



**CHEESE IMPORTERS
ASSOCIATION OF AMERICA**

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CIAA Bulletin

**An Exclusive CIAA Member
Update**

What to Do If You Are Concerned About a Government Shutdown *Prudent to Make Needed Agency Contacts This Week* *FAS Description Revised*

News reports are filled with stories about the potential for a partial government shutdown at midnight, Friday, December 21, if the Congress and the White House do not agree on how to fund the Federal government. CIAA members should keep in mind that if a shutdown occurs, USDA, FDA, and Customs and Border Protection (CBP) will be shutting down services that are considered “nonessential”. If that happens, agency personnel will not be available - either via phone or email - to respond to the questions you may have. For this reason, we strongly urge you to review any outstanding matters you have with these agencies and contact them immediately to resolve them.

Here is what we know on an agency-by-agency basis:

- **USDA’s Foreign Agricultural Service** - FAS will be effectively “closed” in the event of a shutdown. CIAA has been told that FAS expects to notify all lottery (nonhistorical) license applicants this week regarding what licenses will be issued to them, as well as to respond to those applicants who replied to notices regarding whether FAS viewed them as “affiliated” or “associated”, and therefore FAS claimed them to be not eligible for the awarding of a lottery license. CIAA has argued that they are just not eligible to receive the same licenses in the same categories.
- **FDA** - According to notices in prior shutdowns:
 - FDA would continue vital activities to respond to emergencies, manage high-risk recalls, pursue criminal enforcement work and civil investigations related to imminent threats to human health or life, review import entries to determine potential risks to health, and respond to other critical public health issues, as appropriate. The FDA will also continue to address existing critical public health challenges, including drug shortages, and outbreaks related to foodborne illness and infectious diseases.
 - FDA would be unable to support many routine regulatory and compliance activities. This includes some medical product, animal drug, and food related activities. FDA will also have to cease routine establishment inspections, cosmetics and nutrition work, and many ongoing research activities.
 - With respect to Food Facility Registration, the module will continue to be operational; thus, industry will be able to register and/or complete the biennial renewal as normal. During a government shutdown, the helpdesk would be closed. During such a period, all calls would go to voicemail and emails will go unanswered. Normal operations would resume once the shutdown is over.

- CBP - CBO is part of the Department of Homeland Security (DHS). According to [prior shutdown plans announces by DHS](#), the bulk of CBP personnel - 53,903 out of 59,082 - "...are exempt since they are Presidential appointees, law enforcement officers, funded by other than annual appropriations, or necessary for the protection of life and property." CBP officers and agriculture specialists would continue to show up to work. How port activities would function is a matter for individual ports, so importers are urged to contact their brokers and forwarders for questions about specific ports.

Should a shutdown occur, we will provide additional information as soon as it becomes available. If you have any questions, please contact Roger Szemraj at (202) 789-1212 or rszemraj@theciaa.org.

Dates to Remember

December 21, 2018 (approximately)

FAS issues first notice of calendar year 2019 licenses to licensees.

December 31, 2018

Last day for licensees to make entries to fulfill the requirement to use 85% of their calendar year 2018 license amount. Last day for which calendar year 2018 licenses are valid.

December 31, 2018

All Food Facility Registrations must be renewed with FDA by this date.

January 1, 2019

First day of validity for calendar year 2019 licenses.

January 13, 2019

CIAA Fancy Food Show Reception
5:00 pm- 7:30 pm
Thirsty Bear Brewery
San Francisco, CA

March 1, 2019 (approximately)

FAS issues final notice of calendar year 2019 licenses to licensees

March 15, 2019

The license fee for each license issued is due and payable in full no later than March 15 of the year for which the license is issued. Licenses issued after March 15 of any quota year are payable in full no later than 10 days from the date of issuance. Fee payments are payable to the Treasurer of the United States and shall be made solely utilizing the electronic software designated for the purpose by the Licensing Authority.

July 2, 2019

Last day for an exporting country that is not designating importers for calendar year 2019 to notify FAS

August 31, 2019

Last day to enter dairy products into U.S. Customs territory that may be used to qualify and establish eligibility for a calendar year 2020 license.

* 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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