



EU MARKET ACCESS FLASH NOTE

CHINA adopted a new food safety law

On 24 April 2015, China adopted a revised version of its food safety law (FSL) which will be implemented as of 1 October 2015. These changes strengthen Chinese food safety policy and are the first since the originally adopted Food safety Law in 2009.

China and the EU are important trading partners for Agri-food. In 2014, the EU exported to China agricultural and fishery products worth over €7.7 billion. China ranks on 3rd place of our export destinations for agricultural products. The EU imported for a total value of over €4.6 billion agricultural and fishery products.

During previous years, China had circulated several draft texts on the revision of the FSL. The EU provided several comments on the draft texts circulated and expressed concerns on some articles to ensure that trade could continue to take place under safe conditions in line with international rules. Although not all EU comments have been considered by China, the EU is pleased to note that several of its comments provided have been taken into account. A very important issue for the EU has been China's removal of the ban on the infant milk formulae production under OEM (Original Equipment Manufacturer) and subcontracting which was proposed in one of the draft texts of the FSL. This clause would have caused an unjustified negative impact on exports from the EU as the products provided by the EU meet the highest food safety requirements. The fact that the ban has been removed on this type of production is not only important for EU dairy exports but also is a good result for Chinese customers.

In 2014, the EU exported dairy produce for a value of over €783 million, which is about 10.5% of all agricultural exports to China. This is an important share. In 2012, the EU exported for about €468 million. In two years' time, exports have thus increased with over 67%.

With this amended FSL, China strengthens its food safety policy to combat food frauds and food safety scandals which have been seen in recent years on the Chinese market. The new FSL has the objective to strengthen the protection of Chinese consumer's health and includes new provisions on baby formula, online shopping and imposes more strict administrative, civil and criminal penalties for offenders and their supervisors for food safety related violations.

Implementing rules following the new amendments of the recently adopted revised FSL will be issued in the near future mainly by the China Food and Drug Administration (CFDA). The EU will continue to follow this process very closely and calls for full transparency with all stakeholders including trading partners, to ensure that a proper implementation can take place guaranteeing to restore consumer's confidence and at the same time to keep the trade open for safe products in line with international rules.

The European Commission and the EU Delegation in Beijing will continue working together with the Chinese authorities on the implementation of this new Food safety law and will engage closely with all Member States and industry to further facilitate trade while protecting consumers' health.

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