Information for Foreign Exporters

FDA's Import Program

FDA is responsible for enforcing the <u>Federal Food, Drug, and Cosmetic Act (FD&C Act)</u> and other laws which are designed to protect consumers' health, safety, and pocketbook. <u>These laws</u> apply equally to domestic and imported products.

With the exception of most meat and poultry, all food and cosmetics as defined in the FD&C Act, are subject to examination by FDA when imported or offered for import into the United States. Most meat and poultry products are regulated by the <u>U.S. Department of Agriculture</u>.

All <u>color additives</u> used in foods and cosmetics in the United States must be approved by FDA; many cannot be used unless certified in FDA's own laboratories.

Importing Food Products into the United States

Under provisions of the U.S. law contained in the U.S. Federal Food, Drug and Cosmetic Act, importers of food products intended for introduction into U.S. interstate commerce are responsible for ensuring that the products are safe, sanitary, and labeled according to U.S. requirements. (All imported food is considered to be interstate commerce.)

FDA is not authorized under the law to approve, certify, license, or otherwise sanction individual food importers, products, labels, or shipments. Importers can import foods into the United States without prior sanction by FDA, as long as the facilities that produce, store, or otherwise handle the products are registered with FDA, and prior notice of incoming shipments is provided to FDA.

Imported food products are subject to FDA inspection when offered for import at U.S. ports of entry. FDA may detain shipments of products offered for import if the shipments are found not to be in compliance with U.S. requirements. **Both imported and domestically-produced foods must meet the same legal requirements in the United States.**

For an overview of the U.S. Import Program, please visit the links provided below.

http://www.fda.gov/Food/GuidanceRegulation/ImportsExports/Importing/default.htm

Procedures and Requirements for Importing Food Products

In addition to meeting the requirements of U.S. food regulations including food facility registration, importers must follow U.S. import procedures as well as the requirements of Prior Notice.

- Import Program
- Prior Notice of Imported Foods

- Chapter 5 Food, Colors, and Cosmetics
- Imports & Exports Guidance Documents & Regulatory Information

Importing Food Gifts for Personal Use

- Sending Gifts to Your Friends and Family: Prior Notice Policy
- Importing Gift Packs and Prior Notice
- Sending Food through International Mail Selected Excerpts from the Prior Notice Interim Final Rule, Guidance Documents, and Fact Sheets

Importing Seafood

• The Imported Seafood Safety Program

All FDA-regulated products imported into the United States are required to meet the same laws and regulations as domestic goods. Imported foods must be pure, wholesome, safe to eat and produced under sanitary conditions; drugs and devices must be safe and effective; cosmetics must be safe for their intended use and properly labeled; radiation-emitting devices must meet established standards; tobacco products must meet U.S. requirements, and all products must contain informative and truthful labeling in English.

FDA-regulated products are subject to inspection when offered for import into the United States. Products may be refused entry if they appear, from examination or otherwise, to violate FDA requirements. Some products are subject to certification and/or testing requirements due to a past history of violations; these are identified in import alerts and in certain international cooperative arrangements.

 $\underline{http://www.fda.gov/InternationalPrograms/ImportsExportsInspections/default.htm}$

For More Information:

- Federal Food, Drug, and Cosmetic Act, Chapter VIII: Imports and Exports
- <u>Information for Cosmetics Importers</u>
- Importing Food Products into the United States
- Importing Animal Feed
- Importing Veterinary Drugs
- Human Drugs: Imports and Exports Compliance
- CDER Small Business and Industry Assistance: Import and Export of Human Drugs and Biologics
- Importing CBER-Regulated Products into the United States
- Importing Medical Devices Into the United States
- Importing Tobacco Products

- Import Alerts by Country/Area
- Memoranda of Understanding and Other Cooperative Arrangements

Food Safety Modernization Act (FSMA)

http://www.gpo.gov/fdsys/pkg/PLAW-111publ353/pdf/PLAW-111publ353.pdf

Importing Regulations and Policies (from the website of The US Department of Agriculture)

http://www.usda.gov/wps/portal/usda/usdahome?navid=IMPORTING_GOODS

While foreign regulatory systems need not be identical to the U.S. system, they must employ equivalent sanitary and health measures that provide the same level of protection achieved domestically for imported goods.

- Meat, Poultry, and Egg Products Import Regulations and Procedures
- Plant and Animal Import Regulations and Procedures
- Agricultural Permits/ePermits
- Live Animals, Animal Semen, Animal Embryos Import Regulations
- Harmonized Tariff Schedule
- International Phytosanitary Standards Sanitary or Phytosanitary (SPS)

Import Programs

USDA offers import programs to help American agricultural producers compete against the world market.

- Sugar Import Program
- Dairy Import Licensing Program
- Fruit and Vegetable International Programs
- Livestock and Seed International Programs

Tariff Information by product

http://www.usitc.gov/tata/hts/bychapter/index.htm

Chambers of Commerce

https://www.uschamber.com/

http://www.town-usa.com/chambers/chamberlist.html#connecticut

Research and Reports

Import and Trade Research

USDA provides comprehensive import, trade data, and forecasting research and reports. Users can utilize the numerous databases to search by product or country.

- Production, Supply, and Distribution (PSD) Database
- Global Agricultural Trade System (GATS) Also find previous Bulk, Intermediate, and Consumer-Oriented (BICO) Statistics
- Trade Data
- Foreign Agricultural Trade of the United States (FATUS)
 Database
- Special Outlook Reports
- Trade Policy
- Trade Policy Reports
- Trade News, Trends, and Agreements
- Trade Policy Information by Country
- International Attaché Reports (GAIN)
- Commodity Outlook Reports
- National Center for Import and Export of Animals
- Fruits and Vegetables Import Requirements (FAVIR) Database

<u>USDA Agricultural Projections to 2024</u>, released in February 2015, provides long run projections for the farm sector for the next 10 years. These annual projections cover agricultural commodities, agricultural trade, and aggregate indicators of the sector, such as farm income.