



Research Office
Legislative Council Secretariat

Fact Sheet

Regulation of imported food by the US Food Safety and Inspection Service

FSC16/15-16

1. Introduction

1.1 In the United States ("US"), the Food Safety and Inspection Service ("FSIS") and the Food and Drug Administration ("FDA") are the two federal agencies jointly responsible for ensuring the safety of food supply in the country. FDA oversees the safety of all domestic and imported food products, except for meat, poultry and processed egg products that fall within the purview of FSIS. In this connection, FSIS regulates about 20% of the food supply in the US and FDA the remaining 80%. This fact sheet studies the functions and organizational structure of FSIS, and the regulatory system it adopts for overseeing food imports to the US.¹

2. Functions and organizational structure of FSIS

2.1 FSIS is a federal agency established under the US Department of Agriculture tasked with safeguarding the safety, wholesomeness, and proper labelling of domestic and imported meat, poultry and processed egg products. FSIS ensures that all the above imported food products to the US are originated from eligible countries and produced under standards equivalent to the US food safety requirements.

2.2 FSIS has a staff of more than 9 600 employees to inspect over 6 000 food establishments nationwide to prevent foodborne illness and protect the public health. Headquartered in Washington D.C., FSIS is led by the Office of the Administrator which is responsible for overseeing all FSIS major programmes, inspections and standard setting activities. The Office of the Administrator is headed by the Administrator and under it are eight principal components or offices, each of which is under the direction of an Assistant Administrator.

¹ See FSC15/15-16 for functions and organizational structure of FDA as well as the regulatory regime it adopts for overseeing food imports to the US.

2.3 FSIS's Office of Field Operations manages inspection and enforcement activities nationwide. FSIS has 10 district offices throughout the US. These offices provide support for the inspectors in the plants and import establishments, including the highly trained individuals who conduct in-depth food safety assessments to ensure that preventive controls by establishments are adequately designed and executed.

3. Regulatory regime of imported food products

3.1 FSIS operates primarily under three acts, namely the *Federal Meat Inspection Act*, the *Poultry Products Inspection Act*, and the *Egg Products Inspection Act*. Empowered by these three Acts, FSIS conducts mandatory inspection of all imported meat, poultry and processed egg products to ensure their compliance with the same level of the US food safety standards.

3.2 FSIS adopts two-tier control measures, comprising (a) pre-arrival control (i.e. evaluation of the food regulatory system of the exporting countries); and (b) port-of-entry control (re-inspection and data analysis for identifying high-risk food at the ports of entry). In 2014, FSIS inspected about 3.9 billion pounds of imported meat and poultry products, and 25 million pounds of processed egg products.

Pre-arrival control

3.3 FSIS evaluates the food regulatory regime of an exporting country before allowing it to ship meat, poultry and processed egg products to the US. The country is recognized as eligible to export to the US if its food regulatory system is assessed by FSIS to provide the same or equivalent level of sanitary measures and protection against food hazards as is achievable by the US regulatory regime. This assessment, known as the equivalence process, involves document analysis and on-site review.

3.4 The document analysis conducted by FSIS involves the evaluation of an exporting country's laws, regulations and other written information. The review focuses on six risk areas, namely: (a) government oversight; (b) statutory authority and food safety regulations; (c) sanitation; (d) hazard analysis and critical control point systems; (e) chemical residues; and (f) microbiological testing programmes. If the document review process indicates that the exporting country's food regulatory system is satisfactory, FSIS will visit the country for an on-site review. The review is to further

evaluate the six risk areas and other aspects of the food regulatory system, which include plant facilities and equipment, laboratories, training programmes and in-plant inspection operations.

3.5 After a country is recognized as eligible to export food to the US, FSIS will rely on that country's relevant food authorities to (a) carry out inspections of the exported food products; and (b) certify the food establishments under its jurisdiction having met the US import requirements before they are allowed to export food products to the US. At present, 38 countries are eligible to export meat, poultry and/or processed egg products to the US.

Port-of-entry control

3.6 As mentioned above, meat, poultry and processed egg products shipped to the US must be first inspected and approved by the eligible exporting country concerned before reaching the US border. FSIS will re-inspect these products at the ports of entry for proper certification, general condition and labelling. FSIS might further conduct laboratory analyses based on a statistical sampling system for selected shipments in terms of their product composition and microbiological contamination.

3.7 The samplings of shipments for laboratory analyses are processed through the Public Health Information System ("PHIS"), a centralized computer database that stores re-inspection results from all ports of entry for each exporting country and each establishment. Sampling is (a) allocated by exporting country, process category, product category and species; and (b) adjusted for each exporting country's risk-based sampling plan which is determined based on the volume of products that country shipped to the US in the previous year and the risk category of these products. Products that fail the sampling test are not allowed for entry into the US and must be re-exported, destroyed or converted to non-human food.

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26 February 2016
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