

Specifications for the Import of Dairy Products USA

In the United States, the Food Safety and Inspection Service (FSIS) regulates meat, poultry and egg products. However, all other foods are regulated by the Department of Health and Human Service's Food and Drug Administration (FDA). As such, there are different import requirements for different types of imported food.

Milk and Cream

The Federal Import Milk Act requires a [Food and Drug Administration](#) permit for milk and cream (including sweetened condensed milk) imported into the United States. Information regarding how to obtain a permit is discussed in the import milk act.. This data, together with the permit request, should be directed to: *Food and Drug Administration, Regulations and Enforcement Branch, Division of Program and Enforcement Policy (HFS-306).200 C Street S.W., Washington, DC 20204.*

The import milk act can be found at the following address:

<http://www.fda.gov/RegulatoryInformation/Legislation/ucm148715.htm>

Application for a permit to ship or transport milk or cream into the United States shall be made by the actual shipper upon forms prescribed by the Secretary. The request for forms of applications for permits should be addressed to Commissioner of Food and Drugs, Food and Drug Administration, Department of Health and Human Services, 5600 Fishers Lane, Rockville, MD 20857.

Importations are also subject to regulations of APHIS, [Department of Agriculture](#). Import licensing is one of the tools USDA uses to administer the tariff-rate quota (TRQ) system for U.S. imports of dairy products. TRQ's replaced Section 22 import quotas for dairy products on Jan. 1, 1995, as a result of the Uruguay Round Agreement. Under these TRQ's, a low tariff rate, called the low-tier rate, and applies to imports up to a specified quantity. A higher tariff rate, called the high-tier rate, applies to any imports in excess of that amount. High-tier tariff rates will be reduced by 15 percent over the six years of the Uruguay Round Agreement (1995-2000), while quantities subject to low-tier rates will be increased gradually over that same period. TRQ rates and quantities vary by product. For more info see Customs and USDA web sites: [CBP Web site](#), <http://www.fas.usda.gov/itp/imports/usdairy.asp> and <http://www.fas.usda.gov/info/factsheets/dairyim.asp>.

What products are covered by the import licensing?

The licensing system covers nearly all dairy products from cow's milk, except for soft-ripened cheeses such as Brie. It also covers blue cheese made from sheep's or goat's milk.

Is a license needed to import a small amount of dairy products for a trade show, research, or other special use?

If you do not have a license and want to pay the low-tier duty, you must ask FAS to send an "ex-quota permit" to the U.S. Customs Service at the port of entry. FAS will consider ex-quota permits for imports of samples that will not enter U.S. commerce but are to be used at a trade fair, by a foreign embassy, or for taking orders, research, or testing of equipment. You do not need a license to import a product if you pay the high-tier duty rate.

What products may be imported without a license?

You do not need a license to import soft-ripened cow's-milk cheeses, such as Brie, or products from 100-percent sheep's or goat's milk (except for blue cheese made from or containing sheep's or goat's milk).

Certain dairy products may also be imported without a license under a "first-come, first-served" system. This means these products may be brought in at the low-tier duty rate until a specified TRQ is filled. Once the TRQ is filled, importers have to pay the high-tier duty. The items covered under the first-come, first-served system include:

- Dairy products imported under a Free Trade Agreement
- Cheddar cheese from Canada (made from unpasteurized milk and aged 9 months or more)
- Fluid milk or cream (fresh or sour)
- Milk or cream (condensed or evaporated and in airtight containers)
- Dried buttermilk or whey

You can find a complete list of first-come, first-served dairy products and the corresponding TRQs in the FAS Dairy Monthly Imports Circular. Visit the FAS website to view the monthly circulars.

Who can provide information about health and labeling standards for imported dairy products?

Contact the FDA at:
Food and Drug Administration
Office of Plant and Dairy Foods and Beverages
HFS-300
5100 Paint Branch Parkway
College Park, MD 20740-3835
Tel: (301) 436-1700
Fax: (301) 436-2632

FDA Standards

- Milk and cream: all types of milk, fermented milk, condensed and sweetened milk
<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=131&showFR=1>

- All types of cheeses: general provisions and standardized cheeses
<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=133&showFR=1>
- Frozen desserts, milk and egg-based: ice cream, goat's milk ice cream, frozen custards
<http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=135&showFR=1>

Useful Links

Learn about e-permits here: http://www.aphis.usda.gov/permits/learn_epermits.shtml