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SMAR Announcement of Managements of Health Food Labeling (Exposure draft)

市场监管总局关于保健食品标签管理相关规定的公告
(征求意见稿)

In order to standardize the management of health food labeling, to make it easier for consumers to distinguish between health food, ordinary food and drug. According to <Food Safety Law of People's Republic of China> and <Measures for the Management of Health Food Registration and Filing>, The relevant issues are hereby announced as follows:

1. The label contents of health food shall be consistent with the corresponding contents specified in the health food registration or filing certificate.
2. Health food producers and operators shall be responsible for the authenticity, integrity and standardization of the labels of their health food. They should accept public supervision and bear the responsibilities for food safety.
3. Health food labels shall have special reminder area and special reminder. The area shall be placed at the main layout of the minimal sales package. The area shall take at least 30% of the whole plane. The words and background of the area shall have obvious color differences. The special reminder should be printed in bold-face type with following content:

保健食品不具有疾病预防、治疗功能。 (*Health food does not have the function of disease prevention and treatment)

本品不能代替药物。 (*The product can not be used as replacement of medicine)

When the surface area of the main display layout is greater than or equal to 100 square centimeters, the font height shall not be less than 6.0 mm. When the surface area of the main display layout is less than 100 square centimeters, the minimum height of the words font shall be changed in proportion based on the above mentioned size.

4. The complaint service telephone information area shall be set up for the label of health food. The font of complaint service telephone and service period shall not be smaller than the health claims. The telephone number of a registered or filed health food shall be exclusive.

Health food producers and operators shall guarantee to receive and handle consumers' complaints within the promised period and keep records of relevant service for at least two years.

5. This regulation goes into effect on Jan 1, 2020. Health foods produced before Jan 1, 2020 shall be allowed to be sold until the end of the shelf life. For health foods produced after Jan 1, 2020, if the label doesn't meet the requirements of this announcement, the article 125 of <Food Safety Law of People's Republic of China> shall apply.

State Administration for Market Regulation
2019/xx/xx

Original Chinese Document listed Below

市场监管总局关于保健食品标签管理相关规定的公告（征求意见稿）

为规范保健食品标签监督管理，使消费者更易于区分保健食品与普通食品、药品的区别，引导消费者理性消费，根据《中华人民共和国食品安全法》《保健食品注册与备案管理办法》等法律法规，现就有关事项公告如下：

一、保健食品的标签内容应当与保健食品注册证书或者备案凭证载明的相应内容一致。

二、保健食品生产经营者对其生产经营保健食品标签的真实性、完整性、规范性负责，接受社会监督，承担食品安全责任。

三、保健食品标签上应当设置特别提醒区及特别提醒。特别提醒区应当位于最小销售包装包装物（容器）主要展示版面，所占面积不应小于其所在面的30%。特别提醒区内文字与特别提醒区背景应当有明显色差。特别提醒应当使用黑体字印刷，包括以下内容：

保健食品不具有疾病预防、治疗功能。

本品不能代替药物。

当主要展示版面的表面积大于或等于100平方厘米时，字体高度应当不小于6.0毫米。当主要展示版面的表面积小于100平方厘米时，警示语字体最小高度按照上述规定等比例变化。

四、保健食品标签应当设置投诉服务电话信息区，标注投诉服务电话、服务时段等信息。投诉服务电话字体不应小于“保健功能”的字体大小。注册或备案的同一保健食品的投诉服务电话应当唯一。

保健食品生产经营企业应当保证在承诺的服务时段内接听、处理消费者投诉、举报，并记录、保存相关服务信息至少两年。

五、本规定自 2020 年 1 月 1 日起生效。2020 年 1 月 1 日前生产的保健食品可以销售至保质期结束。

2020 年 1 月 1 日起生产的保健食品，凡标签不符合本公告要求的，依照《中华人民共和国食品安全法》第一百二十四、第一百二十五条有关规定处罚。

市场监管总局

2019 年 XX 月 XX 日

(公开属性：主动公开)