

## Section I - Chapter 4

### Dairy Produce; Birds' Eggs; Natural Honey; Edible Products of Animal Origin, Not Elsewhere Specified or Included

#### Notes

1. The expression "milk" means full cream milk or partially or completely skimmed milk.
2. For the purposes of heading 0403, yogurt may be concentrated or flavored and may contain added sugar or other sweetening matter, fruit, nuts, cocoa, chocolate, spices, coffee or coffee extracts, plants, parts of plants, cereals or bakers' wares, provided that any added substance is not used for the purpose of replacing, in whole or in part, any milk constituent, and the product retains the essential character of yogurt.
3. For the purpose of heading 0405:
  - (a). The term "butter" means natural butter, whey butter or recombined butter (fresh, salted or rancid, including canned butter) derived exclusively from milk, with a milkfat content of 80 percent or more but not more than 95 percent by weight, a maximum milk solids-not-fat content of 2 percent by weight and a maximum water content of 16 percent by weight. Butter does not contain added emulsifiers, but may contain sodium chloride, food colors, neutralizing salts and cultures of harmless lactic-acid-producing bacteria.
  - (b). The expression "dairy spreads" means a spreadable emulsion of the water-in-oil type, containing milkfat as the only fat in the product, with a milkfat content of 39 percent or more but less than 80 percent by weight.
4. Products obtained by the concentration of whey and with the addition of milk or milkfat are to be classified as cheese in heading 0406 provided that they have the three following characteristics:
  - (a). A milkfat content, by weight of the dry matter, of 5 percent or more;
  - (b). A dry matter content, by weight, of at least 70 percent but not exceeding 85 percent; and
  - (c). They are molded or capable of being molded.
5. This chapter does not cover:
  - (a). Non-living insects, unfit for human consumption (heading 0511);
  - (b). Products obtained from whey, containing by weight more than 95 percent lactose, expressed as anhydrous lactose calculated as the dry matter (heading 1702);
  - (c). Products obtained from milk by replacing one or more of its natural constituents (for example, butyric fats) by another substance (for example, oleic fats) (heading 1901 or 2106); or

- (d). Albumins (including concentrates of two or more whey proteins, containing by weight more than 80 percent whey proteins, calculated on the dry matter) (heading 3502) or globulins (heading 3504).
6. For the purposes of heading 0410, the term "insects" means edible non-living insects, whole or in parts, fresh, chilled, frozen, dried, smoked, salted or in brine, as well as flours and meals of insects, fit for human consumption. However, it does not cover edible non-living insects, otherwise prepared or preserved (generally section IV).

### **Subheading Notes**

1. For the purposes of subheading 0404.10, the expression "modified whey" means products consist of whey constituents, that is, whey from which all or part of the lactose, proteins or minerals have been removed, whey to which natural whey constituents have been added, and products obtained by mixing natural whey constituents.
2. For the purposes of subheading 0405.10 the term "butter" does not include dehydrated butter or ghee (subheading 0405.90).

### **Statistical Note**

1. For purposes of this chapter, the expression "Certified organic" refers to a fresh or processed agricultural product that is certified to:
  - (a). The United States Department of Agriculture National Organic Program Regulation (7 CFR 205),
  - (b). The Canadian Organic Products Regulations (SOR/2006-338 COPR),
  - (c). The European Union (EU) Council Regulation (EC) No. 834/2007 and Commission Regulations (EC) No. 889/2008 and 1235/2008,
  - (d). The Japanese Agricultural Standard (JAS) for Organic Plants (Notification No. 1605 of 2005) and the JAS for Organic Processed Foods (Notification No. 1606 of 2005),
  - (e). The Republic of Korea Act on Promotion of Environmentally-Friendly Agriculture and Fisheries and Management of and Support for Organic Food, and its implementing regulations for processed foods, or
  - (f). The Swiss Ordinance on Organic Farming and the Labeling of Organically Produced Products and Foodstuffs (910.18) and Federal Department of Economic Affairs, Education and Research (EAER) Ordinance on Organic Farming of 22 September 1997 (910.181) and its regulations.

Schedule B No. and Headings	Commodity Description	Unit of Quantity	Second Quantity
04	Dairy Produce; Birds' Eggs; Natural Honey; Edible Products of Animal Origin, Not Elsewhere Specified or Included		
0401	- Milk and cream, not concentrated nor containing added sugar or other sweetening matter:		
0401.10.0000	-- Of a fat content, by weight, not exceeding 1 percent	liters	
0401.20	-- Of a fat content, by weight, exceeding 1 percent but not exceeding 6 percent:		
0401.20.1000	--- Certified organic	liters	
0401.20.5000	--- Other	liters	
0401.40.0000	-- Of a fat content, by weight, exceeding 6 percent but not exceeding 10 percent	liters	
0401.50.0000	-- Of a fat content, by weight, exceeding 10 percent	liters	
0402	- Milk and cream, concentrated or containing added sugar or other sweetening matter:		
0402.10.0000	-- In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1.5 percent	kg	
	-- In powder, granules or other solid forms, of a fat content, by weight, exceeding 1.5 percent:		
0402.21.0000	--- Not containing added sugar or other sweetening matter	kg	
0402.29.0000	--- Other	kg	
	-- Other:		
0402.91.0000	--- Not containing added sugar or other sweetening matter	kg	
0402.99.0000	--- Other	kg	
0403	- Yogurt; buttermilk, curdled milk and cream, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavored or containing added fruit, nuts or cocoa:		
0403.20.0000	-- Yogurt	kg	
0403.90.0000	-- Other	kg	
0404	- Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included:		
0404.10	-- Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter:		
	--- Modified whey:		
0404.10.0500	---- Whey protein concentrates	kg	
0404.10.0850	---- Other	kg	
	--- Other:		
0404.10.2000	---- Fluid	liters	
0404.10.4000	---- Dried	kg	
0404.90.0000	-- Other	kg	
0405	- Butter and other fats and oils derived from milk; dairy spreads:		

Schedule B No. and Headings	Commodity Description	Unit of Quantity	Second Quantity
0405.10.0000	-- Butter	kg	
0405.20.0000	-- Dairy spreads	kg	
0405.90.0000	-- Other	kg	
0406	- Cheese and curd:		
0406.10.0000	-- Fresh (unripened or uncured) cheese, including whey cheese, and curd	kg	
0406.20.0000	-- Grated or powdered cheese, of all kinds	kg	
0406.30.0000	-- Processed (process) cheese, not grated or powdered	kg	
0406.40.0000	-- Blue-veined cheese and other cheese containing veins produced by <i>Pencillium roqueforti</i>	kg	
0406.90	-- Other cheese:		
0406.90.1000	--- Cheddar cheese	kg	
0406.90.6500	--- Colby	kg	
0406.90.9550	--- Other, including mixtures	kg	
0407	- Birds' eggs, in shell, fresh, preserved or cooked:		
	-- Fertilized eggs for incubation:		
0407.11.0000	--- Of fowls of the species <i>Gallus domesticus</i>	Doz.	
0407.19.0000	--- Other	Doz.	
	-- Other fresh eggs:		
0407.21.0000	--- Of fowls of the species <i>Gallus domesticus</i>	Doz.	
0407.29.0000	--- Other	Doz.	
0407.90.0000	-- Other	Doz.	
0408	- Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, molded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	-- Egg yolks:		
0408.11.0000	--- Dried	kg	
0408.19.0000	--- Other	kg	
	-- Other:		
0408.91.0000	--- Dried	kg	
0408.99.0000	--- Other	kg	
0409	- Natural honey:		
0409.00.0025	-- Comb honey and honey packaged for retail sale	kg	
0409.00.0055	-- Other	kg	
0410	- Insects and other edible products of animal origin, not elsewhere specified or included:		
0410.10.0000	-- Insects	kg	
0410.90.0000	-- Other	kg	