



ANSI IN CHINA **Newsletter**

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U.S.-China Standards, Conformance, and Trade

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Administrative Measures for
Local Standards**

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and Self-Disclosure
Scheme**

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for ISO and IEC Mirror
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About this publication

The ANSI China Newsletter is distributed to the membership and constituency of the [American National Standards Institute \(ANSI\)](http://www.ansi.org). It provides updates on technical activities, policy decisions, trade matters, and other information of interest to ANSI members operating in or interacting with China. Some articles are reprinted from the ANSI website, www.ansi.org, and some may be contributed by authors who are not ANSI staff.

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Reform Recap & Latest Updates on China Standardization Reform

The Chinese Standards System:

On November 4, 2017, China's National People's Congress promulgated the revised Standardization Law, which entered into force on January 1, 2018. The revision is part of the ambitious plan State Council released in March 2015 to deepen the reform of China's standardization system. The plan includes six measures to:

- ◆ Establish a central coordinating mechanism under the State Council;
- ◆ Consolidate the number of mandatory standards;
- ◆ Optimize the structure for voluntary standards;
- ◆ Foster the development of association standards;
- ◆ Encourage the development of enterprise standards; and
- ◆ Improve the level of internationalization of standards.

The reform represents a significant shift from the previous structure of the Chinese standards system, which emphasized mandatory and voluntary standards for each of the four different levels of standards: national, industry, local, and enterprise. More information on the current structure is available on [ANSI's Standards Portal](#).

ANSI is closely monitoring the rollout of standardization reform in China. Additional background and timely updates can be found by searching "China" and "reform" on [ANSI's online news site](#).

China Releases Administrative Measures for Local Standards (Draft for Comment)

As a key document to implement the Standardization Law, the Standardization Administration of China (SAC) released the draft of "Administrative Measures for Local Standards" to amend the older version released in 1990. In the past few years, a number of guidelines and documents have been issued, and a clear reform objective has been proposed for local standards management. Earlier this year, SAC released its annual work plan which included efforts to reduce the number of mandatory standards while integrating sectoral and local standards. The work plan also outlines the means to eliminate the standards that are restricting market access and competition. Currently, only 31 provinces and cities have the authority to promulgate and develop local standards. The updated Standardization Law allows other local governments to be added to the group developing local standards.

Compared to the version released over two decades ago, some noteworthy additions in the 2019 draft include:

- ◆ Alignment with the newly passed Standardization Law. The old Standardization Law included four categories of standards: national, industry, local, and enterprise standards. National, industry and local standards were classified as either compulsory or voluntary. The updated Standardization Law suggests that industry and local standards should no longer be compulsory, and that they should be voluntary and provide for technical requirements more stringent than those required by national standards.
- ◆ Consideration of international norms and requirements. The 2019 revision draft requires that the standards be in line with the relevant requirements of international treaties and organizations in which China participates. Although the 2019 draft did not specifically mention the principles of openness, transparency, balance and due process that are enshrined in the World Trade Organization (WTO) Technical Barriers to Trade (TBT) Agreement, the proposed language is an improvement and demonstrates China's commitment to improving its local standards development.

However, several challenges remain in this revision draft:

- ◆ ANSI has heard concerns over provisions regarding China's approach to developing local standards based on the consideration of the particular local circumstances in China, such as natural conditions and cultural customs. ANSI continues to recommend specific reference to China's WTO commitments.
- ◆ The 2019 revision draft mentions that the municipal-level government shall publish the texts of local standards on their websites and public standards service platforms, which shall also be available to the public free of charge. ANSI notes that the phrase "local standards should be published at no charge" infers broad application of this requirement, including when local standards are based on international and foreign standards. In this regard, ANSI encourages China's clarification on whether this applies to non-Chinese standards.

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ANSI in China Newsletter

ANSI noticed that the Standardization Law (Article 17) – the clause regarding the “free access to the standards” remains in the final text of the law – only applies to mandatory national standards (GB) and recommended standards (GB/T). Since local standards are neither mandatory nor recommended, ANSI encourages China to consider a copyright policy when referring to relevant international and foreign standards in local standards development. Since the free publication of international and/or foreign standards presents a conflict when these standards are copyrighted, the simultaneous implementation of an alternative article to safeguard copyrighted contents of international and/or foreign standards is crucial.

ANSI commends China for ensuring the coordination of applicable laws and standards in evaluating technical specifications of the proposed local standards. This is an important step to avoid any conflicting or duplicative requirements. ANSI will continue to monitor the development of these measures and will work with Chinese counterparts to ensure the implementation of this document and the reform overall.

ANSI Insights

Enterprise Standards and Self-Disclosure Scheme

The Standardization Law serves as the legal underpinning for China’s system, and its revision (the first since 1988) was a major component of China’s ongoing standardization reform effort. Enterprise standards are described further in China’s revised standardization law, and the law requires companies operating in China to develop enterprise standards to meet new market needs. China also encourages domestic enterprises to develop enterprise standards that are stricter than the other categories of standards (e.g., national, industry, or association standards). The new standardization system attempts to improve product quality and promote industrial upgrading through enterprise standards. The new system requires companies to set standards with higher indicators and to self-disclose on public platforms with regulations overseen by market regulators. Under the current system, companies are required to register their use of enterprise standards with relevant government agencies. It is often unclear with which government agency the enterprise standard should be registered, and agencies bear an unnecessarily high cost to monitor company use of such standards. Under the new “self-disclosure of enterprise products and service standards” initiative, companies will be required to publically self-disclose the standards they use for products and services.

Since January 2017, the enterprise product standard filing system has been changed to the enterprise self-disclosure system. Below is the comparison of the two systems:

	Filing System (Abolished)	Self-disclosure System (Effective)
Accountable Party	Joint efforts by filing inspection authority and the companies	Companies
Efficiency	A burdensome and lengthy process	Streamlined and faster process
Geographical Limitation	Origin of the company	Online (24/7/365)
Level of Stringency	Mandatory	Voluntary
Timeliness	Time-lapse and delay	Real-time
Cost	Fee involved	No fee involved
Effectiveness	Review every 3 years	No expiration date unless major revisions occur

Prior to 2015, China had implemented pilot projects on self-disclosure in seven provinces and municipalities including Shanghai, Zhejiang, Fujian, Shandong, Chongqing, Shenzhen, and Chengdu. The pilot project had been launched in 2014 to implement the Guiding Opinions on the Construction of the Self-Disclosure System for Enterprise Standards. In addition to the standardization law, the following regulation and work plan also provided guidance on the enterprise standard self-disclosure.

Opinions of the State Council on Promoting Fair Market Competition and Maintaining the Normal Market Order [Effective] (2014):

"The relevant departments of the State Council shall promptly promote the development and revision of the relevant regulations, establishment of the self-disclosure system, establishment of the compulsory product safety accident reporting system of consumer goods..."

Action Plan for the Development of the National Standardization System Construction (2016-2020)

[Effective]: *"Establish the self-disclosure and supervision system of enterprise standards, and to gradually abolish the government's filing management of enterprise standards."*

Management Rules for Enterprise Standardization [Effective] (2016):

"The procedure of promulgating enterprise standards should include self-disclosure."

Action Plan for Upgrading Standards and Quality of Consumer Goods (2016-2020) [Effective] (2016): *"Promote self-disclosure of enterprise standards, canceling filing system for enterprise standards, reinforcing product quality commitments, and improving the transparency of consumer product standards."*

Main Points of National Standardization Work in 2019 [Effective] (2019): *"Continue to promote the implementation of association standards, enterprise standards self-disclosure and supervision system, encourage market entities to improve the quality and level of standards, and lead the quality enhancement of products and services."*

Enterprise standards may be developed and/or used by an individual company in China in cases where national standards, professional standards, and local standards are not available. However, companies doing business in China are encouraged to use these standards if they are available. Considering the enterprise standard self-disclosure, below are some noteworthy components:

◆ **Who Is Impacted**

Currently, the "Enterprise Standards Top-Runner Program" is open to Chinese domestic companies only. Although there is no clear plan yet, the program might become open to foreign-invested companies in China. Thus, the implementation of the self-disclosure (and other requirements) are currently only applicable to Chinese companies. The China National Institute of Standardization (CNIS) is planning to release an evaluation report on the existing enterprise standards and will publish it by 2020.

◆ **When to Disclose**

Enterprise standard self-disclosure shall be made prior to the entrance of products and services into the Chinese market for sale. The disclosed enterprise standards will be publicly accessible on the national enterprise standard information portal within 30 days upon the receipt of the submission.

◆ **What to Disclose**

It is required that the enterprise standard self-disclosure include the disclosure of standard information and claims information. Generally, the disclosure content should include the following:

- ⇒ Enterprise self-disclosure letter
- ⇒ Profile of the company
- ⇒ Standard information (i.e. code, title, and relevant detailed information from the original text of the standard)
- ⇒ Product information

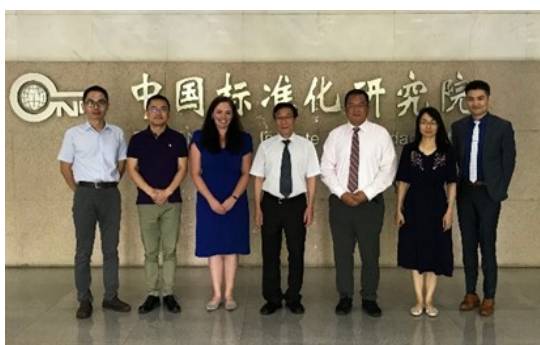
◆ **The Scenarios of the Enterprise Standards Self-Disclosure**

- ⇒ When companies directly use or implement existing national standards, industry standards or local standards, companies shall disclose standard code, number, and official titles of an implemented standard.
- ⇒ When companies use or implement the self-developed enterprise standard, companies shall disclose additional information (in addition to the basic information described above), such as technical indicators, functional and performance indicators, and corresponding testing and inspection methods. In this case, companies may also choose to disclose the original text of the product and service standard. In addition, companies could choose not to disclose the standards development process, the formula that may contain sensitive technical confidentiality and copyright. The type and contents of the disclosed standards could be determined independently by the enterprise based on its own features.
- ⇒ The disclosure of self-disclosure of imported products shall not be taken into account for the time being.

◆ **How Disclosed Material Is Used**

The enterprise product standard evaluation report can evaluate the conformity of the format and content of the standard preparation according to the relevant laws, regulations, and standards, and is generally completed by a third-party professional inspection agency independent of the supply and demand sides. The platform encourages the uploading of corresponding options for the product to check the validity of the standard writing format and content.

Special Issue: ANSI Outreach in China



Given the importance of the U.S.-China relationship, ANSI staff recently paid a visit to Beijing to meet with Chinese stakeholders and reinforce key relationships. The visit offered a timely opportunity to communicate ANSI's positions and influence U.S.-China collaboration on standards and conformity assessment in China. ANSI used the visit to Beijing to underscore the importance of the U.S.-China dialogue in standard-setting platforms. During the visit, ANSI met with officials from the Standardization Administration of China (SAC), the Certification and Accreditation Administration of China (CNCA), the China National Institute of Standardization (CNIS), and the China Automotive Technology and Research Center.

In addition to bilateral meetings, ANSI also had a joint meeting with the American Chamber of Commerce (AmCham) in China and members of both organizations to discuss U.S.-China cooperation on standards development. The roundtable event brought together private sector leaders to discuss key standards-related issues affecting U.S. business in China.

Throughout the trip to China, ANSI also stressed the following policy recommendations and overarching themes to Chinese stakeholders and U.S. businesses in China:

Articulating and Implementing a Transparent Standardization Reform:

To better protect and promote U.S. interests while maximizing the scope of beneficial cooperation between the U.S. and China, both governments should encourage industry collaboration, through which both countries will foster greater trust by exchanging information on the development, establishment, and implementation of standardization activities.

Implementing and Enforcing an Effective Commitment to WTO TBT Principles:

ANSI recommends that the People's Republic of China, as a member of the WTO, reference the six WTO TBT principles. ANSI urges China to adopt commonly-used standards that can lead to ongoing positive disruption by promoting public-private partnership in the development of common frameworks, policies, and standards that facilitate a transparent, interoperable, and predictable environment to innovate and trade. With an eye towards technological promotion and new standards adoption, ANSI will continuously monitor to determine how well China identified means to reduce technical barriers and defined the attributes of new standards.

Working with Like-Minded Partners: The U.S. industry should work with like-minded partners in China to build and strengthen cooperation to share best practices and to move China towards further standardization reform. This includes, but is not limited to, an ongoing commitment to ensuring that China's national standards and their application facilitate fair international trade and industry collaboration. ANSI is closely monitoring the rollout of standardization reform as well as adjacent initiatives that might potentially impact standardization and market access. ANSI also leverages and maintains multiple Memoranda of Understanding (MOUs) with key standardization bodies in China.

Encourage the U.S. Private Sector to Stay Informed and Engaged: The U.S. should take strategic and positive approaches to China's active participation in standards sphere while identifying opportunities to maintain the U.S. industry's commercial and technology leadership. Aside from its policy analyses and bilateral meetings, ANSI is currently carrying out the SCACP, which provides a forum through which U.S. and Chinese private sectors cooperate on issues relating to standards and conformity assessment.

Working with ANSI and Its Membership: Both the U.S. and Chinese governments should draw upon the knowledge and experience of the business community to promote market-driven standards development that facilitates fair and open trade. In particular, ongoing insights could be helpful to both the U.S. and Chinese governments as we bring together business, technical, and policy leaders to navigate solutions to address standards development and technical barriers impacting the free flow of trade.

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The U.S.-China Standards and Conformity Assessment Cooperation Program (SCACP)

The ANSI China Program demonstrates ANSI's ongoing commitment to fostering Sino-American cooperation to facilitate trade. Opportunities for open dialogue between the U.S. and China on standards and conformity assessment are critical to facilitating greater understanding and smoother trade relationships.

To this end, ANSI continues its implementation of Phase V of the U.S.-China Standards and Conformity Assessment Cooperation Program (SCACP). In order to maximize U.S-China industry engagement, ANSI is currently accepting proposals for U.S.-China SCACP workshops to take place in the fourth quarter of 2019 and the first two quarters of 2020. ANSI welcomes industry proposals on a rolling basis throughout the year for topics that address relationship building and knowledge sharing of industry best practices with Chinese counterparts.

Proposed topics should:

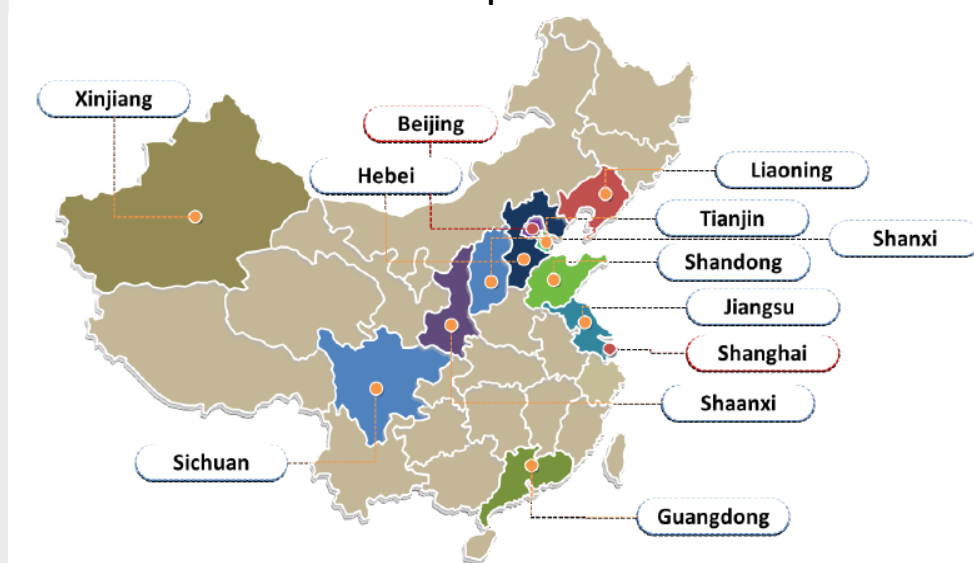
- ◆ Demonstrate the time-sensitivity of an issue that impacts mutual economic and commercial benefits
- ◆ Address a problem and its potential impact on areas that represent the greatest opportunity for business and trade growth
- ◆ Enable U.S.-China technical cooperation in the area of standards, technical regulations, and conformity assessment procedures
- ◆ Focus on common concerns that impact the business community, domestically and globally

[Click here](#) to access the U.S.-China SCACP webpage and download the Commercial Benefit Questionnaire to propose a future SCACP workshop.

15
Chinese Partnering Organizations

4,080
People Attended

Past Workshops and Locations



46
Workshops for Policy and Business Discussions

Updates on Other China-based Standards Development

SAC Releases ISO and IEC Mirror Committee Contact List

Provided by the Seconded European Standardization Expert in China project (SESEC), the translated copies of the contact lists are available. Please click [ISO Mirror Committee List](#) and [IEC Mirror Committee List](#). These translations are provided for reference only.

China Standardization Magazine

[Access here](#) to read the digital copy of the bi-monthly magazine published by the China Standardization Press.

The Standards Press of China (SPC) is the only publication center in China for publishing national standards, professional standards, standard compilation books, scientific and technical books, and other books concerned with standardization, quality control and quality supervision.

Policy and Regulatory Tracker

Standardization Policies On Watch

Based on the 2019 Standardization Work Plan, below is the current status of the listed policies in the pipeline:

No.	Policies	Status
1	Formulate and implement the <i>Opinions on Further Strengthening the Work of Standardization of Mili-</i>	
2	Implement the <i>Product Standards and Quality Improvement Plan (2016 – 2020)</i>	
3	Implement the <i>Standardization and Quality Improvement Plan for the Equipment Manufacturing Indus-</i> <i>try</i>	
4	Revise the <i>Service Industry Organization Standardization Work Guide</i>	
5	Develop the <i>National Standards of the Guidelines for the Standardization of Basic Public Services</i>	
6	Formulate the <i>Standards for Satisfaction Evaluation of Government Service Centers</i>	
7	Implement the <i>Guidelines for the Development of Ecological Civilization Construction Standard System</i> <i>(2018 – 2020)</i>	
8	Formulate the <i>Opinions on Strengthening the Publicity and Implementation of Standards</i>	
9	Study and formulate the <i>China's Standard Foreign Language Edition Work Plan (2019 – 2020)</i>	Released
10	Release the <i>Administrative Measures for the Mandatory National Standards (draft for comment)</i>	Released
11	Introduce the <i>Administrative Measures for the National Standard Samples</i>	Released
12	Publish the <i>Service Industry Standardization Manual</i>	

Sector-Based Updates

The General Administration of Customs (GAC) Seeks Comments on Proposed Amendments to Measures for Disclosure of Government Information Held by Customs

Since the GAC is acting as the WTO inquiry point for China, the proposed amendment expanded the scope of the clarification on its existing requirement. Newly added and enhanced components indicate that the GAC information should disclose information in accordance with applicable laws, regulations, rules, and relevant provisions of the State and Customs Administration.

differentiated measures for customs clearance and supervision should be implemented according to an enterprise's credit rating. Growing public attention has been paid to the development of the Social Credit System (SCS), which is to be fully implemented in 2020 by the central government of China. SCS will not only assess individual Chinese citizens' social and economic reputation but also put business entities in China under strict scrutiny.

More information on the announcement is available on the [State Council](#) website in Chinese.

State Council Issues the Program for the Division of the Key Tasks of Improving Services and Business Environments

In August, the State Council issued the "Program for the Division of the Key Tasks of Improving Services and Business Environments." Standards-related issues are frequently mentioned. For instance, by the end of 2019, the existing major regulatory rules and standards will be revised and improved and made open to the public. China will also establish and improve a new credit-based supervision mechanism for customs, in which

First National Cryptographic Technology Group Standard Officially Unveiled

It is understood that the National Cryptographic Technology Group standard has filled the gap in the technical standards of the mobile terminal software cryptographic module, marking an important step forward in the research of cryptography in China.

More information on the announcement is [available here](#) in Chinese.



About ANSI and ANAB

As the voice of the U.S. standards and conformity assessment system, the **American National Standards Institute (ANSI)** empowers its members and constituents to strengthen the U.S. marketplace position in the global economy while helping to assure the safety and health of consumers and the protection of the environment. ANSI coordinates U.S. standardization activities and represents U.S. interests to international standards bodies such as ISO and IEC.

The ANSI National Accreditation Board provides accreditation and training services in the areas of management systems, personnel and product certification bodies, laboratories, inspection bodies, forensic service providers, proficiency testing and reference material producers.