

Eliminating Unnecessary Filing of FSIS Export Certificate with U.S. Customs and Border Protection (CBP)

Q: How does the [final export rule](#) change FSIS requirements for filing a copy of the meat export certificate with CBP?

A: The final rule eliminates the FSIS requirement that exporters file a copy of the meat export certificate with U.S. CBP (9 CFR 322.2(e)). Previously, FSIS regulations required that exporters file a copy of the export certificate with CBP within four business days of the clearance of the vessel at the time of filing the complete manifest.

Q: Does the change meet the Federal Meat Inspection Act's (FMIA) statutory requirements?

A: Yes, the change meets FMIA requirements and intent. The FMIA requires the product's owner (e.g., the exporter) or shipper to obtain an export certificate from FSIS before the product departs from a U.S. port (21 U.S.C. 617). Vessel clearance is under CBP's jurisdiction, and because FSIS provides the export certificate to the exporter prior to clearance with CBP, the intent of 21 U.S.C. 617 is satisfied and no transfer of the certificate to CBP is necessary.

Q: Does this change how FSIS certifies meat products for export?

A: No. While this change removes unnecessary export requirements internal to the United States, exporters are responsible for obtaining the appropriate export certification before departure. The FMIA's statutory requirement and FSIS's regulatory requirement that the product's owner (e.g., exporter) or shipper obtain an export certificate from FSIS before the meat product departs from a U.S. port (21 U.S.C. 617; 9 CFR 322.4) remain in effect.

Q: Does the change apply to all products, or only meat?

A: There was no similar requirement in the Poultry Products Inspection Act (PPIA) or Egg Products Inspection Act (EPIA) implementing regulations for filing a copy of the export certificate with CBP. The final rule aligns the meat, poultry, and egg product export regulations to require that a copy of the export certificate be issued to the exporter (e.g. applicant who requested the certification or the applicant's agent).

Q: Do I have to file FSIS export certificate information in CBP's [Automated Export System](#) (AES)?

A: No. There is no requirement to file FSIS export certificate information with CBP, and therefore no plans to include FSIS export certificate information in AES.