

FSIS DIRECTIVE

9900.1
Revision 1

2/18/21

IMPORTED PRODUCT SHIPMENT PRESENTATION

I. PURPOSE

This directive provides the instructions that inspection program personnel (IPP) are to follow when conducting reinspection of meat (which includes *Siluriformes* fish and fish products), poultry, or egg product shipments presented for import reinspection. FSIS is reissuing this directive to address procedural changes associated with the incorporation of instructions from FSIS notices and clarify when IPP are to verify the stamping of product with the official import mark of inspection.

KEY POINTS:

- *How to perform document review for shipments of imported meat, poultry, and egg products*
- *How to verify proper presentation of shipments of imported meat, poultry, and egg products*
- *How types of inspections (TOIs) are assigned for shipments of imported meat, poultry, and egg products*
- *When to verify the stamping of product with the official import mark of inspection to product through scheduling of the General Labeling (Imports) Task (04B04_I) in PHIS*

II. CANCELLATION

FSIS Directive 9900.1, Imported Product Shipment Presentation, 11/3/15

III. BACKGROUND

IPP conduct reinspection of all amenable meat, poultry, and egg products offered for import into the United States (U.S.) for commercial distribution as human food.

IV. INSPECTION CERTIFICATES (9 CFR [327.4](#), [381.197](#), [557.4](#), and [590.915](#))

A. IPP are to verify that each lot of meat, poultry, or egg product that is offered for import into the U.S. is accompanied by the proper certification. Official inspection certificate data may be submitted electronically, government to government (eCert), through the Public Health Information System (PHIS), or with a paper inspection certificate (non-eCert).

B. Non-eCert countries: Verify that the paper inspection certificate:

1. Is complete, accurate, and legible;
2. Contains the country's official seal, mark, or legend; the date the certificate was issued; and the name, title, and signature of the official authorized to issue inspection certificates for product imported into the U.S.;
3. Does not have any items that have been erased, altered, or changed by any other means in sections IV. B. 2. or IV. C., below;
4. Clearly identifies which product is from which foreign producing establishment if products from multiple establishments are on a single certificate; and
5. Is in English. It may be bilingual, so may include another language.

C. Paper inspection certificates and electronic inspection certificate data are to contain the following:

1. Foreign country of export and the producing foreign establishment number;
2. Species used to produce the product;
3. Source country and foreign establishment number if the source materials originate from a country other than the exporting country. This includes identification of source product if from the U.S.;
4. The product's description, including the process category, the product category, and the product group;
5. Name and address of the importer or consignee;
6. Name and address of the exporter or consignor;
7. The number of units (pieces or containers) and the shipping or identification mark on the units;
8. The net weight of each lot; and
9. Any additional information the Administrator requests to determine whether the product is eligible to be imported into the U.S. (e.g., production or slaughter dates, when required). Production dates are required when there has been a period of ineligibility and PHIS is programmed to flag when production dates are required. FSIS issues notices when slaughter dates are required to be certified and verified by IPP.

D. A paper certificate is not required for countries that utilize eCert. IPP are to review the transmitted eCert data in PHIS to verify the accuracy and completeness of the transmitted certification data. IPP that have reason to question the accuracy of the eCert data in PHIS are to notify the Recall Management and Technical Analysis Division (RMTAD), Import Operations (IO) by email at importinspection@usda.gov that specifies the data elements in question. RMTAD, IO will provide responses with further instruction on how IPP are to complete any required corrections.

NOTE: In some instances, the importer or consignee and exporter or consignor information on the inspection certificate or in the eCert data may differ from the information in the application. IPP are not to fail the Certification TOI because of these differences.

E. Additional Certifications.

1. Pasteurized Egg Products- IPP are to verify, in addition to the above items, that bulk packed shipments (tanker/tote shipments) of pasteurized egg products have foreign government documentation attesting to negative laboratory results for *Salmonella*.
2. Poultry Grading Certificates- USDA's Agriculture Marketing Service recognizes the Canadian Food Inspection Agency's (CFIA) poultry product grade designations provided the poultry graded for export to the U.S. satisfies the criteria for U.S. grades. Canadian product labeled with the CFIA grades will be accepted provided the shipment is accompanied by an official CFIA grading certificate stating that the product meets USDA grade standards (e.g., "Young Turkey Canada A"). This certificate is in addition to the official foreign inspection certificate. If graded product is received without the accompanying grading certificate, IPP are to reject the shipment until a grading certificate is provided, or until the reference to the poultry grade has been obliterated or removed.
3. Production Dates- IPP are to enter production date information into PHIS when product is presented from a country or foreign establishment with a history of being ineligible to export to the U.S. PHIS will determine whether the product was produced at a time the foreign establishment or country was ineligible to export to the United States. When product from an establishment or country with a history of ineligibility is identified by PHIS, IPP will be prompted (red error message) to enter production dates for each lot.
 - a. IPP will receive the red error notification when the reinspection assignment is drawn:



When IPP receive this message and assignment, they are to refer to the inspection certificate or other supplemental documentation issued by the foreign country's competent authority for the production dates and enter the production dates as certified. If the production dates are provided on supplemental documentation, the document must contain the inspection certificate number; the production dates that apply to each lot on the inspection certificate; and the name, title, and signature of the official of the foreign inspection system.

- b. When the inspection certificate or other documentation does not contain certification of the production dates, IPP are to fail the Certification TOI in PHIS, which initiates a refused entry in PHIS, and refer to [FSIS Directive 9900.8 Meat, Poultry, and Egg Products Refused Entry into the United States](#), for disposition.

F. When IPP observe errors or omissions with the certificate, such as listed in IV.B. and IV.C. above, IPP are to enter the Certification TOI as "Fail" in PHIS for the lot. IPP are to follow [FSIS Directive 9900.8](#), and refuse entry on the lot.

NOTE: When IPP are verifying that foreign inspection certificates meet FSIS requirements, they are to accept "Primal-Subprimal" or "Cuts" interchangeably as product groups for Raw-Intact product certified by the foreign government on the foreign inspection certificate. This applies to either the electronic data that pre-populates the import application in PHIS from countries that participate in eCert, or a paper foreign inspection certificate.

G. IPP are responsible for checking for certification compliance. When performing the Certification TOI, IPP are responsible for verifying the unit count against the inspection certificate. IPP are not to rely on the official import inspection establishment to provide this information.

H. IPP are to accept minor deviations from the quantity certified by the foreign country's competent

authority on the official inspection certificate, based on the following:

1. All shipping cartons presented for reinspection are marked with the shipping mark associated with the official inspection certificate accompanying the shipment. Discrepancies regarding shipping marks are failures of the Certification TOI and not the Labeling TOI.
 2. Identification or shipping marks can be duplicative. FSIS now accepts that shipping marks may be repeated from the same foreign establishment within a calendar year. If PHIS creates an error message for a duplicate shipping mark, IPP are to:
 - a. Submit a FootPrints ticket requesting the error be removed;
 - b. Resume reinspection with the certified shipping mark.
 3. When the number of shipping units is less than the amount stated on the inspection certificate, or inspection certificate data, IPP are to accept the lot provided the deviation is less than 10%.
 4. If the number of shipping units is significantly less (e.g., greater than or equal to 10% underage) than the number of shipping units designated on the inspection certificate or inspection certificate data, IPP are to ask the management of the official import inspection establishment to obtain an explanation for the significant underage from the importer. For example, if the missing portion is on another conveyance, the entire shipment is to be held until the remaining portion arrives. If there is no explanation for the underage, IPP are to fail the certification TOI and refuse entry.
- I. When the number of shipping units exceeds the amount stated on the official inspection certificate, IPP are to:
1. Accept the number of shipping units in the lot based on the following table:

Lot Size (Shipping Units)	Overages Allowed (Shipping Units)
50 - under	0
51 - 100	1
101 - 200	2
201 - 400	4
401 - 600	6
601 - 1,200	12
1,201 - 2,000	20
2,001 - 5,000	50
5,001 - 10,000	100
10,001 - over	150

2. Refuse entry on the number of shipping units that exceed the permitted overage limits. The importer may choose to request a replacement certificate to rectify the refusal; and
3. When the number of shipping units in the lot deviates from the number of units recorded in PHIS, IPP are to make the necessary corrections.

J. Replacement Certification:

1. eCert - When IPP find that the eCert data is incorrect, IPP are to fail the certification TOI. When the applicant wants to replace the certification, IPP are to notify the FLS. The FLS will email RMTAD-IO at importinspection@usda.gov and RMTAD-IO will request a replacement document directly from the competent authority that issued the electronic certificate data. When the competent authority sends a new document, RMTAD-IO is to email the replacement document to the FLS who will provide it to IPP. IPP are to print the replacement, attach it to the case file and record the replacement number when rectifying the refused entry. Replacements that are not received government to government are not acceptable.
2. Non eCert - When IPP find that the paper certificate is incorrect, IPP are to fail the certification TOI. If a replacement certificate is provided, because the original paper certificate was incorrect or lost, IPP are to accept either an original paper copy or an electronic copy transmitted as an attachment (e.g.) to an email sent directly from the competent authority to FSIS (e.g., import inspection personnel or RMTAD-IO). Such replacements that are not received government to government are not acceptable. IPP are to print the replacement certificate, attach it to the case file and record the replacement certificate number when rectifying the refused entry. IPP are to stamp incorrect certificates "USDA Void."
3. Voided original inspection certificates may be provided to the foreign inspection agency or the foreign country's embassy upon request.
 - a. The requests are to be on the official letterhead of the foreign inspection agency or embassy.
 - b. IPP are to maintain a copy of the inspection certificate in the case file, along with a notation as to whom the original was given.

NOTE: The foreign inspection agency or the foreign country's embassy may use email to submit the request provided the request is written on official letterhead.

V. PRIOR NOTICE

A. IPP are to be aware that the meat, poultry, and egg products import regulations require the applicant (e.g., importer, U.S. customs broker) to apply for the reinspection of product that is to be offered for import in advance of the arrival of each consignment. Applicants must submit electronic or paper import inspection applications to FSIS in advance of the shipment's arrival but no later than when the entry is filed with U.S. Customs and Border Protection (CBP) (9 CFR [327.5\(b\)](#), [381.198\(b\)](#), [557.5\(b\)](#) and [590.920\(b\)](#)). In this context, electronic means applications submitted through the CBP Automated Commercial Environment (ACE), Partner Government Agency (PGA) message set into PHIS. Paper applications are [FSIS Form 9540-1](#), *Import Inspection Application*.

B. The objective of the prior notification requirement is to enhance IPP ability to identify shipments that are not presented for inspection, as well as to ensure that the notice and data entry in PHIS is performed well before the shipment arrives at the official import inspection establishment, thus avoiding delays in the reinspection of the shipment by IPP at the official import inspection establishment.

C. IPP are to verify that the application for each shipment presented for reinspection has met the prior notification requirement. IPP are to enter paper FSIS Form 9540-1 data into PHIS as soon as possible to avoid the unnecessary appearance of a prior notification or FTP violation. The following are examples of when prior notification has been met:

1. If the Lot Status for any lot in the application is “PGA Received” or “eCert Received”, the prior notification requirement has been met; or
2. If the Lot Status for any lot in the application is “Pre-Arrival”, the prior notification requirement has been met; or
3. If the application status is “Unsubmitted”, and the Lot Status is “CBP Received”, or if the application cannot be retrieved in PHIS, the prior notification requirement has been met if a paper FSIS Form 9540-1 was submitted to IPP in advance of the shipment’s arrival.

D. When IPP identify a shipment that has not met the prior notification requirement, IPP are to:

1. Notify the applicant that the shipment did not meet the prior notification requirements (9 CFR [327.5\(b\)](#), [381.198\(b\)](#), [557.5\(b\)](#), or [590.920\(b\)](#)), and that if this continues, future shipments that do not meet the prior notification requirement may be refused entry;
2. Document such discussions in a Memorandum of Interview (MOI); send an email with shipment information to RMTAD-IO at importinspection@usda.gov;
3. After entering and submitting the application in PHIS, access the first lot of the application, select “Lot Tracking”, then “Prior Notification Violation”; and
4. Proceed with the reinspection unless otherwise instructed through supervisory channels.

VI. IMPORT APPLICATIONS

As defined in Section V. A., the meat, poultry, and egg products import regulations require the applicant (e.g., importer, or U.S. customs broker) to apply for the reinspection of product that is to be offered for import. Instructions for reviewing import applications are outlined in [FSIS Directive 9900.4](#), *Import Applications*.

VII. FAILURE TO PRESENT (FTP)

A. Any shipment of meat, poultry, or egg product that has entered commerce without FSIS import inspection violates the Federal Meat Inspection Act (FMIA); the Poultry Products Inspection Act (PPIA); or the Egg Products Inspection Act (EPIA), as well as the implementing regulations (9 CFR [327.6](#); [381.199](#); [557.6](#); [590.925](#)). Imported meat, poultry, or egg products are considered “in-commerce” when they are off-loaded at a location other than the official import inspection establishment or other FSIS-approved location (e.g., for unpasteurized egg products) designated on the import inspection application. When a shipment of product has been identified as an FTP, FSIS will request, through CBP, a redelivery of the shipment and appropriate penalties. If any imported product identified as FTP has been removed from the original cartons or further processed, FSIS will initiate regulatory control action to deal with the product, including any further processed product that contains the FTP product, to ensure appropriate disposition of the product.

B. IPP are to monitor shipments for FTP in the Pre-Arrival menu by the Estimated Date to Present.

C. If an FTP is suspected, IPP are to access PHIS and determine whether the shipment was presented at another location (e.g., other official import inspection establishment), the FSIS reinspection was assigned by PHIS, and FSIS reinspection was performed.

D. If the shipment is canceled, the broker/applicant should provide notification of the cancellation to IPP. IPP are to document the reason in PHIS and cancel the shipment.

E. When a shipment has not arrived by the Estimated Date to Present, IPP are to access the Lot Tracking menu through the Lot Manager screen and select “Send FTP Warning.” PHIS then sends an email notification to the applicant requesting a status update on the shipment.

F. IPP are to expect to receive the applicant’s written or oral response providing a shipment status update within the workday, provided the notification was sent early enough in the workday. The response from the applicant may come to IPP through the management of the official import inspection establishment, or directly from the applicant.

1. If the applicant responds that the shipment is at the designated official import inspection establishment, IPP are to verify the shipment’s presence, access the Lot Tracking menu through the Lot Manager screen, and change the status to “On Premises.”
2. If the applicant responds that the shipment has been delayed, IPP are to ask for a revised estimated date to present, access PHIS, and find the shipment on the Pre-Arrival Shipments screen. IPP are then to access the application in PHIS, revise the estimated date to present, click “Save” and “Continue”, select the “Submit” tab, and select “Submit.” This process will amend the estimated date to present for each lot on the application.
3. If the location cannot be confirmed, or the applicant does not respond with a revised estimated date to present, IPP are to perform a basic investigation to determine whether an FTP should be issued by searching PHIS using “Find Shipments” and the applicable inspection certificate number.
4. If the same certificate number is listed more than once, suggesting that the product was entered under multiple customs entry numbers (CENs) at different ports and different official import inspection establishments, IPP are to:
 - a. Verify that it is the same product and certificate with shipments presenting at different establishments. If so, IPP are not to issue an FTP under the CEN investigated;
 - b. Request a cancellation notice from the applicant; and
 - c. Delete the application and record the reason in PHIS.

G. If the certificate number is listed once, or if the applicant responds and states that the shipment bypassed FSIS import reinspection, IPP are to follow the instruction in VIII below.

VIII. FTP NOTIFICATIONS TO THE DO, FLS, AND RECALL MANAGEMENT AND TECHNICAL ANALYSIS DIVISION – IMPORT OPERATIONS (RMTAD-IO)

A. IPP are to notify the FLS and RMTAD-IO by email of the FTP. Notify RMTAD-IO at importinspection@usda.gov.

B. Using the View Application function in PHIS, IPP are to save a pdf copy of the application to their computer’s hard drive and attach the application to the email notifications. They are to include on the email subject line the FTP, the date, and the official import inspection establishment number. IPP are to attach a copy of the email to the case file and give a hard copy to the import establishment management.

C. The District Office (DO) is to notify the Office of Investigation, Enforcement and Audit (OIEA) Regional Director (RD) and RMTAD of any identified FTP. [FSIS Directive 8010.1](#), *Methodology for Conducting In-Commerce Surveillance Activities*, and [FSIS Directive 8010.2](#), *Investigative*

Methodology, provide FTP instructions for OIEA. The FLS is to update RMTAD on FTP shipment information, as necessary.

D. RMTAD-IO are to review incoming information for accuracy and verify that the OIEA RD was notified of the FTP shipment.

IX. RECEIVE LOTS/DRAW ASSIGNMENTS

A. When IPP are notified by import establishment management that a shipment is presented, IPP are to access PHIS, retrieve the lot, access the Lot Manager screen, select “Receive Lot” from the lot event drop-down menu (which will simultaneously “Draw Assignments”), and then proceed with verification of the lots.

B. If correction of an entry in PHIS is needed, IPP are to request corrected documents and access PHIS to make the needed corrections.

X. SHIPMENT STAGING AND LOT VERIFICATION (9 CFR [327.6](#), [381.199](#), [557.6](#), and [590.925](#))

A. IPP are to ensure that each lot of imported product is presented by the import inspection establishment in a manner that:

1. Ensures the safety of IPP;
2. Provides adequate space to select samples and perform verification activities; and
3. Ensures that each shipping unit has an equal chance of being selected as a sample.

B. For Canadian shipments, IPP are to perform verification on one shipping unit from each lot on the inspection certificate assigned only Certification and Label Verification TOIs. The verification (e.g., compliance with application, foreign inspection certificate, and accurate labeling) is to be performed at the rear of the open shipping conveyance backed into the unloading dock at the official import inspection establishment. Lots that receive more TOIs than just Certification and Label Verification are to be staged in an approved staging area in the official import inspection establishment for reinspection.

C. IPP are to be aware that palletized, consumer packaged (including food service—hotel, restaurant, or institution (HRI)), fully marked and labeled products may be presented with the shipping mark and shipping container label applied to the outside of the pallet rather than to individual tray packs or cartons. When products are presented packaged in this manner, IPP are to verify that:

1. Only one type and size of product is presented on a pallet;

NOTE: For Canadian shipments, different sized boxes of the same product may be presented on the same pallet when the pallets in the lot are to be split for distribution to specific end users.

2. Fully marked and labeled packaged products are placed on pallets and secured sufficiently to allow efficient handling during sample selection. The pallet is considered a shipping carton;
3. One main shipping label is present with sufficient space to apply the U.S. import mark of inspection (Exception: Product from Canada is not stamped with the import mark of inspection); and
4. The inspection certificate identifies all the retail package production codes present (such as date codes imprinted on the can or package) in the shipment.

NOTE: For raw product, the inspection certificate does not require production codes, but all boxes must be fully labeled, including the shipping mark. This is to ensure the individual cartons do not lose their identity in the event IPP need to conduct reinspection on any of the product that would require the outside label to be removed from the pallet.

D. IPP are to perform the Certification and Label Verification TOIs (e.g., compliance with application, foreign inspection certificate, and accurate labeling) on all lots presented. For lots that receive more TOIs than just Certification and Label Verification, IPP are to perform all assigned TOIs as identified on the PHIS Lot Manager screen.

NOTE: Lots pending completion of non-regulatory Lab TOIs (e.g., Salmonella in raw poultry) may be stamped and released pending laboratory results.

1. During the performance of the Certification and Label Verification TOI, IPP are also to conduct a routine inspection for general condition. IPP are to identify and have plant management remove any container from the lot that has obvious transportation damage resulting in product being exposed to insanitary conditions. Such transportation-damaged product is to be refused entry in accordance with [FSIS Directive 9900.8](#).

- a. Examples of transportation damage include torn, exposed, and crushed, or blood-stained cartons. A shipping carton stained from an external source, such as an adjacent carton or from internal Cryovac leakage, is not regarded as transportation damage. However, if a Cryovac bag is torn, and it is obvious product is exposed, the individual piece can be removed by the establishment from the carton and identified as transportation damage. This does not include loss of vacuum, unless the loss of vacuum is from the packaging being torn, or product appears to be unwholesome.

E. IPP need to perform all pending TOIs and enter the results before they can “Complete” the lot in PHIS. After all, TOIs are marked as “Complete” and recorded in PHIS, IPP are to release the lot by selecting “Release acceptable units.”, which will send a shipment release message to CBP and the applicant. IPP are to verify that acceptable units (products or placard) are stamped “U.S. Inspected and Passed” in accordance with section XI.

F. If a product fails a TOI, or the lot (entire or portion) is refused entry for other than a TOI, PHIS will refuse entry to the lot or portion of a lot. IPP are to follow the refused entry procedures outlined in [FSIS Directive 9900.8](#) for disposition of the lot.

G. When a shipment is presented to IPP where product in the same shipping container within the same lot has different product groups, IPP are to email RMTAD-IO at importinspection.usda.gov. RMTAD will provide guidance to IPP on a case-by-case basis.

XI. VERIFYING THE STAMPING OF PRODUCT WITH THE OFFICIAL IMPORT MARK OF INSPECTION

A. IPP are to use the PHIS task calendar to schedule verification activities when the official import establishment stamps inspected and passed product with the official import mark of inspection.

B. IPP are to add the General Labeling (Import) task, and report findings in PHIS in accordance with [FSIS Directive 13,000.1](#), *Scheduling In-Plant Inspection Tasks in the Public Health Information System (PHIS)*. (Exception: Product from Canada is not stamped with the import mark of inspection).

C. When performing the General Labeling verification task, IPP are to:

1. Verify the stamping of product by the official import inspection establishment is legible. If the

mark is not legible, the plant can reapply the mark;

2. Verify that the official import inspection establishment has applied the mark to all applicable shipping cartons; and
3. Record results of the verification activity in the PHIS.

XII. UNSCHEDULED AND NOT PERFORMED TOIs

A. When IPP identify a situation that warrants an applicable unscheduled TOI, they are to determine whether the TOI is applicable for the product. If it is applicable, IPP are to add the unscheduled TOI and document the reason. If the TOI is not applicable, IPP are not to add the unscheduled TOI. When an unscheduled TOI is added, notify the FLS.

B. When IPP identify a TOI that cannot be performed on a lot, they are to document in PHIS that the TOI is not being performed, and identify, from the drop-down menu, the reason for not performing the TOI.

XIII. CASE FILES

IPP are to retain all documents related to a specific inspection event in a case file. This would include any documentation provided by the establishment to initiate the inspection, any documents or notes generated by IPP during performance of the inspection, any documentation provided by the establishment or applicant regarding appeals, any documentation regarding refused entry extensions and dispositions, and any additional documentation or correspondence requested by his or her immediate supervisor. Case files should be filed by country and certificate number and retained under FSIS control in accordance with [FSIS Directive 2620.1](#), Revision 5, *FSIS Records Management Program*.

NOTE: IPP are not required to **stamp** the FSIS Form 9540-1 or the import inspection certificate, with the "U.S. Inspected and Passed" stamp; however, IPP are to stamp copies of FSIS Form 9540-1 or the certificate if provided and requested by the importer.

XIV. QUESTIONS

Refer questions regarding this directive to the Office of Policy and Program Development through [askFSIS](#) or by telephone at 202-690-4354.



Assistant Administrator
Office of Policy and Program Development