

Customs Clearance News

November

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2020

Customs Consulting of Xinhai Newsletter in November

- Brief Analysis of Toothpaste Supervision and Management Measures (Draft for Soliciting Opinions)
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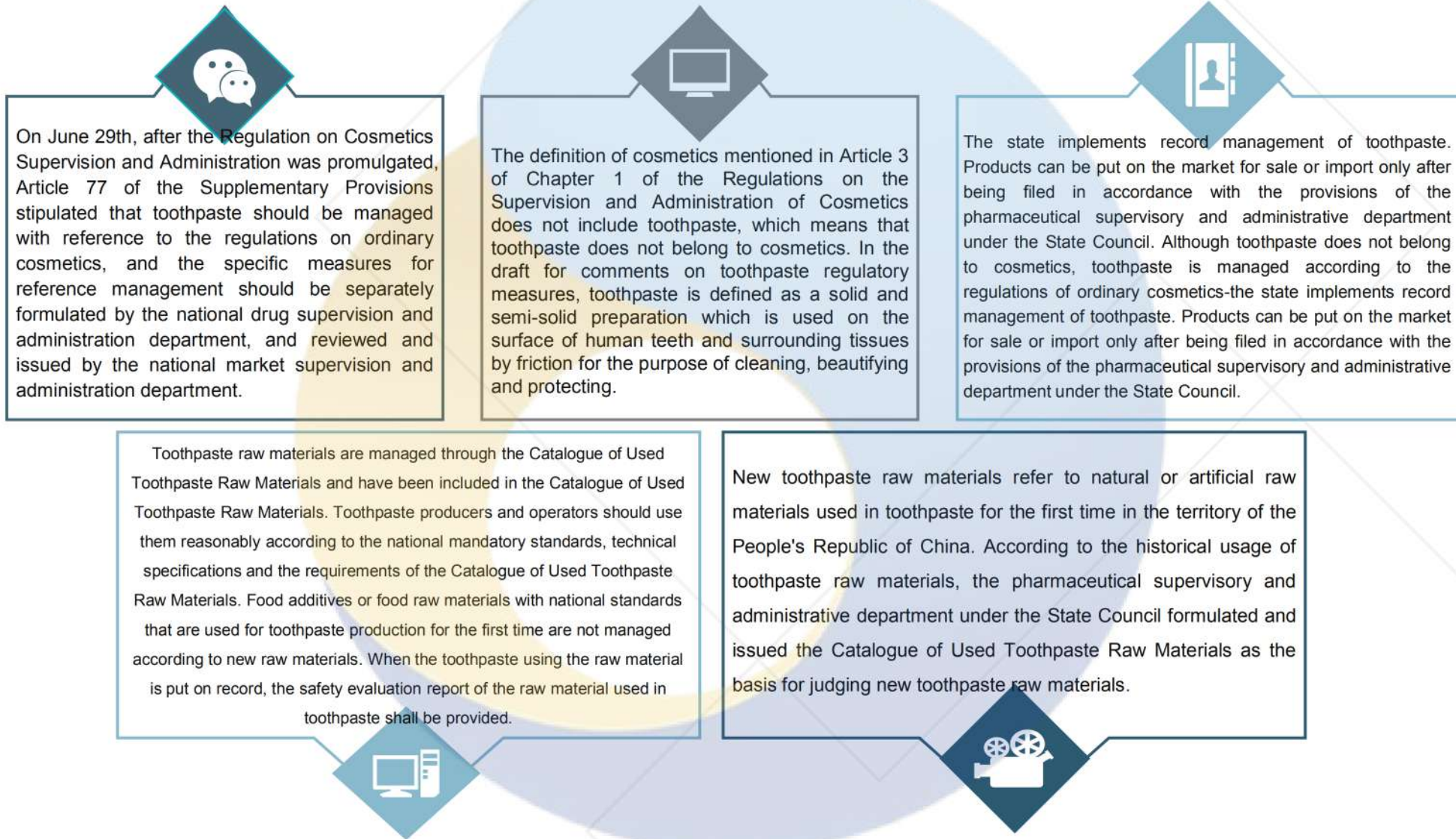
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Brief Analysis of Toothpaste Supervision and Management Measures

(Draft for Soliciting Opinions)





Classification Catalogue of Toothpaste Efficacy

Function: The permitted scope of claims in the catalogue should be consistent with the claims of toothpaste efficacy, and claims should not be suspected of exaggeration.

Naming Requirements of Toothpaste

If toothpaste naming involves efficacy claims, the product shall have actual efficacy consistent with the naming content, and the efficacy claims shall not exceed the allowable claims determined by the efficacy classification catalogue.

Efficacy Evaluation

There should be sufficient scientific basis for claiming the efficacy of toothpaste. Except for basic cleaning types, toothpaste with other functions should be evaluated according to the specified requirements. After the efficacy evaluation according to the national and industrial standards, it can be claimed that toothpaste has the efficacy of preventing caries, inhibiting dental plaque, resisting dentin sensitivity, relieving gum problems, etc. Efficacy evaluation should be completed before filing.

Punishment Situation

- Selling, trading or importing unregistered toothpaste
- Failing to use toothpaste raw materials in accordance with mandatory national standards, technical specifications and toothpaste used raw materials catalogue
- Product naming or labeling claims to be illegal
- Failure to evaluate the efficacy as required
- If the record holder fails to publish the summary of the efficacy evaluation report, he shall be punished according to the Regulations on the Supervision and Administration of Cosmetics.

Joint Prevention and Control Mechanism [2020] No. 255

Preventive and comprehensive disinfection program of imported cold chain food

Disinfection scope: disinfection of loading and transportation
tools of imported cold chain food and internal and external
packaging of products

Focus of customs supervision

Responsible for carrying out COVID-19 monitoring and testing of
imported cold chain food in accordance with regulations,
organizing and guiding importers of imported cold chain food and
business units of customs inspection places to do a good job of
preventive and comprehensive disinfection of the inner wall of
imported cold chain food containers and the outer packaging of
goods at the port link.

Focus of transportation departments supervision

Responsible for supervising and guiding imported cold chain food
carriers to implement the main responsibility of transportation and
implement corresponding disinfection measures, strictly check
customs clearance documents of imported cold chain food in domestic
transportation section, implement disinfection measures of imported
cold chain food transportation tools, personal protection of front-line
staff, etc., and cooperate with the inspection of the implementation of
disinfection measures in the process of dumping imported cold chain
food from imported containers to domestic transportation vehicles.



Workflow-Port

Import enterprises shall truthfully declare the relevant information of
imported cold chain food, and the customs department shall strengthen
the inspection of imported cold chain food according to the formulated
risk monitoring plan. If the test result is positive, it shall be returned or
destroyed as required. If the test result is negative, the customs
department shall organize, guide and supervise the inspection of the
site operator or the import enterprise, and disinfect the inner wall of the
container and the outer packaging of the imported cold chain food.
After the disinfection is completed, the disinfection unit shall issue a
certificate that the goods have been disinfected. Imported cold chain
foods that have not been disinfected at the port link shall be disinfected
at the subsequent link after being released according to regulations.

Workflow-cold chain transportation and warehousing

When the imported cold chain food is unloaded from the
container and reloaded to the domestic means of transport, the
owner or his agent disinfects the packaging of the goods. In the
process of transporting imported cold chain food, the carrier
enterprise shall not unpack. In the domestic transportation
section, the transportation management department shall
supervise and guide the cold chain logistics enterprises to
strictly check the customs clearance documents, and implement
the disinfection of transportation tools and the safety protection
of front-line staff.



Announcement on the Tax Provisions on Goods Exported and Returned due to Force Majeure due to Pneumonia Epidemic in COVID-19

因新冠肺炎疫情不可抗力出口货物退运已征 增值税、消费税未抵扣证明

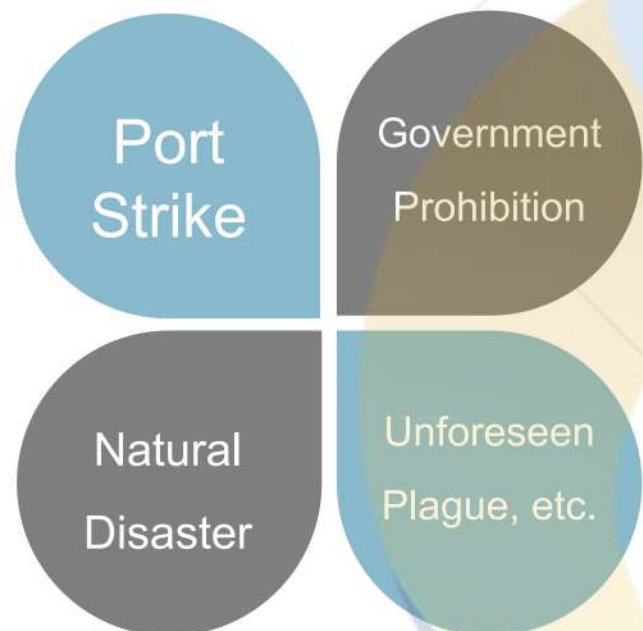
- With the approval of the State Council, the Ministry of Finance, the General Administration of Customs and the State Administration of Taxation jointly issued a notice recently, which promulgated the tax provisions on the export of returned goods due to force majeure caused by pneumonia in COVID-19. For the goods declared for export from January 1, 2020 to December 31, 2020, due to force majeure of COVID-19 pneumonia epidemic, the goods re-shipped into the country within one year from the date of export are not subject to import duties, import value-added tax and consumption tax; If export duties have been levied at the time of export, the export duties shall be refunded.
- The consignee of import shall submit a written explanation of the reasons for returning goods, proving that it returned goods due to force majeure caused by pneumonia epidemic in COVID-19, and the customs shall handle the above procedures according to the returned goods with its explanation. For those who have declared the deduction of import value-added tax and consumption tax, they only apply to the customs for refund of the already levied import duties. The consignee of import shall go through the tax refund formalities with the customs before June 30, 2021.

编号：主管税务机关代码+四位流水号

纳税人名称	纳税人识别号或 统一社会信用代码	
	企业海关代码	
进口时间	年 月 日	
海关进口增值税、 消费税专用 缴款书	海关报关单（编号：_____）、海关进口增值税专用缴款书（凭证号：_____），进口环节增值税税款金额为（大写）_____, Y _____元；海关进口消费税专用缴款书（凭证号：_____），进口环节消费税税款金额为（大写）_____, Y _____元。	
税款抵扣情况	经审核：1.该纳税人上述海关进口增值税、消费税专用缴款书税额均未申报抵扣（ ） 2.该纳税人上述海关进口增值税税额未申报抵扣，进口消费税专用缴款书税额已申报抵扣（ ） 3.该纳税人上述海关进口增值税税额已申报抵扣，进口消费税专用缴款书税额未申报抵扣（ ）	



Announcement on the Tax Provisions on Goods Exported and Returned due to Force Majeure due to Pneumonia Epidemic in COVID-19



The identification of force majeure is indispensable

Unpredictability

In a specific case, the average rational person can foresee; Or according to the subjective conditions of the actor, such as age, intellectual development, knowledge level, education and technical ability, etc., to judge whether the parties to the contract should foresee.

Inevitability

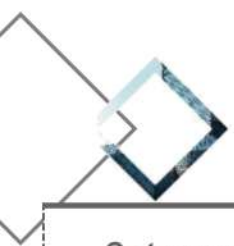
Although the parties have taken timely and reasonable measures for the possible unexpected situation, it can't prevent this unexpected situation from happening objectively.

Insurmountable

The party concerned cannot overcome the loss caused by an accident. If the consequences caused by an event can be overcome through the efforts of the parties concerned, then the event is not an event of force majeure.

Contract performance period

Events constituting force majeure must occur after the signing of the contract and before its termination, that is, during the performance of the contract. If an event occurs before or after the conclusion of a contract, or when one party is delayed in performance and the other party agrees, it cannot constitute an event of force majeure.



Category	Announcement No.	Comments
Animal and Plant Products Access	Department of Animal and Plant Quarantine, General Administration of Customs (No.85 [2020])	Warning circular on further strengthening quarantine of imported Australian logs. In order to prevent the introduction of harmful organisms, all customs offices have suspended the declaration of logs from Victoria, Australia, which will be shipped on or after November 11, 2020.
	Announcement No.117 of 2020 of the General Administration of Customs	Announcement on phytosanitary requirements for imported Tanzanian soybeans. Imports of Tanzanian soybeans will be allowed from November 11th, 2020. Imported Soybeans (scientific name: Glycine max, English name: Soybean) refer to soybean seeds produced in Tanzania and exported to China for processing (only non-transgenic), and are not used for planting. This announcement provides for quarantine pests, pre-shipment requirements and entry inspection and quarantine.
	Announcement No.116 of 2020 of the General Administration of Customs	Announcement on inspection and quarantine requirements of imported Uzbekistan dry pepper. From November 3, 2020, Uzbekistan will be allowed to import dried peppers. Imported dried chilies refer to the products made from edible red chilies (Cápsicum ánnuum) grown in Uzbekistan and processed by natural drying or other drying processes. This announcement makes provisions from six aspects, such as production facilities, plant quarantine, plant quarantine certificate issued, food safety, packaging and registration of dry pepper production enterprises.
	Department of Animal Husbandry, General Administration of Customs [2020] No.30]	Warning bulletin on preventing the introduction of nodular dermatosis in Vietnamese cattle. Since November 3, 2020, it is prohibited to import cattle and related products directly or indirectly from Vietnam, including products originating from cattle that are unprocessed or processed but may still spread epidemics.



Summary and Analysis of Inspection and Quarantine Policies

Category	Announcement No.	Comments
Animal and Plant Products Access	Department of Animal Husbandry, General Administration of Customs [2020] No.29	Warning bulletin on preventing the introduction of nodular dermatosis in Bhutan cattle. Since November 1, 2020, it is prohibited to import cattle and related products from Bhutan directly or indirectly, including products originating from cattle that are unprocessed or processed but may still spread epidemic diseases.
	Department of Animal Husbandry, General Administration of Customs [2020] No.28	Warning circular on preventing the introduction of bluetongue disease in Switzerland. Since November 1, 2020, it is forbidden to import ruminants and their related products directly or indirectly from Switzerland, including products originating from ruminants that are unprocessed or processed but may still spread epidemics.
	Department of Animal and Plant Quarantine, General Administration of Customs (No.78 [2020])	Warning circular on strengthening quarantine of imported Australian log barley. In order to prevent the introduction of harmful organisms, all customs offices have suspended the acceptance of the barley declaration of Queensland logs and EMERALD GRAIN AUSTRALIA PTY LTD enterprises that have been shipped after October 31, 2020.
License Approval	Announcement No.49 of the Ministry of Commerce in 2020	Publish the total export quota of goods (2021). The announcement specifies the total export quota of licorice and licorice products, artificially planted ephedra, live pigs (for Hong Kong and Macao), live cattle (for Hong Kong and Macao), live chickens (for Hong Kong), sawn timber, rush and rush products for export in 2021. In 2021, the quota will be allocated by bidding, and the enterprises that need to export will start from November 1, 2020 and end on November 15, 2020. The application materials shall be submitted to the provincial-level local commerce department where they are located, and the provincial-level local commerce department shall verify the application materials and submit them to the Ministry of Commerce.



Summary and Analysis of Inspection and Quarantine Policies

Category	Announcement No.	Comments
License Approval	National Health and Health Commission No.8, 2020	Announcement on 6 kinds of "three new foods", such as monascus red. Food additives such as monascus red, citric acid, sucralose and sodium hexametaphosphate can be used in a wider range. The copolymer of polyethylene and acrylic acid, 1,3- butadiene and styrene, which are related to food contact, can be used in the production of food contact materials and products.
Customs Clearance	Shanghai novel coronavirus Leading Group Office for Epidemic Prevention and Control (Shanghai Pneumonia Prevention and Control Office [2020] No.260)	Notice on implementing transit inspection for high-risk imported cold chain food. It is required that all high-risk imported cold chain foods stored, processed and sold in Shanghai should be checked for nucleic acid detection and disinfection certificates. From 0: 00 on November 16, 2020, high-risk imported cold chain foods should enter the transit inspection warehouse for nucleic acid detection and packaging disinfection. Make an appointment online when picking up goods (www.sipg.com.cn). When making an appointment, complete information such as owner, customs declaration form, vehicle, driver, and cargo flow shall be truthfully reported as required, and the Letter of Commitment on Epidemic Prevention and Control shall be signed.

Xinhai Achieved Great Progress after Successful Conclusion of CIIE

SEE YOU NEXT YEAR

Xinhai participated in the CIIE by the professional teams of e customs affairs and Yun Maotong, introducing our service strengths in customs clearance, logistics, foreign trade, warehousing, etc., and sharing and analyzing the future development trend of the industry with you, which has benefited a lot. Some foreign agents and traders are interested in discussing further cooperation plans.



Mr. Ge Jizhong, President of China Customs Association and Chairman of Xinhai, was elected as Chairman of IFCBA

ONLINE MEETING VOTE

- On November 10, 2020, at 20:00 GMT+8, the 2020 Council and annual meeting of the International Federal Customs Brokerage Association (IFCBA) were successfully held through the network.
- After being elected, President Ge spoke on behalf of China Customs Association. President Ge said that with the support of IFCBA, China Customs Association will continue to make efforts to make contributions to everyone and walk hand in hand to promote the development of international trade facilitation.



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Thank You

Producer: Xinhai Customs Service Team