

Certification and Accreditation Administration of the P. R. of China**No.9, Madian East Road, Beijing 100088 Tel (86-10)-82262680; Fax (86-10)-82260755**

Center for Food Safety and Applied Nutrition
U.S. Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20742
USA

April 22, 2003

Dear Sir/Madam,

The Public Health Security and Bioterrorism Preparedness and Response Act was signed into law on June 12, 2002. Accordingly, FDA developed two regulation proposals in early this year to require that all the FDA regulated food or feed facilities shall register with FDA. As the component authority in charge of the food sanitary registration for export in China, we are concerned for it.

China and America share a very good bilateral relationship on economy and trade all the time. FDA and CNCA also keep good cooperation relationship. Both of us have been making effective efforts to actively promote the development of trade, especially food safety in trade between our two countries.

It is quite important to intensify the cooperation and communication between our two agencies in order to minimize the influence to trade of this regulation and develop our relationship in a further way. We have the following proposal for your consideration aiming at the regulation:

- 1) The proposed regulation requires that the domestic and foreign food/feed facility shall register with FDA before Dec. 12, 2003. However, the FDA regulated food range is quite wide. So we feel the time are too short for food/feed facilities to prepare. If the related facilities don't register in time, their products will be banned, which will lead to serious barriers to trade. So we recommend that an interim should be set or to delay the deadline of register.
- 2) The regulation requires the foreign food facilities must designate an American agent while filling the registration form. I wonder whether the agent you mean here is the importer. If yes, we don't think it could be convenient to operate. Because sometimes exporters may not make sure who are their American agents and perhaps they might sell a cargo to several clients at one time. So we expect FDA could take some flexible measures instead.
- 3) China has been implementing Sanitary Registration for Food Establishments for Export almost twenty years. As you know, this system currently is quite effective and reliable. In order to simplify the procedure for Chinese food facilities registration with FDA, which could be rather convenient for our both sides, we suggest providing the list of our registered establishments directly for FDA to turn into your registration list. We hope a protocol could be developed between our two sides.

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4) We would like to invite your experts to China to give a seminar on the requirements of the proposed regulations and meanwhile discuss some issues and exchange ideas we both concern.

It would be appreciated if you could take the above proposals into consideration.

Sincerely yours,

Certification and Accreditation Administration of the P. R. of China (CNCA)



Embassy

FDA

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Please see the attached B/T comments from the Chinese government agency, Certification and Accreditation Administration of the P.R. China.