

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

FSIS DIRECTIVE

9900.3
Rev. 42

10/3/19
12/18/20

PRESTAMPING IMPORTED PRODUCT

DO NOT IMPLEMENT THIS NOTICE UNTIL DECEMBER 28, 2020.

I. PURPOSE

This directive provides instructions to inspection program personnel (IPP) on how to verify that official import inspection establishments meet requirements for prestamping imported meat (which includes Siluriformes fish), and poultry, and egg products with the official inspection legend. FSIS is reissuing this directive to update regulatory cites for egg products contained in the final rule *Egg Products Inspection Regulations* (85 FR 68640) and to include instructions for prestamping imported egg products. ~~has been updated to include information about approving prestamping procedures and on how to schedule prestamping verification activities in the task calendar in the Public Health Information System (PHIS); this update also removes the District Import Specialist (DIS) responsibilities because that position no longer exists.~~

II. CANCELLATION

FSIS Directive 9900.3, Revision 1, *Prestamping Imported Product*, ~~11/3/15~~ 10/3/19

III. BACKGROUND

The Federal meat, and poultry, and egg products inspection regulations permit official import inspection establishments to place the official inspection legend on imported meat, and poultry, and egg products before the completion of official import reinspection. However, the regulations require that official import inspection establishments have a controlled prestamping procedure approved by the District Manager (DM) (9 CFR 327.10(d), 381.204(f), and 557.10), and 590.940(e). The prestamping procedure needs to identify how the controlled stamping of product will be accomplished. Official import inspection establishments that want to prestamp lots with the official inspection legend are to notify FSIS in writing of their intentions and present their prestamping procedure to FSIS for prior approval as described below.

NOTE: Prestamping does not apply to products imported from Canada

IV. APPROVING PRESTAMPING PROCEDURE

A. The Front Line Supervisor (FLS) is to review any written prestamping procedures submitted by an official import inspection establishment before forwarding the procedures to the DM with a recommendation on whether to approve. The FLS is to verify that the prestamping procedures:

1. Limit prestamping to only those lots that IPP can fully inspect on the day on which prestamping occurs;
2. Do not allow for prestamping of lots subject to intensified reinspection;
3. Do not allow for prestamping until after IPP verify the product condition, count, documentation, and labeling;

4. List the name of the establishment official ensuring compliance with the prestamping procedure;
5. Provide that all product that is prestamped will be held within the official import inspection establishment until reinspection has occurred;
6. Include a control procedure for removing or obliterating the official inspection legend from prestamped lots that fail reinspection; and
7. Describe how the official import inspection establishment will maintain a daily prestamping log that includes:
 - a. Date the product was prestamped and reinspected;
 - b. Country of origin;
 - c. Foreign establishment number;
 - d. Name of product;
 - e. Number of units;
 - f. Shipping mark;
 - g. Inspection certificate number;
 - h. PHIS application and lot number; and
 - i. A procedure for maintaining and retaining the daily prestamping log in accordance with [9 CFR Part 320](#) and making it available to IPP when not in actual use.

B. Upon consideration of the FLS's recommendation, the DM is to prepare, sign, and transmit a letter that responds to the official import inspection establishment's request for a prestamping procedure.

1. After an official import inspection establishment's procedure is approved by the DM, the District Office (DO) is to retain a copy of the approval letter and the prestamping procedure, and then send a copy of the approval letter and approved procedure to IPP.
2. If the procedure is not approved by the DM, the FLS is to work with the requesting official import inspection establishment to address outstanding issues.

V. UPDATING THE ESTABLISHMENT PROFILE IN PHIS

IPP are to verify that all applicable tasks related to official markings applied to imported products are reflected in the Establishment Profile in PHIS. If needed, IPP are to update the Establishment Profile as per [FSIS Directive 5300.1](#), *Managing the Establishment Profile in the Public Health Information System*.

VI. PRESTAMPING VERIFICATION

A. Upon approval of the prestamping procedure by the DM, IPP are to use the PHIS task calendar to schedule verification activities for prestamping using the General Labeling (Pre-Stamp) (Import) task at official import inspection establishments in accordance with [FSIS](#)

Directive 13.000.1, Revision 1, *Scheduling In-Plant Inspection Tasks in the Public Health Information System (PHIS)*.

General Labeling (Pre-Stamp) (Import)	6	12/01/2018	12/31/2018	1	1	1	Routine
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B. When performing the prestamping verification task, IPP are to:

1. Verify that the official import inspection establishment is performing and monitoring prestamping as described in its prestamping procedure;
2. Verify that the official import inspection establishment is documenting and maintaining all the information in Section IV.7 of this directive in a prestamping log; and
3. Record results of the verification activity in PHIS.

VII. NONCOMPLIANCE AND CANCELLATION OF PRESTAMPING PRIVILEGES

A. When the official import inspection establishment fails to follow its prestamping procedure IPP are to:

1. Retain any product not eligible for prestamping; and
2. Indicate noncompliance on the regulations tab under the General Labeling (Pre-Stamp) (Imports) task results and click “save”. PHIS will then allow IPP to create a noncompliance record (NR) citing [9 CFR 327.10\(d\)](#), [381.204\(f\)](#), [557.10](#), and [590.940\(e\)](#). Examples of when an NR may be issued documenting an establishment’s failure to comply with its prestamping procedures include but are not limited to:
 - a. The official import inspection establishment fails to document and maintain a prestamping log;
 - b. The official import inspection establishment prestamps ineligible product; or
 - c. The prestamping is improperly applied to containers (e.g., illegibly or over other markings).

B. If the official import inspection establishment refuses to rectify the noncompliance or if there is repeated noncompliance, IPP may cancel prestamping privileges under [9 CFR 327.10\(d\)\(2\)](#). Before cancelling prestamping privileges, IPP are to consult with the FLS. Prestamping privileges may be cancelled orally or in writing after consultation with the FLS ([9 CFR 327.10\(d\)\(2\)](#), [381.204\(f\)\(2\)](#), [557.10](#), and [590.940\(f\)\(2\)](#)).

VIII. APPEALS TO CANCELLATION OF PRESTAMPING PRIVILEGES

As specified in [9 CFR 306.5](#), ~~or 9 CFR 381.35~~, or [590.310](#) an official import inspection establishment may appeal an NR or regulatory control action (i.e. retention of misbranded product per [9 CFR 500.2\(a\)\(2\)](#)). Official import inspection establishments may also appeal cancellation of prestamping procedures in [9 CFR 327.10\(d\)\(2\)](#), ~~or 9 CFR 381.204(f)(2)~~, or [590.940\(f\)\(2\)](#) and [9 CFR 500](#) rules of practice. When an official import establishment appeals, IPP are to refer to [FSIS Directive 5000.1](#).

IX. QUESTIONS

Refer questions regarding this directive to the OPPD Import and Export Policy Development Staff through [askFSIS](#) or by telephone at 202-690-4354.

Assistant Administrator
Office of Office and Program Development