



EU MARKET ACCESS FLASH NOTE

China lifts its temporary restrictions on imports of spirits

Early 2016, after more than three years, China lifted its temporary measure on imports of spirits requiring very low maximum levels of phthalates (plasticizers). These Chinese maximum permitted levels were not based on science and were even lower than the safety maximum levels for phthalates set by China's own risk assessment and thus were an unjustified barrier to trade for EU's exports of spirits to China.

Since 1 February 2013, China required for each imported batch of spirits, a laboratory test report confirming that certain phthalates (plasticizers) do not exceed Chinese permitted levels in spirits. The Chinese temporary administrative measure was taken without informing in advance trading partners and was not notified to WTO. The maximum levels set by China were in addition not based on science and even lower than the Chinese maximum levels considered safe according to China's own risk assessment concluded in June 2014. The EU therefore considered this measure being more trade restrictive than necessary and also discriminatory as Chinese domestically produced spirits were not subjected to such stringent conditions.

From January 2016, China finally required that the maximum safety levels; in accordance with the earlier outcome of China's own risk assessment for phthalates, could also be applied on imported spirits. Moreover, China confirmed during a recent meeting with the Commission, that a test report for phthalates was no longer required to accompany each imported batch of spirits and that a risk based sampling at China's border was carried out instead on imported spirits, requiring maximum levels for phthalates (DEHP: 5mg/kg; DBP: 1mg/kg) now in line with China's own risk assessment.

Exports of alcoholic beverages to China are important. In 2015, the EU exported alcoholic beverages and spirits for a value of over €1.6 billion.

Since the barrier was put in place, the Commission and the EU Delegation, with input from the EU Member States and EU industry, raised this issue with China, both at bilateral and multilateral (WTO SPS Committee) level with a view to find a solution and organised capacity building activities on this issue. The EU therefore welcomes this recent development whereby China lifted its temporary measure put in place since 2013. The Commission and the EU Delegation will continue to follow this matter closely to ensure that trade could now continue in full transparency and without unnecessary hinder.

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