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CIAA Bulletin

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Update

FDA Releases Advance Copies of Three Final FSMA Rules

*FDA Webinar regarding the Final Rules for FSVP and Third Party Auditors on
Monday, November 23, 2015*

The Food and Drug Administration today released advance copies for three final Food Safety Modernization Act (FSMA) Rules: the [Foreign Supplier Verification Programs for Importers of Food for Humans and Animals \(FSVP\)](#); [the Accreditation of Third-Party Certification Bodies to Conduct Food Safety Audits and to Issue Certifications](#); and the [Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption](#). These three rules will be formally published in the Federal Register on Friday, November 27. In the coming days we will be carefully reviewing these rules and provide a report, including how FDA may have responded to comments submitted by CIAA in February and December of 2014.

According to FDA, the FSVP rule requires food importers to verify that foreign suppliers are producing food in a manner that meets U.S. safety standards. In 2013, the U.S. Department of Agriculture estimated that imported food accounted for about 19 percent of the U.S. food supply, including about 52 percent of the fresh fruits and 22 percent of the fresh vegetables consumed by Americans.

The Accredited Third-Party Certification rule establishes a program for the accreditation of third-party certification bodies to conduct food safety audits and to certify that foreign food facilities and food produced by such facilities meet applicable FDA food safety requirements.

While the FSVP rule is effective 60 days after publication, FDA says that the date that importers must comply with the FSVP regulation is the latest of the following dates:

- 18 months after the publication of this final rule;
- For the importation of food from a supplier that is subject to the preventive controls regulations for human food or animal food or the produce safety

regulation, 6 months after the foreign supplier of the food is required to comply with the relevant regulations; or

- For an importer that is also subject to the supply-chain program provisions in the preventive controls regulations for human food or animal food, the date the importer, as a receiving facility, is required to comply with the supply-chain program provisions of the relevant regulation.

FDA intends to conduct outreach, training, and engagement activities to help importers understand the new requirements and enable them to comply with the requirements by the applicable compliance dates.

FDA has also announced that it will hold a webinar regarding the Final Rules for FSVP and Third Party Auditors on Monday, November 23, 2015, at 10:00 AM - 11:30 AM ET. All are urged to connect by 9:45 AM. To hear the presentation and ask questions:

- Dial: 800-857-5012, passcode: FSMA
- International: 1-312-470-7328

To view the slide presentation during the webinar:

<https://www.mymeetings.com/emeet/join/index.jsp?customHeader=mymeetings&netId=PW5836233&netPass=FSMA&netType=conference&acceptTerms=on Agenda>

- Welcome - Moderator Kari Barrett, Office of Foods & Veterinary Medicine
- The New Import Paradigm Under FSMA - Sharon Mayl, Senior Advisor for Policy, Office of Foods & Veterinary Medicine
- Presentation on the FSVP Final Rule - Brian Pendleton, Senior Policy Advisor, Office of Policy
- Presentation on the Third-Party Auditors Final Rule - Charlotte Christin, Senior Policy Advisor, Office of Foods & Veterinary Medicine (on-detail)
- Questions & Answers - Moderator Kari Barrett, Office of Foods & Veterinary Medicine

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

FDA Invites Comments on the use of "Natural" in Labeling Human Food Products

On Thursday, November 12, FDA announced the [establishment of a docket to receive information and comments on the use of the term "natural" in the labeling of human food products](#), including foods that are genetically engineered or contain ingredients produced through the use of genetic engineering.

FDA claims that it is taking this action in part because three citizen petitions (the

Grocery Manufacturers of America (GMA), Sara Lee Corp., and the Sugar Association) asked that FDA define the term "natural" for use in food labeling and one citizen petition (Consumers Union) asked that FDA prohibit the term "natural" on food labels.

FDA also said that some Federal courts, as a result of litigation between private parties, have requested administrative determinations from FDA regarding whether food products containing ingredients produced using genetic engineering or foods containing high fructose corn syrup may be labeled as "natural." FDA also announced that it is working with the United States Department of Agriculture (USDA) Agricultural Marketing Service and Food Safety and Inspection Service to also examine the use of the term "natural" in meat, poultry, and egg products, and are considering areas for coordination between FDA and USDA.

FDA invites public comment on the term "natural" in the context of food labeling and on specific questions contained in Section II of the hyperlinked document. Comments must be received on or before February 10, 2016.

Raw Milk Cheese Appreciation Day Scheduled for Saturday, April 16, 2016

The Oldways Cheese Coalition has announced that the second annual world-wide Raw Milk Cheese Appreciation Day will be held on Saturday, April 16, 2016. The purpose of the event is to promote consumer knowledge and appreciation of raw milk cheese.

The Coalition reports that over 500 retail outlets in 15 countries participated in the first annual event promoting raw milk cheese on April 15, 2015.

We are now adding the date of Raw Milk Cheese Appreciation Day to our Dates to Remember section below in this and upcoming bulletins.

DATES TO REMEMBER

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 1, 2016

First day of validity for calendar year 2016 licenses.

January 17, 2016

Winter Fancy Food Show Reception

5:00 pm - 7:30 pm

Thirsty Bear Pub, San Francisco, CA

March 15, 2016 (approximately)

FAS issues final notice of calendar year 2016 licenses to licensees

April 16, 2016

Raw Milk Cheese Appreciation Day

April 28, 2016

Member Meeting

9:30 am - 11:30 am

Saddle Brook Marriott, Saddle Brook, NJ

April 29, 2016

CIAA Dinner Dance

Macalosos, Hawthorne, NJ

May 1, 2016

Calendar year 2016 license fee payments must be transmitted no later than this date. Last transmission date for a licensee to notify FAS that it will not accept a calendar year 2016 license.

July 1, 2016

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

August 31, 2016

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.

October 15-19, 2016

SIAL Trip to Paris, France

* 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.

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