



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Veterinary Services

National Center for
Import and Export

4700 River Road
Riverdale, MD
20737

Subject: Implementation: Bovine Spongiform Encephalopathy; Minimal-Risk Regions and Importation of Commodities from Canada

To: Brokers, Importers, and Other Interested Parties

On January 4, 2005, the Animal and Plant Health Inspection Service (APHIS) published a final rule in the *Federal Register* to amend the regulations regarding the importation of animals and animal products and to recognize a category of regions that present a minimal risk of introducing bovine spongiform encephalopathy (BSE) into the United States via live ruminants and ruminant products. APHIS also added Canada to this minimal risk category, which allows the importation of certain live ruminants and ruminant products and byproducts from Canada under certain conditions. The effective date of the final rule was to be March 7, 2005, however, a preliminary injunction was issued by the U.S. District Court for the District of Montana on March 2, 2005, preventing the implementation of that final rule.

The preliminary injunction has now been reversed. As a result of that decision, and based on future rule making, APHIS is implementing the final rule with a delay of certain provisions within the rule.

A. Effective July 18, 2005, the following ruminant products may be imported into the United States from Canada without an import permit under the prescribed conditions:

1. Beef (including veal) or bison meat, meat byproducts, and meat food products as defined by the Food Safety and Inspection Service (FSIS) regulations in Title 9 of the *Code of Federal Regulations* Part 301.2 (9 CFR 301.2), when accompanied by the required Canadian Food Inspection Agency (CFIA) veterinary health export certificate certifying that the products:
 - a. Were processed in a CFIA-inspected establishment, which operates in compliance with an approved CFIA program to prevent commingling of ruminant meat products eligible for export to the United States with ineligible ruminant meat products;
 - b. Were derived from animals that were subjected to a ruminant feed ban equivalent to the requirements of the U.S. Food and Drug Administration (21 CFR 589.2000);
 - c. Were derived from animals for which air-injected stunning was not used at slaughter;
 - d. Do not contain specified risk materials (SRMs) as defined by FSIS regulations (9 CFR Parts 301, 309, et. al.); and
 - e. Were derived from animals that were under 30 months of age when slaughtered.

Note: Bovine livers that meet the conditions described in (b), (c), and (d) above will not have an age restriction.

Establishments wishing to export to the United States must also comply with the following FSIS requirements that the meat, meat food, or meat by-products:

- a. Do not contain mechanically separated bovine meat;
- b. Do not contain product from an advanced meat recovery (AMR) system in which SRMs were used; and
- c. Are derived from animals that have been determined to be fit for slaughter (i.e. were not non-ambulatory disabled).

Note: All conditions described in Item 1 above also apply to meat, meat food, or meat by-products of bison.

2. Whole or half carcasses of beef (including veal) or bison from animals under 30 months of age when slaughtered that are accompanied by the required CFIA veterinary health export certificate certifying that the conditions specified in Item one have been met and that the carcasses are from CFIA establishments that meet FSIS requirements also specified in Item one.
3. Sheep or goat meat, meat byproducts, and meat food products as defined by the FSIS regulations in 9 CFR 301.2, when accompanied by the required CFIA veterinary health export certificate certifying that the products:
 - a. Were derived from animals slaughtered at a CFIA-inspected establishment that either slaughters only ovine and caprine species less than 12 months of age or operates in compliance with a segregation program approved by the CFIA and the APHIS Administrator as adequate to prevent contamination or commingling of the meat with products not eligible for importation into the United States;
 - b. Were derived from animals that were less than 12 months of age when slaughtered;
 - c. Were derived from animals that did not test positive for and were not suspect for a transmissible spongiform encephalopathy;
 - d. Were derived from animals that have not resided in a flock or herd that has been diagnosed with BSE; and
 - e. Were derived from animals not subject to movement restriction within Canada as a result of exposure to a transmissible spongiform encephalopathy or that the product is derived from ovine or caprine meat products legally imported in Canada from the United States or from a region not considered by the U.S. Department of Agriculture (USDA) to be affected with or at risk for BSE.
4. Carcasses of sheep or goats from animals that were less than 12 months of age when slaughtered and accompanied by the required CFIA veterinary health export certificate certifying that the conditions specified in Item 3 above have been met.
5. Cervid meat, including hunter-harvested cervid meat (e.g., deer, moose, elk, caribou, etc.) will be allowed unrestricted entry. Importers will need to present to the Customs and Border Protection (CBP) officer evidence that the product is

- cervid meat, such as a hunting license or commercially prepared labels found on unopened packages or other official documents.
6. Hunter-harvested wild ruminant (non-cervid) meat or dressed carcasses (eviscerated and head removed) such as wild sheep, goats, or bison/buffalo when accompanied by the hunter with a hunting license, tag, or equivalent.
 7. Bone-derived bovine gelatin from bovines under 30 months of age when accompanied by the required CFIA veterinary health export certificate.
 8. Tallow derived from bovines under 30 months of age accompanied by the required CFIA veterinary health export certificate certifying that it contains less than 0.15 percent insoluble impurities.
 9. Sheep casings from sheep under 12 months of age when accompanied by the required CFIA veterinary health export casings certificate.
 10. Offal derived from cattle or bison under 30 months of age (excluding bovine liver), offal derived from sheep or goats under 12 months of age or offal derived from cervidae when accompanied by the required CFIA veterinary health export certificate.
 11. Food products containing relatively small amounts of ruminant ingredients, e.g. 2 percent or less cooked bovine meat or 3 percent or less raw bovine meat, from animals under 30 months of age, for commercial use when accompanied by the required CFIA veterinary health export certificate. Examples of such products are prepared foods that are not regulated by FSIS and that contain bovine extracts such as: flavored noodles, soup products and bouillon.
 12. All products identified in items 1, 2, 3, 4, and 8 above that clear CBP at designated ports of entry must proceed to an official FSIS import establishment (listed below in section E) for reinspection. All shipments presented to FSIS for reinspection must include complete Customs Entry Numbers in order for an inspection assignment to be generated.

Beginning July 18, 2005, the conditions prescribed in the final rule, along with the delayed provisions, will take effect. All of the above commodities (excluding cervid and hunter-harvested ruminant meat) will be required to be accompanied by a CFIA certificate and presented to a CBP Agricultural Inspector Specialist (CBP AIS) at the ports of entry listed under Section D.

B. Import permits (VS Form 16-6) will still be required for the following products:

1. Ruminant products transiting the United States from Canada. Ruminant products transiting the United States must meet all USDA import requirements for ruminant products from Canada.

2. Pet food that contains ruminant products of non-Canadian origin or non-ruminant animal products processed in facilities that do not receive, store, or process ruminant products.
3. Animal feed that contains ruminant products of non-Canadian origin or non-ruminant animal products processed in facilities that do not receive, store, or process ruminant products.
4. Ruminant hide-derived gelatin limited to human or industrial use.

C. The following products continue to be prohibited:

1. Personal use amounts of beef, lamb, and goat meat.
2. Pet food in passenger baggage and groceries.

D. The following ports of entry must be used for shipments requiring CFIA certification. Arrival at the port of entry must be during the listed hours of operation. These hours are when CBP-AIS are available:

<u>PORT</u>	<u>SCHEDULE</u>	<u>HOURS</u>	<u>PHONE NUMBER</u>
IDAHO			
Eastport	7 days	0800-1600	208-267-2428
MAINE			
Calais	M,Tu,W,Th	0800-2400	207-454-3621
	F,Sat	0800-1600	
	Sunday	1400-2200	
Houlton	M-F	0800-1600	207-532-5902
MICHIGAN			
Detroit	M-F	0800-1800	313-964-3458
	Sat,Sun	0800-1600	
Port Huron	M-F	0800-1600	810-985-6126
	Sat,Sun	1000-1600	
Sault St. Marie	M-F	0800-1600	906-632-2631
MINNESOTA			
International Falls	Tu-Sat	1000-1800	218-283-2541
MONTANA			
Raymond	M-F	0800-1600	406-895-2664
Roosville	M,W,Th,F,S	0900-1700	406-889-3865
Sweetgrass	7 days	0800-1600	406-335-9610

NEW YORK

Champlain	M-F	0800-2400	518-298-8346
	Sun	1600-2400	
Alexandria Bay	M-F	0700-1500	315-482-3857
Buffalo			716-881-5755
Lewiston	M-F	0800-2400	
Peace Bridge	M-F	0800-2400	
Rainbow	no coverage		

NORTH DAKOTA

Pembina	M-F	0800-1600	701-825-6551 ext.225
Portal	M-F	0900-1700	701-926-4410

VERMONT

Derby Line	M,Tu,W,Th	0800-2000	802-873-3489
	Friday	0800-1600	
	Sunday	1400-2200	
Highgate Springs	M-F	0800-2000	802-868-2778
	Sunday	1200-2000	

WASHINGTON

Blaine	M-F (cargo)	0700-2400	360-332-5771
	7 days (passenger)	0800-2200	
Lynden	7 days	0800-1700	360-318-1587
Sumas	7 days	0800-1700	360-988-0612
Oroville	7 days	0700-1700	509-476-2955

E. FSIS Import Reinspection Establishments**Port of Buffalo, NY**

I-House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Description	Rails
00022 I	Canadian Meet Inspection 2221 Kenmore Avenue Suite 104 Buffalo, NY 14207	Phone 716-875-3083 Fax 716-873-2761	Monday-Friday 0900-1800	Fresh/Frozen Ready to Eat	No
00117 I	A. N. Deringer 4525 Witmer Industrial Estates Niagara Falls, NY 14306	Phone 716-297-3075 Fax 716-297-7276	Monday-Friday 0900-1800	Fresh/Frozen Ready to Eat	No

00161 I	Holley Cold Storage 16677 Holley Road, Box 359 Holley, NY 14470	Phone 585-638-9393 Fax 585-638-6730	Appointment Only	Eggs	No
00422 I	Piatowski's Meat 7968 Ridge Road Gasport, NY 14067	Phone 716-772-5350 Fax 716-772-2963	Monday-Friday 0900-1800	Fresh/Frozen Ready to Eat Cans Carcass	Yes

Port of Sweet Grass, MT

I-House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00047 I	A. N. Deringer, Inc 1st & Griffith Street Sweetgrass, MT 59484	Phone 406-335-2345 Fax 406-335-2344	Tuesday-Saturday 0800-1630	Fresh/Frozen Cans Carcass Ready to Eat	Yes
00264 I	U. S. Import Meat Insp. Station 1st and Loop Road Sweetgrass, MT 59484	Phone 406-335-2985 Fax 406-335-2983	Tuesday-Saturday 0800-1630	Fresh/Frozen Ready to Eat Carcass	Yes

Port of Detroit, MI

I-House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00090 I	Artic Cold Storage 4360 S. Haggerty Road Canton, MI 48188	Phone 734-397-8800 Fax 734-397-9893	Monday-Friday 0800-1630	Fresh/Frozen Cans Carcass Ready to Eat	Yes
00265 I	Freezer Services 8350 St. Aubin Hamtramck, MI 48212	Phone 313-871-5142 Fax 313-871-7060	Monday-Friday 0700-1530	Fresh/Frozen Ready to Eat Cans Carcass	Yes
00425 I	Santemp 1532 Adelaide Detroit, MI 48207	Phone 313-259-4645 Fax 313-259-1580	Monday-Friday 0700-1530	Fresh/Frozen RTE Carcass Cans	Yes
27373 I	Mirab USA 21655 Trolly Industrial Drive Taylor, MI 48180	Phone 313-292-2437 Fax 313-292-6736	Monday-Friday 0700-1530	Ready to Eat	No

Port of Pembina, ND

I House #	Name & Address	Phone & Fax Number	Hours of Operation	Product Types	Rails
00154 I	Norman G Jenson, Inc 421 South 5th Street Pembina, ND 58271	Phone 701-825-6828 Fax 701-825-6286	Monday-Friday 0800-1630	Fresh Frozen	No
00275 I	UPS Supply Chain Solutions 222 South 5th Street Pembina, ND 58271	Phone 701-825-6915 Fax 701-825-6226	Monday-Friday 0800-1630	Fresh/Frozen Ready to Eat Carcass Cans	Yes

Port of Eastport, ID

I House #	Name & Address	Phone & Fax Number	Hours of Operation	Product Types	Rails
00103 I	Northland Woods Insp. Depot County Road 30A-1 Bonners Ferry, ID 83805	Phone 208-267-8307 Fax 208-267-7728	Monday-Friday 0800-1630	Fresh/Frozen Ready to Eat Cans Carcass	Yes
00253 I	Frontier Trading Corp Highway 95 North Eastport, ID 83826	Phone 208-267-2313 Fax 208-267-5448	Monday-Friday 0800-1630	Fresh/Frozen Ready to Eat Carcass Cans	Yes

Port of Portal, ND

I House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00056 I	UPS Supply Chain Solutions 10 Crosby Street Portal, ND 58772	Phone 701-926-4003 Fax 701-926-2011	Monday-Friday 0800-1630	Fresh/Frozen Carcass	Yes

Port of Champlain, NY

I-House #	Name and Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00271 I	A. N. Deringer, Inc 178 W. Service Road Champlain, NY 12919	Phone 313-871-5142 Fax 313-871-7060	Monday-Friday 1st Shift 0800-1630 2nd Shift 1400-0030	Fresh/Frozen Ready to Eat Carcass Cans	Yes

Port of Derby Line and Highgate Springs, VT

I House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00408 I	Sunhill Food of Vermont 14 Jonergin Drive Swanton, VT 05488	Phone 802-868-7314 Fax 802-868-3264	Monday-Friday 0800-1630	Fresh/Frozen	No

Port of Blaine, WA

I House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00207 1	T. C Trading Company, Inc 1750 Grant Avenue Blaine, WA 98230	Phone 360-332-5656 Fax 360-332-5657	0600-1430	Eggs Fresh/Frozen Ready to Eat Cans	No

Import Houses where product is Transported Under Seal from Customs

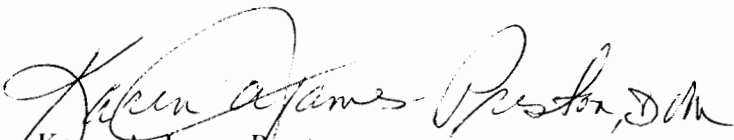
I House #	Name & Address	Phone & Fax Numbers	Hours of Operation	Product Types	Rails
00009 1	Wilmington Cold Storage 2 Industrial Way Wilmington, MA 01887	Phone 617-935-8670 Fax 508-657-6347	M-F 0700-1530	Fresh/Frozen	No

*Product Transported from the Port of Houlton, ME, under seal

00126 1	Theriault's Abattoir Inc P.O. Box 314, Hamlin Road Hamlin, ME 04785	Phone 207-868-3344 Fax 207-868-2866	Monday-Friday 0800-1630	Fresh/Frozen Ready to Eat	No
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*Product Transported from the Port of Houlton, ME, under seal

If you have further questions about Canadian ruminant products and their eligibility for importation into the United States or their certification requirements, please contact the National Center for Import-Export at (301)734-3277.



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