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New Health Protocol for Imported Goods Marketed in China

On 17 January 2021, the Covid-19 Joint Prevention and Control Mechanism of the State Council published the Protocol on Covid-19 Prevention and Control Mechanisms applicable to manufacturers and trade operators of goods imported into China (“**Notice 17**”). This protocol came into effect on its date of publication and aims to offer reasonably concrete measures to be implemented by manufacturers and trade operators of goods imported into China in order to further strengthen the prevention and control of Covid-19 from three specific angles, namely by controlling imported goods, screening people and disinfecting facilities and the environment.

The provisions of Notice 17 must be applied by all companies that process, load and offload, transport, store or sell all types of goods imported into China, with the exception of goods deemed to be cold-chain products. For such goods, even if they are not food products, companies must refer to the specific measures provided for in the Guide to the Covid-19 Prevention and Control Technologies for Cold-Chain Food Products (Notice 245 (2020)) and to the Guide on the Use of Disinfectant Products (Notice 147 (2020)), which generally provide even stricter rules than those contained in Notice 17.

I. Control of imported goods

1. Source control

Manufacturers and trade operators must increase control measures across the entire import process and require suppliers to provide and check the content of the following documents: required licences, quarantine certificates, Covid-19 nucleic acid test results, preventative disinfection certificates, as well as any other relevant information on any safety and epidemic prevention tests that may have been carried out on the goods. Goods that do not have complete and comprehensive certificates that comply with these regulations may not be stored, processed or sold.

It is worth noting that given how difficult it is to carry out Covid-19 nucleic acid test on goods and packaging outside of China, the guide gives the option of carrying out these tests after the goods have arrived in China.

In addition, manufacturers and trade operators must implement a tracing system for the entire import process in order to be able to verify the source and destination of the goods.

2. Loading, offloading, storage and transportation controls

- 1) Imported goods must, to the extent possible, be separated from other goods during transportation.
- 2) While loading, offloading or transporting imported goods, staff in charge of their handling must not open packaging or come into direct contact with them without prior authorisation.
- 3) The “5 Checks” system must be strictly applied by inspecting the following: (i) customs declarations; (ii) inspection and quarantine certificates; (iii) the origin, source, specifications and quantity of goods; (iv) the nucleic acid test results; and (v) import and sale records and disinfection records.
- 4) Complete and reliable stock entry and exit records must be kept for all imported goods and preserved for future reference.

3. Manufacturing and processing control

During the processing of imported goods, operating procedures must be strictly followed and measures for disinfecting and quarantining goods, packaging and raw materials must be strengthened.

More specifically, when opening the external packaging of imported goods, and before opening the internal packaging in order to proceed to the production or processing stages, companies must ensure that an accredited body carries out nucleic acid tests on samples of the internal packaging and of the goods. With the exception of products that have a very short lifespan or that cannot be tested, these goods may only begin to be processed or go into production once they have received a negative result from the nucleic acid test.

Lastly, these goods must systematically be subject to preventative disinfection.

4. Sales and marketing controls

A complete tracing system must be implemented when marketing imported goods in order to verify the source and destination of the goods.

Similarly to production and processing, nucleic acid tests must be carried out on internal packaging samples and on the goods themselves before they may be sold on the Chinese market. Furthermore, it is highly recommended that internal packaging be disinfected as a preventative measure wherever possible.

5. Emergency processing of samples that test positive following the Covid-19 nucleic acid test

Covid-19 nucleic acid tests must be regularly carried out at the facilities that trade operators use for the production/storage of imported goods. An emergency procedure must be established and implemented as soon as the trade operator is informed that one of its samples has tested positive for Covid-19.

II. People screening

1. General requirements

- 1) Health registration for new employees
Imported goods manufacturers and trade operators must collect and record information on the movements and state of health of new employees over the previous 28-day period.
- 2) Daily monitoring of employees' health
Imported goods manufacturers and trade operators must strengthen the rules governing staff access to their premises, monitor the health of their staff, set up an employee health record, as well as a notification system for information on exposure to risk.
- 3) Registration of visitors/external persons
Imported goods manufacturers and trade operators must, to the extent possible, reduce the access of visitors/external persons to manufacturing and operational areas. If access is absolutely essential, the following procedure must be followed: recording the name of the visitor's employer; verifying of the visitor's state of health; verifying recent travel to risk areas; temperature check; ensuring the use of personal protective equipment (such as masks), etc.
- 4) General requirements for personal protection
 - i. Imported goods manufacturers and trade operators must provide their employees with sufficient personal protective equipment that is adapted to their jobs and complies with protection standards. In addition, they must provide facilities for collecting used personal protective equipment and cleaning and disinfecting workwear.
 - ii. Attention to personal hygiene.
 - iii. Strengthen hand hygiene measures.

2. Protection requirements for key staff

In addition to the general requirements indicated above, front line staff in high-risk positions must apply the following rules:

- 1) While loading, offloading, handling and processing imported goods they must at all times wear workwear, masks, gloves, etc. as well as goggles and face shields, if necessary, and avoid frequent contact with the surface of the goods as well as touching their mouth, eyes and nose with their hands.
- 2) During the production and processing of imported goods, they must keep a safety distance of at least one meter from each other.
- 3) They must control the number of clients who enter imported goods sales areas and avoid gatherings and congestion.

3. Emergency handling of persons who are unwell

In the event of a confirmed case of Covid-19 or if a person who is unwell and suspected of being infected with Covid-19 enters the areas dedicated to the manufacture and processing

of imported goods, then the internal prevention and control measures set up to avoid the proliferation of the virus must be implemented. These must include, in particular, carrying out nucleic acid test on samples obtained from the areas where the relevant person worked or visited, as well as on the goods handled by the person.

III. Control of facilities and disinfection of the environment

1. Modes of transportation

Drivers must wash their hands and take steps to disinfect themselves before submitting or delivering documents. Documents should preferably be placed in disposable holders or packaging. Reusable holders must be cleaned and disinfected on a regular basis. The inside of transportation vehicles, handling equipment and holders must be clean, non-toxic, harmless, odourless and non-polluting and must be preventatively disinfected on a regular basis.

2. Warehousing facilities

The inside of the warehouse and its shelving must be cleaned and disinfected every week.

3. Manufacturing and processing area

- 1) Natural ventilation is preferred in ordinary plant areas, and mechanical ventilation may be added if conditions are not met.
- 2) High-risk areas such as workshops used for the manufacture and processing of raw materials must be disinfected more frequently.

4. Sales and operational areas

- 1) All high-contact surfaces must be regularly cleaned and disinfected.
- 2) Equipment used to process imported goods must be kept in clean and hygienic conditions.
- 3) Operational areas must be fully disinfected at the end of each day.
- 4) Warnings and information. Displays must be set up at store entrances requiring customers to wear a mask when entering the store if they are unwell or have symptoms resembling those of Covid-19.
- 5) Hand washing and disinfection facilities must be installed.

IV. Our recommendations

We advise all manufacturers and trade operators of imported goods to consult the requirements listed in Notice 17 and implement a strict internal health protocol that complies, as far as possible, with all of these requirements. We also advise them to inform their foreign suppliers of these requirements in order to avoid having the goods delayed in customs when they arrive in China.

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