



SANDLER, TRAVIS & ROSENBERG, P.A.
International Trade, Customs & Export Law

*Product Admissibility:
Compliance for Food & Beverage Importers –
From “Red Lane to Green Lane”*

Americas Food & Beverage Virtual Show & Conference
September 24, 2021



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Find the Right Partner

1. Longevity
2. Financial stability
3. Reputation, recommendations
4. Ability to meet deadlines
5. Adaptability
6. Quality control standards
7. Labor standards
8. Security standards



Know Admissibility Requirements



Comply with FDA Requirements

- ☐ **All Foods*** (including dietary supplements, beverages, etc.)
- ☐ **Pharmaceutical Drugs** (OTC & Rx)
- ☐ **Cosmetics** (eye-liner, lipstick, nasal wash)
- ☐ **Medical Devices** (heart stent, contact lens, toothbrush)
- ☐ **Biologics** (Botox®, Insulin, etc.)
- ☐ **Radiation-Emitting Products** (CT-Scan, lasers, etc.)
- ☐ **Tobacco Products** (nicotine delivery device?)

**Except poultry & most meats*

Comply with Import Process

- FDA Flags

Flag	Meaning	Examples
FD1	May or may not be regulated by FDA: If regulated by FDA, submit entry information; if not regulated by FDA, disclaim	Certain chemicals used in manufacturing drug products vs. industrial use; safety goggles for medical use vs. non-medical use
FD2	Regulated by FDA, but is not food: Submit entry information	Medical Devices, Drugs, Tobacco, and Cosmetics
FD3	May or may not be a food product: If yes, submit Prior Notice (PN) and entry information; if no, disclaim	Salt used for flavoring food vs salt used for treating road surfaces
FD4	Food product: Submit PN and entry information	Fish and seafood, live food animals, dairy products, shell eggs, fruits, vegetables, food and feed ingredients, food and feed additives, infant formula, beverages (including alcoholic beverages and bottled water), bakery goods, snack foods, candy, canned foods, and dietary supplements and dietary ingredients

Comply with Import Process

- Admissibility

- **FDA will decide to:**
 - **Release the goods**
 - **Obtain more information**
 - Through documents
 - Through examination and/or sample collection
 - Upload documents in ITACS account management
 - **Detain the good w/o exam**
 - Based on lack of required affirmations
 - Based on import alert conditions

Comply with Import Process

- Documents Required

- **Electronic submission may not be enough**
- **“FDA Documents Required” message to entry filer**
- **What’s needed:**
 - CBP entry forms
 - Invoice/Packing List
 - B/L or AWB
 - Other: Affirmations of Compliance, Tests

Comply with Import Process

- Examination/Sampling

- Examine products, collect samples
- “FDA Exam/Sample” message - filer
- Notice of FDA Action (exam)
- **Submit:**
 - Entry documents
 - Availability information (where, when, contact info warehouse)
- **Availability**
 - At Port of Entry, or may need to redeliver
 - FDA approval to move out of POE

Comply with Import Process

- Detention

- Right to provide evidence to overcome (hearing process)
- Detention will stand (refusal) or overturned (release)

- Refusal of Admission

- If cannot bring into compliance, refuse
- Redelivery notice issues upon refusal
- Refused product – export or destroy



Meet FSMA Requirements

- **Facility registration under Food Safety Modernization Act**
 - Registration of ALL foreign & domestic food facilities
 - Engaged in manufacturing, processing, packing or holding food for consumption
 - Re-registration every 2-years
 - Consent to records and facility inspection
 - U.S. Agent liable for payment of facility reinspection fees to FDA
- **Registered Facilities as of January 11, 2021**
 - Domestic (U.S.) registrations: 80,935
 - Foreign registrations: 101,212
 - Total: 182,147

Meet FSMA Requirements

- **Other FSMA Requirements**
 - Preventive controls for human food (with GMPs, Food Safety Plans)
 - Hazard: people, ingredients, environment
 - Preventive: process, allergen, sanitation, supply chain, recall
 - Produce safety
 - Water, soil, sprouts, animals, workers, equipment/tools/buildings
 - Sanitary transportation
 - Applies to shippers, receivers, loaders, carriers who transport food into U.S.

Meet FSMA Requirements

- **Other FSMA Requirements**

- Foreign supplier verification program

- Requires importer to document and declare FIRM is under comparable/equivalent food safety oversight and in compliance with food safety authority
- Through qualified individual that conducts compliance review, hazard analysis, evaluation, approval and verification

- Applicability

- YES if owner, consignee, U.S. agent, representative (foreign owner/consignee)
- NOT if import only fish/fishery, juice, research/evaluation, alcoholic beverages, meat, poultry, egg; personal consumption; transshipped; processing and export; or exported/returned w/o further manufacture abroad
- NOT low acid canned food
- NOT if compliance with Preventive Controls for Human/Animal Food (most)
- NOT if dietary supplements with CGMP (modified)
- NOT if less than \$1 million per year during preceding 3 years (modified)
- NOT if from small, qualified suppliers (PCHF/PCAF) (modified)
- NOT if from officially recognized or equivalent food safety system country (modified)

Meet other FDA Requirements

- **Acidified Foods (AF) or Low-Acid Canned Foods (LACF)**
 - Register name of establishment, principal place of business, location of each establishment of processing, processing method, list of foods processed
 - Food Canning Establishment Number (FCE)
 - Approved Scheduled Process Submission ID (SID)
 - Process for adequate acidification



Meet other FDA Requirements

- **Prior notice**
 - Food for use, storage, or distribution in U.S.
 - Food transshipped through U.S. to another country
 - Food imported for future export
 - Food for use in FTZ
 - Time frames prior to arrival –
 - Truck 2 hours;
 - Rail 4 hours;
 - Air 4 hours;
 - Water 8 hours

Meet other FDA Requirements

1 Web Entry (Create)

To create a new Web Entry, enter the information on this page and then click on the Save button. Required items are marked with an asterisk (*).

Entry Information

Enter all Entry Information marked with an asterisk (*). If you do not have an Entry Identifier, leave the Entry Identifier blank and enable the Not Known checkbox to request the system to assign you one.

*Entry Identifier: ☐ Not known. (Requests a system-generated identifier.)

*Entry Type: Consumption

*How many Prior Notices do you or your company intend to submit for this Web Entry?

Port of Arrival

Enter the Port Code for the Port of Arrival and the Arrival Date and Time. Please note if the Arrival Date and Time is in the past then this Date and Time is considered the Actual Date and Time. If the Arrival Date and Time is in the present/future then the Date and Time is considered the Anticipated Arrival Date and Time. The time should be in the time zone of the Port of Arrival. If you do not know the Port Code, select the state and click on the Find Port Code button.

Port: Alameda, CA (2813)

State:

OR *Port Code:

*Anticipated Arrival Date: (MM/DD/YYYY)

*Anticipated Arrival Time: (24-hour clock HH:MM)

Submitter

Byron Import Company 11 21st Street Los Angeles, California 90001 UNITED STATES	Registration Number: Name: John Byron Phone: 310-555-1212 Fax: e-mail: john.byron@byron-imports.com
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Importer

Black's Importing 123 Main Street Los Angeles, California 90001 UNITED STATES	Registration Number:
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Carrier

Mode of Transportation: Land, Truck Carrier Name: Vehicle License Number: 1234567 Vehicle License Country/Virginia Subdivision:

Meet other FDA Requirements

- **Compliant, sufficient labeling**
 - Updated in 2016 to reflect updated scientific info
 - Easier to make food choices
 - Updates -
 - 1/1/20: \$10 million or more annual sales
 - 1/1/21: Less than \$10 million annual sales

New Label / What's Different?

Servings:
larger,
bolder type

Nutrition Facts

8 servings per container

Serving size 2/3 cup (55g)

Amount per serving

Calories 230

% Daily Value*

Total Fat 8g 10%

Saturated Fat 1g 5%

Trans Fat 0g

Cholesterol 0mg 0%

Sodium 160mg 7%

Total Carbohydrate 37g 13%

Dietary Fiber 4g 14%

Total Sugars 12g

Includes 10g Added Sugars 20%

Protein 3g

Vitamin D 2mcg 10%

Calcium 260mg 20%

Iron 8mg 45%

Potassium 240mg 6%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Serving sizes
updated

Calories:
larger type

Daily Values
Updated

Actual
amounts
declared

New
footnote

New:
added sugars

Change
in some
nutrients
required

Meet other FDA Requirements

- **Current Good Manufacturing Practices**
 - **Personal hygienic practices**
 - **Design, construction, maintenance - food plant/grounds**
 - **Plant equipment**
 - **Sanitary operations**
 - **Facility sanitation**
 - **Production and process controls during food production**

Avoid Products Subject to Import Alerts

- **Applicable import alerts**

- History of violations regarding commodities, manufacturers/shippers, growers, geographic area, countries of origin, importers, combination of issues
- Detention Without Physical Exam based on evidence from field offices or foreign inspections; foreign gov't, state or agency
- Removal from DWPE by submitting petition (apparent violation “overcome”), reviewed by FDA with evidence usually of five non-violating shipments (may require laboratory analysis)
 - Lab testing
 - Labeling review
 - Some not at entry (GMP issues at manufacturer, unapproved food colors/ pesticides, prohibited ingredients)

- **Assurance cause of violation corrected**

Avoid Products Subject to Import Alerts

The screenshot displays the FDA's website for Import Alert 16-05. The header includes the U.S. Department of Health and Human Services logo, the FDA logo, and the text "U.S. FOOD & DRUG ADMINISTRATION". Navigation links for "A to Z Index", "Follow FDA", and "En Español" are present, along with a search bar labeled "Search FDA". A menu bar lists various product categories: Home, Food, Drugs, Medical Devices, Radiation-Emitting Products, Vaccines, Blood & Biologics, Animal & Veterinary, Cosmetics, and Tobacco Products. The breadcrumb trail reads: Home > Import Program > Import Alerts > Imports Alerts by Number. The main heading is "Import Alert 16-05", followed by social media sharing options (Share, Tweet, LinkedIn, Pin It, Email, Print). A note states: "(Note: This import alert represents the Agency's current guidance to FDA field personnel regarding the manufacturer(s) and/or products(s) at issue. It does not create or confer any rights for or on any person, and does not operate to bind FDA or the public)." The alert details are: "Import Alert # 16-05", "Published Date: 07/15/2021", and "Type: DWPE". The "Import Alert Name:" is "Detention Without Physical Examination of Mahimahi Because of Histamine and Decomposition". The "Reason for Alert:" section explains that the revision to this alert dated 3/6/2020 updates the Guidance section to include clarification on entities subject to the alert (manufacturers, packers, exporters, shippers) and specifies the use of charges depending on violation type/scenario. It also mentions updates to the PAF and PAC sections and directions regarding the processing of additions and removals. The text further details that in March 1980, the Center for Disease Control reported that mahi-mahi (dolphin fish) accounted for 40% of the scombroid poisoning outbreaks in the United States. It also notes that during March 1980, FDA received reports of 10 separate scombroid poisoning incidents involving about 70 people, leading to instructions on April 28, 1980, for districts to sample and analyze 100% of all shipments of mahi-mahi for histamine. Finally, it states that on July 8, 1980, districts reported sampling and analyzing 73 shipments of mahi-mahi from China, Ecuador, Peru, and Taiwan, determining that mahi-mahi from Ecuador and Taiwan met the criteria for detention without physical examination. The alert concludes by stating that in the latter part of FY 80, LOS-DO organoleptically detected decomposition in 11 of 24 Ecuador/Taiwan mahi-mahi samples (46%), and that mahi-mahi may be decomposed without toxicologically significant levels of histamine, requiring district import personnel to be alert to the possibility of significant

Avoid Products Subject to Import Alerts

Sample results as well as a number of reported illnesses attributed to imported mahi-mahi indicate continuing problems with histamines and decomposition in mahi-mahi from Ecuador.

Guidance:

Divisions may detain, without physical examination, all shipments of mahi-mahi from Ecuador and Taiwan, except those packers identified in the Green List to this alert.

The Red List contains individual ***packers, shippers, manufacturers and exporters*** on detention without physical examination from countries other than Ecuador or Taiwan and specifies what charge(s) are applicable to the firm.

Note: Mahi-mahi from ***packers, shippers, manufacturers and exporters*** identified in the Green List as exempt from detention without physical examination should be periodically audit sampled and analyzed for histamines.

METHODOLOGY: See Import Seafood Products Compliance Program, 7303.844.

Recommendations for additions to the Red List of this import alert should be forwarded to the Division of Import Operations (DIO). DIO and FDA's Center for Food Safety and Applied Nutrition (CFSAN) will evaluate regulatory packages on a case-by-case basis.

Release of Articles Subject to Detention without Physical Examination under This Import Alert:

In order to secure release of an individual shipment detained pursuant to this Import Alert, the importer should provide all relevant information supporting the request for release to the appropriate FDA Division compliance office

For guidance on removal from detention without physical examination, refer to FDA's Regulatory Procedures Manual, Chapter 9-8, "Detention without Physical Examination (DWPE)."

If a firm and/or a representative would like to petition for removal from detention without physical examination under this Import Alert, all relevant information supporting the request should be forwarded to the following address:

Food and Drug Administration
Division of Import Operations (DIO)
12420 Parklawn Drive, ELEM-3109
Rockville, MD 20857

Or via email to: ImportAlerts2@fda.hhs.gov ***

*** Questions or issues involving import operations should be addressed to ORA/DIO (301) 796-0356 or FDAImportsInquiry@fda.hhs.gov

Questions or issues involving science policy, analysis, preparation, or analytical methodology, should be addressed to ORA/Office of Regulatory Science at oraoprivatelabimportalerts@fda.hhs.gov

Questions or issues involving OASIS or PREDICT screening should be addressed to ORA/DSS/Import Systems Branch at ImportSystems@fda.hhs.gov

Avoid Products Subject to Import Alerts

Product Description:

Mahi-mahi (dolphin) raw, fresh or frozen, including fillets

Charge:

*** For histamine: ***

"The article is subject to refusal of admission pursuant to Section 801(a)(3) in that it appears to contain a poisonous or deleterious substance which would ordinarily render the article injurious to health. Contains:" ***[Adulteration, Section 402(a)(1)] ***

OASIS charge code - POISONORD

and/or

*** For decomposition: ***

****The article is subject to refusal of admission pursuant to Section 801(a)(3) in that it appears to consist in whole or in part of a filthy, putrid, or decomposed substance or be otherwise unfit for food.**** [Adulteration, Section 402(a)(3)]

OASIS charge code - FILTHY

Countries

ECUADOR

- (16 A - - 51) Mahi Mahi

TAIWAN

- (16 A - - 51) Mahi Mahi

Red - Firms, countries and/or products that are subject to detention without physical examination of the product identified in the criteria of the alert

Yellow - List of firms and their products subject to intensified surveillance; or firms that may have satisfied GMP issues of concern, but the nature of violations may warrant further field examinations of individual entries and/or additional analyses (a.k.a. Yellow List)

Green - Firms are excluded from the criteria of the alert

Go to [Red List](#) [Green List](#)

Avoid Products Subject to Import Alerts

Nicalapia S.A.

Date Published : 06/15/2018

Km 34 1/2 Carretera Nueva A Leon , Frente a cementeria Hocim , Leon, Nagarote NICARAGUA

16 A -- 51 Mahi Mahi

Date Published: 06/15/2018

Desc: Mahi Mahi

PERU

Alimentos Los Ferroles S.A.C.

Date Published : 10/28/2016

Urb. Los Ferroles, Callao , Avenida Prolongacion Centenario 1960 , Callao, Callao PERU

16 A -- 51 Mahi Mahi

Date Published: 10/28/2016

Desc: Mahi Mahi

Notes: Problems; Decomposition

DEEPER BLUE SEA LLC, SUCURSAL PERU

Date Published : 03/07/2016

Zona Industrial II , Av. Industrial Mza. R Lote. 05 Z.I. , Peru, Piura PERU

16 A -- 51 Mahi Mahi

Date Published: 03/07/2016

Desc: Mahi Mahi

Notes: Problems; Decomposition

Perla del Pacifico, S.R.L.

Date Published : 07/14/2015

Parque Industrial , Av. Circunvalacion Mz. G Lote 1 y 2 , Tacna, Tacna PERU

16 A -- 51 Mahi Mahi

Date Published: 07/14/2015

Desc: Smoked Mahi Mahi

16 S -- 51 Mahi Mahi (Dolphin fish), Cold Smoked, Fish

Date Published: 07/14/2015

Desc: Smoked Mahi Mahi

THAILAND

Thai Ocean Venture Co., Ltd.

Date Published : 09/10/2009

64 , 213 Moo 7 Anupasphuketkan Rd , Muang Phuket, Phuket THAILAND

16 A -- 51 Mahi Mahi

Date Published: 09/10/2009

Comply with USDA Requirements

United States Department of Agriculture (USDA)

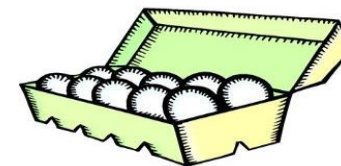
FSIS: Food Safety and Inspection Service



- Regulates imported meat, poultry and egg products (safety standards)

APHIS: Animal Plant Health Inspection Service

- Restricts some products from entering the U.S. due to animal disease conditions in country of origin (health requirements)



Comply with USDA Requirements

FSIS Refusal

- **Ineligible Product**
 - Ineligible source/producing country
 - Uncertified source, processing, preparing establishment
 - Fails to comply with FSIS or APHIS regulations
 - Produced when exporting country ineligible to export
 - Produced when processing/preparing establishment ineligible to export
 - Ineligible species from export country
 - Ineligible product for export
- **Failed Type of Inspection**
 - Certification
 - Label Verification
 - Physical Exams
 - Lab Analysis

Comply with USDA Requirements

FSIS Small Amounts

Meat: 3% or less raw meat; less than 2% cooked meat or other portions of the carcass; or 30% or less fat, tallow or meat extract, alone or in combination.

Poultry: less than 2% cooked poultry meat; less than 10% cooked poultry skins, giblets or fat, separately; or less than 10% cooked poultry skins, giblets, fat and poultry meat (limited to less than 2 percent) in any combination.

For dried products containing poultry, these percentages are computed on the basis of the moist cooked chicken in the ready to serve product when prepared according to the directions on the consumer package.



Countries Eligible to Export to US

Country/Product		Beef /Veal		Lamb /Mutton		Goat		Pork		Poultry /Ratites		Egg Products
		Raw	Proc	Raw	Proc	Raw	Proc	Raw	Proc	Raw	Proc	Proc
1	Argentina	X ₄	X ₃		X ₃		X ₃		X ₃			
2	Australia	X	X	X	X	X	X	X ₄	X ₄	X ₁	X ₁	
3	Austria	X ₂	X ₂					X ₄	X ₅			
4	Belgium	X ₂	X ₂						X ₄			
5	Brazil		X		X ₄		X ₄	X ₃	X			
6	Canada	X	X	X	X	X	X	X	X	X	X	X
7	Chile	X	X	X	X	X ₄	X ₄	X	X	X	X	
8	China										X ₅	
9	Costa Rica	X	X	X ₄	X ₄	X ₄	X ₄	X ₃	X			
10	Croatia	X ₂	X ₂					X ₃	X			
11	Czech Rep	X ₂	X ₂					X ₄	X ₄			
12	Denmark	X ₂	X ₂					X	X			
13	England	X ₂	X ₂					X	X			
14	Finland	X ₂	X ₂					X	X			
15	France	X ₇						X	X	X ₄	X ₄	
16	°Great Britain									X ₄	X ₄	
17	Germany	X ₂	X ₂					X	X			
18	Honduras	X	X	X	X	X	X	X ₃	X			

Comply with APHIS Requirements

- Objectives:
 - Animals - monitor health of animals and regulate import and export of animals, animal products and biologicals.
 - Plants - monitor the movement of risk material, protect against the introduction of pests and regulate the import and export of plants.
- Treatments are fruit and origin specific.
- Fruit is subject to PPQ compliance inspection upon entry.
- Fruit and vegetables import requirement (FAVIR) database



Comply with APHIS Requirements

**United States Department of Agriculture**
Animal and Plant Health Inspection Service

Fruits and Vegetables Import Requirements (FAVIR)

Country/Region: ☐ Approved Name: ☐ Scientific Name: ☐ Common Name: ☐ Approved/Common Name Text Search:

Options

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Date: Sep 24, 2021

Commodity Import Report (CIR)

Blueberry (Fruit) from Argentina into All Ports

The CIR contains current import regulation information for the selected Commodity Import (a specific commodity approved from a designated country, or region, into one or more designated ports). A flag () indicates information that is intended for and available to an APHIS/CBP audience only.

Vaccinium angustifolium, *Vaccinium ashei*, *Vaccinium corymbosum*, *Vaccinium virgatum* [Commodity Summary](#) [Guide Page](#) [Country Summary](#)

Import Requirements

- Admissible Plant Parts:** Fruit
- Admissible Ports:** All Ports
- Import Permit Required:** An Import Permit is required. To obtain a permit, go to [APHIS eFile](#).
- Subject to Inspection:** This commodity is subject to inspection at the port of entry and all general requirements of [7 CFR 319.56-3](#).
- Commercial Consignments Only**
- Preclearance Program: Voluntary Preclearance:** Consignments may or may not be precleared. To validate foreign site preclearance inspection and/or treatment, precleared consignments must be accompanied by a **signed** PPQ Form 203.
- Condition of Entry Treatment:** Waive treatment if accompanied by a phytosanitary certificate with an additional declaration stating the consignment was produced in an area free of *Ceratitis capitata* and *Anastrepha fraterculus*.
- Condition of Entry Treatment:** [T107-a-1 \(Cold Treatment\)](#) , or [T101-I-1-1 \(Methyl Bromide Fumigation\)](#) , or [T101-I-1-2 \(Methyl Bromide Fumigation\)](#) If the consignment has not completed, has not received, or has failed treatment, it must be treated upon arrival using treatments T107-a,-1 T101-I-1-1, or T101-I-1-2.

For fumigation, the consignment can ONLY arrive at ports located north of 39° latitude and east of 104° longitude.

For cold treatment, the consignment may arrive in the U.S. at either of the following locations
 - At ports located north of 39° latitude and east of 104° longitude
 - At ports with [approved cold treatment facilities](#) (https://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/aphis-certified-cold-treatment-facilities.pdf)
- Reference Information:** To be treated in accordance with the Plant Protection and Quarantine Treatment Manual (https://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/treatment.pdf).

Instructions for Officers

- Verify cold treatment requirements have been satisfied. Refer to [the Special Procedures for Cold-Treated Commodities](#) (https://cbp.aphis.usda.gov/ppq/php/favir/SpecialProcedures/downloads/Procedures_coldtreatedFV.pdf). 

Commodity Information

- For additional commodity information and images, visit <https://npgsweb.ars-grin.gov/gringlobal/taxonomydetail.aspx?id=41002>

Page ID: CIRReportIP

FAVIR Home | ePermits Home | USDA.gov | Get Adobe Reader

FOIA | Accessibility Statement | Privacy Policy | Non-Discrimination Statement | Information Quality | FirstGov | White House



Comply with APHIS Requirements

- **Commodity Import Approval Process:**

US access for fruit/vegetable/plant or plant product that is not already an approved commodity, must initiate a commodity import request:

- Determine if the commodity is an approved commodity or currently undergoing a pest risk analysis
- If not one of the above, submit a commodity import request
- APHIS will conduct a pest risk analysis and an environmental review to determine potential pests likely to remain on the commodity upon importation and potential mitigations that may be required to avoid, reduce or eliminate the risk of pest introduction
- If APHIS determines that the commodity can be safely imported into the US, APHIS will initiate the regulatory administrative process to seek public comment

Comply with AMS Requirements

- **Section 8e Agricultural Marketing Agreement Act**
 - Avocados, dates, hazelnuts, grapefruit, table grapes, kiwifruit, olives, onions, oranges, Irish potatoes, pistachios, raisins, tomatoes, walnuts
 - Must meet: grade, size, quality, maturity standards as domestics (inspected)
- **AMS Import Certification for Organic Products:**
 - Protect integrity of USDA organic products
 - Organic integrity from farm to table; consumer trust
 - Organic Food Product Act and USDA organic regulations
 - National Organic Program accredits organizations to certify farms and businesses
 - Third party agents certify operations
 - Buyers, sellers, importers, exporters, re-exporters, re-packagers
 - Import certificate required from foreign exporters

Comply with TTB Requirements



- Federal: Alcohol & Tobacco Tax and Trade Bureau (TTB)
- States: 50 separate markets, each with own liquor laws
 - “control” states (18) are sole wholesalers of distilled spirits and in many cases retailers, too
 - “license” states (32) regulate through licenses to industry members doing business within their states
 - 3 tier system in numerous states:
importer, wholesaler/distributor, retailer

Comply with TTB Requirements

- Exporter (Alcohol):** There are certain procedures that wholesalers must follow if they wish to export alcohol – particularly if they wish to export it without payment of tax.

- Importer (Alcohol):** Anyone wishing to become a beverage alcohol importer (IMP), importing into the United States beverage alcohol not for personal use, and subsequently distributing the imported beverage alcohol to wholesalers or retailers, must file this application.

- Wholesaler (Alcohol):** Wholesalers (WHL), businesses which sell beverage alcohol products at wholesale to other wholesalers or retailers must first obtain a Wholesaler's Basic Permit. Producers or manufacturers of beverage alcohol products need to apply for a Wholesaler's Basic Permit only if they intend to sell beverage alcohol products which they did not produce or manufacture.

- Wholesaler/Importer (Alcohol):** Businesses which require a Basic Permit for Importing (to import and distribute foreign beverage alcohol) and Wholesaling (to distribute at wholesale, domestic beverage alcohol) from the same location may reduce the required paperwork by combining the applications

TTB ensures alcohol products are created, labeled, and marketed in accordance with Federal laws and regulations.

Alcohol producers must apply for a **Certification/Exemption of Label/Bottle Approval (COLA)** and follow the labeling and advertising regulations.

Questions?



Lenny Feldman

Esquire

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P.A.**

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Email: lfeldman@strtrade.com

