

USDA Provides Guidance on Importing Food Products Containing Small Amounts of Meat or Poultry Ingredients without APHIS Veterinary Permit

The U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) has issued a notice to importers of food products containing small amounts of meat or poultry on what can enter the United States without a veterinary permit (VS Form 16-6A) issued by the USDA's Animal and Plant Health Inspection Service (APHIS).

FSIS provides that APHIS issues veterinary permits for many, but not all, imported food products containing small amounts of meat, poultry or processed egg product ingredients. The need for the permit is based on the contents of the food product and on the animal health restrictions, if any, APHIS places on the country from which the food product is being imported. FSIS is advising importers of food products not required to have an APHIS permit for entry into the U.S. that the meat, poultry, or processed egg product ingredients used in the formulation of these products must originate from an approved source in order to qualify for FSIS import eligibility.

Under the FSIS regulation of domestic and imported meat, poultry, or processed egg products, the ingredients in these products are required to be prepared under FSIS inspection or under a foreign inspection system determined equivalent by FSIS. Although exemptions from FSIS inspection may be allowed for certain foods, the ingredients must be obtained from an approved source, i.e., prepared under FSIS inspection or in a certified establishment operating under a foreign inspection system determined equivalent by FSIS. A list of countries eligible to export meat, poultry, or egg products is available on the FSIS website at: http://www.fsis.usda.gov/PDF/Countries_Products_Eligible_for_Export.pdf.

FSIS monitors food products at U.S. ports of entry and in-commerce to ensure the food products contain eligible meat, poultry, and processed egg product ingredients, and has the authority to require importers to provide additional documentary evidence to support the origin of imported food products and the ingredients used in the product. If FSIS finds that the documentation is insufficient to determine the eligibility, the importer will have to provide additional evidence of the product / ingredient source, or the products will be detained pending receipt of adequate source evidence.

FSIS provides that supporting documentation can take various forms, but at a minimum, FSIS will need information that (1) identifies the proportion/percentage of the meat or poultry product ingredients in the product formulation of the finished food product, (2) identifies the country of origin of these ingredients, (3) identifies the establishment (name and address and establishment number) where the ingredients were prepared, (4) provides assurance that no other meat or poultry, product ingredient is incorporated into the finished product, (5) evidences that the product labeling does not represent the finished product as a meat or poultry product, and (6) identifies the establishment (name, address and country of origin) where the finished product was prepared.

We urge importers of the products described in this *NGJ International Trade Update* to read the USDA notice in its entirety at: http://www.fsis.usda.gov/pdf/Imported_Food_Products_Notice_to_Importers.pdf

FSIS states in the notice that additional information regarding the importation of food products containing small amounts of processed egg product ingredients will be issued in the upcoming months. NGJ will pass along any relevant information when it becomes available.

For further information regarding this matter, please contact FSIS at permits@fsis.usda.gov, facsimile number 202-720-6050, or telephone number 202-720-9904.

For information regarding the issuance of APHIS permits, please contact APHIS at telephone number 301-734-3277.

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