

meat, and meat food products in interstate commerce. A cooperative program for this purpose is called a “cooperative interstate shipment program.”

(b) Establishments selected to participate in a cooperative interstate shipment program described in this section must receive inspection services from designated State personnel that have been trained in the enforcement of the Act. If the designated personnel determine that the carcasses, parts of carcasses, meat, and meat food products prepared in establishments selected to participate in the cooperative interstate shipment program comply with all requirements under the Act, these items will bear an official Federal mark of inspection and may be shipped in interstate commerce. The Administrator will assign an FSIS “selected establishment coordinator,” who will be an FSIS employee, to each State that participates in a cooperative interstate shipment program to provide Federal oversight of the program and enforcement of the program’s requirements. The Federal contribution for inspection services provided by States that enter into a cooperative interstate shipment program under this section will be at least 60 percent of eligible State costs. Eligible State costs are those costs that a State has justified and FSIS has approved as necessary for the State to provide inspection services to selected establishments in the State.

(c) Part 332 of this subchapter prescribes conditions under which States and establishments may participate in the cooperative interstate shipment program.

(d) The Administrator will terminate a cooperative interstate shipment agreement with a State if the Administrator determines that the State is not conducting inspection at selected establishments in a manner that complies with the Act and the implementing regulations in this chapter.

[76 FR 24752, May 2, 2011]

PART 322—EXPORTS ¹

Sec.

322.1 Marking products for export.

322.2 Export certification.

322.3 Transferring products for export.

322.4 Clearance of vessels and transportation without certificate prohibited; exceptions.

322.5 Uninspected tallow, stearin, oleo oil, etc., not to be exported unless certified as prescribed.

AUTHORITY: 21 U.S.C. 601–695; 7 CFR 2.17, 2.55.

SOURCE: 35 FR 15604, Oct. 3, 1970, unless otherwise noted.

§ 322.1 Marking products for export.

(a) When authorized by inspection personnel, establishment personnel must mark the outside container of any inspected and passed product for export, the securely enclosed pallet within the consignment, or closed means of conveyance transporting the consignment, with a mark that contains a unique identifier that links the consignment to the export certificate or an official mark as described in §312.8 of this chapter. Ship stores, small quantities exclusively for the personal use of the consignee and not for sale or distribution, and shipments by and for the U.S. Armed Forces, are exempt from the requirements of this section.

(b) When authorized by inspection personnel, establishments must mark each tank car of inspected and passed lard or similar edible product, and each door of each railroad car or other closed means of conveyance, containing inspected and passed loose product shipped directly to a foreign country, with an export inspection mark as shown in §312.8 of this subchapter.

[81 FR 42233, June 29, 2016]

§ 322.2 Export certification.

(a) Exporters must apply for export certification of inspected and passed

¹ Attention is directed to the requirements of part 325 of this subchapter, governing transportation, and to the requirements of §318.8 of this subchapter that products prepared under that section for export be destroyed for food purposes before being sold or offered for sale for domestic use.

products shipped to any foreign country. Exporters may apply for an export certificate using a paper or electronic application. FSIS will assess exporters that submit an electronic application the charge in §350.7(e) of this chapter.

(b) FSIS will issue only one certificate for each consignment, except in the case of error in the certificate or loss of the certificate originally issued. A request for a replacement certificate, except in the case of a lost certificate, must be accompanied by the original certificate. The new certificate will carry the following statement: "Issued in replacement of _____", with the numbers of the certificates that have been superseded.

(c) FSIS will deliver a copy of the certificate to the exporter. The exporter may furnish the copy of the certificate to the consignee for purposes of affecting the entry of product into the foreign country of destination.

(d) FSIS will retain a copy of the certificate.

(e) Exporters may request inspection personnel to issue certificates for export consignments of product of official establishments not under their supervision, provided the consignments are first identified as having been "U.S. inspected and passed," are found to be neither adulterated nor misbranded, and are marked as required by §322.1.

[81 FR 42234, June 29, 2016]

§322.3 Transferring products for export.

When inspected and passed products for export are transferred from tank cars to other containers on vessels, such transfer shall be done in accordance with the provisions of part 350 of subchapter B of this chapter.

§322.4 Clearance of vessels and transportation without certificate prohibited; exceptions.

No clearance shall be given to any vessel having on board any product destined to any foreign country, and no person operating any vessel, and no railroad or other carrier, shall receive for transportation or transport from the United States to any foreign country, any products, unless and until an official export certificate covering the

same has been issued and delivered as provided in this part; except in the case of inspected and passed ship stores and not more than 50 pounds of inspected and passed product for the exclusive personal use of the consignee and not for sale or distribution, and except for exempted product eligible for exportation under the provisions of the Act and the regulations in this subchapter and inedible product that is not capable of use as human food and is eligible for exportation under other provisions of said regulations.

[38 FR 18868, July 16, 1973]

§322.5 Uninspected tallow, stearin, oleo oil, etc., not to be exported unless certified as prescribed.

No tallow, stearin, oleo oil, or the rendered fat derived from the carcasses of livestock, that has not been inspected and passed, and so marked in compliance with the regulations in this subchapter shall be exported, unless the product has been denatured as required by §314.5 or §325.13 of this subchapter or identified and marked as prescribed by §325.11 of this subchapter.

[35 FR 15604, Oct. 3, 1970, as amended at 47 FR 17274, Apr. 22, 1982]

PART 325—TRANSPORTATION

Sec.

325.1 Transactions in commerce prohibited without official inspection legend or certificate when required; exceptions; and vehicle sanitation requirements.

325.2 Parcel post and ferries deemed carriers.

325.3 Product transported within the United States as part of export movement.

325.4 [Reserved]

325.5 Unmarked inspected product transported under official seal between official establishments for further processing; certificate.

325.6 Shipment of paunches between official establishments under official seal; certificate.

325.7 Shipment of products requiring special supervision between official establishments under official seal; certificate.

325.8 Transportation and other transactions concerning certain undenatured lungs or lung lobes from official establishments or in commerce; provisions and restrictions.

325.9 [Reserved]