Current Updates on Seafood HACCP and the FDA Food Safety Modernization Act including an Issue Spotlight on Decomposition
Boston Seafood Show 2018
Tuesday, March 19, 2019
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Agenda

- Overview of the relationship of Seafood HACCP and FSMA, including FDA data and stats on enforcement areas

- Discussion by FDA on status of FSMA implementation, seafood importer compliance, enforcement priorities and strategies for compliance with spotlight on FDA policies RE decomposition and acceptable methods of challenging decomposition

- Customs Brokerage perspectives on seafood imports, entry processes, helpful tips to smooth product clearance, and new developments in regulation affecting the seafood industry (NOAA)
Panelists

- **Ted Poplawski**, *Special Assistant to Director of Division of Import Operations, FDA*
- **Domenic Veneziano**, *Independent FDA Regulatory Consultant, Sandler, Travis & Rosenberg, PA and former Director of DIO at FDA*
- **Sergio Lozano Jr.**, *Vice-President and Licensed Customs Broker, Alpha Brokers Corp.*
Lines – During FY 2018 there were a total of 43,606,426 lines regulated by the Food and Drug Administration (FDA) imported into the United States. Of those lines, 13,399,157 lines (30.73%) were human foods, with seafood products representing 8.92% with a total of 1,196,189 lines. Of those lines, 98.40% were May Proceeded by OASIS and FDA Personnel.

Salmon, having the highest number of lines shipped, with 180,912 lines, makes up 15.12% of the total number of seafood lines, this includes wild and aquaculture products. Japan is the top exporter with 240,363 seafood lines, and provides 22% of the total seafood lines imported. Fish, N.E.C. is Japan’s largest seafood import and equals 12.68% of their total seafood lines. Japan’s Fish, N.E.C. imports also represent 51.28% of all Fish, N.E.C.
Refusals - Of the 1,196,189 seafood lines imported during FY 2018, 1,503* lines (0.13%) were refused. Of the total lines refused, the most common reason for refusal is filth contamination, with 45.18% (679 lines). Twenty percent of the refusals (381 lines) were from China, which makes up 0.63% of their total seafood lines (60,731).

Samples – During FY 2018, there were 4,005 lines sampled resulting in 460 violative lines (11.49%). Of those lines, Tuna, (Albacore, Yellowfin, Bluefin, Skipjack, Etc.) was found to have the highest number of violations with 71 lines (15.4%). Of the 71 lines, 60 were found to be Decomposed, 7 were violative due to the presence of MICRO, and 4 violative due to Acidified & Low Acid Foods issues. China has the highest number of violations with 136 lines classified as Lab Class 3 with 41 positive for Decomposition (30.15%). Eel, Mahi Mahi and Tuna represent approximately 44.13% of the total seafood lines found to be violative.

Reconditioned Lines – Of the total number of seafood imported during FY 2018, there were 142 lines that were Reconditioned. Burma represents 13.38% (19 lines) of the lines reconditioned during FY 2018 consisting of 8 lines of Fish, N.E.C., 5 lines of Budu, 4 lines of Shrimp paste, 1 line of Carp, and 1 line of Mullet.
The following slides include data for:

- Number of Lines
- Top Ten Seafood Products
- Lines by the Top Ten Countries
SEAFOOD IMPORTS
FY 2010-2018
LINES

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Lines</th>
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<td>2010</td>
<td>856,193</td>
</tr>
<tr>
<td>2011</td>
<td>847,070</td>
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<tr>
<td>2012</td>
<td>885,633</td>
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<td>2014</td>
<td>938,078</td>
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<tr>
<td>2015</td>
<td>1,099,254</td>
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<tr>
<td>2016</td>
<td>1,091,838</td>
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<tr>
<td>2017</td>
<td>1,144,209</td>
</tr>
<tr>
<td>2018</td>
<td>1,196,189</td>
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## SEAFOOD IMPORTS
### FY 2010-2018 LINES

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<tbody>
<tr>
<td>856,029</td>
<td>847,070</td>
<td>885,633</td>
<td>905,762</td>
<td>938,078</td>
<td>1,009,254</td>
<td>1,091,838</td>
<td>1,144,209</td>
<td>1,196,189</td>
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SEAFOOD IMPORTS
FY 2010-2018
TOP TEN PRODUCTS
SEAFOOD IMPORTS
FY 2010-2018
TOP TEN COUNTRIES
SEAFood Refusals
FY 2010-2018

<table>
<thead>
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<tr>
<td>2014</td>
<td>1,500</td>
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<tr>
<td>2015</td>
<td>2,300</td>
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<tr>
<td>2016</td>
<td>3,200</td>
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<tr>
<td>2017</td>
<td>1,900</td>
</tr>
<tr>
<td>2018</td>
<td>2,100</td>
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</table>
# SEAFOOD REFUSALS
## FY 2010-2018

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</thead>
<tbody>
<tr>
<td></td>
<td>1,737</td>
<td>2,500</td>
<td>3,039</td>
<td>1,979</td>
<td>1,501</td>
<td>2,351</td>
<td>2,659</td>
<td>1,755</td>
<td>1,873</td>
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</table>
SEAFOOD REFUSALS
FY 2010-2018
TOP TEN PRODUCTS

*Represents a unique count of refusals

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SEAFOOD REFUSALS
FY 2010-2018
TOP TEN VIOLATIONS*

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# SEAFOOD SAMPLE ANALYSES
## FY 2010-2018

<table>
<thead>
<tr>
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<th></th>
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<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>5,992</td>
<td>6,517</td>
<td>5,261</td>
<td>5,305</td>
<td>5,117</td>
<td>5,409</td>
<td>6,341</td>
<td>5,205</td>
<td>5,127</td>
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</table>
FY 2018 SEAFOOD SAMPLE ANALYSES
TOP TEN PROBLEM AREA FLAG (PAF)
FY 2018
SEAFOOD SAMPLES LAB CLASS 3
TOP TEN COUNTRIES

China: 83
Vietnam: 7
Indonesia: 2
Guyana: 1
Brazil: 1
Mexico: 8
Peru: 1
India: 1
Philippines: 1
Thailand: 1
FY 2018
SEAFOOD SAMPLES LAB CLASS 3
TOP TEN PRODUCTS
FY 2010 - 2018
SEAFOOD RECONDITIONED LINES
TOP TEN PRODUCTS
FY 2018
SEAFOOD LINES
TIMEFRAMES

○ Total number of lines = 1,196,189
○ Total # of samples collected = 5,127
○ % of lines sampled = 0.43%
○ Total number refused = 732
○ % of lines violative based on refusal = 14.28%
○ Total number reconditioned = 52
○ Total number released with comment = 167
○ Total number of actual violations = 951
○ % of violative shipments = 18.55%
○ Median time between sample collection & final disposition = 14 days
Regulations impacting Seafood processors and Importers

• 21 CFR part 123 Fish and Fishery Products

• 21 CFR Part 117 Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Foods (cGMP & PC Regulations)

• 21 CFR 1, Subpart L, Foreign Supplier Verification Program for Importers of Food for Human and Animals (the FSVP Regulations)

• 21 CFR 1, Subpart M, Accreditation of Third-Party Certification Bodies To Conduct Food Safety Audits and To Issue Certificates (Accredited Third-Party Certification)

• 21 CFR part 121, Mitigation Strategies To Protect Food Against Intentional Adulteration (The IA Regulation)

• 21 CFR 1, Subpart O, Sanitary Transportation of Human and Animal Food (the ST Regulations)
Except as provided by 21 CFR 117.5(b), a seafood processor must comply with cGMPs & PC Regulations.

cGMPs & PC regulations contain 7 subparts which address key areas associated with a comprehensive food safety program. They are:

- Subpart A: General Provisions
- Subpart B: Current Good Manufacturing Practice
- Subpart C: Hazard Analysis and Risk-Based Preventive Controls
- Subpart D: Modified Requirements
- Subpart E: Withdrawal of a Qualified Facility Exemption
- Subpart F: Requirements Applying to Records that must be Established and Maintained
- Subpart G: Supply-Chain Program

117.5(b) – Subparts C & G do not apply with respect to activities that are subject to part 123 at a facility if you are required to comply with AND are in compliance with part 123 of this chapter with respect to such activities.
21 CFR 1.501(b)(1) & (2) exempts fish and fishery products and raw materials or ingredients that are imported from a foreign supplier that is subject to **and** in compliance with 21 CFR Part 123, Fish and Fishery Products

**HOWEVER:** 21 CFR 1.509 requires that for any food being imported into the US, an FSVP Importer be identified at the time of entry, unless it is exempt.

To let the agency know that the FSVP importer is not required for this food, due to its exemption, an Affirmation of Compliance Code “FSX” needs to be submitted during the entry process. Failure to submit this code will result in the entry being rejected by U.S. Customs and Border Protection. An incorrect code could also result in the importer being listed in FDA’s FSVP inventory to conduct an FSVP inspection.
Third Party Certification is required:
  ✓ if an Importer wants to participate in FDA’s Voluntary Qualified Importer Program.
  ✓ Under Import Certification

✓ VQIP Importer: The person that brings food or causes food to be brought from a foreign country into the customs territory of the United States.

21 CFR 121, The IA Regulation

✓ Domestic and foreign seafood processors required to register with FDA must comply with the Intentional Adulteration regulations, unless the facility is exempt per 121.5.

  Example: very small business per definition. However the facility will have to provide documentation sufficient to show that the facility qualifies for an exemption.

✓ Other exemptions most likely will not apply to seafood processors.
Seafood processors are subject to the ST regulations when they are engaged in transportation operations for food that is not excluded under 21 CFR 1.904.

For example: the transportation of seafood that requires temperature control for safety.
STATUS OF VQIP
BACK ON TRACK

➢ Notice of Availability published in Federal Register June 5, 2015
  ✓ Final Guidance Document – Nov 2016

➢ Informal Fee Estimate $15,000 - $20,000 per year

➢ A formal Fee will be published no later than August 1, 2019

➢ Applications began January 1 – May 31, 2018

➢ Anticipate first benefit period to begin October 1, 2018 was delayed but back on track New date October 1, 2019
Voluntary Qualified Importer Program (VQIP)

- FDA required to establish a program to provide for the expedited review of food imported by voluntary participants.
- User Fee Based Program
- Linked to FSMA’s 3rd Party Certification Program
- FDA issued Final Guidance Nov. 2016
- Eligibility limited to importers who demonstrate a high level of control over the safety and security of their supply chains.

Definition of VQIP Importer: Section 806(g) defines “importer” as “the person that brings food, or causes food to be brought, from a foreign country into the customs territory of the United States.”

- Can include manufacturers, consignees, and importers of record for food for humans and animals.
- Important: a VQIP importer may be outside the US
- May or may not be the FSVP importer.
**BENEFITS OF VQIP**

- Expedited entry into the U.S. for all foods included in an approved VQIP application
- Examination and/or sampling generally limited to “for cause” situations in which there is a potential threat to public health
- Any sampling or examination done at destination or another location chose by the importer
- Expedited laboratory analysis of any samples
- Public posting on the FDA’s VQIP web page of approved VQIP importers, if desired
- VQIP Importers Help Desk

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BENEFITS OF VQIP CONT.

• Expedited entry incentivizes importers to adopt a robust system of supply chain management

• Allows FDA to focus its resources on food entries that pose a higher risk to public health

• Provides predictability when product will arrive

• Saves money on storage charges

• Helps to get customers by participating in the program
Questions?

Contact Information

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Seafood Expo North America

Seafood Enforcement

March 19, 2019

Ted Poplawski
Special Assistant
Division of Import Operations
FDA Import Divisions with Duty Stations and CBP Ports of Entry
Division of Import Operations

DIVISION OF IMPORT OPERATIONS

John Verbeten, Director

- Import Operations Branch (IOB)
  - Patrick Bowen, Branch Chief

- Import Compliance Branch (ICB)
  - Melissa D. Gonzalez, Branch Chief

- Import Program Development Branch (IPDB)
  - Andrew (AJ) Seaborn, Branch Chief

- Import Technical Assistance Branch (ITAB)
  - Alison Nicoli, Branch Chief
FY 2007 – 2018 Lines

FY2018 lines – 43,606,426

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Overall FY 2018 Lines by ‘Industry’
The Import Process

• Importer or designated representative files entry with Customs pending a decision to allow the goods into the U.S.

• If FDA regulated, Customs forwards to FDA

• Food & Feed entries require Prior Notice

• 100% Electronic Screening
  • PREDICT (Predictive Risk-based Evaluation for Dynamic Import Compliance Targeting)
The Import Process: Admissibility – Entry Review

• Entry Reviewers: trained CSOs assess entry information:
  • Entry data
  • PREDICT results
  • **Import Alerts**
  • Database review
  • Historical knowledge

• Entry reviewer will decide to:
  • Release the goods
  • Obtain more information
  • Request Detention
The Import Process: Admissibility – Examination/Sampling

- FDA field personnel are trained in examination and sampling techniques
  - Filth
  - Decomposition
  - Packaging defects
  - Mishandling of products
  - Misbranding (labeling)

- Surveillance sampling across all commodity areas
  - **Multiple problem areas**
  - Driven by compliance programs, assignments, and increased/targeted surveillance

- Samples analyzed by FDA laboratories

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Import Alerts

• Import Alerts do not create new requirements
  • The Federal Food, Drug & Cosmetic Act (FFD&CA) defines what adulterated and misbranded mean
  • Identify firms and products for which the available evidence supports the appearance that products are adulterated or misbranded

• Criteria for DWPE can be found in FDA’s Regulatory Procedures Manual Chapter 9 –
  • https://www.fda.gov/ICECI/ComplianceManuals/RegulatoryProceduresManual/default.htm

• Currently there are @240 active Import Alerts –
  • https://www.accessdata.fda.gov/cms_ia/ialist.html
Import Alerts

• Prevents potential violative products from being distributed into the United States

• Frees up Agency resources to examine other shipments

• Provides uniform coverage across the country

• Places the responsibility back on the importer
  • It is the responsibility of the importer to ensure that the products he is importing in the U.S. is in compliance with our laws and regulations
## Import Alerts - Decomposition

<table>
<thead>
<tr>
<th>Import Alert</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-05</td>
<td>&quot;Detention Without Physical Examination of Mahimahi Because of Histamine and Decomposition&quot;</td>
</tr>
<tr>
<td>16-07</td>
<td>&quot;Detention Without Physical Examination of Dried or Pickled Finfish from Thailand&quot;</td>
</tr>
<tr>
<td>16-09</td>
<td>&quot;Detention Without Physical Examination of Frozen Kingfish From Tri-Tee Seafood Company&quot;</td>
</tr>
<tr>
<td>16-105</td>
<td>&quot;Detention Without Physical Examination of Seafood and Seafood Products from Specific Manufacturers/Shippers Due to Decomposition and/or Histamines&quot;</td>
</tr>
<tr>
<td>16-114</td>
<td>&quot;Detention Without Physical Examination Of Frozen Shrimp Imported By Sigma International, Inc., St. Petersburg, Florida&quot;</td>
</tr>
<tr>
<td>16-18</td>
<td>&quot;Detention Without Physical Examination of Shrimp&quot;</td>
</tr>
<tr>
<td>16-22</td>
<td>&quot;Detention Without Physical Examination of Canned Shrimp from Thailand for Decomposition&quot;</td>
</tr>
<tr>
<td>16-23</td>
<td>&quot;Detention Without Physical Examination of Fresh and Fresh Frozen Lobster/Lobster Tails from India&quot;</td>
</tr>
<tr>
<td>16-31</td>
<td>&quot;Detention Without Physical Examination of Frozen Raw and Cooked Conchmeat&quot;</td>
</tr>
<tr>
<td>16-35</td>
<td>&quot;Detention Without Physical Examination of Raw And Cooked Shrimp from India&quot;</td>
</tr>
<tr>
<td>16-95</td>
<td>&quot;Detention Without Physical Examination of Canned Tuna Due to Decomposition&quot;</td>
</tr>
</tbody>
</table>
Import Alerts

• Removing a firm, product, or importer from DWPE
  • FDA needs assurance the cause of the violation has been corrected
  • Firms or importers may petition to be removed from DWPE
    • Industry submits the petition to DIO
    • FDA reviews the petition
  • Generally requires evidence of non-violative shipments but depends on the Import alert
    • Analysis to identify potential sources and routes of contamination and evidence of corrective actions
    • Individual shipments are analyzed by laboratory at importer expense
    • Firms with GMP violations may need an inspection to be removed

• Import Alerts are publicly available at:
  • http://www.accessdata.fda.gov/cms_ia/ialist.html
Import Program
Import Alert Effectiveness Program

• Systematic process for the regular review of all Import Alerts
  • Evaluate the effectiveness of each Import Alert through review of the information contained in the Import Alert
  • Review system screening in place for the Import Alert
  • Assess field actions taken as a result of the Import Alert
  • Provide corrective actions for improvement to the information contained in the Import Alert

• DIO scheduled to review 60 import alerts in FY19
## FDA Regulated Food Lines, Refusals - Calendar Years 2014 - 2018

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<tr>
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<td>Lines</td>
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<td>Refused</td>
<td>Lines</td>
<td>Refused</td>
<td>Lines</td>
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<tr>
<td>Bakery Prod/Dough/Mix/icing</td>
<td>1,030,637</td>
<td>307</td>
<td>1,795,662</td>
<td>647</td>
<td>1,883,011</td>
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<tr>
<td>Cheese/Cheese Prod</td>
<td>165,232</td>
<td>276</td>
<td>171,872</td>
<td>138</td>
<td>179,658</td>
<td>76</td>
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<tr>
<td>Fishery/Seafood Prod</td>
<td>965,932</td>
<td>1,573</td>
<td>1,023,980</td>
<td>1,957</td>
<td>1,101,180</td>
<td>1,926</td>
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<tr>
<td>Fruit/Fruit Prod</td>
<td>1,318,680</td>
<td>1,018</td>
<td>1,594,667</td>
<td>1,156</td>
<td>1,663,463</td>
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<tr>
<td>Nuts/Edible Seed</td>
<td>127,649</td>
<td>200</td>
<td>153,885</td>
<td>240</td>
<td>139,970</td>
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<td>Vegetables/Vegetable Products</td>
<td>2,513,027</td>
<td>1,275</td>
<td>2,640,720</td>
<td>1,396</td>
<td>2,920,016</td>
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<tr>
<td>Vegetable Oils</td>
<td>136,059</td>
<td>127</td>
<td>122,700</td>
<td>116</td>
<td>130,381</td>
<td>106</td>
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<tr>
<td>Spices, Flavors And Salts</td>
<td>264,142</td>
<td>200</td>
<td>302,154</td>
<td>679</td>
<td>330,124</td>
<td>611</td>
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<tr>
<td>Candy W/O Choc/Special/Chew Gum</td>
<td>272,706</td>
<td>307</td>
<td>275,605</td>
<td>520</td>
<td>202,905</td>
<td>400</td>
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<tr>
<td>Choc/Cocoa Prod</td>
<td>266,584</td>
<td>314</td>
<td>247,733</td>
<td>327</td>
<td>257,746</td>
<td>180</td>
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<tr>
<td>Multi Food Dinner/Gran/Sauce/Special</td>
<td>216,921</td>
<td>207</td>
<td>227,339</td>
<td>239</td>
<td>231,483</td>
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<td>Miscellaneous Food Related Items</td>
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<td>75</td>
<td>1,885,012</td>
<td>100</td>
<td>1,754,884</td>
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<td>Vit/Min/Pro/Unconv Diet(Human/Animal)</td>
<td>163,235</td>
<td>920</td>
<td>181,568</td>
<td>2,153</td>
<td>182,182</td>
<td>2,309</td>
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## FDA Regulated Food - Calendar Years 2014 - 2018 Refusals by Charge Categories

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<th>Code</th>
<th>Description</th>
<th>Adulteration</th>
<th>Chemical</th>
<th>Misbranding</th>
<th>Other</th>
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<td>Pathogen</td>
<td>Other</td>
<td>Adulteration</td>
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<td>03</td>
<td>Bakery Prod/Dough/Mix/Icing</td>
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<td>721</td>
<td>1,025</td>
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<td>12</td>
<td>Cheese/Cheese Prod</td>
<td>174</td>
<td>365</td>
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<td>320</td>
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<td>16</td>
<td>Fishery/Seafood Prod</td>
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<td>4,542</td>
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<tr>
<td>21-22</td>
<td>Fruit/Fruit Prod</td>
<td>184</td>
<td>1,763</td>
<td>2,227</td>
<td>2,235</td>
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<tr>
<td>23</td>
<td>Nuts/Edible Seed</td>
<td>217</td>
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<td>551</td>
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<tr>
<td>24-25</td>
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<td>2,167</td>
<td>2,843</td>
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<td>26</td>
<td>Vegetable Oils</td>
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<td>37</td>
<td>295</td>
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<tr>
<td>28</td>
<td>Spices, Flavors And Salts</td>
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<td>365</td>
<td>1,198</td>
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<tr>
<td>29</td>
<td>Soft Drink/Water</td>
<td>237</td>
<td>443</td>
<td>1,842</td>
<td>26</td>
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<tr>
<td>33</td>
<td>Candy W/O Choc/Special/Chew Gum &amp;</td>
<td>274</td>
<td>963</td>
<td>2,719</td>
<td>12</td>
</tr>
<tr>
<td>34</td>
<td>Choc/Cocoa Prod</td>
<td>7</td>
<td>148</td>
<td>367</td>
<td>1,583</td>
</tr>
<tr>
<td>35</td>
<td>Mult Food Dinner/Grav/Sauce/Special</td>
<td>41</td>
<td>612</td>
<td>191</td>
<td>799</td>
</tr>
<tr>
<td>52</td>
<td>Miscellaneous Food Related Items</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>Vit/Min/Prot/Unconv Diet(Human/Animal)</td>
<td></td>
<td>8</td>
<td>485</td>
<td>37</td>
</tr>
</tbody>
</table>

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FDA Refusals Chart

Explanation of Charge Category:

- “Adulteration – Pathogen” - covers products found to contain microbiological contaminants (e.g. salmonella, listeria, e. Coli, vibrio, etc.);

- “Adulteration – Chemical” - contaminants cover products found to contain undeclared or excessive levels of a chemical (e.g. sulfites, food additives, lead);

- “Adulteration – Other” - covers products found to be products found to be filthy, decomposed, or not in compliance with an applicable regulation such as the Low Acid Canned Foods (LACF);

- “Misbranding – Other” - includes labeling type violations including basic food labeling requirements and nutritional panel violations;

- “Other – Other” - includes products that have been found to contain a prohibited substance such as cyclamate, have refused inspection by FDA, lack a permit, or the violation is considered a prohibited act.
FDA Seafood Program

- Compliance Program (CP) - [https://www.fda.gov/Food/ComplianceEnforcement/FoodCompliancePrograms/ucm071496.htm](https://www.fda.gov/Food/ComplianceEnforcement/FoodCompliancePrograms/ucm071496.htm)

  
  - CPG Sec. 540.370 - Fish and Fishery Products – Decomposition
  - CPG Sec. 540.525 - Decomposition and Histamine Raw, Frozen Tuna and Mahi-Mahi; Canned Tuna; and Related Species
## Seafood Entries and Examinations

<table>
<thead>
<tr>
<th></th>
<th>FY2014</th>
<th>FY2015</th>
<th>FY2016</th>
<th>FY2017</th>
<th>FY2018</th>
<th>FY2019 (to date)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Seafood lines</strong></td>
<td>936,939</td>
<td>1,009,254</td>
<td>1,091,838</td>
<td>1,144,209</td>
<td>1,196,192</td>
<td>549,809</td>
</tr>
<tr>
<td><strong>Field/Label Exams</strong></td>
<td>7,392</td>
<td>7,299</td>
<td>6,535</td>
<td>4,505</td>
<td>2,320</td>
<td>562</td>
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<tr>
<td><strong>Sample analyses</strong></td>
<td>1,795</td>
<td>1,811</td>
<td>2,559</td>
<td>1,955</td>
<td>2,449</td>
<td>515</td>
</tr>
<tr>
<td><strong>Refusals - Decomposition</strong></td>
<td>489</td>
<td>753</td>
<td>1,443</td>
<td>593</td>
<td>679</td>
<td>205</td>
</tr>
<tr>
<td><strong>Refusals - Histamine</strong></td>
<td>43</td>
<td>22</td>
<td>38</td>
<td>37</td>
<td>27</td>
<td>15</td>
</tr>
</tbody>
</table>

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Seafood species
Decomposition violations

Top twelve species:

- Mahi-mahi
- Octopus
- Grouper
- Croaker
- Crab
- Anchovy

- Tuna
- Squid
- Lobster
- Snapper
- Salmon
- Fish N.E.C.
Questions
U.S. Customs Brokers & The Modern Day Customs Broker

By: Sergio S. Lozano Jr., CHB, Esq.
Brokers and ACE

• Brokers transmit all information through the ACE system

• Prior to submitting all information the Broker’s responsibility is to ensure that all documents received and presented match.

• Brokers transmit entries to FDA and NOAA through ACE simultaneously with the transmission for CBP clearance.

• Primarily Brokers work as facilitators of information between the government agencies and the importers.
Common Issues Importers Face

- Who is the Importer?
- FDA Product Codes
- Valuation
- NOAA transmissions
- Matching all Documents (Invoice, Packing Lists, NOAA Docs., & AWBs/BLs)
- Different types of holds and information that must be transmitted
- The time sensitivity of seafood products
- Government agencies outages and update timing.