

Voluntary Report – Voluntary - Public Distribution

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Report Name: China Publishes Standard for Dairy Permeate Powder

Country: China - Peoples Republic of

Post: Beijing

Report Category: FAIRS Subject Report

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Report Highlights:

On May 15, 2020, China's National Health Commission (NHC) published a temporary standard for dairy permeate powder for human consumption (official name: deproteinized dairy mineral lactose powder). This standard is the first use of a process China established under the Food Safety Law in 2017, whereby the NHC approves a temporary standard for imported products based on a foreign / international food standard if there is no applicable national food safety standard. Previous Chinese imports of dairy permeate powder were limited to use in animal feed only. The issuance of this standard was included as one of China's commitments under the U.S. – China Economic and Trade Agreement (ETA), but the standard is not exclusive to imports from the United States.

Background:

On May 15, 2020, NHC published a temporary standard for dairy permeate powder for human consumption. This new standard was set through a process outlined in a 2017 revision to China’s Food Safety Law. Under Article 93 of the Food Safety Law and Article 47 of the Implementing Regulations of the Food Safety Law, when there is no national food safety standard established for an imported food product, an industry representative may apply for a temporary standard based on an existing international or foreign food standard. NHC reviews the application, in conjunction with China’s National Center for Food Safety Risk Assessment (CFSA). If approved, NHC publishes the temporary standard to allow imports of the food product. The temporary standard remains in effect until NHC replaces it with a permanent national food safety standard. To date, this dairy permeate standard is the only temporary standard published by the NHC under this process.

In accordance with the U.S. – China Economic and Trade Agreement, China has finalized the review and approval of the standard. For more information on China’s commitment, see the ETA text [here](#) (Chapter 3, Annex 2, Section 2h). The standard came into effect immediately upon publication and applies to all imports, not just products of U.S.-origin.

Below are unofficial English translations of the NHC announcement and the attached temporary dairy permeate powder standard.

Unofficial Translation of May 15 Announcement

(Begin translation)

Public Notice concerning the Issuance of the Applied Standard for Deproteinized Dairy Mineral Lactose Powder (Temporarily Applied)

Date of Issuance: May 15

Public Notice [2020] No.3

Pursuant to provisions by the Food Safety Law of the People's Republic of China, the Applied Standard for Deproteinized Dairy Mineral Lactose Powder (Whey Permeate Powder) (Temporarily Applied, please see attachment for details) is issued after analyzing, review and approval of relevant CODEX standards and national food safety standards.

It is hereby announced.

Attachment: Applied Standard for Deproteinized Dairy Mineral Lactose Powder (Temporarily Applied)

National Health Commission

May 12, 2020

(End Translation)

Translation of Whey Permeate Standard

(Begin translation)

Deproteinized Dairy Mineral Lactose Powder (Dairy Permeate Powder)

1. Scope

This standard is applicable to deproteinized dairy mineral lactose powder (dairy permeate powder) which is derived from whey and milk, and only used as ingredient for food processing.

2. Terms and Definitions

Deproteinized dairy mineral lactose powder (dairy permeate powder) derived from whey or from milk

- Deproteinized dairy mineral lactose powder (whey permeate powder) derived from whey:
deproteinized dairy mineral lactose powder (whey permeate powder) derived from whey are products containing lactose and milk minerals as main components. They are obtained by removing the whey protein from whey through membrane filtration or other processing techniques (such as ion-exchange) resulting in an end-product with the same composition as specified in “Physical and Chemical Indicators” as below. The product is then evaporated and dried.

- Deproteinized dairy mineral lactose powder (dairy permeate powder) derived from milk:
deproteinized dairy mineral lactose powder (dairy permeate powder) derived from milk are products containing lactose and milk minerals as main components. They are obtained by removing the milk protein from milk through membrane filtration or other processing techniques resulting in an end-product with the same composition as specified in “Physical and Chemical Indicators” as below. The product is then evaporated and dried.

3. Technical Requirements

3.1 Raw material requirements

The raw material shall meet the corresponding food standards and relevant regulations.

3.2 Sensory Requirements

Sensory indicators shall meet the requirements of Table 1.

Table 1 Sensory Requirements

Item	Requirements	Testing Methods
Color	White, cream or tan color	Take an appropriate amount of sample and put it in a 50mL beaker and observe the color and appearance under natural light. Smell its scent, rinse your mouth with warm water, and taste it.
Taste, Smell	Light, bland	
Appearance	Dry and uniform powder product; may contain lumps that are broken under pressure; no visible impurities	

3.3 Physical and Chemical Indicators

The physical and chemical indicators shall meet the requirements of Table 2.

Table 2 Physical and Chemical Indicators

Item	Indicators		Testing Methods
	Deproteinized dairy mineral lactose powder (dairy permeate powder) derived from whey	Deproteinized dairy mineral lactose powder (dairy permeate powder) derived from milk	
Lactose (g/100 g) \geq (on a dry basis)	76.0	76.0	GB 5413.5
Ash (g/100 g) \leq	12.0	12.0	GB 5009. 4 Determination of Total Ash in Food
Nitrogen (g/100 g) \leq	1.1	0.8	GB 5009.5 The Kjeldahl Method

Fat (g/100 g) ≤	1.5	1.5	GB 5009.6 Alkali Hydrolysis Method
Moisture (g/100 g) ≤	5.0	5.0	GB 5009.3 Low Pressure Drying Method

3.4 Limits of Contaminants

The limit of contaminants shall meet the requirements for the category of “whey powder and whey protein powder (non-demineralized whey powder included)” regulated in the China Food Safety National Standard 《Limits of Contaminants in Food》 (GB 2762)

3.5 Limits of Mycotoxins

The limit of mycotoxins shall meet the requirements for the category of “whey powder and whey protein powder (non-demineralized whey powder included)” regulated in the China Food Safety National Standard 《Limits of Mycotoxins in Food》 (GB 2761)

3.6 Microbial Limits

The microbial limits shall meet the requirements in Table 3.

Table 3 Microbial Limits

Item	Sampling plan ^a and limit (if not specified, it is expressed in CFU/g)				Testing Method
	n	c	m	M	
(CFU/g) TPC	5	2	3.0×10 ⁴	2.0×10 ⁵	GB 4789.2
(CFU/g) Coliform	5	1	10	100	GB 4789.3 Plating Counting

Salmonella	5	0	0/25g	-	GB 4789.4
Mold & Yeast ≤	100				GB 4789.15

The analysis and processing of samples are performed according to GB4789.1 and GB 4789.18

3.7 Food additives

The use of food additives is not permitted for deproteinized dairy mineral lactose powder (dairy permeate powder) covered by this standard.

4. Labeling

The labeling shall comply with the requirements regulated in the China Food Safety National Standard 《Labeling Regulations on Prepackaged Food》 (GB 7718)

and shall indicate “not for direct consumption”. The source of the product shall be specified for the product name on the labeling, such as “derived from whey”, “derived from milk”.

(End Translation)

Attachments:

No Attachments.