

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE	9500.4	6/24/09
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PRE-STAMPING IMPORTED PRODUCT

I. PURPOSE

This directive provides instruction to import inspection personnel. It describes how they are to verify that the requirements for the pre-stamping of imported meat and poultry products are met, and the associated procedures are followed.

II. [RESERVED]

III. [RESERVED]

IV. REFERENCES

9 CFR 327.10, 327.26, 381.204, 320.3 and 500.5
FSIS Directive 5000.1, "Verifying an Establishment's Food Safety System"

V. BACKGROUND

The Federal Meat and Poultry Products Inspection regulations, 9 CFR 327.10(d) and 381.204(f), permit import establishments to place the official inspection legend on meat and poultry products before the completion of official import re-inspection. Before they can do so, however, the regulations require that import establishments have a controlled pre-stamping procedure approved by the Import Inspection Division (IID) Director. The pre-stamping procedure needs to identify how the controlled stamping of product will be accomplished. Import Inspection Personnel are to direct import establishment management that requests to establish a pre-stamping procedure to submit the written procedure to the Regional Import Field Office (RIFO) for review.

VI. APPROVING PRE-STAMPING PROCEDURE

A. The RIFO is to review all pre-stamping procedures submitted by import establishments. The RIFO is to verify that an import establishment's pre-stamping procedure:

1. Lists the name of the official ensuring compliance with the pre-stamping procedure;
2. Provides that imported product will not be pre-stamped until after FSIS import inspection personnel verify the product condition, count, documentation, and label;
3. Limits pre-stamping to only those lots that FSIS import inspection personnel can fully reinspect on the day on which pre-stamping occurs;

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4. Provides that lots subject to intensified reinspection (a level of reinspection that is imposed when an inspection is reported as a failure) or voluntary hold will not be pre-stamped;

5 Includes a control procedure for removing or obliterating the official inspection legend from pre-stamped lots that subsequently fail re-inspection;

6. Describes how the import establishment will store pre-stamped lots requiring re-inspection;

7. Describes how the import establishment will maintain a daily pre-stamping log and make it available, on a daily basis, to import inspection personnel. To permit pre-stamping, at a minimum, the log needs to identify the following:

- a. Date the lot was pre-stamped/re-inspected;
- b. Country of origin;
- c. Foreign establishment number;
- d. Name of product;
- e. Number of units;
- f. Shipping mark;
- g. Foreign health certificate number;
- h. Automated Import Information System (AIIS) lot number from FSIS Form 9540-1; and
- i. Storage location of incubated pre-stamped lots; and

8. The daily pre-stamping log must be retained by the establishment in accordance with the requirements of 9 CFR 320.3.

B. The RIFO is to forward all submitted and reviewed pre-stamping procedures, with his or her recommendation as to whether to approve the procedure, to the IID Director. The IID Director is to review the procedure along with the RIFO recommendation and prepare a letter that responds to the import establishment's request for a pre-stamping procedure.

C. The IID Director is to sign the letter and file a copy along with a copy of the pre-stamping procedure. The original letter and procedure are to be sent back to the requesting import establishment.

VII. PRE-STAMPING VERIFICATION

Upon approval of the pre-stamping procedure, import inspection personnel are to:

1. Verify that the establishment is performing in accordance with the approved pre-stamping procedure;

2. Verify that the official inspection legend is legible and does not interfere with other container markings; and

3. Verify that the import establishment documents on a daily basis in the pre-stamping log the information specified in Section VI of this directive.

VIII. NONCOMPLIANCE

Import inspection personnel are to reject lots and notify establishment management orally regarding the suspension of pre-stamping activity when the establishment fails to comply with the provisions of the approved pre-stamping procedure as identified in 9 CFR 327.10(d), 327.26, 381.204(f), and 500.5. When import inspection personnel reject a lot they are to:

1. Stop pre-stamping operations, document the noncompliance in the Performance Based Inspection System as a 04B04 procedure and “misbranding” as the trend indicator in accordance with FSIS Directive 5000.1, and issue an FSIS Form 5400-4, Non-Compliance Record;

2. Notify the RIFO at the time of the regulatory control action; and

3. Verify that the establishment obliterates or removes the official inspection legend from previously pre-stamped lots.

IX. APPEALS

A. An import establishment can appeal the noncompliance record and regulatory control action in accordance with 9 CFR 306.5, 9 CFR 327.10(d)(2), 9 CFR 381.35, or 9 CFR 381.204(f)(2).

B. The RIFO, in consultation with the IID Deputy Director, is to review the circumstances surrounding the appeal before rendering a decision.

X. DATA ANALYSIS

The Office of Data Integration and Food Protection (ODIFP) will analyze PBIS inspection data monthly to identify establishments that have high rates of pre-stamping noncompliances (as identified using noncompliance reports with citations of 9 CFR 327.10(d), 327.26, 381.204(f), and 500.5). The ODIFP will provide the results of its analyses to FSIS Regional Offices for follow up.

XI. CONTACTS

Refer questions regarding this directive through supervisory channels or through askFSIS at <http://askfsis.custhelp.com>.



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