



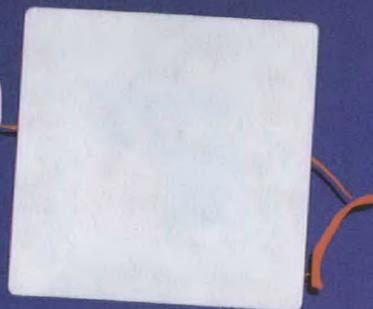
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New FDA rules kick in December 12

What Canadian food exporters need to know

On December 12, 2003, the U.S. Food and Drug Administration (FDA) will begin implementing the interim final regulations of the Bio-terrorism Act related to the registration of food facilities and prior notice required for the export of food shipments into the U.S. The Public Health Security and Bio-terrorism Preparedness and Response Act, signed in June 2002, was developed as a response to bio-terrorism threats and other public health emergencies in the U.S. following the events of September 11, and sets in place measures designed to enhance the security of the U.S. food supply.

Since the initial release of proposed regulations regarding the prior notice of food shipments and the registration of domestic and foreign food facilities by the FDA on February 3, 2003, the Canadian government has been an active participant in the consultation process. The interim final rules, published on October 9, reflect much of the input supplied by Canada to the FDA during the initial consultation period.

Despite the December 12 implementation date, the FDA will keep the consultation process open until December 24, 2003. Agriculture and Agri-food Canada (AAFC) is currently asking for input from Canadian industry as part of its submissions in this process. The FDA plans to reopen comments for an additional 30 days in March 2004, following the publication of an FDA/CBP (Bureau of Customs and Border Protection) plan and implementation schedule to harmonize, integrate and coordinate the prior notice requirements of the two agencies.

While affected parties are obliged to comply with the new regulations beginning December 12, 2003, the FDA has recognized the fact that some firms may still need assistance understanding the interim final rule's requirements and how to comply. As a result, the FDA intends to focus on education rather than enforcement for the first 4 months of implementation.

In the event of a potential or actual bio-terrorism incident or an outbreak of food-borne illness, facility registration information will help the FDA determine the location and source of the event and permit the agency to quickly notify facilities that may be affected. Facilities can register on-line, by completing a paper form, or by submitting a CD-ROM with relevant registration information to the FDA.

For assistance with on-line registration, call (301) 575-0156 or 1-800-216-7331 (in the U.S. only), fax **(301) 210-0247**, or e-mail furls@fda.gov. The On-line Registration Help Desk is open on business days from 7 a.m. until 11 p.m. EST.

Most of the prior notice information required by these regulations is usually provided by importers or

brokers to the CBP when foods arrive in the U.S. Now, the Bio-terrorism Act requires that this information also be provided to the FDA in advance of an imported food's arrival to the U.S. The FDA will use this information to review, evaluate, and assess the information, and determine whether to inspect the imported food. Prior notice for nearly all of the current imported food shipments can be filed using CBP's Automated Broker Interface of the Automated Commercial System (ABI/ACS). Prior notice can be submitted either through ABI/ACS or the FDA's Prior Notice System Interface beginning December 12, 2003.

For the Canadian perspective on the process, a contact list by province, as well as an event calendar, go to AAFC's Web site at <http://ats.agr.ca>.

Export USA Calendar

For information about:

- trade missions to the U.S.
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Visit the Export USA Calendar at: www.dfait-maeci.gc.ca/can-am/export.

Aerospace mission — continued from page 1

The program will offer numerous networking opportunities, one-on-one pre-arranged meetings, attendance at the Pacific Northwest Aerospace Association Conference, an educational session on strategic alliance building as well as a market briefing and a full day of company site visits.

For more information on the program, contact Martine Moreau,

Trade Commissioner, Canadian Consulate in Seattle, tel.: **(206) 770-4078**, e-mail: martine.moreau@dfait-maeci.gc.ca. For information on registration procedures, contact John Bonar, Trade Commissioner, Aerospace and Defence, DFAIT, tel.: **(613) 944-8821**, e-mail: john.bonar@dfait-maeci.gc.ca.