish and fishery products to China  
Relevant Local Authority Food Competent Certifying Officers

**Subject:** 1. Amendment to listing process for export to China  
2. China Decree 248 on registration of exporters to China, legal representatives  
3. Registration validity period  
4. Virtual Inspections of Processors awaiting listing

### **1. ADMINISTRATIVE AMENDMENTS TO LISTINGS BY GENERAL ADMINISTRATION OF CUSTOMS CHINA (GACC)**

#### **Type of listing**

GACC has advised Defra of an amendment to the way in which the 'type' field is submitted in an application for listing:

Previously, the options were:

**PP-Processing Plant; FV-Fishing Vessel; Transporting Vessel; FFV- Fishing and Factory Vessel; and CS-Cold Store.**

If your establishment was registered as both a PP and a CS, this would have been listed as 'PP & CS' on the spreadsheet.

In future, **only one type** will be permitted to be listed by GACC. Therefore, if your establishment has both a PP and a CS, this will be listed as just 'PP' in future.

Defra has been assured that **you will still be able to export as a CS providing it has the same approval number as your PP**, this is simply a change in how this information is presented. Defra has already shared the amended list with GACC for current exporters so please do not be alarmed if you notice a change in type for your business to 'PP' only.

#### **Processing methods**

GACC has also notified a minor adjustment to the list of processing methods:

- Canned and bottled will now be listed as '**cooked**'.
- Refining oil will now be listed as '**fish oil / shrimp oil**'

Defra has already shared an amended version of the current UK exporter list with GACC, so you may notice this adjustment in due course.

## 2. DECREE 248

**Decree 248, setting out the changes to registration and administration of overseas production enterprises of imported food into China will be implemented from 1<sup>st</sup> January 2022.** Defra is in close contact with the British Embassy in Beijing, and has been advised of the following guidance, but please note that this information may be subject to change as we continue to receive clarification and updates from GACC.

### Legal representatives

We would like to draw your attention to Article 19, Decree 248:

*In cases of a **change in production site, legal representative or registration number** in the country/region where the manufacturer is located, the overseas (i.e. UK) manufacturer shall re-apply for registration, and the original Chinese registration number will automatically become invalid.*

*If the actual owner of the business remains the same, but the management of the production site (factory) of the enterprise is changed, the registered enterprise can apply for information change first, and the GACC will evaluate the corresponding change to see if it has an actual impact on the enterprise's food safety and hygiene management and control and decide whether to approve the change.*

*If it is assessed that the relevant changes and adjustments may affect the food safety and hygiene management and control of foreign enterprises, GACC will require the enterprises to submit a new registration application. After the new registration application is approved, the original Chinese registration number and registration will be invalidated automatically.*

Defra's understanding is that:

- Legal representation means the **owner of the site**.
- Therefore, where a site is bought by another company and has a new owner, the site will automatically need to reapply for approval.
- Legal representation does not necessarily mean the site manager. However, where an individual site manager changes, the site should apply to GACC for a change in information and GACC will make a decision on the need to reapply for approval.
- If re-approval is needed, the GACC registration number will remain valid until the new approval (and subsequent new GACC registration number) is confirmed.

**There has been no formal request from GACC to register legal representatives at this time.** Defra will continue to work with the British Embassy in Beijing to

seek additional clarity on the situation for both new and existing exporters. Further updates will be communicated as and when they are received.

### **3. REGISTRATION VALIDITY PERIOD**

**All currently registered fish exporters have been granted a one-year licence ‘extension’ by GACC.** Therefore, the earliest expiry of any licence will be 31<sup>st</sup> December 2022. Defra will monitor how GACC implement this system, but advise that **companies will have to apply for re-registration between 3 and 6 months prior to the expiry date.**

Please be aware that Defra is still awaiting further comment from GACC on the proposed new fishery product EHC, therefore the existing EHC (7208 EHC) remains available.

### **4. VIRTUAL INSPECTIONS OF NEW PROCESSORS - ADDITIONS LIST**

**New processor applications** for export to China may result in an inspection request from GACC.

Defra has been advised that GACC will inspect **two or three sites which are currently awaiting new approval for export to China. These are likely to be inspected before 1<sup>st</sup> Jan 2022.** This does not include sites currently awaiting relisting audits following COVID-19 outbreaks. Defra is contacting exporters selected for inspection by GACC directly.

Sites subject to virtual inspections should expect the inspection to cover both food hygiene and COVID-19 protocols.

#### **Trade Programme**

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