§ 327.17 Returned U.S. inspected and marked products.

§ 327.18 Products offered for entry and entered to be handled and transported as domestic; exception.

§ 327.19 Specimens for laboratory examination and similar purposes.

§ 327.20 Importation of foreign inedible fats.

§ 327.21 Inspection procedures for chilled fresh and frozen boneless manufacturing meat.

§ 327.22 [Reserved]

§ 327.23 Compliance procedure for cured pork products offered for entry.

§ 327.24 Appeals; how made.

§ 327.25 Disposition procedures for product condemned or ordered destroyed under import inspection.

§ 327.26 Official import inspection marks and devices.


Source: 35 FR 15610, Oct. 3, 1970, unless otherwise noted.

§ 327.2 Eligibility of foreign countries for importation of products into the United States.

(a)(1) Whenever it shall be determined by the Administrator that the system of meat inspection maintained by any foreign country, with respect to establishments preparing products in such country for export to the United States, insures compliance of such establishments and their products with requirements equivalent to all the inspection, building construction standards, and all other provisions of the Act and the regulations in this subchapter which are applied to official establishments in the United States, and their products, and that reliance can be placed upon certificates required under this part from authorities of such foreign country in paragraph (b) of this section. Thereafter, products prepared in such establishments which are certified and approved in accordance with paragraph (a)(3) of this section, shall be eligible so far as this subchapter is concerned for importation into the United States from such foreign country after
applicable requirements of this sub-
chapter have been met.

(2) The determination of accept-
ability of a foreign meat inspection
system for purposes of this section
shall be based on an evaluation of the
following requirements and procedures:

(i) The system shall have a program
organized and administered by the na-
tional government of the foreign coun-
try. The system as implemented must
provide standards equivalent to those
of the Federal system of meat inspec-
tion in the United States with respect
to:

(A) Organizational structure and
staffing, so as to insure uniform en-
forcement of the requisite laws and
regulations in all establishments
throughout the system at which prod-
ucts are prepared for export to the
United States;

(B) Ultimate control and supervi-
sion by the national government over
the official activities of all employees or
licensees of the system;

(C) The assignment of competent,
qualified inspectors;

(D) Authority and responsibility of
national inspection officials to enforce
the requisite laws and regulations gov-
erning meat inspection and to certify
or refuse to certify products intended
for export;

(E) Adequate administrative and
technical support;

(F) The inspection, sanitation, qual-
ity, species verification, and residue
standards applied to products produced
in the United States.

(G) Other requirements of adequate
inspection service as required by the
regulations in this subchapter.

(ii) The legal authority for the sys-
tem and the regulations thereunder
shall impose requirements equivalent
to those governing the system of meat
inspection organized and maintained in
the United States with respect to:

(A) Ante-mortem inspection of ani-
imals for slaughter and inspection of
methods of slaughtering and handling
in connection with slaughtering which
shall be performed by veterinarians or
by other employees or licensees of the
system under the direct supervision of
the veterinarians;

(B) Post-mortem inspection of car-
casses and parts thereof at time of
slaughter, performed by veterinarians
or other employees or licensees of the
system under the direct supervision of
veterinarians;

(C) Official controls by the national
government over establishment con-
struction, facilities, and equipment;

(D) Direct and continuous official su-
pervision of slaughtering and prepara-
tion of product, by the assignment of
inspectors to establishments certified
under paragraph (a)(3) of this section,
to assure that adulterated or mis-
branded product is not prepared for ex-
port to the United States;

(E) Complete separation of establish-
ments certified under subparagraph (3)
of this paragraph from establishments
not certified and the maintenance of a
single standard of inspection and sani-
tation throughout all certified estab-
ishments;

(F) Requirements for sanitation at
certified establishments and for san-
itary handling of product;

(G) Official controls over condemned
material until destroyed or removed
and thereafter excluded from the estab-
ishment;

(H) A Hazard Analysis and Critical
Control Point (HACCP) system, as set
forth in part 417 of this chapter;

(I) Other matters for which require-
ments are contained in the Act or regu-
lations in this subchapter.

(iii) Countries desiring to establish
eligibility for importation of product
into the United States may request a
determination of eligibility by pre-
senting copies of the laws and regula-
tions on which the foreign meat inspec-
sion system is based and such other in-
formation as the Administrator may
require with respect to matters emu-
nerated in paragraphs (a)(2) (i) and (ii)
of this section. Determination of eligi-
bility is based on a study of the docu-
ments and other information presented
and an initial review of the system in
operation by a representative of the
Department using the criteria listed in
paragraphs (a)(2) (i) and (ii) of this sec-
tion. Maintenance of eligibility of a
country for importation of products
into the United States depends on the
Food Safety and Inspection Service, USDA § 327.2

results of periodic reviews of the foreign meat inspection system in operation by a representative of the Department, and the timely submission of such documents and other information related to the conduct of the foreign inspection system, including information required by paragraph (e) of section 20 of the Act, as the Administrator may find pertinent to and necessary for the determinations required by this section of the regulations.

(iv) The foreign inspection system must maintain a program to assure that the requirements referred to in this section, equivalent to those of the Federal system of meat inspection in the United States, are being met. The program as implemented must provide for the following:

(A) Periodic supervisory visits by a representative of the foreign inspection system to each establishment certified in accordance with paragraph (a)(3) of this section to ensure that requirements referred to in paragraphs (a)(2)(i) through (H) of this section are being met: Provided, That such visits are not required with respect to any establishment during a period when the establishment is not operating or is not engaged in producing products for exportation to the United States;

(B) Written reports prepared by the representative of the foreign inspection system who has conducted a supervisory visit, documenting his or her findings with respect to the requirements referred to in (A) through (H) of paragraph (a)(2)(i) of this section, copies of which shall be made available to the representative of the Department at the time of that representative’s review upon request by that representative to a responsible foreign meat inspection official: Provided, That such reports are not required with respect to any establishment during a period when the establishment is not operating or is not engaged in producing products for exportation to the United States;

(C) Random sampling of internal organs and fat of carcasses at the point of slaughter and the testing of such organs and fat, for such residues having been identified by the exporting country’s meat inspection authorities or by this Agency as potential contaminants, in accordance with sampling and analytical techniques approved by the Administrator: Provided, That such testing is required only on samples taken from carcasses from which meat or meat food products intended for importation into the United States are produced.

(3) Only those establishments that are determined and certified to the Department by a responsible official of the foreign meat inspection system as fully meeting the requirements of paragraphs (a)(2)(i) and (ii) of this section are eligible to have their products imported into the United States. Eligibility of certified establishments is subject to review by the Department (including observations of the establishments by Program representatives at times prearranged with the officials of the foreign meat inspection system). Certifications of establishments must be renewed annually. Notwithstanding certification by a foreign official, the Administrator may, at his discretion, terminate the eligibility of any foreign establishment for importation of its products into the United States if he has information that such establishment does not comply with the requirements listed in paragraphs (a)(2)(i) and (ii) of this section or if he cannot obtain current information concerning such establishment. The Administrator will provide reasonable notice to the foreign government of the proposed termination of eligibility of any foreign establishment for importation of its products into the United States unless, in his judgment, delay in terminating its eligibility could result in the importation of adulterated or misbranded product. Certifications of official establishments by the responsible official of the foreign meat inspection system shall be in the following form:

FOREIGN OFFICIAL MEAT ESTABLISHMENT CERTIFICATE

I hereby certify that the establishment(s) listed below fully comply (complies) with requirements of (specify foreign country) equivalent to all the inspection, building construction standards, and other requirements for the slaughter and preparation of the carcasses, parts thereof, meat and meat food products of cattle, sheep, swine, goats, and equines applied to official establishments in the United States under the Federal Meat Inspection Act and otherwise meet
§ 327.3 No product to be imported without compliance with applicable regulations.

(a) No product offered for importation from any foreign country shall be admitted into the United States if it is adulterated or misbranded or does not comply with all the requirements of this subchapter that would apply to it if it were a domestic product.

(b) No cooked or partially cooked meat or meat trimmings, either in separable pieces or molded into larger forms, shall be permitted entry except under the following conditions:

(1) A complete procedure for preparing and handling the product in the foreign country and en route to the United States shall be submitted by the exporter or his authorized agent to the Administrator and determined by

(2) It has been determined that product of cattle, sheep, swine, and goats from foreign countries not listed in paragraph (b) of this section and product of equines from countries not listed in paragraph (c) of this section is not eligible for importation into the United States, except as provided by §327.16 or §327.17. The listing of any foreign country under this section may be withdrawn whenever it shall be determined by the Administrator that the system of meat inspection maintained by such foreign country does not assure compliance with requirements equivalent to all the inspection, building construction standards, and other requirements of the Act and the regulations in this subchapter as applied to official establishments in the United States; or that reliance cannot be placed upon certificates required under this part from authorities of such foreign country; or that, for lack of current information concerning the system of meat inspection being maintained by such foreign country, such foreign country should be required to reestablish its eligibility for listing.

(c) It has been determined that product of equines from the following countries, covered by foreign meat inspection certificates of the country of origin as required by §327.4, is eligible under the regulations in this subchapter for importation into the United States after inspection and marking as required by the applicable provisions of this part.

Argentina, Canada, New Zealand, Paraguay.


EDITORIAL NOTE: For Federal Register citations affecting §327.2, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.