

§ 381.198

9 CFR Ch. III (1-1-10 Edition)

(b) The form of foreign poultry product inspection certificate shall be as follows:

FOREIGN POULTRY PRODUCT INSPECTION  
CERTIFICATE

Place \_\_\_\_\_  
(City)

\_\_\_\_\_

(Country)

Date \_\_\_\_\_

I hereby certify that the poultry products herein described were derived from poultry which received ante mortem and post mortem inspections at the time of slaughter; and that such poultry products are sound, healthful, wholesome, clean and otherwise fit for human food, and are not adulterated and have not been treated with and do not contain any dye, chemical, preservative, or ingredient not permitted by the regulations governing the inspection of poultry and poultry products of the U.S. Department of Agriculture, filed with me, and that said poultry products have been handled only in a sanitary manner in this country; and are otherwise in compliance with requirements at least equal to those in the Poultry Products Inspection Act and said regulations.

KIND OF PRODUCT

\_\_\_\_\_

\_\_\_\_\_

Number of pieces or packages	Weight
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\_\_\_\_\_

\_\_\_\_\_

Identification marks on containers \_\_\_\_\_

Consignor \_\_\_\_\_

Address \_\_\_\_\_

Consignee \_\_\_\_\_

Destination \_\_\_\_\_

Shipping marks \_\_\_\_\_

(Signature)

(Name of official of national foreign government authorized to issue inspection certificates for poultry products exported to the United States)

(Official title) \_\_\_\_\_

[37 FR 9706, May 16, 1972, as amended at 40 FR 42338, Sept. 12, 1975]

§ 381.198 Importer to make application for inspection of poultry products offered for entry.

(a) Each person who wishes to offer for entry any slaughtered poultry or other poultry product shall make application for inspection to the import supervisor of the import field office at the port where the poultry product is

to be offered for entry, or to the Administrator, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, as long as possible in advance of the anticipated arrival of each consignment of such product, except in the case of poultry product exempted from inspection by §§ 381.207 or 381.209. Each application shall state the approximate date on which the consignment is due to arrive in the United States, the name of the ship or other carrier transporting it, the name of the country where the product was processed, the name of the country from which the product was shipped, the place of destination, the quantity and kind of product, whether fresh, frozen, cured, or canned, and the point of first arrival in the United States.

(b) For participating Canadian establishments, an official of the Canadian meat inspection system shall contact the Import Field Office for an inspection assignment (see § 301.2(yyy)).

(1) If the Automated Import Information System (AIIS) does not designate the consignment for reinspection, the consignment may be transported to its consignee for further distribution.

(2) If the AIIS designates the consignment for reinspection, the official shall:

(i) Select samples in accordance with USDA sampling tables.

(ii) Identify and place samples in the vehicle for easy removal and reinspection by a Program import inspector.

(3) In the event that any one of the requirements provided in paragraph (d)(2) of this section is not met, inspection of the consignment shall be conducted by a Program import inspector in accordance with established procedures provided for in the regulations for other imported products.

[37 FR 9706, May 16, 1972, as amended at 39 FR 4569, Feb. 5, 1974; 51 FR 37710, Oct. 24, 1986; 54 FR 275, Jan. 5, 1989; 54 FR 41050, Oct. 5, 1989]

§ 381.199 Inspection of poultry products offered for entry.

(a)(1) Except as provided in §§ 381.198(b)(1) and 381.209 of this part, and paragraph (c) of this section, all slaughtered poultry and poultry products offered for entry from any foreign

country shall be reinspected by a Program import inspector before they shall be allowed entry into the United States.

(2) Every lot of product shall routinely be given visual inspection for appearance and condition, and checked for certification and label compliance, except as provided in § 381.198(b)(1).

(3) The computerized Automated Import Information System (AIIS) shall be consulted for reinspection instructions. The AIIS will assign inspection levels and procedures based on established sampling plans or established product and plant history and established sampling plans.

(b) Inspectors may take, without cost to the United States, from each consignment of poultry products offered for entry, such samples of the products as are deemed necessary to determine the eligibility of the products for entry into the commerce of the United States.

(c) Poultry products imported under § 381.207 shall not be sampled and inspected under this section unless there is reason for suspecting the presence therein of a substance in violation of that section, and in such case they shall be sampled and inspected in accordance with paragraph (a) of this section.

(d) In addition to the provisions specified in paragraphs (a), (b), and (c) of this section, the following requirements apply to imported canned product.

(1) Imported canned products are required to be sound, healthful, properly labeled, wholesome, and otherwise not adulterated at the time the products are offered for importation into the United States. Provided other requirements of this part are met, the determination of the acceptability of the product and the condition of the containers shall be based on the results of an examination of a statistical sample drawn from the consignment as provided in paragraph (a) of this section. If the inspector determines, on the basis of the sample examination, that the product does not meet the requirements of the Act and regulations thereunder, the consignment shall be refused entry. However, a consignment rejected for container defects but oth-

erwise acceptable may be reoffered for inspection under the following conditions:

(i) If the defective containers are not indicative of an unsafe or unstable product as determined by the Administrator;

(ii) If the number and kinds of container defects found in the original sample do not exceed the limits specified for this purpose in FSIS guidelines; and

(iii) If the defective containers in the consignment have been sorted out and exported or destroyed under the supervision of an inspector.

(2) Representative samples of canned product designated by the Administrator in instructions to inspectors shall be incubated under the supervision of such inspectors in accordance with § 381.309 (d)(1)(ii), (d)(1)(iii), (d)(1)(iv)(c), (d)(1)(v), (d)(1)(vii), and (d)(1)(viii) of this subchapter. The importer or his/her agent shall provide the necessary incubation facilities in accordance with § 381.309(d)(1)(i) of this subchapter.

(3) Sampling plans and acceptance levels as prescribed in paragraphs (d)(1) and (d)(2) of this section may be obtained, upon request, from International Programs, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250.

[37 FR 9706, May 16, 1972, as amended at 49 FR 36819, Sept. 20, 1984; 51 FR 45633, Dec. 19, 1986; 54 FR 275, Jan. 5, 1989; 54 FR 41050, Oct. 5, 1989]

**§ 381.200 Poultry products offered for entry, retention in customs custody; delivery under bond; movement prior to inspection; handling; facilities and assistance.**

(a) No slaughtered poultry or other poultry product required by this subpart to be inspected shall be released from customs custody prior to inspection, but such product may be delivered to the consignee, or his agent, prior to inspection, if the consignee shall furnish a bond, in form prescribed by the Secretary of the Treasury, conditioned that the product shall be returned, if demanded, to the collector of the port where the same is offered for clearance through the customs.