

**Protocol between the Federal Service for Veterinary and Phytosanitary Surveillance (the Russian Federation) and the General Administration of Customs of the People's Republic of China on Veterinary and Sanitary Requirements for Mutual Trade of Dairy Products between China and Russia**

The Federal Service for Veterinary and Phytosanitary Surveillance (the Russian Federation) and The General Administration of Customs of the People's Republic of China (hereafter referred to as "Parties")

in order to implement safe trade of dairy products between the Russian Federation and the People's Republic of China, ensure safety for agriculture the Russian Federation and the People's Republic of China,

following the Codex of the World Organization for Animal Health and national veterinary and sanitary legislation of the Parties and the law of the Eurasian Economic Union,

have agreed on the following:

**Article 1**

The Parties cooperate for the purpose of ensuring the safety and compliance with the veterinary and sanitary requirements for dairy products, supplying between the Parties, including ensuring control exercising by the national responsible authorities of the Parties (hereinafter – official control), quarantine and issuance of official veterinary health certificates for dairy products.

**Article 2**

Both Parties provide each other with the information concerning national legislation in force related to animal health of dairy stock, dairy product producers,

dairy product safety, hygiene and quality, as well as the inspection and quarantine requirements, methods, procedures and standards for export dairy products.

Both Parties shall provide each other with samples of veterinary health certificate printed on special anti-fake paper, official stamping mark.

If any change is made to the veterinary and sanitary legislation of their states, the Parties shall notify each other about it one month prior to the entry into force of such changes.

### **Article 3**

If necessary, one of the Parties may send experts to the other side to conduct on-site inspection of safety of milk and dairy products and quality control system and its operating status. The Party receiving such an inspection shall provide necessary assistance for their organization and conducting.

### **Article 4**

Dairy products traded between China and Russia include cow milk, goat and sheep milk and products thereof.

Trade of dairy products between Russia and China is performed

- a) in the presence and operating of effective system by the Sides to ensure that the raw milk is from healthy dairy cows, goats, sheep and complies with the requirements of Article 5 of this Protocol.
- b) in the presence and operating of effective system by the Sides to ensure that the dairy products can be traced back to the dairy product producers and farms that breed the dairy stock
- c) in the presence and operating of effective national residue and banned substances monitoring system by the Sides in which annual monitoring plan has already been drawn and implemented.

If dairy ingredients of the dairy products exported from China to Russia are from any country (region) other than China, the country of origin of dairy ingredients shall be eligible to export the relevant dairy ingredients to Russia (the establishment producing the ingredients for dairy products shall be registered in the Register of organizations and individuals producing, processing and storing regulated products imported to the custom territory of the Eurasian Economic Union). If dairy ingredients of the dairy products exported from Russia to China are from any country (region) other than Russia, the country of origin of dairy ingredients shall be eligible to export the relevant dairy ingredients to China (the establishment producing the ingredients for dairy products shall be registered in the relevant register on the official web-site of the Chinese party).

#### **Article 5**

The dairy stock used to provide raw milk for the dairy products exported to the other party shall comply with the following conditions:

a) Come from the farms that comply with the following conditions:

Quarantine restrictions due to FMD have been lifted for at least 2 months prior to shipment.

Rinderpest, Peste des petits ruminants, Sheep pox, goat pox, Rift valley fever, contagious bovine pleuropneumonia and Itch disease have not been confirmed in the farms during the past 12 months.

Anthrax is not confirmed on the farm during the past 12 months. Animals vaccinated with live anthrax vaccines shall not provide raw milk to produce exported dairy products within 21 days after vaccination.

No clinical signs are observed on the dairy farms concerning Brucellosis, Paratuberculosis (also known as Johne's disease) and tuberculosis when raw milk is collected.

The farms are under the supervision of Competent Authority of PRC and State Veterinary Service of the Russian Federation.

Farms and surrounding areas have not been placed under quarantine restrictions according to the OIE Code and official animal health regulations of exporting country due to animal diseases.

b) The animals have not been fed the feeds officially prohibited by Russia and China.

#### **Article 6**

The manufacturers exporting dairy products to Russia shall be registered by the General Administration of Customs of the People's Republic of China (hereinafter – GACC), and be subjected to the supervision of GACC. The products from the dairy product manufacturers not approved by FSVPS are not allowed for export to Russia.

The manufacturers exporting dairy products to China shall be approved by FSVPS of Russia and be subjected to the supervision of State Veterinary Service of the Russian Federation and registered with GACC. The products from the dairy product manufacturers not registered with GACC are not allowed for export to China.

The List of Russian and Chinese establishments approved for milk product export is agreed and published on the official websites of the Parties.

The raw milk used by the manufacturers shall come from the farms complying with the requirements of Article 5 of this Protocol. The dairy ingredients from other countries or regions shall comply with the requirements of Paragraph 3 of Article 4 of this Protocol.

## Article 7

The exporting state of the party shall ensure that:

a) The official veterinarian services in accordance with the legislation of their state implement the official control (inspection) and quarantine on the dairy farms, where the raw milk for dairy products to be exported to the other party originates from.

b) All dairy farms comply with requirements of Article 5 of this Protocol, and the animals are healthy,

c) According to the test results of the national residue monitoring plan and raw milk test results, the residue levels of veterinary medicines, pesticides, as well as the residues of other toxic and hazardous substances in the raw milk used do not exceed the maximum limits stipulated by Russia, China and the Eurasian Economic Union.

d) If the dairy ingredients used for the dairy products to be exported to the one of the states of the parties is from any country (region) other than exporting state of the party, such dairy ingredients should be entitled to export relevant dairy ingredient to the territory of the states of the parties (the establishment producing the ingredients for dairy products shall be registered in the relevant register on the official web-site of the Chinese party);

e) Raw milk contains no colostrum, milk during the use of antibiotics and withdrawal period or deteriorated milk;

f) No colostrum is added to milk based infant formula;

g) Ingredients and/or final products adopted one of the following processing procedures:

i Adopting the sterilization procedure (ultra – high temperature UHT) at the minimum temperature of 132°C for at least 1s, or



ii If the pH value of milk is lower than 7.0, adopting the sterilization procedure (high temperature-short time HTST) at the minimum temperature of 72°C for at least 15s, or

iii If the pH value of milk is 7.0 or above, HTST procedure shall be carried out twice.

h) Dairy product is produced by the manufacturer for importing party under the supervision of the competent authority, and complies with the laws and regulations of Russia, China and the Eurasian Economic Union.

i) The product complies with the food safety standard, which in place in the importing country of the importing Party, and is safe, hygienic and fit for human consumption.

j) If any violation of the above-mentioned requirements is identified, the exporting country shall promptly notify the importing country, and suspend the export of any products from the relevant manufacturer, trace and investigate the reasons and take appropriate corrective measures, including recalling the products likely to be contaminated.

### **Article 8**

The dairy products not complying with the requirements in Article 5 and Article 7 of this Protocol shall not be processed together with the dairy products to be exported to the state of the party. The dairy products to be exported to the state of the party should be readily identifiable at all stages of processing and storage to ensure that only the products meeting the requirements of this Protocol are allowed for export.

### **Article 9**

The dairy products destined for export shall be wrapped and packaged with brand new materials complying with the international hygienic standards. The outer packing shall indicate specification, place of origin (specific to state/province/city), destination, commodity name, weight, name of manufacturer, registration number, production batch number, storage condition, production date and shelf-life in Russian, Chinese and English.

The inner packing shall comply with the requirements to the inner package, stipulated in Russia, China and the Eurasian Economic Union, and the label shall indicate country of origin, commodity name, registration number of manufacturer, name, address and means of contact of manufacturer, production date and shelf-life, and production batch number.

### **Article 10**

During the whole process of packaging, storage and transportation, the dairy products to be exported to the state of the party shall meet the hygienic requirements and shall be protected from contamination by toxic and hazardous substances. The container should be sealed after the products are loaded into it, and the seal number shall be indicated in the veterinary health certificate. The package of the products shall not be unwrapped, opened or replaced during the transportation.

### **Article 11**

Each consignment of dairy products to be exported to the state of the party shall be accompanied by an original official veterinary health certificate attesting that the dairy products meet the requirements of this Protocol, as well as the regulations of importing and exporting states of the parties on animal health and

public health. The official veterinary certificate shall apply only to the dairy products produced and processed by the manufacturer in the exporting state of the party.

Veterinary health certificate should be written in Russian, Chinese and English. The format and content of the certificate should be mutually confirmed and agreed upon in advance by both Parties.

The certificate shall not be altered, shall bear the official seal and signature of official inspector authorized by the Russian Federation or the People's Republic of China.

#### **Article 12**

Once any infectious disease indicated in Article 5 of this Protocol occurs in the dairy farm where the raw milk comes from, or a serious contamination incident threatening human health happens in the processing establishment, the Party of the exporting state shall immediately stop exporting the dairy products derived from the abovementioned dairy farm or processing establishment to the other Party, promptly recall any affected products, and notify the other Party of the relevant information.

For resuming export to the country of the other Party from the abovementioned dairy farm or processing establishment after the infectious disease is completely eliminated or the contamination incident is properly handled, the Party of the exporting state should provide the Party of the importing state with a detailed report containing information on the occurrence of the infectious disease or contamination incident, retrospective investigation and prevention & control measures. The Party of the importing state may decide whether to resume import from the abovementioned dairy farm or processing establishment after reviewing the report provided by the Competent Authorities of the exporting country of the



party. These measures shall be only targeted at the abovementioned dairy farm or processing establishment.

If the imported dairy products are found non-compliant with the requirements of this Protocol by the Party of the importing state, it immediately notifies of the Party of the exporting state, and takes measures for the return, destruction, or other treatment of the products. The Parties cooperate with each other in investigating the causes and seeking solutions, including notifying each other of any actions taken to correct the non-compliance of dairy products with the requirements of this Protocol, recalling other dairy products which may not meet the requirements of this Protocol, in order to prevent recurrence of such incident.

### **Article 13**

The dairy products exported from Russia to China and from China to Russia mentioned in this Protocol refers to food processed from milk as the main material, excluding milk powder, dry cream, whey powder (according to the Annex to this Protocol). Ice cream can be traded between Russia and China, accompanied by a veterinary certificate agreed by the national competent authorities of the Parties for the supply of milk and dairy products. Lists of enterprises that are allowed to supply ice cream will be agreed between the competent authorities of Russia and China and be posted on the official websites of the Parties.

### **Article 14**

This Protocol can be amended by mutual consent in writing between the Parties.

### **Article 15**

Any disputes and disagreements regarding the interpretation or implementation of this Protocol shall be settled through consultations between the Parties.

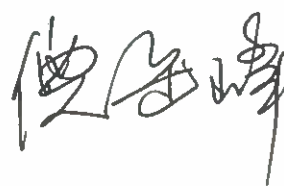
### **Article 16**

This Protocol shall enter into force on the date of signature and remain valid for a period of two years. Thereafter, this Protocol shall be automatically extended for the consecutive two-year periods unless one of the Parties notifies the other Party of its intention to terminate this Protocol by a notice in writing at least six months prior to the date of the intended termination specified in the notice.

The Protocol was signed in Beijing on November 7, 2018 in two copies, each in Russian, Chinese and English, all texts being equally authentic. In case of any contradictions, the text in English shall be used.

**For the Federal Service for  
Veterinary and Phytosanitary  
Surveillance (the Russian Federation)**

**For the General Administration of  
Customs of the People's Republic of  
China**



## Annex

HS Code of Foreign Trade Activities	Product
040110	<b>Milk and cream, non-concentrated and without added sugar or other sweetening matter:</b> with a fat content of not more than 1% by weight
040120	<b>Milk and cream, non-concentrated and without added sugar or other sweetening matter:</b> with a fat content of more than 1% by weight, but not more than 6% by weight
040140	<b>Milk and cream, non-concentrated and without added sugar or other sweetening matter:</b> with a fat content of more than 6% by weight but not more than 10% by weight
040150	<b>Milk and cream, non-concentrated and without added sugar or other sweetening matter:</b> with a fat content of more than 10% by weight
040210	<b>Milk and cream, condensed or with the addition of sugar or other sweetening matter, with the exception of milk powder, whey powder and dry cream:</b> in powder, granules or other solid types, with a fat content of not more than 1.5% by weight
040221 040291	<b>Milk and cream, condensed or with the addition of sugar or other sweetening matter, with the exception of milk powder, whey powder and dry cream:</b> without the addition of sugar or other sweetening matter (the gradation is in accordance with the mass fraction of fat)
040229 040299	<b>Milk and cream, condensed or with the addition of sugar or other sweetening matter, with the exception of milk powder, whey powder and</b>

	<b>cream: other</b> (the gradation is in accordance with the mass fraction of fat)
040310	<b>Buttermilk, curdled milk and cream, yoghurt, kefir and other fermented or fermented milk and cream, whether or not concentrated, with or without the addition of sugar or other sweetening matter, with or without flavor additives, with or without added fruit, nuts or cocoa: yogurt</b>
040390	<b>Buttermilk, curdled milk and cream, yoghurt, kefir and other fermented or fermented milk and cream, whether or not concentrated, with or without the addition of sugar or other sweetening matter, with or without flavor additives, with or without added fruit, nuts or cocoa: other</b> (gradation is carried out by the presence of flavor-aromatic additives and a mass fraction of fat)
040410	<b>Milk whey, concentrated or non-thickened, with or without added sugar or other sweetening matter; products from natural components of milk, with or without added sugar or other sweetening matter, not elsewhere specified or included: whey and modified whey, concentrated or not, with or without added sugar or other sweetening matter</b>
040490	<b>Milk whey, concentrated or non-thickened, with or without added sugar or other sweetening matter; products from natural components of milk, with or without added sugar or other sweetening matter, not elsewhere specified or included: other</b> (gradation is in accordance with the

	mass fraction of fat)
040510	<b>Butter and other fats and oils made from milk; milk pastes: butter</b>
040520	<b>Butter and other fats and oils made from milk; milk pastes: milk pastes</b>
040590	<b>Butter and other fats and oils made from milk; dairy pastes: other</b> (gradation is carried out in accordance with the mass fraction of fat)
040610	<b>Cheeses and cottage cheese: young cheeses (immature or not), including whey and albumin cheeses, and cottage cheese</b>
040630	<b>Cheeses and cottage cheese: young cheeses (immature or not), including whey and albumin cheeses, and cottage cheese</b>
040640	<b>Cheeses and cottage cheese: blue and other cheeses containing veins, obtained using <i>Penicillium roqueforti</i></b>
040690	<b>Cheeses and cottage cheese: other cheeses</b>
210500	Ice cream and other types of edible ice, not containing or containing cocoa
350110	Casein