



Bulletin 15-24 June 16, 2015

CIAA Bulletin

**An Exclusive CIAA Member
Update**

FDA Publishes Draft Guidance for the Voluntary Qualified Importer Program

The Food and Drug Administration (FDA) has published a draft guidance document explaining how it will operate the Voluntary Qualified Importer Program (VQIP). [Draft Guidance for Industry: FDA's Voluntary Qualified Importer Program \(June 2015\)](#). Comments on the draft guidance may be submitted no later than August 19, 2015, while comments on the proposed information collection may be submitted no later than August 4, 2015. CIAA will submit comments in response to this notice, and asks for your input regarding specific points of agreement, alternative recommendations, or specific concerns that you may have.

The [Federal Register notice issued on June 5](#) describes VQIP as a voluntary fee-based program for the expedited review and importation of food offered for importation. The draft guidance describes the eligibility criteria for, and benefits of, participation in VQIP. The draft guidance also provides information on submitting an application for VQIP participation, obtaining a facility certification for the foreign supplier of a food imported under VQIP, the VQIP user fee, conditions that might result in the revocation of VQIP eligibility, and criteria for reinstatement of eligibility. The VQIP program is being established pursuant to Section 302 of the Food Safety Modernization Act (FSMA), which amended the Food, Drug and Cosmetic Act (FD&C) by adding a new section 806.

FDA expects the VQIP program to begin accepting applications in January 2018 and to begin operations in October 2018. Importantly, FDA anticipates that participation in the VQIP program will be limited to 200 importers during the first year of operation, fiscal year 2018, due to resource constraints.

FDA will charge each importer participating in VQIP an annual fee to cover the cost of administering the VQIP program. On or before August 1 of each year, FDA will publish a Federal Register notice announcing the VQIP user fee schedule for the next

VQIP year. The user fee must be paid by October 1 to be eligible to participate in VQIP for that fiscal year. If the fee is not paid by October 1, FDA will send the importer a Notice of Intent to Revoke participation, and, if the fee is not paid within 30 days of the notice, VQIP participation will be revoked. During the first year of operation, however, failure to pay the user fee by October 1 will simply mean that VQIP benefits will not begin until the fee is received. FDA estimates that the user fee for the first year of VQIP operation (fiscal year 2018) will be approximately \$16,400 but emphasizes that this is only a preliminary estimate.

Much of the VQIP effort depends upon the final Foreign Supplier Verification Program (FSVP) regulations, which are expected to be issued this fall.

Please review the [memorandum prepared by OFW Law's Bob Hahn](#) reviewing the proposed guidance document in great detail.

If you have any questions, please contact Roger Szemraj at rszemraj@theciaa.org or (202) 789-1212.

DATES TO REMEMBER

July 1, 2015

Last day for an exporting country that is not designating importers for calendar year 2016 to notify FAS.

August 31, 2015

Last day to Enter dairy products into U.S. Customs territory that may be used to qualify and establish eligibility for a calendar year 2016 license.

November 5, 2015

CIAA Member Meeting

9:30 am - 11:30 am

Location: Saddle Brook Marriott, Saddle Brook, NJ

December 22, 2015 (approximately)

FAS issues first notice of calendar year 2016 licenses to licensees.

December 31, 2015

Last day for licensees to make entries to fulfill the requirement to use 85% of their calendar year 2015

license amount. Last day for which calendar year 2015 licenses are valid.

January 17, 2016

CIAA Fancy Food Show Reception

5:00 pm- 7:30 pm

Thirsty Bear Brewery

San Francisco, CA

* If a deadline date falls on a Saturday, Sunday, or Federal holiday, the deadline will be the next business day (Section 6.36(a) of the Dairy Tariff-Rate Import Quota Licensing Regulation). This does not apply to dates of entry for eligibility.

Cheese Importers Association of America

Dominique Delugeau

President

email: president@theciaa.org

phone: 202-547-0899

Cheese Importers Association of America

204 E Street, NE

Washington, DC 20002

202-547-0899 Fax: 202-547-6348

Email: info@theciaa.org