



Food Safety and Inspection Service
U.S. DEPARTMENT OF AGRICULTURE

Import Refresher Training

Label Verification

Learning Objectives

- Name the 5 types of containers (or items) that must bear labeling features that meet FSIS regulatory requirements
- Explain how to select sample units and perform the Label Verification type of inspection (TOI)
- Explain how to respond when labeling features are missing or inaccurate
- Describe how importers may handle partially or completely missing, illegible, or incorrect shipping marks

Resources

- [FSIS Directive 9900.5](#)
- [9 CFR part 301.2](#)
- [9 CFR part 317](#)
- [9 CFR part 327.15](#)
- [9 CFR part 381, Subpart N](#)
- [9 CFR part 557.15](#)
- [9 CFR part 590.950](#) and [590.955](#)

Overview

Foreign establishments exporting products to the United States must comply with the same regulatory requirements for labeling as domestic establishments. Therefore, Import Inspectors at official import establishments are tasked with verifying the labeling on **every lot** of:

- Shipping containers
- Immediate containers
- Protective coverings
- Primal parts
- Carcasses

Selecting Sample Units

When performing the Label Verification TOI, the **sample unit** is typically defined as a pallet, tote, or carcass, rather than an individual carton. IPP will use Table A in FSIS Directive 9900.5 to determine the number of sample units to verify and then will use a random number generator to select the specific pallets, totes, or carcasses to check. When the sample unit is a pallet, IPP will verify the labeling features on every individual unit on each selected pallet.*

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Selecting Sample Units

Table A - Labeling Verification Procedures (LVP) Sample Size

Number of Units in Presented Lot	Number of Sample Units (Pallets/Totes/Carcasses)
1-10	1
11-20	2
21-30	3
31-40	4
41-50	5
51 or more	5 plus 1 additional sample unit for every increase in lot size by 10 units or parts thereof

**Important
Note:**

Label Verification TOI

On the coming slides, we will review the procedures you will perform to complete the Label Verification TOI. Remember that both the Certification and Label Verification TOIs must be performed on **every** lot of imported product. If the Label Verification TOI is not assigned to a particular lot, add it in PHIS using the **Add Unscheduled TOI** button, and notify RMTAD through supervisory channels so that they can check your establishment profile to determine why it was not scheduled.

Also note that it is while you are performing Label Verification that you are also assessing the **general condition** of the containers and the products therein.

Label Verification TOI - Canadian Product

When product from Canada is assigned *only* the Certification and Label Verification TOIs, these verification procedures can be performed at the back of the conveyance backed up to the loading dock. You will verify one representative shipping container from each lot on the inspection certificate.

If necessary, establishment employees can rearrange cartons so that you can access all required labeling features.

Label Verification TOI - Canadian Product

Under certain conditions, establishment employees will need to offload shipments of product from Canada and stage it for reinspection:

1. You observe or suspect any issues with the contents of the conveyance
2. The Certification and/or Label Verification TOIs are assigned at the intensified or increased level of reinspection (LOR)
3. Additional TOIs (e.g., product exam, laboratory sampling) are assigned, and product must be staged to facilitate random sampling

Label Verification TOI - Canadian Product

Additional Rules:

- If carcasses, sides, or quarters are presented on pallets or in totes labeled as shipping containers, verify that the labeling on the pallet or tote meet FSIS requirements
- If carcasses are individually labeled with the requirements for shipping containers, verify that the labeling on every carcass on the selected pallet (or tote) meets FSIS requirements

Label Verification TOI - General Procedures

Over the next several slides, we will review the general procedures for performing the Label Verification TOI as they apply to products from all countries that export to the United States.

Label Verification TOI - General Procedures

General Rules:

- Labels must be mechanically printed, stenciled, or stamped directly on shipping containers or must be on a self-destructive adhesive label affixed to the shipping container.
- Handwriting is not acceptable *except* for net weights (in an open net weight statement) or marking checks in pre-printed boxes
- Labels must be in English (except that product for distribution *solely* in Puerto Rico may be in Spanish)

Label Verification TOI - Shipping Containers

Labeling of shipping containers must include:

- Name of the country of origin preceded by "Product of" (unless the country of origin is included in the shipping mark or on immediate containers within)
- Foreign establishment number (may or may not be part of the shipping mark)
- Name of the product
- Name and address of the foreign establishment, distributor, or importer (unless it appear on immediate containers within)

Label Verification TOI - Shipping Containers

Labeling of shipping containers must include (continued):

- Complete and legible shipping mark or other unique identifier (duplicates permitted)
- Special handling statement, where applicable
- Sufficient space on the main display panel to apply the USDA mark of import inspection (except for products from Canada) to ensure the stamp is legible and does not obscure other required labeling features
- Production dates, when required by PHIS
- Weight expressed in terms of avoirdupois (i.e., pounds (lbs.), ounces (oz.))

Label Verification TOI - Immediate Containers

[9 CFR 301.2](#) defines **immediate container** as "the receptacle or other covering in which any product is directly contained or wholly or partially enclosed."

If shipping containers contain fully labeled immediate containers, you will verify that the immediate containers bear all mandatory labeling features as prescribed in [9 CFR 317.2](#) or [381.116](#).

If the product inside the cartons is not fully labeled, then the carton itself becomes both the shipping and immediate container and must bear all applicable* required features of both. *

Label Verification TOI - Immediate Containers

Labeling of immediate containers must include:

- Name or descriptive designation of product
- Ingredients statement (if fabricated from two or more ingredients)
- Foreign establishment number
- Special handling statement (if applicable)
- Net quantity of contents (if applicable)
- Manufacturer's or distributor's name and address

Label Verification TOI - Immediate Containers

Labeling of immediate containers must include (continued):

- Nutrition labeling (if applicable)
- Name of the country of origin, preceded by "Product of"
- Safe handling instructions for not-ready-to-eat (NRTE) products that are destined for the consuming public

Label Verification TOI - Protective Coverings

When product inside shipping containers is packaged or wrapped in protective coverings, such coverings are not required to bear any mandatory labeling features, *provided* the shipping container labeling includes all the required features of immediate containers.

If a protective covering bears *any* of the required features of an immediate container label, then it must bear *all* required features of an immediate container.

Label Verification TOI - Protective Coverings

Protective coverings must meet the requirements of [9 CFR 317.1\(a\)](#):

- When shipping containers contain processed or prepared products in protective coverings, the shipping container label must include a statement of limited distribution (e.g., "Packed for Institutional Use")
- The protective coverings should bear no labeling features
- Unlabeled product may not be removed for further distribution nor displayed or offered for sale
- Unprocessed meat cuts in protective coverings *may* bear the foreign mark of inspection with country of origin and establishment number (not required)

Label Verification TOI - Protective Coverings

Optional information permitted on protective coverings:

- Company brand names
- Trademarks
- Code numbers

Label Verification TOI - Carcasses & Primal Parts

Marked carcasses and primal parts:

In most cases, multiple carcasses or primal parts (chucks, rounds, loins, bellies, etc.) will be borne by a shipping container. You are to observe the surfaces of these carcasses or primal parts for the foreign inspection legend. If the inspection mark bears the name of the country of origin, there is no need for a "Product of" statement.

Products required to bear the foreign inspection legend include: red meat carcasses, primal parts of red meat carcasses, beef livers, beef tongues, and beef hearts.

Label Verification TOI - Carcasses & Primal Parts

Unmarked carcasses and primal parts:

If a shipping container bears unmarked carcasses or primal parts, you are to allow the movement of the product to an official FSIS establishment for further processing, provided the shipping container is sealed by under the following conditions (see next slide):

Label Verification TOI - Carcasses & Primal Parts

Unmarked carcasses and primal parts:

- Tamper-proof tape or wrap that bears the foreign inspection legend (as an alternative to a traditional container seal)
- Shipping containers are resealed after inspection
- Company seal placed on the container or conveyance, seal number noted on shipping documents
- Refuse entry, fail Label Verification TOI when seals are found not to be tamper-resistant or for which seal information is not provided
- Retain any shipment that arrives without tamper-proof sealing, notify FLS

Label Verification TOI - Special Claims & c.

Imported products may be presented bearing qualifying statements, claims, grades, or other declarations.

The applications and certificates should be accompanied by adequate supporting documentation. However, if upon review of documentation or upon observation of the product, you have concerns about the accuracy of such claims or statements, place the lot on hold in PHIS* and contact the FLS.

Labels with claims or certifications must be evaluated by LPDS prior to use.

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Label Verification TOI - Egg Products

In the interest of *not* being repetitive, we will not review the full label verification procedures for egg products here, since they are essentially the same as for meat and poultry products. The requirements for egg products can be reviewed in [9 CFR 590.955](#) and FSIS Directive 9900.5, Section VI. H.

Because many egg products are shipped in either liquid or powder form, shipping containers and tankers with placards may also serve as immediate containers, so you will need to verify that all required features for the particular container type are present.

Note:

Label Verification TOI - Lot Dispositions

When imported product fails to meet any of the labeling regulatory requirements, IPP are to fail the Label Verification TOI.

Remember one exception: when shipping marks are missing, incorrect, or completely illegible, IPP are to fail the Certification TOI.

Failing either TOI will automatically generate the **Refuse Entry** option in PHIS. Go to the Refused Entry page and click "Send to Applicant" to notify the applicant -- they will then have 45 days to make an appropriate disposition (Refused Entry and Appeal procedures will be covered in the next module).

Lot Dispositions - Containers

Shipping or immediate containers may be brought into compliance as follows:

- Non-compliant containers - When transportation damage or other issue has occurred, the applicant may request that the lot be sorted to remove non-compliant containers. If these containers can be corrected in any way, they are to be refused entry and retained by FSIS until that is done.
- Labels - Importers may correct any label deficiency *except* shipping marks, missing foreign inspection legends, or foreign processing establishment numbers. They may do this by stenciling or stamping corrections and obliterating any incorrect markings. This is done under FSIS supervision.

Lot Dispositions - Containers

Shipping or immediate containers may be brought into compliance as follows (continued):

- Movement to an official establishment - For refused entry product that is not properly marked or has labeling defects on protective coverings, importers may request the District Office allow the product to be diverted to a FSIS establishment for further processing. If approved, the conveyance is sealed with a USDA seal, and IPP fill out FSIS Form 7350-1.
- Immediate containers - Sorting or re-labeling is permitted, on a case-by-case basis, by the DO. The importer must provide a written plan describing how the corrections will be made.

Lot Dispositions - Shipping Marks

In most cases, importers, applicants, or their representatives would not be permitted to replicate missing or illegible shipping marks. However, FSIS Directive 9900.5, Section VII. D. describes certain circumstances under which replication of the shipping marks *might* be allowed under FSIS supervision.

In any event, when there is an issue with either partially or completely missing or illegible shipping marks (or if shipping marks are incorrect), IPP are to fail the Certification TOI and refuse entry to prevent the movement of the product until the issue is addressed.

Lot Dispositions - Shipping Marks

Partial shipping marks:

When a portion of the shipping mark is missing or illegible, but the remaining characters match the shipping mark on other containers in the lot, the importer may elect to sort the lot. After sorting, they then have the option of rectifying the shipping marks on the noncompliant containers by stenciling or stamping the missing characters, re-labeling, or by stenciling or stamping on a duplicate, complete shipping mark. This may be done under FSIS supervision without a foreign government representative present.

Lot Dispositions - Shipping Marks

Complete shipping marks:

When IPP refuse entry on a lot for completely missing, illegible, or incorrect shipping marks, the importer may elect to sort the lot. They may then request to rectify the refused entry by re-applying shipping marks with the approval of and under the supervision of a representative of the foreign government.

Certain steps must occur before this is allowed (see next slide):

Lot Dispositions - Shipping Marks

Complete shipping marks - rectification:

1. Official representative of the foreign government inspection system must seek DO approval to re-certify or re-mark product.
2. The official representative must present documentation to support re-certifying the product -- may be a replacement certificate or official foreign government letterhead
3. If the DO permits re-certification and/or re-marking, it advises the official representative to coordinate with the establishment to reapply the shipping marks under IPP supervision

Lot Dispositions - Shipping Marks & Barcodes

Correcting shipping marks using barcodes:

Importers may request to replace missing, illegible, or incorrect shipping marks with barcodes, provided the producing country and establishment are eligible to use barcodes for this purpose.

Currently, Australia, New Zealand, and Namibia are the only producing countries eligible for the use of barcodes for this purpose; however, FSIS Directive 9900.5 will direct you to verify eligibility of both the country and the establishment using the IIO SharePoint Site before allowing the marks to be replaced.

Lot Dispositions - Verification of Re-marking

In circumstances where re-applying shipping marks is permitted, IPP must observe and verify that activity.

FSIS Directive 9900.5, Section VII. F. describes procedures for creating a new lot number in PHIS for sorted noncompliant product in situations where compliant product has *already* been released into commerce. Once correction of the product has been verified, IPP can release that product under the newly established lot number.

Knowledge Check

The following questions are for review purposes only...
they are not graded!

Knowledge Check

A lot of 23 pallets of boxed cans of beef stew from Brazil are staged for reinspection. How many sample units will IPP select? (Reference Table A from FSIS Directive 9900.5)

☐ 2 boxes per pallet

☐ 2 pallets

☐ 12 boxes

☐ 3 cans per box

☐ Check

Knowledge Check

A truck containing 3 lots of CFIA Grade A turkey from Canada is presented for inspection. PHIS has assigned *only* the Certification and Label Verification TOIs. When you go to check the labeling on a representative unit from each lot, you observe that several visible cartons have serious transportation damage with product exposed. What is your *best* response?

- 7 Place a U.S. Retained tag on the truck trailer and call the FLS
- 7 Request that establishment employees offload the product and stage it for general condition examination
- 7 Go on to the truck and look at as much of the product as you can
- 7 Pass the Label Verification TOI, since you are only to make your determination based on the 3 units you verified

☐ Check

Knowledge Check

With the exception of open net weight statements and pre-printed check boxes, importers *may not* hand write any labeling features?

☐ True☐ False☐ Check

Knowledge Check

Which features may the importer replace (stencil, stamp, adhesive sticker) without foreign government or District Office approval (select all that apply)?

☐ Product name

☐ Net weights statement

☐ Completely obscured or missing shipping marks

☐ Producing foreign establishment number

☐ Ingredients statement

☐ Partially obscured shipping mark that otherwise matches those on other containers

☐ Check

Learning Objectives - Summary

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- Describe how importers may handle partially or completely missing, illegible, or incorrect shipping marks

End of Module 3

You have completed Module 3 - Label Verification!

Click [here](#) to proceed to Module 4 - Refused Entry.

Slide	Score/ Total
Slide 36: Selecting Sample Units	0/1
Slide 37: Shipments from Canada	0/1
Slide 38: Untitled True/False Question	0/1
Slide 39: Shipping marks, etc.	0/4

Total Score

0/7

Show solutions

Retry