

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

FSIS NOTICE	34-09	5/4/09
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**REVISED NOTICE FOR CERTIFYING PRODUCTS UNDER
EXPORT VERIFICATION (EV) PROGRAMS**

I. PURPOSE

This notice reissues the instructions found in FSIS Notice 19-06. This notice provides Food Safety and Inspection Service (FSIS) personnel with revised instructions for carrying out FSIS's certification process for meat products exported under export verification (EV) programs. FSIS personnel are to verify that the applicant provides a signed document from the Agricultural Marketing Service (AMS) confirming that each EV requirement has been met by the establishment or establishments that produced the product being presented for export to any country for which an EV program has been established. The AMS confirmation letter is not required for EV programs for products being exported to Mexico or Canada.

II. BACKGROUND

The Audit, Review, and Compliance Branch of AMS has been assigned responsibility for reviewing and approving companies as eligible suppliers of meat and meat products under the USDA EV programs. The EV programs outline the specified product requirements for individual countries.

**III. APPROVAL OF PLANTS UNDER AN EV PROGRAM AND RELATED FSIS
RESPONSIBILITIES**

A. When a plant requests to be audited by AMS for EV program approval, AMS will notify the Policy Development Division (PDD) via e-mail.

1. Upon receipt of the AMS e-mail, the PDD will acknowledge receipt of the notification by replying to the e-mail.

2. The PDD will forward the AMS e-mail to the District Office (DO) where the establishment is located.

DISTRIBUTION: Electronic

NOTICE EXPIRES: 6/1/2010

OPI: OPPD

3. The DO will ensure that any inspection program employees who may be involved with the certification of product for export under the EV program receive the appropriate training within five business days, if they have not been previously trained.

4. No later than five business days after the initial AMS notification, the affected DO will notify AMS that training of assigned inspection program personnel in exports, product reinspection, and EV programs, has been completed. The e-mail should:

a. be a reply to the initial AMS notification (ARCBranch@usda.gov) of the audit e-mail that PDD forwarded to the DO,

b. state that inspection program personnel at the facility are trained,

NOTE: The e-mail does not need to list names or dates of training.

c. be courtesy copied to TSC.BEV@fsis.usda.gov .

B. If the plant passes the initial audit and is approved for an EV program, the PDD will receive an electronically-transmitted copy of the audit. The PDD will notify the DO of the approval. The PDD will receive subsequent audit reports from AMS and maintain them on file by establishment. The PDD will respond to AMS regarding receipt of these audit reports.

C. As a requirement of an approved EV program, the plant is to maintain a copy of all EV program audit reports and is to discuss the audit reports with FSIS inspection program personnel during a weekly meeting or before the first EV export.

D. If a plant is delisted, the PDD will be notified of the delisting by AMS. The PDD will notify the DO via e-mail, and the DO will notify the affected in-plant inspection program personnel. The PDD will receive from AMS an electronically-transmitted copy of the notice of delisting, and, if applicable, the audit report. The PDD will acknowledge receipt of the delisting. The PDD will place the delisting and the audit report in its file for that establishment.

IV. VERIFICATION PROCEDURES FOR EV PROGRAMS

A. Off-line FSIS inspection program personnel should ascertain (e.g., by asking the establishment at the weekly PBIS meeting or accessing the AMS EV site listed in Section II) whether the establishment has an AMS- approved EV program. Inspection program personnel should be aware of the location and contents of the approved establishment EV program in order to verify export requirements relating to proper execution of the program.

B. Inspection program personnel may find a list of products intended for export approved under the EV Program in the establishment's Quality System Assessment (QSA) Quality System Manual as required under the EV program. The list is to contain all items, including offal products, that are intended for export. In addition, the list is to include the specific product code numbers and an Institutional Meat Product Specification item number or a detailed item description. Maintaining this information is

an AMS requirement as part of an approved EV program. Inspection program personnel may also find the list of products in Outlook at:

Public Folders/All Public Folders/OFO/Export Verification Program

NOTE: In the situations where a supplier and fabricator are separate establishments, the fabricator is to maintain a list of plants that are approved EV suppliers, as required by AMS. In addition, AMS will require the fabricator to maintain an up-to-date list of products that each EV supplier is approved to provide under its approved EV program. As part of the approved EV program, FSIS will have access to these plant records.

C. If, based on their verification activities, inspection program personnel develop concerns that an AMS-approved EV establishment is not properly executing its EV program (e.g., attempting to ship product that is not eligible for the importing country), they are not to sign export applications for the product in question and are to:

1. notify AMS at ARCBranch@usda.gov, and provide the following information in the message:

- a. establishment name, address, and number;
- b. product type, product code, and quantity of product;
- c. date of production, lot number, and shift;
- d. date and nature of observation;
- e. name of country for which product is intended;
- f. export certificate number (if applicable);
- g. any other information to verify claim; and
- h. name of inspection program personnel documenting concerns.

2. send a courtesy copy of the notification to their immediate FSIS supervisor and to the PDD (TSC.BEV@fsis.usda.gov), and maintain a copy of the message in the inspection office export file.

NOTE: If any of the problems with the EV requirements also are regulatory non-compliance, inspection program personnel in official establishments are to take the appropriate enforcement actions and issue a Non-compliance Record (NR).

V. VERIFICATION PROCEDURES FOR EXPORTED PRODUCT UNDER EV PROGRAMS

A. Upon receiving FSIS Form 9060-6, Application for Export Certificate, an inspection program employee is to verify that (following the procedures in FSIS Directive 9000.1):

1. the establishment is on the AMS EV list as approved to export to the importing country, and that the product was derived from animals slaughtered after the date the establishment received AMS approval to export that type of product to that country (see link above for the date of approval); and

2. each of the products listed on the application is eligible for export to the country under the EV program (see: Public Folders/All Public Folders/OFO/Export Verification Program).

B. After determining that the establishment itself is eligible to export to the destination country, and that the specific products are eligible to be exported to that country, the inspection program employee will then re-inspect the product as set out in FSIS Directives 9000.1, Revision 1, and 9040.1, Revision 3.

C. If the application or product is not acceptable (e.g., the application is not complete or regulatory requirements have not been met), the inspection program employee is not to sign the application and is to follow the instructions as set out in FSIS Directives 9000.1, Revision 1, and 9040.1, Revision 3.

NOTE: If the application or product is not acceptable because an EV requirement has not been met, the inspection program employee, in addition to returning the application un-signed, is to follow the instructions in paragraph IV. C. 1. and 2. above.

D. If the application and product are acceptable, the inspection program employee is to follow the instructions in FSIS Directive 9000.1, Revision 1, regarding signing the application and issuing FSIS Form 9060-5, Meat and Poultry Products Export Certification of Wholesomeness.

E. As part of its EV-approved program, the establishment, before it can forward the certificate to an FSIS certifying official for signature, must receive a letter from AMS confirming that the EV program requirements have been met and the products are eligible for export as provided in:

1. a copy of the signed application (FSIS Form 9060-6);

2. the unsigned certificate (FSIS Form 9060-5); and

3. any other certificates required by the importing country, including letterhead certificates.

NOTE: The above requirement for an AMS letter does not apply to EV programs for Mexico or Canada.

NOTE: AMS sends a signed copy of the letter to the establishment and e-mails a copy to the PDD. The PDD acknowledges receipt of the letter by replying to the AMS e-mail.

F. When signing an FSIS Form 9060-5, an FSIS certifying official (e.g., Public Health Veterinarian or consumer safety inspector) should receive the following from an establishment:

1. the original FSIS Form 9060-5 and any other certificates required by the importing country, including letterhead certificates, and supporting documents; and

2. a copy of the letter from AMS that confirms:

a. that AMS conducted a review of the required documents, and slaughter and processing plant information, as listed; and

b. that AMS has determined the items listed are eligible items approved for export to the country listed on the certificate and from the facilities listed.

G. When an FSIS certifying official receives the documents in paragraph F. above, he or she is to verify, as set out in FSIS Directive 9000.1, Revision 1, that the documents are complete and accurate, and that the AMS letter confirms that EV program requirements were met.

1. If any of the documents are not accurate, he or she is to:

a. notify the establishment and explain the problem;

b. document a memorandum of interview; and

c. maintain copies of the documents in question and the memorandum of interview in the government file.

NOTE: If the application or product is not acceptable because an EV requirement has not been met, the certifying official is to follow the instructions in paragraph IV. C. 1. and 2. above; and

2. If all documents are acceptable, sign all certifications and maintain a copy of the AMS letter in the government file along with the certifications.

NOTE: Verification activities related to EV programs, in any facility, are to be charged as reimbursable services (See FSIS Directive 9000.1, Revision 1).

Refer questions to PDD through askFSIS at <http://askfsis.custhelp.com> (topic: "General Inspection Policy"/category: "Slaughter"/ subcategory: N/A) or at 1-800-233-3935 (at the main menu press "1"; then press "5" for PDD).



Assistant Administrator
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