

**Announcement of the General Administration of
Quality Supervision, Inspection and Quarantine on the
Requirements for the Implementation of
*Measures for the Supervision and Administration of the
Inspection and Quarantine of Dairy Products to be Imported and Exported*
No.53 2013**

The General Administration of Quality Supervision, Inspection and Quarantine (“AQSIQ”) has formulated and promulgated on Jan 24th 2013 the *Measures for the Supervision and Administration of the Inspection and Quarantine of Dairy Products to be Imported and Exported* (hereinafter referred to as the *Measures*), which will be put into effect as of May 1, 2013. In order to further clarify contents of the Measures and ensure smooth implementation, notice on the requirements for the implementation of the *Measures* are hereby given as follows:

1. AQSIQ will adjust the range of products to which the *Measures* are applicable according to the changes in national laws, regulations and standards, and announce such adjustment on its official website. Milk powder specified in paragraph 2 of the Measures includes bovine colostrum powder; milk-based formula include base powder material. The Measures are not applicable to formula food for infants and young children for special medical purposes.
2. AQSIQ implements an overseas food producer registration system for overseas dairy producers that export to China. AQSIQ will publish regulations for registration of overseas dairy product premises and allow for a transitional period to finish registration. Within the transitional period, overseas dairy producers that have not completed registration can still continue export to China in accordance with the Measures.
3. In the case of imported dairy products for which quarantine examination and approval procedures shall be handled (see Appendix 1), such procedures shall be handled in accordance with relevant provisions of the *Measures for the Administration of Examination and Approval of the Quarantine of Entry Animals and Plants* (AQSIQ Decree No. 25, 2004). AQSIQ can determine and adjust the categories of imported dairy products for which quarantine examination and approval procedures shall be handled and publish on its official website.
4. Regardless of whether or not there are import records before implementation of the Measures, the first import of a certain product through a certain port whose departure date is on or after the implementation date of the Measures will be regarded as a first-time import. The repeated imported batches of the same product through the same port (meaning the same CIQ region) will be regarded as repeated imports. Products that

are exactly the same in information such as overseas production premise, product name (including brands), formula, overseas exporter, Chinese importer are regarded as the same products.

5. For dairy products which are imported for the first time, the importer or its agent shall, when applying for quarantine inspection, provide a test report on such items as contaminants and mycotoxins, which are specified in corresponding national food safety standards.

For dairy products which are not imported for the first time, the importer or its agent shall, when applying for quarantine inspection, provide a copy of the test report and the inspection application form for the first-time import, as well as a test report on the items required by AQSIQ (See Appendix 2). The items to be included in the test report for dairy products which are not imported for the first time shall be adjusted and determined by AQSIQ based on dairy product risk monitoring, etc. before being released on the official website of AQSIQ.

For base powder material (milk-based premix) of the formula food for infants and children which are imported for the first time, a test report on such items as the micro-organisms, contaminants and mycotoxins which are specified in corresponding product standards shall be provided. For repeated imports of base powder material, a test report on micro-organism shall be provided.

There shall be a one-to-one correspondence between the above test report and the date of production or batch number of the imported dairy products.

6. The testing organization to issue the test report for imported dairy products may be a foreign official laboratory, a third party testing organization or corporate laboratory, or a food testing laboratory in China which has been recognized by China National Accreditation Service for Conformity Assessment (CNAS).

7. If the importer of the imported dairy products or its agent is unable to provide the test report required by the *Measures* when applying for inspection, it may submit written materials to state the reasons and promise to submit, by a certain deadline, a test report as required by the *Measures*. The inspection and quarantine agency may accept the application for inspection after examining the materials and inspect the imported products once a test report has been submitted by the importer or agent. In the interim the products shall be stored at a regulatory venue designated or recognized by the Inspection and Quarantine agency.

8. If the safety and health items for the imported dairy products are tested to be unqualified, when such products are re-imported, the importer or its agent shall provide a test report for items listed in corresponding national food safety standards, 5 batches

in a row (i.e., 5 different production batches or dates of production). If the items tested to be unqualified are illegal additives, the inspection report shall include the items previously tested to be unqualified.

9. For the overseas awards, accolades, accreditation and such contents on the label of the imported dairy products, certificates or documents confirmed through diplomatic channels shall be provided. Confirmation through diplomatic channels means confirmation by Chinese diplomatic missions overseas or foreign diplomatic missions to China.

10. Importer of dairy products shall publish information of the products such as category, production place, brands on public media (including company's official website).

11. For non-complying imported dairy products that need to be destroyed or returned, after the products have been destroyed or returned, the importer shall report to inspection and quarantine agency on the destroy and return of the goods within 5 working days.

Appendix:

1. Categories of Dairy Imports for Which Quarantine Examination and Approval Procedures Shall be Handled
2. List of Items to be Tested for Repeated imports of Dairy Products

Appendix 1

Categories of Dairy Imports for Which Quarantine Examination and Approval Procedures Shall be Handled

1. Raw milk (means mature milk squeezed out from the udders of healthy dairy stock without any ingredient change)

HS Code Involved: 0401200000

2. Raw milk products (mean dairy products of which raw milk is the principal raw material and that have not been heat-treated and sterilized)

HS Code Involved: 0403100000, 0406100000, 0406200000, 0406300000, 0406400000, 0406900000

3. Pasteurized milk (means liquid product of which raw milk/goat milk is the principal raw material and that has been processed by such methods as pasteurizing)

HS Code Involved: 0401100000, 0401200000

[Note] The HS codes above simply refer to those related to the imported dairy products for which quarantine examination and approval procedures shall be handled. It does not mean that quarantine examination and approval procedures shall be handled for all imported foods under the same HS code. It shall be determined in consideration of the processing techniques of such products as well.

Appendix 2

List of Items to be Tested for Repeated Imports of Dairy Products

Category of Dairy Products	Items to be Tested
Pasteurized milk	Protein
	Fat
	Acidity
	Aflatoxin M1
	Total bacterial count
	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
Sterilized milk	Protein
	Fat
	Acidity
	Aflatoxin M1
	Commercial sterility
Modified milk	Protein
	Fat
	Aflatoxin M1
	Commercial sterility (only applicable to sterilised products)
	Total bacterial count (only applicable to products that are not commercially sterilised)
	Coliforms (only applicable to products that are not commercially sterilised)
	<i>Staphylococcus aureus</i> (only applicable to products that are not commercially sterilised)
	<i>Salmonella</i> (only applicable to products that are not commercially sterilised)
Fermented milk	Protein
	Fat
	Acidity
	Aflatoxin M1
	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
	Yeast
	Fungi
	Lactic acid bacteria (not applicable to products that are heat-treated after being fermented)
	Aflatoxin M1

Category of Dairy Products	Items to be Tested
Cheese	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
	<i>Listeria monocytogenes</i>
	Yeast (not applicable for mold ripened cheese)
	Fungi (not applicable for mold ripened cheese)
Processed cheese	Fat
	Aflatoxin M1
	Total bacterial count
	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
	<i>Listeria monocytogenes</i>
	Fungi
Yeast	
Cream, butter, anhydrous milk fat	Fat
	Acidity (not applicable to anhydrous milk fat)
	Commercial sterility (applicable to cream produced with canned food technology or via UHT process)
	Total bacterial count (not applicable to products of which fermented cream is the raw material)
	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
	Fungi
Condensed milk	Protein
	Fat
	Acidity
	Aflatoxin M1
	Commercial sterility (applicable to evaporated milk and modified evaporated milk)
	Total bacterial count (applicable to sweetened condensed milk and modified sweetened condensed milk)
	Coliforms (applicable to sweetened condensed milk and modified sweetened condensed milk)
	<i>Staphylococcus aureus</i> (applicable to sweetened condensed milk and modified sweetened condensed milk)
	<i>Salmonella</i> (applicable to sweetened condensed milk and modified sweetened condensed milk)

Category of Dairy Products	Items to be Tested
Milk powder	Protein
	Fat
	Recovery of lactic acid (not applicable to modified milk powder)
	Aflatoxin M1
	Total bacterial count (not applicable to products added with active bacteria (aerobic and facultative anaerobic probiotics))
	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
	Nitrite
Whey powder and whey protein powder	Protein
	Lactose (not applicable to whey protein powder)
	Aflatoxin M1
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
Bovine colostrum powder	Protein
	Immunoglobulin (IgG)
	Fat
	Recovery of lactic acid
	Lead
	Nitrite
	Aflatoxin M1
	Yeast
	Fungi
	Total bacterial count
	Coliforms
	<i>Staphylococcus aureus</i>
	<i>Salmonella</i>
Milk-based formula food for infants and young children	Protein
	Fat
	Vitamin A
	Vitamin D
	Vitamin E
	Vitamin K ₁
	Vitamin B ₁
	Vitamin B ₂
	Vitamin B ₆
	Vitamin B ₁₂
	Folic Acid

Category of Dairy Products	Items to be Tested
Milk-based formula food for infants and young children	Pantothenic acid
	Biotin
	Choline (not applicable to products not added with choline)
	Inositol (not applicable to products not added with inositol)
	Taurine (not applicable to products not added with taurine)
	L-carnitine (not applicable to products not added with L-carnitine)
	Calcium
	Phosphorus
	Iodine
	Selenium (not applicable to formula food for older infants and young children which contains no selenium)
	Iron
	Copper
	Zinc
	Commercial sterility (applicable to liquid formula food for infants and young children)
	Total bacterial count (not applicable to products added with active bacteria (aerobic and facultative anaerobic probiotics))
	Coliforms
	<i>Salmonella</i>
	<i>Cronobacter sakazakii</i> (applicable to formula food for infants of 0-6 months old)
	<i>Staphylococcus aureus</i> (applicable to formula food for infants)
	Nitrate (not applicable to formula food containing no vegetable or fruit for older infants and children)
	Nitrite
Lead	
Aflatoxin M1	