

Customs Clearance News

October

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Customs Consulting of Xinhai Newsletter in October

- | Brief analysis of the implementation policy in November
- | Implementation of the new gold concentrate standard for gold ore
- | Emergency preventive measures taken in October
- | Summary of new CIQ policies in October



Producer: Xinhai Customs Service Team

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Brief analysis of the implementation policy in November

- Brief analysis of Order No.251 and Order No.252 of General Administration of Customs

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Implementation of the new gold concentrate standard for gold ore

- Brief analysis of Announcement No.79 of General Administration of Customs in 2021

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Significance of introduction

- Promote the construction of social credit system and promote trade safety and convenience; Consistent with current laws and regulations;
- This decree replaces the Measures of the People's Republic of China on Credit Management of Customs Enterprises promulgated by Order No.237 of the General Administration of Customs on March 3, 2018.

Benefit 2: Adjustment of review interval of highly recognized enterprises

- The custom shall review the advanced certification enterprises once every five years. If the credit status of an enterprise is abnormal, the customs may conduct a review irregularly. [Article 19]
- Suggestion: The self-management of enterprises should not be slackened. If there is any abnormal situation in the credit status of enterprises, the custom may conduct irregular review.



Benefit 1: Repair mechanism

For trust-breaking enterprises, the Customs shall establish an enterprise credit repair mechanism, and provide credit repair to enterprises according to law. The customs shall make a decision on granting credit repair within 20 days from the date of receiving the application for credit repair of the enterprise. [Article 7, Article 26 and Article 27]

Benefit 3: Clear enterprises have the right to know and defense

Before making a decision to identify a trust-breaking enterprise, the customs shall inform the enterprise in writing of the reasons and basis for the decision to be made and the rights to make statements and defend oneself in accordance with the law.



General certified enterprises become regular enterprises.

At present, from the regulations issued, it is not known whether the general certification enterprises can be upgraded to highly recognized enterprises with conditions, and enterprises need to pay close attention to the customs policy trends continuously.



"The subject of serious dishonesty"

Violating the provisions on the administration of food safety for import and export, the provisions on the supervision and administration of cosmetics for import and export, or being investigated for criminal responsibility for smuggling solid waste according to law; Or illegal import of solid waste by the customs administrative punishment amount of more than 2.5 million yuan, will be included in the list of serious dishonesty subject, 2 years did not happen the provisions of these regulations of dishonesty enterprises, the customs shall make a credit repair decision on dishonesty enterprises.



Compliance management of food, cosmetics and other enterprises is becoming more and more important

Regulations on the Administration of Import and Export Food Safety, Regulations on the Supervision and Administration of Cosmetics (2021 Edition), Special Provisions of the State Council on Strengthening the Safety Supervision and Administration of Food and Other Products, Measures for the Supervision and Administration of Inspection and Quarantine of Import and Export Cosmetics, etc.



Risk warning

In addition to the benefits, this regulation puts forward higher requirements for the self-management of import and export enterprises. Due to the cancellation of the level of general certified enterprises, the customs will have stronger control measures for enterprises with high recognition and enterprises with bad faith in the future, and the supporting rewards and punishments measures will be more vigorous. How to keep high recognition and how to prevent enterprises from turning into untrustworthy enterprises need to be seriously considered and put into action. ...

Replacement of old and new regulations

Replacing the Administrative Provisions of the People's Republic of China on the Classification of Imported and Exported Goods of the Customs as Amended by Order No.158 of the General Administration of Customs and Order No.218 of the General Administration of Customs, and the Administrative Measures of the People's Republic of China on Customs Laboratory Tests as promulgated by Order No.176 of the General Administration of Customs

Revision significance

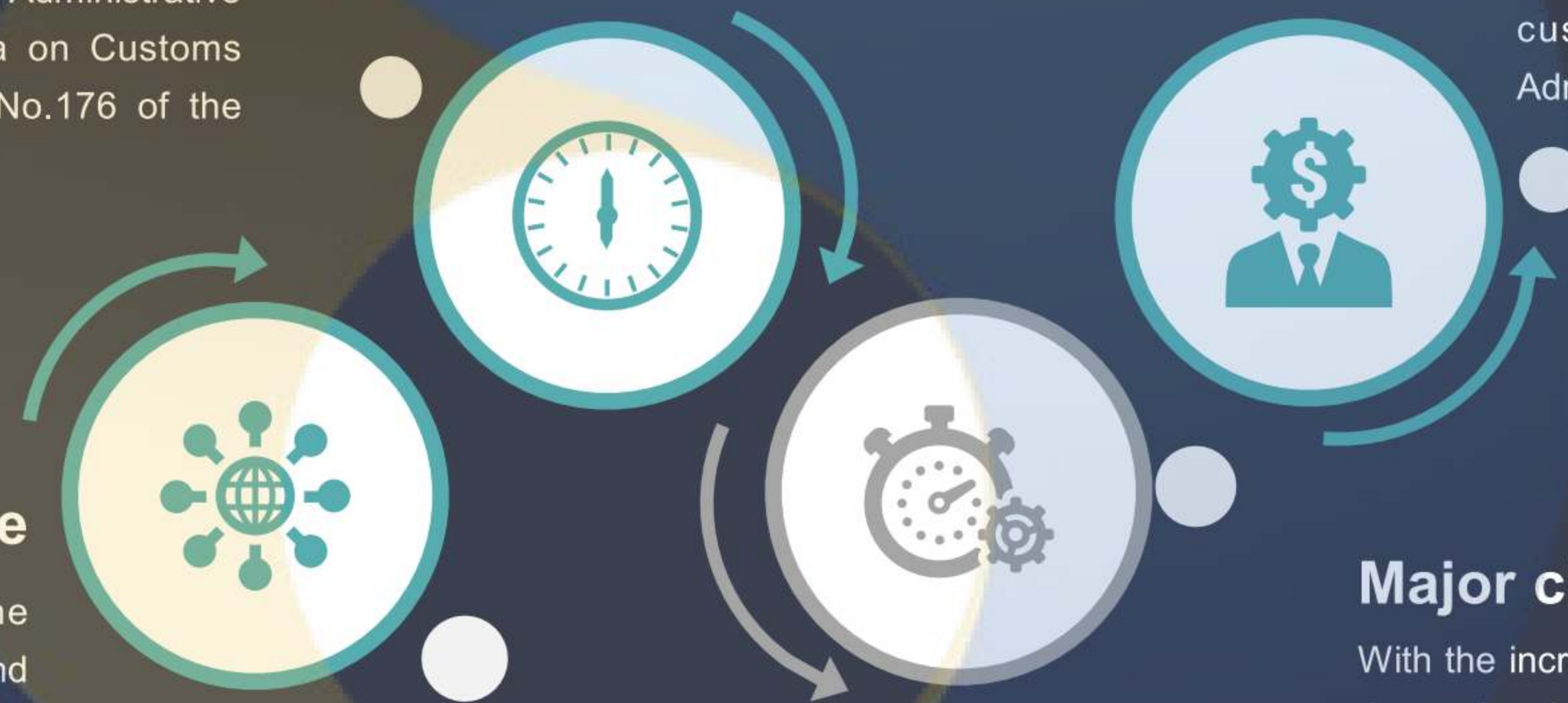
With the continuous deepening of the "streamline administration, delegate power, strengthen regulation and improve services" reform, the institutional reform has included the inspection and quarantine function in the customs, the cancellation of the customs testing center and the need for the reform of the national customs clearance integration. The current regulations are no longer suitable for the customs classification work and are indeed necessary to be revised.

Major change 1

Deleted the corresponding clauses of pre-classification, and correspondingly added the guiding clauses of pre-determination of classification (Article 20); Absorb and clarify the relevant provisions on laboratory tests and inspections directly related to the classification of customs commodities in the Measures for the Administration of Laboratory Tests (Articles 10-17).

Major change 2

With the increasing variety and complexity of commodities, the national standards and industry standards related to import and export goods have become important reference for commodity classification, and are also the classification issues that enterprises pay more attention to. In this revision, the national standards and industry standards are included in the reference scope of commodity classification, and their applicable principles are clarified (Article 2).



1



Clarify what is the "commodity code" referred to in the regulations

- Refers to the code in the catalogue of commodity classification in the Import and Export Tariff of the People's Republic of China.
- The first 8 commodity numbers.
- The determination of other commodity numbers under the same commodity code shall be handled in accordance with relevant regulations.
- That is, additional codes of nine and ten bits and CIQ codes of 11th-13th bits.

2



Confidentiality requirements

- If the information provided by the consignee, consignor or its agent to the customs involves commercial secrets, undisclosed information or confidential commercial information, and the custom is required to keep it confidential, the consignee, consignor or its agent shall make a confidentiality request to the customs in writing, and specify the contents that need to be kept confidential. The consignee, consignor or its agent shall not refuse to provide the relevant information to the customs on the grounds of commercial secrets. The custom shall undertake the obligation of confidentiality in accordance with the relevant provisions of the state.

3



Classification reference

- <The Import and Export Tariff of the People's Republic of China>, <the Notes on Commodities and Items in the Import and Export Tariff>, <the Notes on Domestic Subitems in the Import and Export Tariff of the People's Republic of China>, as well as the administrative rulings on commodity classification, commodity classification decisions, relevant national standards and industry standards issued by the General Administration of Customs, etc.



Announcement No.79 of the General Administration of Customs in 2021

In 2013, in order to implement the gold import tax policy, the General Administration of Customs issued Announcement No.16 in 2013, which clearly adjusted the gold ore standard in Announcement No.29 of the General Administration of Customs in 2003 to the gold concentrate standard revised by the Ministry of Industry and Information Technology. Recently, the Ministry of Industry and Information Technology revised the gold concentrate standard again, and the announcement No.29 of the General Administration of Customs in 2003 about gold ore should implement the current gold concentrate standard accordingly.

This announcement shall come into force as of the date of promulgation, and the announcement No.16 of the General Administration of Customs in 2013 shall be abolished at the same time.

General Administration of Customs
October 9, 2021.

Newly revised gold concentrate standard

YS/T 3004-2021

This standard specifies the technical requirements, inspection methods, inspection rules, packaging, transportation, storage, quality forecast orders and purchase orders (or contracts) of gold concentrates.



Laws and regulations on gold ore import declaration

General Administration of Customs No.29, 2003.



Summary of emergency preventive measures taken by the General Administration of Customs for overseas enterprises (October)



Country	Overseas manufacturers	Specific notice/announcement
India	Manufacturing enterprise M/s. Rizean Ice & Cold Storage	As Covid-19 nucleic acid is positive from one outer packaging sample of a batch of frozen South American white shrimp imported from India, according to the regulation of Announcement No.103 of General Administration of Customs, the national customs has suspended the product import declaration from M/s. Rizean Ice & Cold Storage (registration number: 1184), an Indian aquatic product manufacturer, for one week since October 1.
Thailand	Manufacturing enterprise Best Deal Seafood Product Co., Ltd.	As Covid-19 nucleic acid is positive from one outer packaging sample of a batch of frozen hairtail imported from Thailand, according to the regulation of Announcement No.103 of General Administration of Customs, the national customs has suspended the import declaration of products from Best Deal Seafood Product Co., Ltd (registration number 1316), a Thai aquatic product manufacturer, for one week since October 1.
Pakistan	Manufacturing enterprise M/s. SAF Marine International	As Covid-19 nucleic acid positive was detected from an outer packaging sample of a batch of frozen bamboo slips imported from Pakistan, according to the regulations of Announcement No.103 of General Administration of Customs, the national customs suspended the import declaration of products from M/s. SAF Marine International (registration number: T-226/2011), a Pakistani aquatic product manufacturer, for one week from October 1.
Ecuador	Manufacturing enterprise EXPALSA, Exportadora de Alimentos S.A.	As Covid-19 nucleic acid positive was detected from an outer packaging sample of a batch of frozen South American white shrimp imported from Ecuador, according to the regulation of Announcement No.103 of General Administration of Customs in 2020, the national customs has suspended the import declaration of products from Ecuador aquatic products manufacturer EXPALSA, EXPORTDORA de Alimentos S.A. (registration number 143) for 4 weeks since October 1.
Indonesia	Manufacturing enterprise CV. INDO PACIFIC	As Covid-19 nucleic acid was positive from one outer packaging sample of a batch of frozen hairtail imported from Indonesia, according to the regulations of Announcement No.103 of General Administration of Customs, the national customs suspended the import declaration of products from CV. INDO PACIFIC (registration number CR 121-12), an Indonesian aquatic product manufacturer, for one week since October 1.
Russia	Manufacturing enterprise Zarya LLC	As Covid-19 nucleic acid was positive from one outer packaging sample of a batch of frozen fine-scale salmon imported from Russia, according to the regulation of Announcement No.103 of General Administration of Customs in 2020, the national customs suspended the import declaration of products from Zarya LLC (registration number CH-522), a Russian aquatic product manufacturer, for one week since October 20th.

Summary of emergency preventive measures taken by the General Administration of Customs for overseas enterprises (October)



Country	Overseas manufacturers	Specific notice/announcement
Thailand	Poultry enterprise THAI POULTRY GROUP CO., LTD.	As Covid-19 nucleic acid was positive from two samples of the middle wing of a batch of frozen chickens imported from Thailand, the national customs suspended the import declaration from THAI POULTRY GROUP CO., LTD (registration number: EST109) for one week from October 13, according to the regulation of Announcement No.103 of the General Administration of Customs in 2020.
Russia	Fish factory vessel Pavel Batov JSC "DMP-RM" Manufacturing enterprise "Severo-Vostochnaya company" Co., Ltd.	Covid-19 nucleic acid was found to be positive in an outer package sample of a batch of frozen pollock imported from Russia. Covid-19 nucleic acid was found positive in one outer package sample of one batch of frozen salmon. According to the regulation of General Administration of Customs announcement No.103 of 2020, the national customs suspended the import declaration of products from Pavel Batovjsc "DMP-RM" (registration number CH-23F) for four weeks and that of products from the production enterprise "Severo-Vostochnaya Company" Co., Ltd. (registration number CH-128) for one week since October 13.
Malaysia	Manufacturing enterprise Kuba Jaya Fishery(M) Sdn. Bhd.	As Covid-19 nucleic acid is positive from one outer packaging sample of a batch of frozen hairtail imported from Malaysia, according to the regulation of Announcement No.103 of General Administration of Customs, the national customs has suspended the import declaration of products from Kuba Jaya Fishery(M) Sdn. Bhd. (registration number: CN105), a Malaysian aquatic product manufacturer, for one week since October 13.
Indonesia	Manufacturing enterprise CV. DUTA RATU PERTIWI LANCAR	As Covid-19 nucleic acid was positive from two outer packaging samples of a batch of frozen hairtail imported from Indonesia, according to the regulations of General Administration of Customs Announcement No.103 of 2020, the national customs suspended the import declaration of products from Indonesian aquatic product manufacturer CV. Duta Ratupert Iwalancar (registration number CR 422-13) for one week since October 19.
India	Manufacturing enterprise Keshodwala Foods	As Covid-19 nucleic acid is positive from one outer packaging sample of a batch of frozen silver pomfret and other products imported from India, according to the regulation of Announcement No.103 of General Administration of Customs, the national customs has suspended accepting the product import declaration of Keshodwala Foods (registration number: 291), an Indian aquatic product manufacturer, for one week since October 19.

Summary of new CIQ policies in October

Category	Announcement No.	Comments
Supervision of animal and plant products	General Administration of Customs, Ministry of Agriculture and Rural Affairs Announcement No.77, 2021	Announcement on banning the import of boneless beef under 30 months of age in Britain. Since September 29, 2021, the import of boneless beef under 30 months of age in Britain has been banned.
	General Administration of Customs, Ministry of Agriculture and Rural Affairs Announcement No.76, 2021	Announcement on preventing the introduction of African swine fever from Haiti into China. Since September 29th, 2021, it is forbidden to import pigs, wild boars and their products directly or indirectly from Haiti.
	General Administration of Customs, Ministry of Agriculture and Rural Affairs Announcement No.75, 2021	Announcement on preventing nodular dermatosis of Mongolian cattle from being introduced into China. Since September 26, 2021, it is forbidden to import cattle and related products directly or indirectly from Mongolia, including products originating from cattle that are unprocessed or processed but may still spread epidemic diseases.
	No.52 [2021] of the Animal and Plant Quarantine Department of the General Administration of Customs	Notice on Suspending the Import of Annona squamosa and Plum Blossom from Taiwan Province into the Mainland. From September 20, 2021, the importation of Annona squamosa and Plum Blossom from Taiwan Province into the Mainland has been suspended and customs declaration has been suspended.
Customs clearance	Announcement No.81 of the General Administration of Customs in 2021	Announcement on adjusting the catalogue of import and export commodities subject to inspection. Since October 15, 2021, 29 commodity codes related to chemical fertilizers have been subject to the supervision of export legal inspection. When exporting, it is necessary to go to the customs where the production enterprise is located to handle the electronic bottom account.
	Announcement No.73 of the General Administration of Customs in 2021	Announcement on no longer issuing gsp certificate of origin for goods exported to Eurasian Economic Union. Since October 12, 2021, the Customs will no longer issue GSP certificates of origin for goods exported to Eurasian Economic Union member countries. The member countries of Eurasian Economic Union are Russia, Belarus, Kazakhstan, Armenia and Kyrgyzstan.
	Tax Administration Letter [2021] No.116	Notice of the customs administration department on adjusting the supervision mode corresponding to the nature of relevant exemption under the import tax policy supporting the development of integrated circuit industry and software industry. Adjust the supervision mode corresponding to "Import Goods of IC Industry" (code 428 of the nature of exemption) in "Supervision Mode Corresponding to the Nature of Exemption", and add "Other Import and Export Free" (code 3339).

Summary of new CIQ policies in October

Category	Announcement No.	Comments
Safety production	Ministry of Emergency Management, Ministry of Industry and Information Technology, Ministry of Public Security, Ministry of Transport, General Administration of Customs (Emergency [2021] No.64)	The Notice on Further Strengthening the Safety Management of Ammonium Nitrate stipulates the safety risks of ammonium nitrate from seven aspects. First, strengthen the source control of the safety risks of ammonium nitrate; Second, strict safety management of ammonium nitrate production process; Third, improve the safety equipment, facilities and management measures for ammonium nitrate storage; Fourth, strengthen the safety risk control of ammonium nitrate transportation; Fifth, strictly manage the sale and purchase of ammonium nitrate; Sixth, the implementation of departmental supervision responsibilities, strict supervision and management; Seventh, improve the safety technical standards of ammonium nitrate.
Administrative approval	Announcement No.33 of the Ministry of Commerce in 2021	The total amount, allocation principles and relevant procedures of import tariff quotas of chemical fertilizers in 2022. In 2022, the total import tariff quota of fertilizer was 13.65 million tons. Among them, 3.3 million tons of urea; 6.9 million tons of diammonium phosphate; Compound fertilizer is 3.45 million tons. Fertilizer import tariff quotas are allocated on a first-come-first-served basis. Any enterprise registered with the administrative department for industry and commerce may apply for import tariff quotas of chemical fertilizers within its business scope. Since December 15, 2021, the TRQ Administration has accepted applications for import tariff quotas of chemical fertilizers and issued the Certificate of Import Tariff Quota of Chemical Fertilizers for 2022.
	Announcement No.2, 2021, of the National Coastal Management Office	Announcement on inter-provincial certification of non-import and export catalogue of wild animal and plant species. Since September 23, 2021, applicants for imported goods have gone through the "Single Window" standard edition of China's international trade or the "Inter-provincial Office" service area of the national integrated government service platform, without geographical restrictions.
	Ministry of Industry and Information Technology, Ministry of Commerce, General Administration of Customs and General Administration of Market Supervision Announcement No.19, 2021	The average fuel consumption of passenger vehicle enterprises in 2020 and the score accounting of new energy vehicles were announced.

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