

Authors:
Andrew Hudson, Partner
T +61 3 8602 9231 E ahudson@hunthunt.com.au
Emmeline Granger, Graduate at Law
T +61 3 8602 9265 E egranger@hunthunt.com.au



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Customs, Trade and Transport Law e-alert

FDA inspection of Foreign Food Facilities

The U.S. Food and Drug Administration ("FDA") has issued notices to all foreign food facilities registered with the FDA advising that it plans to conduct an inspection of those facilities between 1 October 2010 and 30 September 2010.

Does this affect you?

The FDA inspection scheme affects facilities that manufacture, process, pack, hold or ship food to the United States.

The FDA has issued notices only to foreign food facilities that are registered with the FDA. Under the *Bioterrorism Preparedness and Response Act* (2002), any foreign food facility that manufactures, processes, packs, holds or ships food to the United States is required to be registered with the FDA. If your facility engages in any of these activities and you are not yet registered, you are advised to visit www.fda.gov to register or contact us for further advice or assistance.

The inspection scheme

The FDA has reported that the inspections are designed to:

"identify potential food safety problems before products arrive in the United States, to determine compliance status of firms to FDA's requirements, and food safety standards, to help the agency make admissibility decisions when food products are offered for importation into the United States, and to help ensure that food products under FDA's jurisdiction meet U.S. requirements under the Federal Food, Drug, and Cosmetic Act."

Foreign food facilities that do not comply with an inspection notice risk having their products refused for admission into the United States and may have their registrations terminated.

For further information, please contact Andrew Hudson.

Contacts

Andrew Hudson, Melbourne

+61 3 8602 9231

ahudson@hunthunt.com.au

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