



## NEWS IN BRIEF

### U.S. and China Agree to Allow More Meat Trade

The United States and China have made technical agreements where the U.S. will allow for imports of cooked poultry from China and China will allow imports of U.S. beef. They are finishing up a science-based safety investigation to resolve and finalize safety assessments of the products. The U.S. will publish its proposed rule by July 16 to allow the imports of the poultry. Additionally, China will issue its own notices to allow the importation of U.S. beef by July 16.

### FDA Undergoes Realignment

U.S. Food and Drug Administration has undergone a realignment of its districts and offices as of Monday, May 15, 2017. The FDA field offices that process import shipments are part of the Office of Regulatory Affairs. The field offices have been divided into five import divisions. This move should be transparent with the changes being seen when notices are sent for an import entry. They will come from one of the five divisions and not necessarily from the office that importers have historically dealt with. The FDA Office of Regulatory Affairs is the lead office for all FDA field activities, as well as providing FDA leadership on imports, inspections, and enforcement policy. The following link to the FDA website provides a chart of the new division:

<https://www.fda.gov/forindustry/importprogram/ucm319216.htm>.

### Final Reminder on FDA's Foreign Supplier Verification Program

In the past months we have written several articles about the Food and Drug Administration's (FDA) Food Safety Verification Program (FSVP). This is a reminder that the program begins on Tuesday May 30, 2017. If you are a food importer, are you ready with your verification program for entry on that day? On the entry, Carmichael will list the U.S. Importer of record as the FSVP importer. It is the responsibility of the U.S. Importer to have a safety verification program in place to confirm that the food products are being handled properly from origin.

There are exemptions to this rule that can be found on the FDA's website. The FDA has a check list for importers to see if they are subject to FSVP rules which can be found at:

<https://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM472461.pdf>. This includes the exemption for smaller importers. There is also an FDA guidance document the helps explain the program and it can be found at: <http://www.fda.gov/downloads/Food/GuidanceRegulation/FSMA/UCM502160.pdf>.

There is a requirement that the FSVP importer must have a DUNS number. While it will not be strictly enforced on May 30 and we can transmit an unknown declaration, the FDA expects importers to get a DUNS number and they will follow up with calls for those importers who have the unknown declaration filed with their entry. The FDA website provides a link to get a number and that can be found at: [www.fdadunslookup.com](http://www.fdadunslookup.com).

Foreign Importers of Record (IOR) cannot be a FSVP importer. The FSVP importer must be U.S. based and the Foreign IOR must assign a U.S. company for his import shipments.

If you have questions about FSVP please contact your Carmichael service team and we will get you answers.

### CBP/Ag is Finding Seeds in Containers and Stopping Cargo

U.S. Customs and Border Protection Agriculture Officers (CBP-Ag) have seen an upswing in containers that have seeds on the floor of the containers. When the seeds are found, CBP-Ag must determine if they are seeds for noxious plants or weeds and if the Container must be fumigated and cleaned.

The seeds that CBP-Ag is finding are not the kind normally found with the cargo they are reviewing. What we have learned is that there are vendors overseas, especially in the Far East that leave their pallets outside before using them. Wind can blow seeds onto and under the pallets. When the vendor pulls a pallet to place cargo on it, the warehousemen are not checking the bottom of the pallets to make sure they are clean. Unchecked pallets carry seeds into the container and the seeds are discovered when a container is examined. Seeds that are found that are not noxious still need to undergo an identification process that will delay the release of the container. If the seeds are found to be noxious, in addition to the time lost for the review, there is the additional expense of fumigating and cleaning the container.

We suggest that you remind your suppliers that they have all pallets checked for seeds as they are pulled for use.

By **Todd Boice**, President