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Implementation Measures for Inspection, Quarantine and Supervision of Imported and Exported Dairy Products (No. 53)

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Report Highlights:

Attached is an unofficial translation of China's Announcement No. 53, which contains the implementation measures for Decree 152: Administrative Measures for Inspection, Quarantine and Supervision of Imported and Exported Dairy Products. The effective date for these measures was May 1, 2013. [Note: This report was submitted after the due date because of technical issues in the GAIN system.] The original document (in Mandarin) can be found at:

http://www.aqsiq.gov.cn/xxgk_13386/jlgg_12538/zjgg/2013/201304/t20130417_352863.htm

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No. 53 2013

China AQSIQ Announcement on Requirements Related to the Implementation of Administrative Measures for Inspection, Quarantine and Supervision of Imported and Exported Dairy Products

Administrative Measures for Inspection, Quarantine and Supervision of Imported and Exported Dairy Products (Order No. 152 of the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) of the P.R.C, hereafter referred to as the Measures) published by AQSIQ on January 24th of 2013 will be implemented from May 1st of 2013. In order to further specify the contents of the Measures and to guarantee the successful implementation, the items involved are published as follows.

I. AQSIQ made adjustment on the scope of dairy products applicable to the Measures and made the announcement on the website of AQSIQ according to the laws and regulations of China and the changes of the national standards related to food safety. Article 2 of the Measures regulated that the milk powder included bovine colostrum powder while the milk-based infant formulated food included the base powder raw materials. The infant formulated food for special medical purposes is not subject to the Measures.

II. The registration system was adopted by AQSIQ for the overseas food manufacturing enterprises exporting dairy products to China. AQSIQ will release the regulations related to the registration of the overseas dairy product manufacturing enterprises and a certain transition period will be provided to the enterprises to complete the registration. During the transition period, the overseas dairy product manufacturing enterprises that have not completed the registration can still export dairy products to China according to the Measures.

III. As to imported dairy products (see Appendix 1) that need approval process for quarantine, the approval process for quarantine should be conducted according to the Administrative Measures for Quarantine Approval of Imported Animals and Plants (Order No.25 of AQSIQ). AQSIQ can determine and adjust the categories of the imported dairy products that need the quarantine approval and release the information on the website of AQSIQ.

IV. No matter if the import record was kept before the implementation of the Measures, a certain product shipped from a certain port overseas for the first time will be regarded as import for the first time from the date of the implementation of the Measures. The subsequent batches of the same imported products from the same port (refers to the jurisdiction of the same bureau under direct administration) will be regarded as non-first time import. The products with the same overseas manufacturing enterprises, product name (including product brand), formula, overseas exporter and domestic importer will be regarded as the same product.

V. As to the dairy products imported for the first time, the importer or its agent should provide the test report on the items listed in the national standard for food safety for corresponding products during the quarantine declaration including the standards for the contaminant and fungaltxin in food cited in the standard. As to the dairy products that are not imported for the first time, the importer or its agent should provide the copy of the test report and the quarantine declaration sheet provided during the first time of import as well as the test report on the items regulated by AQSIQ (see Appendix 2). The items contained in the test report for products

not imported for the first time can be adjusted and determined by AQSIQ according to the risk monitoring of the dairy products while the information can be released on the website of AQSIQ.

As to the base powder raw materials (milk-based premix) used for infant formulated food which is imported for the first time, the importer or its agent should provide the test report about the items such as microorganism, contaminant and fungaltxin regulated in the standards for corresponding products during the quarantine declaration. As to base powder raw materials not imported for the first time, the test report on the microbial items should be provided. The test report above should correspond to the manufacturing date or production batch number of the imported dairy products one by one.

VI. The organization responsible to issue the test report of the imported dairy products can be overseas official lab, third-party test organization, lab of enterprise or domestic test organization with the qualification certification for food test.

VII. If the importer of imported dairy products or its agent can not provide the test reports required in the Measures during the quarantine declaration, the materials in writing should be submitted to explain the reasons and pledge to supplement the test reports that conform to the regulations of the Measures within a certain period. The organization in charge of inspection and quarantine can start the quarantine declaration after approving the materials and implement the inspection on the imported dairy products after receiving the test reports submitted by the importer or its agent. During this period, the imported dairy products should be stored in a place for supervision appointed or approved by the organization in charge of inspection and quarantine according to the provisions of Article No.15 of the Measures.

VIII. If the items of safety or sanitation of the imported dairy products are disqualified, the importer or its agent should provide the test report on the items listed in the national standard of food safety (including the items of contaminant and fungaltxin cited in the standard) for 5 continuous batches (refers to 5 production batches or manufacturing dates). If the disqualified items were illegal additives after the test, this item should be included in the test report.

IX. As to the overseas awards, honor and certification mark on the label of the imported dairy products, related certificate documents verified through diplomatic channel should be provided. Diplomatic channel means to be verified by the overseas embassies and consulates of China or the embassies and consulates of foreign countries in China.

X. The importer of the imported dairy products should publish the category, origin and brand of the imported dairy products in time through public media (including official website of the enterprise).

XI. As to the disqualified imported dairy products that have to be destroyed or are returned, the importer should report the destruction or return of shipment to the organization in charge of inspection and quarantine within 5 working days after completing the destruction or return of shipment.

Appendix: 1. Category of imported dairy products that need to transact the process of quarantine approval.

2. List of items to be tested for dairy products not imported for the first time.

General Administration of Quality Supervision, Inspection and Quarantine of the P.R.C

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Appendix 1

Category of imported dairy products that need to transact the process of quarantine approval

1. Raw milk (refers to the conventional milk milked from the healthy dairy stock without changes of any component)

HS code involved : 0401200000

2. Raw milk products (refers to the dairy products without passing through the heat treatment and sterilization directly using the raw milk as the primary raw material)

HS code involved : 0403100000、0406100000、0406200000、0406300000、0406400000、0406900000

3. Pasteurized milk (refers to the liquid products manufactured through pasteurization only using the milk of cow/sheep as the raw materials)

HS code involved : 0401100000、0401200000

[Note] The HS code only refers to the HS code involved in the transaction of the quarantine approval for imported dairy products that need the quarantine approval, which does not mean all the imported foods using this HS code need the quarantine approval process. It should be determined comprehensively according to the processing technique of the products.

Appendix 2: List of items to be tested for dairy products not imported for the first time

Category of dairy products	Items of test
Pasteurized milk	Protein
	Fat
	Acidity
	AflatoxinM1
	Total number of bacterial colony
	Coliform
	Staphylococcus aureus
	Salmonella
Sterilized milk	Protein
	Fat
	Acidity
	AflatoxinM1
	Commercial sterilization

Formulated milk	Protein
	Fat
	AflatoxinM1
	Commercial sterilization (applicable to products produced using sterilizing technique)
	Total number of bacterial colony (applicable to other products produced not using sterilizing technique)
	Coliform (applicable to other products produced not using sterilizing technique)
	Staphylococcus aureus (applicable to other products produced not using sterilizing technique)
	Salmonella (applicable to other products produced not using sterilizing technique)
Fermented milk	Protein
	Fat
	Acidity
	Aflatoxin M1
	Coliform
	Staphylococcus aureus
	Salmonella
	Yeast
	Mould
	Lactobacilli count (not applicable to products passing through heat treatment after fermentation)
Cheese	AflatoxinM1
	Coliform
	Staphylococcus aureus
	Salmonella
	Listeria monocytogenes
	Mould(Not applicable to mould matured cheese)
	Yeast(Not applicable to mould matured cheese)
Processed cheese	Fat
	AflatoxinM1
	Total number of bacterial colony
	Coliform
	Staphylococcus aureus

	Salmonella
	Listeria monocytogenes
	Mould
	Yeast
Single cream, cream and water-free cream	Fat
	Acidity(Not applicable to water-free cream)
	Commercial sterilization(Applicable to single cream manufactured through canning technique or instantaneous ultra high temperature sterilization process)
	Total number of bacterial colony(Not applicable to the product manufactured using the fermented single cream as the raw material)
	Coliform
	Staphylococcus aureus
	Salmonella
	Mould
Condensed milk	Protein
	Fat
	Acidity
	AflatoxinM1
	Commercial sterilization(Applicable to light condensed milk and formulated light condensed milk)
	Total number of bacterial colony(Applicable to condensed milk with sugar and formulated condensed milk with sugar)
	Coliform(Applicable to condensed milk with sugar and formulated condensed milk with sugar)
	Staphylococcus aureus(Applicable to condensed milk with sugar and formulated condensed milk with sugar)
	Salmonella(Applicable to condensed milk with sugar and formulated condensed milk with sugar)
Milk powder	Protein
	Fat
	Acidity of reconstituted milk(Not applicable to formulated milk powder)
	AflatoxinM1
	Total number of bacterial colony (Not applicable to products added with active strain (aerobic and facultative anaerobic bacteria))

	Coliform
	Staphylococcus aureus
	Salmonella
	Nitrite
Whey powder and whey protein powder	Protein
	Lactose (Not applicable to whey protein powder)
	AflatoxinM1
	Staphylococcus aureus
	Salmonella
Bovine colostrum powder	Protein
	Immunoglobulin(IgG)
	Fat
	Acidity of reconstituted milk
	Lead
	Nitrite
	AflatoxinM1
	Yeast
	Mould
	Total number of bacterial colony
	Coliform
	Staphylococcus aureus
	Salmonella
Milk-based infant formulated food	Protein
	Fat
	Vitamin A
	Vitamin D
	Vitamin E
	VitaminK ₁
	Vitamin B ₁
Vitamin B ₂	

Vitamin B ₆
Vitamin B ₁₂
Folic acid
Pantothenic acid
Biotin
Choline (Not applicable to products that are not supplemented)
Inositol (Not applicable to products that are not supplemented)
Taurine (Not applicable to products that are not supplemented)
L-carnitine (Not applicable to products that are not supplemented)
Calcium
Phosphorus
Iodine
Selenium(Not applicable to the formulated food for elder infant and infant that are not supplemented)
Iron
Copper
Zinc
Commercial sterilization(Applicable to fluid infant formulated food)
Total number of bacterial colony (Not applicable to products added with active strain (aerobic and facultative anaerobic bacteria))
Coliform
Salmonella
Enterobacter sakazakii(Applicable to formulated infant food at the age of 0 to 6 months)
Staphylococcus aureus(Applicable to formulated infant food)
Nitrate(Not applicable to the formulated food for elder infant and infant supplemented with vegetable and fruit)
Nitrite
Lead
AflatoxinM1

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