

Regulatory Alert: FDA Provides Update on European Union Food Safety Systems Recognition

July 20, 2017

On Monday, July 10, Dr. Steven Ostroff, Deputy Commissioner for Foods and Veterinary Medicine of the U.S. Food and Drug Administration (FDA) provided an update and more details on the food safety systems recognition effort the United States is currently working on with the European Commission. Ostroff provided the update at the International Association of Food Protection Conference in Tampa, Florida. The systems recognition agreement would apply to food produced in the European Union member states.

Food imported within the scope of the systems recognition agreement is less likely to be inspected by FDA. Importers of such food are subject to fewer requirements under the Foreign Supplier Verification Program (FSVP) Rule.

Most FSVP requirements do not apply to finished foods imported within the scope of systems recognition agreements. Importers of raw materials and ingredients from countries within the scope of systems recognition agreements still are subject to the standard FSVP requirements unless another exemption or modified requirement applies.

Importers of finished foods within the scope of systems recognition agreements enjoy the following relief from FSVP requirements:

- No hazard analysis
- No hazard evaluation
- No foreign supplier verification

A number of FSVP requirements for finished foods imported within the scope of systems recognition agreements still apply however, including:

- Using qualified individuals for FSVP tasks
- Identifying themselves as the FSVP importer on entry documentation
- Maintaining records

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- Documenting that the foreign supplier is in and under the regulatory oversight of the food safety authorities in the recognized country, and that the food is within the scope of that recognition.
- Ensuring the foreign supplier remains in good standing with the food safety authorities.
- Taking corrective actions in the event of food safety issues.

U.S. Food Imports LLC (USFI) President Erik Lieberman asked Dr. Ostroff about the progress FDA has made in the systems recognition effort with the EU as well as what the scope of the agreement is expected to be.

Dr. Ostroff indicated the effort was still in the early stages. Based on Dr. Ostroff's comments we would anticipate that it will take at least one year for the systems recognition agreement to be completed.

Dr. Ostroff stated that the scope of the systems recognition agreement would be similar to that of the systems recognition agreement with Canada. The scope of the recognition of Canada excludes dietary supplements, Grade "A" milk and milk products, raw bivalve molluscan shellfish, USDA-regulated meat, poultry, processed egg products and farmed catfish and catfish products and dinnerware.

Currently, the FDA has only recognized Canada, New Zealand and Australia for having comparable food safety systems.

U.S. Food Imports LLC provides foreign supplier verification services and other food import compliance solutions. Our proprietary FSMA Cloud™ software ensures efficient FSVP compliance for you and your suppliers. Please contact Erik Lieberman at elieberman@usfoodimports.com or (202)765-1800 if you have questions or would like additional information.