

**Voluntary Report** – Voluntary - Public Distribution

**Date:** August 03, 2021

**Report Number:** CH2021-0090

**Report Name:** China Allows Dairy Products to Clear Customs with Importers  
Certification of Relevant Testing of Imports

**Country:** China - People's Republic of

**Post:** Beijing

**Report Category:** Agricultural Situation, Dairy and Products

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**Report Highlights:**

On July 6, 2021 China's General Administration of Customs (GACC) implemented a notification and commitment system that allows importers (or agents) to certify to the possession of testing reports for imported dairy products, in lieu of submitting the original testing reports to GACC, when clearing customs. This announcement was effective as of July 5, 2021.

**Summary:**

On July 6, 2021, China's General Administration of Customs (GACC) published Announcement No. 50 of the General Administration of Customs of 2021 (Announcement on the Implementation of a Notification and Commitment System on Certification Items of the Testing Report for Imported Dairy Products). The announcement was effective as of July 5, 2021.

The notification and commitment system allows importers (or agents) to provide a letter of commitment (LOC), instead of the original testing report, for first-time dairy imports to clear customs. Importers (or agents) may also continue to submit the original testing report for customs clearance.

The announcement contains two Annexes including the "Guidelines for Commitment of Notification and Proof of Testing Reports for Imported Dairy Products" and the "Notification and Commitment Statement on Certification Items of the Testing Report for Imported Dairy Products."

The following report contains an unofficial translation of the announcement and annexes.

---- Begin Unofficial Translation ----

**Announcement No. 50 of the General Administration of Customs of 2021**

**(Announcement on the Implementation of a Notification and Commitment System on Certification Items of the Testing Report for Imported Dairy Products)**

In order to deepen the reforms on streamlining the government, delegating power, and improving government service and to optimize the business environment, in accordance with the requirements of the *Guidelines of the General Office of the State Council on the Full Implementation of the Notification and Commitment System for Certification Items and Enterprise Business License Items (Guofaban No. 42 (2020))*, China's General Administration of Customs (GACC), has decided, after research, to implement a notification and commitment system on certification items of the testing report for imported dairy products. Refer to Annex 1 for guidelines for the "Commitment of Notification and Proof of Testing Reports for Imported Dairy Products" and Annex 2 for the format of the notification and commitment statement on certification items.

This announcement is effective as of July 5, 2021.

Annexes

1. Guidelines for Commitment of Notification and Proof of Testing Reports for Imported Dairy Products
2. Notification and Commitment Statement on Certification Items of the Testing Report for Imported Dairy Products.

## **Annex 1**

### **Guidelines for the Notification and Commitment System on Certification Items of the Testing Report for Imported Dairy Products**

#### 1-Scope of application

Handling of customs clearance for import dairy products

#### 2-Basis

a. Article 92 the Food Safety Law of Peoples Republic of China which states: “imported foods and food additives shall be accompanied by qualified certification materials in accordance with the requirements of the nation’s entry-exit inspection and quarantine department”.

b. Article 11 of the Administrative Measures on Supervision, Inspection, and Quarantine of Import and Export Dairy Products which states: “importers or their agents of the imported dairy products shall clear customs with the following materials ... 3) For a dairy product imported for the first time, relevant testing report on items listed in the national food safety standard shall be provided. 4) For a dairy product not imported for the first time, a copy of the testing report for the first-time import as well as a testing report for items required by GACC shall be provided.”

#### 3-Conditions of commitment

The importers or their agents shall be legal persons established in accordance with law and are able to bear corresponding legal responsibilities. If the applicant has serious bad credit record or has made false commitments, he or she is not able to participate in the notification and commitment system until their credit has been restored.

#### 4-Form of commitment

The applicant is free to choose whether to use the notification and commitment to replace the certification. If the applicant is unwilling or unable to make a commitment, he/she shall provide a testing report for the imported dairy product in accordance with the law. If the applicant is willing to make a commitment, he/she shall submit to the customs the original notification and commitment statement with an official stamp. The certification items must be committed by the applicant and the commitment cannot be committed by a third-party.

#### 5-Commitment validity

After the applicant has made the commitment in writing that he or she has met the notified conditions and requirements and is willing to bear the legal responsibilities of false commitments, customs will no longer ask for a testing report but accept the written commitment when handling the clearance of the imported dairy products.

## 6-Liabilities for false commitment

If the applicant makes a false commitment or the content of the commitment is not true, customs shall revoke the relevant decision in accordance with the law, the benefits obtained through this notification and commitment will not be protected, and the relevant testing report for the imported dairy products shall be supplemented. The applicant shall also bear the corresponding legal liabilities. Credit disciplinary measures will be adopted so the applicant cannot apply for the notification and commitment on certification items of the testing report for imported dairy products within one year. Administrative penalties will be imposed if it falls under the scope of statutory administrative penalty.

## 7-Process

- 1) The applicant can download and print the notification and commitment statement from the GACC official website or receive the text of the statement from customs at the business site. After carefully reading the notified items and the commitments, the applicant shall fill in the basic information, affix the official stamp, and fill in the date of application.
- 2) Customs shall fill in the date and provide a stamp on the statement if it meets the requirements for the notification and commitment on certification items. If the commitment information is found to be false or not in compliance, customs shall decide not to approve the statement and will notify the applicant in a timely manner.
- 3) Customs shall handle the relevant business in accordance with the certification items as notified and committed.

## Annex 2

### Notification and Commitment Statement on Certification Items of the Testing Report for Imported Dairy Product

Applicant information	Name	
	ID type	
	ID No.	
Customs Notification	Certification item	Testing report for imported dairy products
	Certification purpose	Handling of customs clearance for imported dairy products
	Basis for setting certification items	Article 92 of the Food Safety Law and Article 11 of the Administrative Measures on Supervision, Inspection, and Quarantine of Import and Export Dairy Products
	Commitment form	The certification items adopt the form of a written commitment. If the applicant chooses to make a commitment, he/she shall submit to customs the original notification and commitment statement with an official stamp.
	Applicable object	Applicants for the certification items can choose whether to use the notification and commitment system on a voluntary basis. If the applicant is unwilling or unable to make a commitment, he/she shall provide a testing report for the imported dairy products in accordance with law. If the applicant has serious bad credit record or has made false commitments, he or she is not able to participate in the notification and commitment system until their credit has been restored.
	Commitment validity	After the applicant has made the commitment in writing that he or she has met the notified conditions and requirements and is willing to bear the legal responsibilities of false commitments, customs will no longer ask for certification items.
	Liabilities for false commitment	For applicants who make false commitments, customs shall revoke the relevant decisions in accordance with the law, take credit disciplinary measures, or impose administrative penalties if necessary.

Commitment of the applicant	<ol style="list-style-type: none"> <li>1) The applicant holds a testing report for this batch of imported dairy products that complies with Article 11 of the Administrative Measures on Supervision, Inspection, and Quarantine of Import and Export Dairy Product.</li> <li>2) Has no bad credit record or false commitments.</li> <li>3) Is aware of all contents notified by the Customs Notification.</li> <li>4) Complies with requirements as notified by the Customs Notification.</li> <li>5) Accepts verification by Customs on the certification items.</li> <li>6) Will take legal responsibilities for false commitments.</li> <li>7) The above commitments are truthful.</li> </ol>
Applicant: Stamp	Customs: Stamp
Date:	Date:

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**Attachments:**

No Attachments.