

****Errors Made in Certification****

1. What should be done if an error is found on the export certificate before the product has been shipped?

If the product has not been stamped: The FSIS official who issued the certificate should void the certificate number in his or her records and reissue a new certificate. Each serial number is accountable, and so, careful records must be kept, and the voided certificate must be rendered unusable.

If the product has already been stamped: The FSIS official will issue an "in lieu of" certificate in accordance with FSIS Directive 9000.1. If any kind of correction is made on a certificate, it may be rejected by foreign customs officials. "Pen and ink" corrections even if initialed by the inspector, may not be accepted. Alteration of a certificate or the addition of any information to a certificate after signature by FSIS and without knowledge and approval of FSIS is a violation of the Federal Meat Inspection Act or the Poultry Products Inspection Act. If falsification is detected, these situations should be referred to the FSIS ADME (Assistant District Manager of Enforcement) in the appropriate District Office.

2. What should be done if an error is found on the export certificate after the product has been shipped?

If the original health certificate is returned to FSIS an "in lieu of" certificate may be issued in accordance with FSIS Directive 9000.1. The "in lieu of" certificate need not be issued by the same FSIS personnel who issued the original.

3. Can an "in lieu of" certificate be issued to change the country of destination of product?

Yes, provided the product complies with the requirements of the new country. To issue an "in lieu of" certificate for an export of poultry to Russia already in ocean transit to Estonia, would be inappropriate because of the labeling and documentation requirements specific to Russia. Exporters should consult the Export Library before attempting to change the country of destination to determine if the product can meet the requirements of the new country.

4. Can an "in lieu of" certificate be issued to correct the establishment name listed on the certificate for the exporting plant?

Yes, issuing an "in lieu of" certificate is the way to correct the establishment name when the foreign country detains product because the plant name listed on the certificate does not match either their approved plant list or the FSIS Meat and Poultry Inspection Directory (sometimes used by foreign inspectors). For countries such as Korea, a letter from the FSIS Technical Service Center is required. Contact the FSIS Technical Service Center at (402) 221-7400 or 1-800-233-3935 when a situation of this nature arises. The name of the plant placed on the FSIS Form 9060-5 should always be the official name which appears on the Grant of Inspection or the name submitted as the official d.b.a. name to be used on an approved plant list.

5. Can an "in lieu of" certificate be issued when an error is made in stamping containers or a clerical error is made on the certificate used to certify inedible product, FSIS Form 9060-9?

Yes, an "in lieu of" certificate can be issued for FSIS Form 9060-9. There is no "Remarks" section on this form and so either the "Shipping Marks" block or the "Packages"/Description of Product" block can be use to show the "in lieu of" statement, if there is space. Another alternative would be to attach the "in lieu of" statement to the replacement certificate in a letter bearing a USDA letterhead and signed by FSIS.

6. What can be done if the export documents are is lost?

If the documents are thought to be lost, the exporter should make every effort to locate them before contacting FSIS. An "in lieu of" certificate can be issued, under normal circumstances, if the exporter states in a letter that the certificate is, in fact, lost (a description of the circumstances is appropriate), and that if found, it will be returned to the issuing FSIS official. If the inspector believes that the lost certificates are a result of fraud, they should contact the ADME in their respective district. The process for issuing an "in lieu of" certificate described in FSIS Directive 9000.1 should be followed. If the lost certificate is found after issuance of the "in lieu of", it is voided and rendered unusable by FSIS.

7. Can non-accountable certificates (e.g., veterinary certificates) be reissued if an error is found?

Yes, in most cases, these certificates can be reissued if an error is found and the original certificate placed in the official file. Even if the certificate was not included originally, as long as it is properly executed, it should be accepted. It is recommended that additional certificates be issued by the

same FSIS official that signed the FSIS Form 9060-5. The signer may request support documentation for the attestations made on the certificate.

8. Is there a limit on the time since the original export certificate was issued after which an "in lieu of" certificate cannot be issued?

No, the "in lieu of" certificate only corrects or alters information on the original certificate. The replacement certificate does not imply new information about the current condition of the product. An "in lieu of" certificate would not be issued if a public health and/or food safety issue is known to exist.

9. Is it necessary to accompany an "In lieu of" certificate with a letter from the company or the FSIS certifying official explaining why the "in lieu of" certificate was issued?

No, explaining the reason for issuance of an "in lieu of" certificate in a letter should not be necessary.

10. Is there any limit on the number of "in lieu of" certificates that can be issued?

No, exporters may request as many "in lieu of" certificates as is necessary to correct errors and properly document an export. Issuing an "in lieu of" as well as other export certificates may be a reimbursable service provided by FSIS. See FSIS Directive 5110.1 Revision 1 Reimbursable Services References Guide.