

It is difficult to identify a single reference which contains a compilation of standards and guidelines which can be used to determine if a fish or seafood product meets United States regulations, because unique conditions, such as processing procedures, investigational evidence and the final use of the product, may affect the evaluation of the case by the FDA. As a result, Food and Drug Administration legal actions are considered on a case by case basis. The Compliance Policy Guides, Compliance Programs, and Import Alerts may be obtained by contacting:

Mary Hodge
Food & Drug Administration
Freedom of Information Office (HFI-35)
5600 Fishers Lane
Rockville, Maryland 20857

NEW REGULATIONS

United States Department of Health and Human Services Secretary Donna E. Shalala announced on January 21, 1994, a major new food safety initiative in which the Food and Drug Administration will require the U.S. seafood industry to establish safety controls subject to regulatory oversight and review. These regulations will also have a major impact on Canadian fish and seafood exporters examining the United States market. The seafood safety regulations are based on the Hazard Analysis Critical Control Point (HACCP) concept. HACCP is a system designed to prevent safety hazards from occurring that can be applied by food processors and importers to ensure that their products are as safe as possible for human consumption. Because nearly 60 percent of seafood available to United States consumers is imported, the FDA is proposing to require that all imported seafood be processed under HACCP systems.

The new regulations will cover all United States seafood processors, packers, warehouses and importers and will include all fresh, frozen and low-acid canned foods produced totally or partially from all aquatic animals, except birds and mammals. Transportation companies that carry, but do not otherwise process, fish and fishery products are not included under the new regulations set forth. Seafood retailing is not included, but an updated food code was released by the FDA in conjunction with the announcement of the new regulations which will serve as guidelines to U.S. food retailers and restaurants in the handling, cooking, storage and display of seafood products. Current regulations on fresh and frozen mollusc and shellfish are being amended. Fishing vessels are not included, but at-sea processing vessels are included in the new FDA regulations.

CUSTOMS BROKERS

South Florida customs brokers can provide Canadian fish and seafood exporters with a range of services related to the entry and clearance of goods into the United States and other regional markets. Customs brokers specialize in various customs documentation requirements and are familiar with all laws, regulations and procedures affecting the importation of goods. They can assist with country of origin markings, the labelling of food products, consumer products safety standards, and matters that concern environmental protection considerations. Customs brokers are up-to-date on customs requirements relating to the Canada-U.S. Free Trade Agreement (FTA) and the North American Free Trade Agreement (NAFTA). Although a company can perform the same tasks as the customs broker, Canadian consulates in the United States unanimously recommend that their services be used so as to avoid problems and ensure all procedures are followed.

DOCUMENTATION

Canadian fish and seafood exporters considering the massive South Florida and Caribbean markets should remember, it is important to ensure that all import and export documents are completed correctly prior to any shipment of goods. The following documents may be required for fish and seafood exports to the South Florida or Caribbean markets:

1. Bill of Lading
2. Commercial Invoice
3. Packing Slip
4. Export Declaration (B-13)
5. Inspection Certificate (QMP)
6. Canada/U.S. Free Trade Certificate of Origin