



The American Companies

"News Flash"

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Update on the Food Safety Enhancement Act of 2009

After lowering the required registration fees and making certain other changes, the House Energy and Commerce Committee's Subcommittee on health, has approved a modified version of The Food Safety Enhancement Act of 2009. The full committee is expected to consider the bill on June 17, at which time items such as criminal and civil penalties, inspection frequency, and effects on small businesses will be discussed. This does not preclude the fact that the trade community will likely raise other issues.

Following are some of the highlights of the bill provisions:

Facility registration- all food facilities, importers of food, drug and medical device firms and customs Brokers handling Food Imports will be required to register with the Food and drug administration.

Fees- registered facilities will be required to pay an annual registration fee. This fee will be set by the Health and Human Services Secretary, and will be adjusted in subsequent years based on a formula specified by the new legislation.

Unique ID Numbers- unique identifiers will be created for all, food, drug, medical device facilities and Importers.

Increased Inspections and Enforcement- high-risk facilities will require inspection at least every 18 months, as opposed to low risk facilities in which inspection will be 18 months to 3 years. Warehouses will be inspected every 3-4 years. FDA will be able to issue mandatory recalls for tainted food, and penalties have been increased to a maximum of \$100,000.00 for individuals, and \$500,000.00 for facilities. Conversely, importers meeting voluntary security guidelines will receive expedited processing by the FDA.

Country of Origin Labeling- labels will have to indicate the country in which final processing occurred, as well as for all produce.

If you require additional information or further assistance please contact us at: compliance@shipamerican.com

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