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Marketing and Regulatory Programs

Agricultural Marketing Service

Specialty Crops Program

Specialty Crops Inspection Division

AIM Inspection Series

Section 8e & Marketing Order Manual

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Section 8e & Marketing Order Manual
Table of Contents

INTRODUCTION 1
GUIDE FOR ELECTRONIC USAGE 1
GENERAL 2
ENTRY NOTIFICATION 2
IMPORTER OF RECORD/BROKER/APPLICANT RESPONSIBILITIES 3
SCI RESPONSIBILITIES 4
Stamp and Fax Procedures for Processed Commodities 4
Stamp and Fax Procedures for Fresh Commodities 5
Notification 6
U.S. CUSTOMS AND BORDER PROTECTION RESPONSIBILITIES (CBP) 6
FOOD AND DRUG ADMINISTRATION (FDA) RESPONSIBILITIES 6
REDUCING FOOD WASTE INITIATIVE 7
SECTION 8E & MARKETING ORDER INSPECTION 7
General Procedures for Processed Commodities 7
- Review the SC-356 7
- Review the Submitted Entry Form 8
- Arrange for Sampling 8
- Sample the Lot 8
- Inspect Product 8
- Prepare Certificate 9
- Distribution of Inspection Results 10
- Disposition of Failed Section 8e Product 10
- Importer's Exempt Commodity Form (SC-6) for Imported Raisins, Dates, Prunes, and Canned Ripe Olives 11

DATES 12
Statutes Relating to the Agreement 12
Products Covered 13
Exemptions 13
Responsibilities 13
- Importer's or Applicant's Responsibilities 13
- USDA or SCI Responsibilities 14
- FDA's Responsibilities 15

Application for Inspection (SC-356) 16
Sampling 17
Grade Determination 18
- Color 18
- Pits 19

Food and Drug Defect Determination 19
- Preparation of the 800-Date Composite Sample 19
- Examination for Wholesomeness 20
- Examination for Pit and Pit Fragments 20
- Classification 21

Certification 21
Distribution of Reports 22

Communications 22
Notification 23
RAISINS 23
Products Covered 23
Exemptions 23
MOU between AMS and FDA 24
Responsibilities 24
Importer 24
USDA 24
U.S. Customs and Border Protection (CBP) 25
FDA 25
Application for Inspection (SC-356) 25
Sampling 26
Accessibility 26
Identification and Sampling 26
Sampling Plan 26
Appeal Inspection 26
Grade Determination 26
Seedless Raisins (Type I) 27
Raisins with Seeds (Type III) 27
Zante Currant Raisins (Type V) 27
Non-Quality Determinations 27
Foreign Material (Visual) 27
Moisture 28
Sand 28
Foreign Material (Microanalytical Examination) 28
Quality Factors 28
Seedless Type - Requirements 28
Currants 29
Raisins with Seeds 29
Procedure for Inspection 29
Reconditioning 30
Certification 30
Distribution of Certificates 31
Fees 31
Notification 31
CANNED RIPE OLIVES 31
Products Covered 31
Exemptions 32
Responsibilities 32
U.S. Customs and Border Protection (CBP) 32
FDA 32
SCI 32
Application for Inspection (SC-356) 32
Procedure for Inspection 33
Notification 34
GENERAL PROCEDURES FOR FRESH COMMODITIES 34

Review the SC-237 34
Review the Submitted Entry Form 34
Arrange for Inspection 35
Sample the Lot 35
Inspect Product 35
Properly Reporting Badly Misshapen Fruit for Section 8e on Kiwifruit in FEIRS 36
Properly Unchecking the Shipping Point Block in FEIRS for Section 8e Inspections. 37
Certification 39
Completion of FEIRS FV-E301 and FV-E300 Certificates 39
FV-E301 39
FV-E300 43
Fees 45
Notification 45
Disposition of Failed Section 8e Fresh Product 45
Avocado Variety Enforcement Program (AVEP) Procedures 46
Section 8e Compliance 47
Suspect Variety Subject to DNA Testing 48
Billing for Lots Subject to DNA Testing 49
Random Sampling Period 50
Examples of completed forms under the AVEP: 51
REFERENCE LINKS 55
APPENDIX I – CBP FORM 3461 58
APPENDIX II – CBP FORM 3461 ALT 60
APPENDIX III – CBP FORM 7501 WITH CONTINUATION SHEETS 61
APPENDIX IV – MOAD NOTICE LETTER TO IMPORTER 63
APPENDIX V – EXAMPLE –REPORT OF DISPOSAL OF PRODUCT 64
APPENDIX VI –EXAMPLE - WORKSHEET FOR CLASSIFICATION OF REJECT MATERIAL 65
APPENDIX VII – SC-494 EXAMPLE – FAILS USDA AND MEETS FDA 66
APPENDIX VIII – SC-494 EXAMPLE – MEETS USDA AND FDA 67
APPENDIX IX – SC-494 EXAMPLE – FAILS USDA AND FDA 68
APPENDIX X –IMPORT DATE REPORT 69
APPENDIX XI – IMPORT RAISIN MICROANALYSIS WORKSHEET 70
APPENDIX XII – SCI DIVISION IMPORT DATABASE PROGRAM INSTRUCTIONS 71
APPENDIX XIII – IMPORT RAISIN REPORT 74

INTRODUCTION

This manual is provided to Specialty Crops Inspection Division (SCI) inspection personnel to promote uniformity in the inspection of commodities covered by Section 8e of the Agricultural Marketing Agreement Act of 1937 (AMAA) and Federal marketing orders. These procedures are an integral part of SCI services. If needed, contact your immediate supervisor for any situation not addressed in this manual.

This manual contains links to various internal and external sources of information. For inspection personnel without internet or intranet access, please contact your immediate supervisor to obtain hard copies of documents as needed.

GUIDE FOR ELECTRONIC USAGE

The AIM system of instructional manuals is available electronically in Adobe Acrobat Portable Document Format (PDF) at the following intranet address: https://usdagcc.sharepoint.com/sites/ams/AMS-SCI/SitePages/Home.aspx.

When accessed electronically, AIM materials have hyperlinks and hypertext (visible as underlined blue text) available to the PDF user. Clicking on a hyperlink takes the reader to a web site with information relating to the subject. Hypertext links the reader to a different page within the current manual, or a different manual, with information relating to the subject. For example, the hypertext in the Table of Contents allows a reader to go directly to the section of interest in the manual by clicking on the section title.

PDF offers a variety of tools depending on the Adobe version the reader has. The newer the version, the more tools available. PDF documents are easily searchable for content within a document or within multiple documents. To learn about the variety of PDF search options:

- Click on the “Help” tab on the top of any page in Adobe Acrobat,
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- Type the word “Search” in the “Search” box, and click on the “Search” button,
- A series of options will become available,
- Click on the “Access Search Features” link and follow the instructions for the type of search you are interested in.

GENERAL

Section 8e of the AMAA applies to specific fruit, vegetable, and specialty crop imports into the United States (U.S.). The law requires imported products to meet the same or comparable grade, size, quality and maturity standards as domestic products covered by Federal marketing orders. These standards protect U.S. consumers from substandard or inferior products. The Marketing Order and Agreement Division (MOAD) under the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS) enforces the Federal marketing orders for fruits, vegetables, and specialty crops, as well as compliance with import regulations.

In carrying out the provisions of the regulation, the USDA and specifically SCI must work closely with the Food and Drug Administration (FDA) and the U.S. Customs and Border Protection (CBP). The FDA is responsible for determining the wholesomeness of food products imported into the U.S. Each agency has specific responsibilities, and the procedures contained in this manual have been mutually agreed upon by representatives of the respective services.

Imported raisins, dates and canned ripe olives are required to be inspected by the AMS, subject to exemptions listed in the applicable Marketing Orders, Import Regulations and described in this manual. This rule is under Title 7 U.S.C. Section 608e-1 of the AMAA, as amended. Inspection of these agricultural products is required to ensure that the standards of quality of imported products are equal to the standards imposed on domestically produced products regulated under Federal Marketing Orders.

Inquiries about Section 8e regulations should be directed to:

MOAD, Office of the Director
Phone: (202) 720-2491
Fax: (202) 720-8938
complianceInfo@usda.gov

ENTRY NOTIFICATION

The process of importing products into the U.S. is complex and requires the coordinated efforts of many government agencies. The main objective of this instruction is to ensure that all agencies are properly notified and that the information generated by AMS is disseminated to the appropriate federal agencies.

Since July 23, 2016, U.S. Customs and Border Protection (CBP) has allowed all importers to submit their entry filings through their Automated Commercial Environment (ACE) as part of a government-wide deployment of the International Trade Data System (ITDS). The ACE electronic interface is accelerating the processing of entry filings for all importers by automating clearance processes by all government agencies, including AMS. To accomplish this, CBP requires each government agency to electronically message back to ACE with the status of each entry filing. With ACE, importers will be able to determine the entry status under AMS or any other Agency's requirements that determine release by CBP for entry into the U.S.

To communicate import data between AMS and ACE, MOAD established the Compliance Enforcement Management System (CEMS). CEMS automatically communicates import and entry information from ACE to SCI inspection offices via email notifications. The first notification of a pending Section 8e inspection is the SC-357 "Initial Inspection Request for Regulated Imports of Fruits, Vegetables, Nuts and Specialty Crops," transmitted via email to the local inspection office. The SC-357 will list the Customs Entry Number (CEN), the applicant name, the product, the quantity, the lot weight, the entry or arrival date, and the date and location where the product will be made available for inspection. SC-357s received will be kept on file to be crosschecked with the accompanying request for inspection submitted. Upon completion of SCI inspection and certification, SCI transmits the compliance data to CEMS. CEMS automatically communicates compliance results back to ACE for customer notification of entry status.

In addition to CEMS, alternative notification methods may be utilized by the importer. These include:

- Customs Form CBP-3461 "Entry/Immediate Delivery" (see Appendix I)
- Customs Form CBP-3461-ALT Alternative (see Appendix II)
- Customs Form CBP 7501- "Entry Summary" (see Appendix III)

These forms must contain the following information:

- Arrival date or Availability Date
- Location of Goods or Product Location
- Ultimate Consignee or Company Name
- Description of Product
- Customs Entry Number (CEN)
- Quantity

As these alternative methods are not email based, they may require the stamping and faxing of the form by SCI offices back to the importer or customs broker. CBP will not release the product until AMS representatives have been notified that the product needs certification. "Stamp and Fax" procedures were developed and are outlined below under SCI RESPONSIBILTIES.

IMPORTER OF RECORD/BROKER/APPLICANT RESPONSIBILITIES

It is the responsibility of the importer of record to have each lot (shipment) imported inspected for grade and quality by AMS. The importer is defined as the party responsible for clearing the goods through customs and could be the shipper, the receiver, or a third party such as a broker or attorney of record. The applicant for SCI inspection services maybe the importer, shipper, receiver or broker of the lot. The applicant is responsible for payment of the inspection fees. Inspection may be performed anywhere in the U.S. as long as it is done prior to final release of the product into the U.S. market. Prior to or on arrival of the shipment, the applicant must arrange for inspection with the AMS field office that will perform the inspection. For imported dates, application for inspection must be prepared at least 10 days in advance.

The applicant must provide information to complete an Application for Inspection form SC-356 (for processed commodities) or SC-237 (for fresh commodities) and include the CEN for the lot requested. For processed commodities the importer must provide SCI with confirmation that FDA has indicated the entry shipment is free for SCI to proceed with inspection. This is known as FDA "May Proceed" status. The importer must provide written confirmation that FDA has granted "May Proceed" status to the shipment prior to SCI proceeding with inspection. This may be in the form of a statement on the CBP 3461, or the Cargo Release form, or any other written format mutually agreed upon between SCI and the Importer. Finally, the applicant must fax a copy of the stamped U.S. Customs and Border Protection (CBP) Form to the appropriate CBP office.

All imported commodities subject to AMS Section 8e regulation must be presented for inspection to AMS or its Federal-State partners as separate lots that correspond to each individual Customs Entry Number. This requirement aligns the practices in all ports of entry in the U.S. and will help AMS expedite its review and release of shipments from a "Hold Intact" status to a "May Proceed" status, allowing product movement to market in a speedy and efficient manner.

SCI RESPONSIBILITIES

SCI will complete the grading of sampled lots in a manner to promote good customer service standards. Follow the regulations on sampling and fees. SCI will notify the applicant of pass/fail inspection results and provide a copy of the issuing certificate. Score sheets may be provided upon request.

Stamp and Fax Procedures for Processed Commodities

If not receiving a SC-357 "Initial Inspection Request for Regulated Imports of Fruits, Vegetables, Nuts and Specialty Crops" via email, offices will follow these stamp and fax procedures for alternative CBP forms submitted.

The importer faxes the CBP form to an inspection office. The Officer-in-Charge (OIC), Inspector-in-Charge, or designee will stamp the form with a pre-printed stamp as shown below (or similar), SCI will stamp, sign, and date a copy of one of the following forms: CBP-3461, CBP-3461 ALT, CBP-7501, and return the form to the broker/importer within the same business day, or as soon as possible by fax.

IMPORTER HAS CONTACTED AgMS USDA
TO PERFORM PRODUCT EXAMINATION PURSUANT
TO SECTION 8E OF THE AGR. MKT.
AGREEMENT ACT OF 1937 AS AMENDED

_____ _____

Signature Date
AgMS USDA Inspector

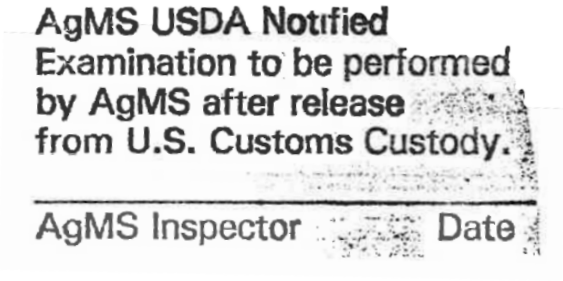
The form submitted for processed commodities should contain a written statement from the importer attesting that FDA "May Proceed" status has been granted prior to USDA inspection. Upon receipt of a completed SC-356 SCI will contact the importer within 2 working days to schedule inspection. SCI will arrange a date for inspection as soon as practical with all parties involved (importer, warehouse, and SCI field office). There may be some variation on these procedures between field offices; be guided by your supervisor. Do not sample the 8e product until FDA has granted "May Proceed" status.

Use this inspection manual for inspection of imported dates, olives, and raisins, respectively, as well as applicable U.S. standards for grades and inspection instructions. Reference the AIM Inspection Series, Certification Manual for certification. Enter the inspection results into the SCI Division Import Database (see Appendix XII)

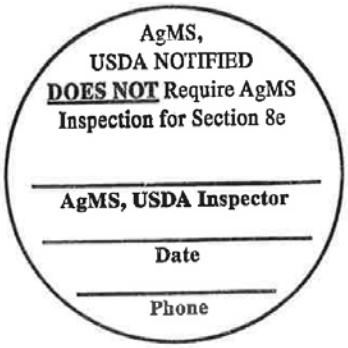
Stamp and Fax Procedures for Fresh Commodities

If not receiving a SC-357 "Initial Inspection Request for Regulated Imports of Fruits, Vegetables, Nuts and Specialty Crops" via email, offices will follow these stamp and fax procedures for alternative CBP forms submitted.

The importer or customs broker faxes the CBP form to an inspection office. The OIC, Inspector-in-Charge, or designee will stamp the form with a pre-printed stamp as shown below (or similar), SCI will stamp, sign, and date a copy of one of the following forms: CBP-3461, CBP-3461 ALT, CBP-7501, stating "AgMS, USDA Notified, Examination to be performed by AgMS after release from U. S. Customs Custody" for fresh commodities currently under a marketing order.



A pre-printed stamp (as seen below), stating "AgMS, USDA Notified, Does Not Require AgMS Inspection for Section 8e" will be used to stamp the form for fresh commodities not currently under a marketing order. The stamped and signed form is faxed back to the importer or customs broker.



Use the General Market Manual for inspection procedures as well as the applicable U.S. standards for grades and inspection instructions. Reference the AIM Inspection Series, Fresh Fruit and Vegetable Inspection Certificate (FV-300) Manual for certification.

Notification

Notification of Section 8e compliance to the MOAD, Head Quarters Washington, D.C. (HQ) Inspection Operations or the SCI Standardization Branch is not required except for failing lots of processed raisins, olives, and dates. For these three commodities the failing lot certificate will be saved in the SCI shared drive at: \\usda.net\ams\SCSCI\SCI Shared\8e Failing Lots (Raisins-Olives-Dates)

U.S. CUSTOMS AND BORDER PROTECTION RESPONSIBILITIES (CBP)

It is the responsibility of U.S. Customs and Border Protection to provide conditional release of 8e Imports when Stamp and Fax notification is made by the importer of record. If the product is not inspected and certified, or if it fails to meet import requirements, CBP may ask for this product to be redelivered based upon notification by SCI, and in accordance with the Regulations, as found in the Code of Federal Regulations (CFR), 19 CFR 141.113, which may be found at the following internet address: http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR.

FOOD AND DRUG ADMINISTRATION (FDA) RESPONSIBILITIES

FDA “May Proceed” status must be granted by FDA prior to sampling by SCI.

Unless they wish to run other tests, FDA will either clear or detain 8e Imports on the basis of inspection reports. Memorandums of Understanding (MOU) between SCI and FDA are outlined in this guidance document. In these MOUs, FDA agrees to accept the results of SCI’s sampling and microanalysis on any lots of Raisins or Dates. Imports of canned ripe olives are regulated under Olive Regulation 1, issued under Section 8e of the AMAA, as amended. FDA will detain all lots that fail FDA requirements when notified by SCI. FDA will notify SCI of any lots that are to be offered for reentry under 8e Import requirements. Lots that have failed may only be reconditioned with FDA consent.

REDUCING FOOD WASTE INITIATIVE

In keeping with the USDA's commitment to reduce food waste in the U.S. as part of the USDA's Winning on Reducing Food Waste Initiative, AMS has committed to reduce food loss by recommending fresh produce importers connect with charitable organizations that are registered in the AMS CEMS as eligible to accept food donations under an SC-6 exemption.

The following link provides the list of charitable organizations registered with USDA'S AMS to receive SC-6 exempt food donations.
https://www.ams.usda.gov/sites/default/files/media/8e_Charitable_Organizations percent5B1 percent5D.pdf

SCI employees or Fed-State licensed inspection personnel should refer importers to the link above for information about charitable organizations registered with USDA's AMS to receive donations of certain fruit or vegetable commodities (avocados, grapefruit, kiwi fruit, onions, oranges, tomatoes, and potatoes), where an importer wishes to donate such product under an SC-6 exemption (i.e., without obtaining a Section 8e inspection or where an importer wishes to donate such product rather than destroy it or re-export it after the product has failed to meet Section 8e import requirements).

A training video developed by MOAD, has information regarding donating imported produce via SC-6 exemptions can be access by the following link:
https://www.youtube.com/watch?v=vpKqRnTBOXk&feature=youtu.be

For questions regarding the USDA's Winning on Reducing Food Waste Initiative contact MOAD customer service line at 888-551-3523.

SECTION 8E & MARKETING ORDER INSPECTION

General Procedures for Processed Commodities

There are many unique inspection procedures required for processed commodities inspected under Section 8e import marketing orders. The following applies to imported raisins, dates, and canned ripe olives.

Review the SC-356

- Has the inspection location been provided?
- Has the primary container type, size and quantity been provided?
- Has the broker filed entry?
- Has the broker/applicant advised SCI that the entry is "Ready for Inspection"?

- All imported commodities subject to Section 8e must be presented for inspection as separate lots that correspond to each individual CEN.

Review the Submitted Entry Form

- Has the broker included the FDA "May Proceed" status granted statement on the entry form or mutually agreed upon document allowing SCI to inspect?

- Follow "Stamp and Fax" procedures if necessary, as described in these instructions.

Arrange for Sampling

- Arrange for sampling within 5 business days of "Ready to Inspect" status

- Product must be removed from the entry container and be accessible for sampling.

Sample the Lot

- Review documentation submitted by the applicant and warehouse documentation for packing list of codes and approximate containers per code, if available.

- Draw a representative sample of the lot. For small primary containers, draw enough parallel samples as needed be sure there is adequate product for grading and inspection purposes. Mark samples to identify.

- Record primary and container codes for each sample.

- Observe any unusual conditions of packaging. Condition of container is not routinely performed. However, if swollen cans, leaking cans, damaged primary containers exposing product, or unsanitary warehouse conditions are found, contact your immediate supervisors for additional guidance. These results may need to be reported to FDA and may result in detention.

- Be observant of any "Hold" documentation on product containers. If any are observed, contact your immediate supervisor for additional guidance. Do not sample or inspect any product detained by FDA.

Inspect Product

- Determine if the product is covered by the marketing order. Is it subject to AMS Quality inspection? Is it subject to FDA Wholesomeness inspection? Products that are not covered by the marketing order include those that are "Not Subject to Inspection," meaning the product is packed with a different process (such as acidified olives), or from different plant life (jujubes imported as "dates.") than products identified by the Marketing Order. An "exempt" entry is one that is covered by the Marketing Order, but the quantity is less than the minimum net weight restrictions of the Marketing Order.

If inspection of the product is not needed, you must document how you determined that inspection was not required, based on:

- Evaluation of sample(s) "Not Subject to Inspection," submitted by the applicant, along with documentation tracking the sample to the entry documentation.
- A review of the documentation supplied.
- A review of the ingredient panel.

- If inspection is required, two inspections must be performed for all Section 8e processed commodities:
  - AMS Quality inspection, as appropriate to the Section 8e importing requirements and
  - FDA inspection performed under MOU for Wholesomeness.
- Perform AMS Quality inspection in accordance with guidance in this document for the appropriate commodity.
- Perform FDA Wholesomeness inspection in accordance with guidance in this document for the appropriate commodity. Also reference any additional guidance as found in the AIM Inspection Series, Foreign Material Manual if applicable.
- Problem signs include:
  - Swollen cans,
  - Excessive pits (in pitted olives or dates),
  - Failing microanalysis or sand in raisins, or
  - Failing dates for insects, filth or mold.

Prepare Certificate

- Certify as shown in the AIM Inspection Series, Certification Manual. Certificate examples for dates certified on SC-494 see the Date Procedures section of this document.
- All Section 8e import lot information must be entered in the SCI Import Database Program (see Appendix XII).

- FDA Food Defect Action Levels for dates, raisins and canned ripe olives can be found at: https://www.fda.gov/food/ingredients-additives-gras-packaging-guidance-documents-regulatory-information/food-defect-levels-handbook

- Lots that fail FDA wholesomeness requirements CANNOT be certified as meeting USDA requirements; they automatically fail the Marketing Order.

- For entries that meet both AMS and FDA, certify as shown in the AIM Inspection Series, Certification Manual. Certificate examples for dates certified on SC-494 see the Date Procedures section of this manual.

- For entries that fail label declarations for drained weight, net weight, size designation, or style, but do not fail Good Commercial Practices, certify as meeting the Marketing Order, but flag the certificate as shown in the AIM Inspection Series, Certification Manual.

Distribution of Inspection Results

The distribution of all certificates and memorandum reports issued for imported dates, prunes, raisins, and canned ripe olives covered under Section 8e of the AMAA, as amended will be as follows:

- Meeting Lots, Certificates and Memorandum Reports
    - Original to the importer or applicant
    - One copy to CBP
    - One copy to the local FDA district office
    - One or more copies to be retained with the field office inspection records
- Failing Lots, Certificates and Memorandum Reports
    - Original to the importer or applicant
    - One copy to the local FDA district office
    - One or more copies to be retained with the field office inspection records
    - For failing lots of raisins, dates and canned ripe olives the failing lot certificate will be saved in the SCI shared drive at: \\usda.net\ams\SCSCI\SCI Shared\8e Failing Lots (Raisins-Olives-Dates)

Disposition of Failed Section 8e Product

For failing product to comply with the Section 8e import requirement, the MOAD requires one of the following actions:

- Recondition the shipment that currently fails and have it re-inspected, with the destruction of any culls witnessed by a USDA inspector.
- Export the shipment to another country
- Send the shipment for exempt use, for example, donate the shipment to a food bank or other charitable organization.
- Destroy, dump, dispose of the shipment, witnessed by a USDA inspector

MOAD's "Notice" letter to the importer (see Appendix IV) has been updated with removal of the fax number and the addition of the ComplianceInfo@ams.usda.gov e-mail address. Distribute this letter to applicants with failing Section 8e commodities. This letter notifies the applicant of the proper disposition options listed above and appropriate notifications for submittal to MOAD for compliance with Section 8e regulations.

Marketing Orders do have provisions for reconditioning. If a lot fails the Marketing Order account a USDA grade factor; e.g. cap stems in raisins, then the applicant must submit a written request to the SCI field office. The SCI field office will forward the request to the Inspection Operations Regional Branch office for approval through the normal chain of command.

SCI cannot give applicants permission to recondition when a lot fails account an FDA factor. Such a lot reverts back to FDA control; i.e. FDA rescinds their "May Proceed" status. FDA must grant permission for the applicant to recondition, and we must obtain a copy of FDAs approval to re-inspect (FDA 766 Application for Authorization to Relabel or to Perform Other Action of the Federal Food, Drug, and Cosmetic Act and Other Related Acts). Additional information on reconditioning and the form FDA 766 can be found on FDA's web site at: https://www.fda.gov/industry/actions-enforcement/reconditioning. FDA may decide that they want to perform the re-inspection themselves. This is their option to do so. They also have the right to witness the destruction of failing lots. An example of an SCI declaration of witnessing destruction of a failing entry is shown as Appendix V.

When SCI does re-inspect the re-conditioned or segregated lot and issues a new certificate, MOAD has requested that SCI reference the original failing certificate number on the re-inspection certificate. Under REMARKS on the re-inspection certificate, please add this statement: "Previously Certified on Certificate Number (add certificate number)."

Importer's Exempt Commodity Form (SC-6) for Imported Raisins, Dates, Prunes, and Canned Ripe Olives

Instructions for issuance of the "Importer's Exempt Commodity Form" SC-6 for imported canned ripe olives, imported dates, raisins, and prunes covered under Section 8e of the AMAA, as amended are as follows: The generic SC-6 will only be issued by the USDA, AMS, Specialty Crops Program (SCP), MOAD, Compliance Team.

AMS, SCP, SCI will notify the importer of failing Section 8e products and provide a copy of MOAD's "Notice" letter to the importer (see Appendix IV). SCI will refer all questions regarding exemptions and disposition of failing Section 8e products to the MOAD Compliance Team at ComplianceInfo@ams.usda.gov. Additional information can be found at: https://www.ams.usda.gov/rules-regulations/moa/fv.

DATES

The Date Inspection Instructions may be found on the USDA, SCI web page at the following internet address: https://www.ams.usda.gov/grades-standards/dates-grades-and-standards.

An amendment to the AMAA, Section 608e, requires that imported "dates for packaging" and "dates in retail packages" must meet the same minimum grade and condition requirements as applicable to domestically produced dates. Imported dates currently must meet U. S. Grade B or better. The Regulation which specifically details the requirements is found in the 7 CFR 999.1. It is recommended that the Import Regulation for dates be reviewed each year for any changes. These Regulations may be found at the following internet address: http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR.

The MOU between FDA and the AMS assigns the responsibilities relating to the inspection, sampling, and examination of imported dates and date material. On lots tendered as "dates for packaging" or "dates in retail packages," the agreement delegates a portion of FDA's responsibility, that is, FDA will recognize the findings of USDA. Customs will accept USDA certification of acceptable lots as evidence of compliance with import regulations and will release the shipment to the custody of the importer. Any lot that fails provisions of the Regulation, Section 608e, cannot be imported as "dates for packaging" but may be re-entered as "dates for processing," provided the dates meet the acceptance criteria for wholesomeness.

The MOU between the AMS, USDA and the FDA, Department of Health and Human Services Regarding Imported Dates and Date Material (FDA 225-72-2001) can be viewed on the FDA, Domestic MOUs page by clicking on the appropriate MOU number at the following internet address:
http://www.fda.gov/AboutFDA/PartnershipsCollaborations/MemorandaofUnderstandingMOUs/DomesticMOUs

Statutes Relating to the Agreement

FDA is charged with the enforcement of the Federal Food, Drug, and Cosmetic Act. FDA inspects, samples, and examines imported dates and date products intended for processing to determine whether they are in compliance with this statute. One provision of the act deems a food to be adulterated if it consists in whole or in part of any filthy, putrid, or decomposed substance.

AMS is responsible for certifying that imported retail packages of dates or bulk dates intended for packaging meet the minimum grade and condition standards as set forth in section 608e of the AMAA, as amended. These requirements recognize insect infestation, filth, and decomposition in dates as defects which may prohibit importation. Nothing in this agreement

will lessen the responsibilities of AMS under the AMAA; nor of FDA under the Federal Food, Drug, and Cosmetic Act, as amended.

Products Covered

- Dates in bulk that are tendered as "dates for packaging" and are to be repacked in the U.S. and sold as retail packages.
- Dates in retail packages that are imported as such and are intended for retail sales.
- Only whole dates - pitted or unpitted.
- Dates initially tendered "for processing" that meet FDA acceptance criteria may subsequently be re-offered as "dates for packaging", provided approval is granted by the MOAD, SC, AMS. Such approval will be granted only in exceptional cases, such as there is evidence to indicate that the importer made an unintentional error in his original tender as "dates for processing".

Exemptions

- Dates for processing - intended for baking, confectionery, etc.
- Dates coated with a substance that materially alters their color.
- Dates prepared or preserved.
- Dates that are chopped, sliced, macerated into paste, or otherwise altered so as not to resemble a whole date.
- Any lot that is less than 70 pounds net weight.
- Dates destined to charitable organizations, correctional institutions, or Native Americans on reservations.

Responsibilities

<u>Importer's or Applicant's Responsibilities</u>

The importer or applicant will:

- Declare the intended use of each entry of dates in order to establish the status of the tender. Either the dates are covered by the regulation and are subject to USDA inspection, or they are exempt from the regulation and subject only to FDA inspection.
- Re-enter lots that have failed the regulation because of grade factors only (color, character, etc.) as "dates for processing," provided the lot is wholesome.

- Divert to processing outlets dates declared for packaging that meet the Regulations. However, dates declared for processing that meet FDA requirements may not be subsequently re-declared for packaging, except with the approval of MOAD.

- Execute the SC-6 for dates for processing issued by the USDA, AMS, SCP, MOAD, Compliance Team.

- Provide a copy of the SC-357 "Initial Inspection Request for Regulated Imports of Fruits, Vegetables, Nuts and Specialty Crops," U.S. Customs and Border Protection Form CBP-3461 "Entry/Immediate Delivery," Form CBP-3461-ALT Alternative, or Form CBP 7501- "Entry Summary" to be stamped by SCI.

- Verify that FDA has granted, and the entry form submitted contains a written statement attesting that FDA "May Proceed" status has been granted prior to USDA inspection.

USDA or SCI Responsibilities

SCI inspectors will follow the guidelines described in the General Procedures for Processed Commodities section of these instructions.

SCI will:

- At the time and place of entry, sample and examine all lots of imported packaged dates or bulk dates that are declared for packaging (except those of 70 pounds of less, or lots that are so denatured as to render them unfit for human consumption). Samples will be collected in accordance with the sampling guidelines in the Sampling section of the Date Procedures instructions of this document. For the purpose of this agreement, a "lot" will be considered that portion of an entry for import bearing a single identifying number or mark.

- Examine the dates for insect infestation, filth, decomposition, and (if pitted) for pits and/or pit fragments in accordance with the current method of analysis of dried fruit in FDA Technical Bulletin Number 5, Microanalytical Procedures Manual, pages V-53 through V-58. The FDA Technical Bulletin Number 5, Microanalytical Procedures Manual may be found on the FDA internet site on the Microanalytical Procedures Manual page at the following internet address: https://www.fda.gov/Food/FoodScienceResearch/LaboratoryMethods/ucm2006953.htm.

- Accept or reject lots of dates in accordance with FDA guidelines covering filth, decomposition, or insect infestation using the sequential analysis plan. The sequential analysis plan for dates appears as attachment B of FDA MOU 225-72-2001, which may be found on the FDA internet site on the Domestic MOU page at the following internet address: http://www.fda.gov/AboutFDA/PartnershipsCollaborations/MemorandaofUnderstandingMOUs/DomesticMOUs/default.htm.

- FDA Defect Action Level (DAL) for pits and pit fragments may be found on the FDA web site in the Defect Action Level Handbook, available at the following internet address: https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm056174.htm.

- Upon completion of the examination, promptly notify the appropriate FDA district office of any lots failing to meet minimum acceptance criteria of this agreement, account pits or pit fragments, insect infestation, filth, or decomposition, or situations with which there is any question regarding laboratory examination results.

- Upon request, provide FDA with a copy of each examination report listing the findings. Use the chart on V-53 of FDA Technical Bulletin Number 5, Microanalytical Procedures Manual for reporting results.

- Inform the Division of Microbiology, Center for Food, Safety and Applied Nutrition, FDA, of any requests for the reclassification of dates and date material, and any action taken on those requests.

- Notify FDA of dates declared exempt on the Importer's Exempt Commodity Form SC-6 issued by the MOAD compliance team. Dates that are exempt are destined to charitable organizations, correctional institutions, or Native Americans on reservations.

FDA's Responsibilities

The FDA will:

- Sample and examine dates or date material declared for use in processing, and lots of 70 pounds or less that are packaged or declared for packaging. Samples will be collected in accordance with the sample collection criteria in Attachment A, of FDA MOU 225-72-2001, which may be found on the FDA Domestic MOU page at the following internet address: http://www.fda.gov/AboutFDA/PartnershipsCollaborations/MemorandaofUnderstandingMOUs/DomesticMOUs/default.htm.

- Unless AMS is notified to the contrary, FDA will:

    - Accept the findings of AMS on any lot of dates sampled and inspected by AMS.

    - Cause detention of any dates rejected by AMS because they contain excess pits or pit fragments, insect infestation, filth, and/or decomposed dates if the same lot is offered for re-entry by the importer as "dates for processing."

    - Permit entry of "dates for processing" without re-inspection when whole dates have been certified as failing only the minimum grade and condition requirements

as outlined in Section 608e, of the AMAA, as amended. Dates rejected according to guidelines covering filth, insect infestation, or decomposition using the sequential analysis plan will not be permitted to enter as "dates for processing".

- Inform AMS of any detention of dates that might be offered for re-entry for other than processing purposes.

Application for Inspection (SC-356)

The inspection request will be documented on form SC-356, Application for Inspection

SCI should handle the requests as expeditiously as possible. Sampling and inspection procedures can be time consuming. Any delay, particularly at the port of entry, can be costly to the importer because of demurrage charges. However, do not be pressured into giving partial grading results because the importer may have to pay demurrage.

All imported commodities subject to Section 8e must be presented for inspection as separate lots that correspond to each individual Customs Entry Number (CEN).

The inspection request will include the following information:

- Applicant's Name;
- Importer of Record;
- Date Available for Inspection;
- Port of Entry;
- HTSUS Harmonized Tariff Schedule Number;
- CEN;
- Bill of Lading Number;
- Name of Vessel;
- Country of Origin;
- Container Number;
- Quantity and Description of Product;
- Location of Lot;
- Broker's Reference Number; and

- Contact Person and Phone Number.

Sampling

Lots should not be sampled by SCI until "May Proceed" status is granted by the FDA. After notification by the FDA, samples will be drawn in accordance with Table II, Sample Collection Criteria in the FDA Compliance Policy Guide 7110.09., section 550.300, which may be found on the FDA internet site at the Compliance Policy Guide, Section 550.300 page at the following internet address:
http://www.fda.gov/ICECI/ComplianceManuals/CompliancePolicyGuidanceManual/ucm074529.htm

- All lots are randomly sampled.

- Table II is based upon unit containers weighing between 20 and 100 pounds. See below for other size containers:

  - Containers exceeding 100 pounds - consider as 2 or more containers.

    Example: A 150 pound container would be considered as 2 containers and a 300 pound container as 3 containers.

  - Containers less than 20 pounds - calculate the total pounds contained in the complete lot and divide by 20. Consider the lot as consisting of "20 pound equivalent" containers for the purpose of sampling.

    Example: How many subsamples are required from a lot consisting of 2,000 cases, 12 - 1 lb packages?
    2,000 cases x 12 lbs per case = 24,000 lbs

    24,000 lbs ÷ 20 = 1,200-20 lb. equivalent cases

    For this size lot, the number of samples is 14; see Table II below. Collect 14 subsamples from the lot. A subsample will consist of 3 packages, each drawn from the same case. One and one half pounds selected from 13 of the 14 subsamples will be used for grading quality factors. Fifty-eight dates (or approximately 0.9 lbs.) selected from each of the 14 subsamples will be used to form the composite sample for the FDA Sequential Analysis Plan.

- Determine the number of subsamples (sample units) to collect on the basis of the lot size from the following Sampling Plan for Imported Dates table.

Sampling Plan for Imported Dates

# Containers in the Lot	100 or less	101-600	601-1200	1201-2000	2001-2800	2801-6000	6001-9000	9001-15000	15001- or over
Sample Size	3	8	14	26	36	44	56	68	82
Acceptance Number	0	1	2	4	5	6	7	8	9

- The sub-sample should consist of 300 - 400 dates, or an approximately three pound chunk. To the extent possible, inspectors should avoid damaging the dates when removing the sample from the shipping case. Row-packed dates may be sampled by breaking off three approximately 6-inch lengths to obtain the three pounds necessary.

- Bag the sub-samples separately and identify by marking.

- Examine all cases opened as well as the exterior of unopened cases carefully for live insects, webbing, and other evidence of infestation. Record any such evidence found.

- Pack each sub-sample in a suitable container. Mark containers to identify the subsamples with related code marks, and close tightly to prevent contamination.

Grade Determination

Under the Import Regulation, the dates must meet minimum Grade B (Dry) requirements of the current U.S. Standards for Grades of Dates, except that the longitudinal slit caused by pitting is not scored, and some discretion is allowed in evaluating the effects of mashing upon the appearance and character of the date. Imported dates are naturally soft and are subject to torn skins and a certain amount of mashing. Even though a reasonable amount of discretion is exercised in scoring flattened, torn or mutilated dates, if the unit is flattened or mangled to the extent that the unit lacks the semblance of a whole date, the unit is scored as a defect. Defects are cumulative; the 15 percent tolerance comprises all defects, including infestation. Infestation refers to dead infestation and frass. Review the Import Regulation each year for any changes. The Regulations, 7 CFR 999.1 may be found at the following internet address: http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR.

Imported dates must meet minimum Grade B requirements, particularly with respect to:

- The character of the date, such as mashed or mangled (scored as a quality defect);

- The presence of pits in pitted dates (scored as a quality and wholesomeness defect);

- Examination for infestation and filth as well as active infestation (scored as wholesomeness defects).

Color

There may be no more than 10 percent by count of light dates in samples that are predominately dark (such as Sayir Dates); or more than 10 percent dark dates in samples that are predominately light (such as Hallawi Dates). Color may be determined on the hydrated product. This may be accomplished by steaming the dates. A pressure cooker or double boiler may also be used.

Pits

The U.S. Standards for Grades of Dates allow not more than 1.0 pit (or 2 pit fragments) per 25 ounces.

Food and Drug Defect Determination

The FDA defines Article adulteration as follows: An article that consists in part of a (filthy) (decomposed) substance by reason of the presence therein of (insects/insect fragments/insect excreta) (moldy/sour/decomposed/worthless) dates. In addition to grade factors, the dates must be wholesome, meaning they must meet Food and Drug requirements. "Food and Drug defects" as used in this instruction mean dates affected by insect infestation (live or dead), insect frass, moldy dates, and dates with embedded dirt, or dates otherwise unsound and unfit to eat.

FDA specifies the method of analysis for dates in FDA Technical Bulletin Number 5, Microanalytical Procedures Manual, Chapter 9, Fruits and Fruit Products, Section F Method for Dried Fruits provides the procedure for examination to determine wholesomeness. The FDA Technical Bulletin Number 5, Microanalytical Procedures Manual may be found on the FDA internet site at the following internet address: https://www.fda.gov/Food/FoodScienceResearch/LaboratoryMethods/ucm2006953.htm.

The acceptance or rejection of lots of dates must be determined in accordance with the Sequential Analysis Plan for Dates, Table I, in FDA Compliance Policy Guide 7110.09.

Preparation of the 800-Date Composite Sample

- Divide 800 by the number of sub-samples drawn.
- Take the calculated fractional portion from each of the sub-samples.
- Add the portions together and mix well in a large bowl or container.

Example:

You have a lot of dates consisting of 1000 - 20 pound cases. The count for the date variety is 64 dates per pound.

Fourteen subsamples are specified by the Sampling Plan for Imported Dates

800	dates required for composite
÷ 4	number of dates per ounce
= 200	total ounces required
÷ 14	number of subsamples
= 14.285	ounces per subsample

Examination for Wholesomeness

The FDA Sequential Analysis Plan must be applied for determination of wholesomeness of dates. The FDA Sequential Analysis Plan, Table I may be found at the following FDA internet address: https://www.fda.gov/media/71813/download

- Each date contained in the composite sample must have an equal chance of being selected during the draw of the first 100 dates. After the examination of the first 100 dates, either accept, reject, or continue analysis based on inspection results.

- The inspector should select as close to 100 dates as possible during "each draw" of 100 dates while applying the sequential plan. Do not select dates "one at a time" from the 800 date composite sample.

- Examination can be expedited by using an illuminated magnifier as dates are individually opened up and checked.

Examination for Pit and Pit Fragments

Two pit fragments of 2 mm or more equals one pit; the allowance is based on the total number of pits and fragments expressed as whole pits. That is, if there were 3 whole pits and 12 pit fragments larger than 2 mm found, the total number of pits would be recorded as 9.

The FDA DAL for dates is an average of no more than 2.0 pits (or pit fragments), 2mm or larger per 100 dates. The U.S. standards of quality for domestic dates is based on a sample unit size of 25 ounces (1.56 lb.). The number of pit and/or pit fragments allowed in the U.S. Grade Standards for Dates is no more than 1.0 pit (2 pit fragments) per 25 ounces.

When a lot fails the allowance for pit or pit fragments required in the U.S. Standards, the lot is given a grade of Substandard. When a lot is graded Substandard account of pits, the inspector must still determine whether the lot meets the FDA - DAL of an average of 2.0 pits (or pit fragments), 2mm or larger per 100 dates.

This is accomplished by counting the pits found while examining the product to determine wholesomeness. FDA criteria is based on the sequential method of 100 date increments. The number of pits found during this process divided by the number of 100 date increments examined will determine the number of pits per 100 dates for FDA requirements.

For example, if four groups of 100 dates were examined to reach a determination on wholesomeness, and 7 pits (as a combination of pits and fragments) were found in the process, the pit count would be calculated as 7 ÷ 4, or 1.75 pits per 100 dates. This would meet FDA DALs requirements of 2.0 pits per 100 dates.

This is the method to be used. Do not take the results of the pit count from USDA grading and attempt to convert these results to pits per 100 dates. Record the results on the Worksheet for Classification of Reject Material for Dates and the score sheet for Dried Dates. An example of the worksheet is shown as Appendix VI.

Classification

Upon completion of the examination, classify each inspection lot according to one of the following:

- Meets USDA and FDA in all respects.
- Fails USDA account grade defects but meets FDA wholesomeness.
- Fails USDA account pits but meets FDA pit allowance.
- Fails both USDA and FDA account pits.
- Fails both USDA and FDA account active infestation.
- Fails both USDA and FDA account wholesomeness (FDA defects).

The disposition of the lot depends upon the proper classification into one of the above six categories.

Note: If the lot FAILS FDA requirements, it automatically FAILS USDA requirements. SCI cannot certify FDA failing product as acceptable for human consumption.

Certification

Each lot inspected will be certified on a "Memorandum Report of Inspection for Imported Dates" (SC-494). The current version of form SC 494 can be found on the AMS Forms Catalog at the following intranet address: https://usdagcc.sharepoint.com/sites/ams/AMSFormsCatalog/Forms/AllItems.aspx. Examples of the completed form are shown as Appendix VII, VIII, and IX.

Complete the SC-494 as follows:

- Heading
    - The date on the certificate is the date on which examination is completed.

- If the applicant is also the importer, enter the name and address in "Applicant."
- Include code marks or other identifying marks in the appropriate space.

- Body
  - Indicate the Style, as "Whole-Pitted" or "Whole."
  - Indicate the variety, as declared by applicant, case markings, or manifest.
- Grade

  Check the appropriate box, "Meets" or "Fails." If the dates fail, indicate the reason under remarks.
- Remarks

  Include in the remarks any information that will serve to further identify the lot. Show total count and total poundage.

Distribution of Reports

- Original and one copy to importer or applicant
- One copy to CBP
- One copy to FDA district office
- One copy to MOAD emailed to ComplianceInfo@ams.usda.gov.
- One or more copies to be retained with the field office inspection records.
- For failing lots of dates the failing lot certificate will be saved in the SCI shared drive at: \\usda.net\ams\SCSCI\SCI Shared\8e Failing Lots (Raisins-Olives-Dates)

Communications

Because of the need to support the exchange of information, it is essential to develop and maintain good relationships with the local FDA, U.S. Customs and Border Protection officials, and the importer.

U.S. Customs and Border Protection Officials are obligated not to release a shipment of dates until they receive word that the dates meet USDA and FDA requirements. Work closely with your U.S. Customs and Border Protection offices to reach a mutually agreeable form of communication.

FDA has the responsibility over wholesomeness of imports. Unless they wish to run other tests such as pesticide residues, FDA officials will usually either clear or detain lots based on AMS reports. For lots that are inspected by SCI, request a copy of the FDA Header form 701. Attach the SC-494 to a copy of FDA form 701 when distribution is made to FDA. It may be advisable to confer with the FDA official on borderline or questionable lots.

Note: If FDA has detained a lot, do not sample or examine the lot.

SCP also needs to be kept informed on the date import program. The Import Date Report (Appendix X) should be duplicated and submitted by the certifying office each month. Send a copy of the report to:

- HQ Inspection Operations via email at SCIinspectionoperations@usda.gov
- Inspections Operations Regional Branch office; and
- USDA, AMS, SCP, MOAD, via email at ComplianceInfo@ams.usda.gov.

Notification

Notification of Section 8e compliance to the MOAD, HQ Inspection Operations or the SCI Standardization Branch is not required except for failing lots of processed raisins, olives, and dates. For these three commodities the failing lot certificate will be saved in the SCI shared drive at:\\usda.net\ams\SCSCI\SCI Shared\8e Failing Lots (Raisins-Olives-Dates)

RAISINS

Products Covered

Imported raisins are raisins that enter the U.S. from a foreign country and are held at the port of arrival until released by the U.S. Customs and Border Protection. All raisins intended for domestic use including those for use in the production of alcohol, syrup for industrial use, or raisin paste are covered by the import Regulations. References to the Regulations are as follows: 7 CFR 999 - Specialty Crops, Import Regulations, § 999.300, Regulation governing the importation of raisins, effective April 13, 1972, and as amended, which may be found at the following internet address:
http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR.

Exemptions

Notwithstanding any other provision of these Regulations (999.300), any lot of raisins which in the aggregate does not exceed 100 pounds, net weight, may be imported without regard to the restrictions.

MOU between AMS and FDA

The MOU between the AMS, USDA and the FDA, Department of Health and Human Services Regarding Imported Raisins (FDA 225-73-2007), 05/07/73) can be viewed by clicking on the appropriate MOU number at the following internet address: http://www.fda.gov/AboutFDA/PartnershipsCollaborations/MemorandaofUnderstandingMOUs/DomesticMOUs

Responsibilities

Importer

- Notify Federal officials in those agencies delegated to give clearance for such imports. These agencies include the U.S. Bureau of Customs and the appropriate USDA inspection office.

- Maintain certain records for a period of not less than two years subsequent to the calendar year of importation. Penalties are provided in the Regulations for any violation.

- Obtain FDA approval to use or sell raisins that fail the import Regulations in the production of alcohol, or syrup for industrial use, or raisin paste. The importer will complete Raisin Form No. 2 to obtain FDA approval.

USDA

- SCI inspectors will follow the guidelines described in the General Procedures for Processed Commodities section of this document.

- Sample, inspect, examine, and certify all lots of imported raisins.

- Do not examine a lot that FDA has detained.

- Report inspection results to local U.S. Customs and Border Protection agents and, if applicable, to the local FDA representative. Contact your local office for specific instructions as needed.

- Duplicate and submit the Import Raisin Report each month (see Appendix XIII). A copy of each report should be sent to:

    - HQ Inspection Operations via email at SCIinspectionoperations@usda.gov

    - Inspections Operations Regional Branch office; and

    - USDA, AMS, SCP, MOAD, via email at ComplianceInfo@ams.usda.gov.

U.S. Customs and Border Protection (CBP)

CBP Officials are obligated to withhold release of a shipment of raisins until they receive word that the raisins meet USDA and FDA requirements. Work closely with your CBP offices to reach a mutually agreeable form of communication.

If raisins are removed from their original case and repackaged, notify the applicant that the original country of origin must appear on the new case. If this is not done, notify the local CBP office.

FDA

FDA has the responsibility over wholesomeness of imports. Unless they wish to run other tests such as pesticide residue, FDA officials will either clear or detain lots on the basis of AMS reports. Be sure FDA is aware of your results by phone (meeting or failing) before certifying a lot. There may be times in which it is desirable to confer with the FDA official on borderline or questionable lots.

Application for Inspection (SC-356)

The inspection request will be documented on form SC-356, Application for Inspection

SCI should handle the requests as expeditiously as possible. Sampling and inspection procedures can be time consuming. Any delay, particularly at the port of entry, can be costly to the importer because of demurrage charges. However, do not be pressured into giving partial grading results because the importer may have to pay demurrage. The inspection request will include the following information:

- Name of vessel;
- Country of origin;
- Anticipated date of arrival;
- Codes, container numbers, and ship’s bill of lading numbers;
- Size of cases (weight);
- Number of cases of each code if known, and I.D. number;
- Customs Entry Number (CEN) must be obtained prior to or at time of sampling.

Sampling

Accessibility

Lots will be made accessible as necessary to permit random sampling. The applicant will furnish labor and pay the costs incurred in moving and opening and closing cases as needed. Opened cases should be taped shut to prevent contamination after sampling. The sampler should not sample unless the load is sufficiently accessible, and a representative sample can be obtained safely.

Identification and Sampling

Each lot will be sampled by code if possible. The importer will provide the area field office with a list of the code marks and the case count for each code mark. When cases in a lot are not coded or the code mark is illegible, all cases of each lot will be identified by stamping with the "Officially Sampled" stamp, which includes a number or letter to differentiate lots.

The importer may choose to designate a shipment into larger or smaller (15,000 pounds or fraction of) quantity lots. The designation of lots is permitted as long as each lot is distinctly identified prior to sampling. Each primary container within the designated lot is identified as described above, by code marks stenciled or stamped on each container, and/or a facsimile of the officially sampled stamp, including a lot number or letter.

If a shipment arrives in retail size packages, draw enough packages from each shipping case to prepare the composite. When sampling from bulk containers, each subsample unit should be placed in a suitable container, such as a new plastic bag. The bags are marked to identify codes, and completely closed to prevent contamination or any change in moisture content. Inspectors will protect samples at all times to guard against contamination, substitution, or loss.

Sampling Plan

Sample units are drawn in accordance with the sampling plan for determining lot compliance as shown in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables and Related Products. For each 15,000 pounds (or fraction of 15,000 pounds) of product that represents a lot, draw 6 sample units (of approximately 16-17 ounces) of raisins from six separate shipping containers. At the time of grading, each sample unit will be visually examined before the composite of at least 100 ounces is prepared.

Appeal Inspection

Follow the sampling procedure as indicated in the above paragraph, except 7,500 pounds of product is used to obtain one composite.

Grade Determination

Except as noted below, grade determination is performed in accordance with the U.S. Standards for Grades of Processed Raisins, and the Instructions for Inspection of Processed Raisins. All

composite samples must meet the minimum quality requirements of Federal Marketing Order 989, as amended. The official form for grading processed raisins, Form SC 364-167, Tally Sheet for Processed Raisins, may be found on the AMS Forms Catalog at the following intranet address: https://usdagcc.sharepoint.com/sites/ams/AMSFormsCatalog/Forms/AllItems.aspx.

Seedless Raisins (Type I)

Must meet the requirements of U.S. Grade C, except for the following:

- The color requirements prescribed in the standards are not be applicable;
- There will be not more than 35 capstems per 454 grams (1 pound) of raisins (all sizes);
- Not more than two pieces of stem per 2.72 kilograms (6 pounds) of raisins for select and mixed size;
- Not more than 4 stems for small size; and
- Not less than 70 percent of the raisins must be well-matured or reasonably well-matured.

Raisins with Seeds (Type III)

- Layer (Cluster) Raisins)
    - Must meet the requirements of U.S. Grade B.
- All Others
    - Must meet the requirements of U.S. Grade C.

Zante Currant Raisins (Type V)

Must meet the requirements of U.S. Grade B. Capstem allowance is by weight.

Non-Quality Determinations

All raisins for domestic consumption are analyzed for non-quality determinations and must meet the FDA defect action level requirements for wholesomeness. Each composite, except for layer muscats, will be thoroughly mixed prior to testing.

Foreign Material (Visual)

Determine the amount of rocks and any other visual foreign material in a 6 pound sample (96 ounces) for seedless and all other types of raisins. Follow guidelines in the AIM Inspection Series, Foreign Material Manual for such Class 3 foreign material. Consult with your supervisor and regional office when this type of defect is encountered.

Moisture

See Instructions for Inspection of Processed Raisins for moisture determination procedure.

Sand

A sand determination is made on one composite sample from each lot. See the AIM Inspection Series Foreign Material Manual for instructions for this procedure. The presence of sand/grit should be noted on the grading sheet when the sample is evaluated organoleptically.

Foreign Material (Microanalytical Examination)

Analytical tests are made on each composite to determine the presence of foreign material. See the AIM Inspection Series Foreign Material Manual for instructions on these procedures and acceptance and rejection criteria for various types of foreign material. Inspection Aid 115 provides additional information on insect identification. The Import Raisin Microanalysis Worksheet is shown as Appendix XI.

Quality Factors

Seedless Type - Requirements

- Pieces of Stem

  Weigh 2.72 kilograms (6 pounds) of raisins from a well-mixed composite and examine for pieces of stem. The allowance for select and mixed composites is two stems per six pounds of product. Small allowance is four stems for six pounds of product.

- Capstems

  Weigh 454 grams (1 pound) from the above composite and examine for capstems. Capstems are limited to 35 per 454 grams. All composites must meet this requirement.

- Color

  The color requirements indicated in the U.S. Standards for Grades of Processed Raisins are not applicable except for Type II, Golden Seedless Raisins.

- Size

  Follow the size designations and measurement requirements indicated in the U.S. Standards for Grades of Processed Raisins.

With respect to seedless raisins, not less than 70 percent of the raisins must be well-matured or reasonably well-matured to meet requirements in the Federal Marketing Order.

Currants

The requirements indicated in the U.S. Standards for Grades of Processed Raisins are applicable.

Raisins with Seeds

The requirements indicated in the U.S. Standards for Grades of Processed Raisins are applicable.

Procedure for Inspection

- Weigh 6 pounds of raisins, one composite sample made from equal parts from each subsample.
- Pour raisins in near equal amounts into three plastic grading trays. Break up clumps and check for stems and foreign material (sandburrs, rocks, etc.).
- Mix composite samples in the plastic grading trays, and then combine all raisins into one tray. Split and combine a total of three times to mix well.
- Determine Moisture in accordance with the method shown in the Instructions for Inspection of Processed Raisins.
- Weigh 250 grams from the composite sample for the sand test. Bring to a boil and allow to simmer for 20 minutes. (Follow the method shown in the Instructions for Inspection of Processed Raisins).
- Weigh 681 grams from the composite sample. Divide into three 227 gram subsamples to prepare three aliquots, one to test initially, two more if additional testing is needed. Reconstitute samples by heating method or soaking overnight.
- Weigh 227 grams from the composite sample, Refer to the Instructions for Inspection of Processed Raisins for further sampling instruction for failing lots. Check for capstems, and for other visual grade factors, keeping each defect in a separate pile.
- Weigh 100 grams from the composite to determine percentage of B or better maturity.
- Determine Size in accordance with the method in the U.S. Standards for Grades of Processed raisins. When reporting actual size on grading sheets use S for select, MX for mixed size and SM for small.

Reconditioning

The Marketing Order does have provisions for reconditioning. If a lot fails the Marketing Order account a USDA grade factor; e.g. cap stems, then the applicant must submit a written request to the SCI field office. The SCI field office will forward the request to the Inspection Operations Western Regional office through the normal chain of command for approval.

SCI cannot give applicants permission to recondition when a lot fails account an FDA factor. Such a lot reverts back to FDA control; i.e. FDA rescinds their "May Proceed" status. FDA must grant permission for the applicant to recondition, and the SCI field office must obtain a copy of FDAs approval to re-inspect (FDA 766 Application for Authorization to Relabel or to Perform Other Action of the Federal Food, Drug, and Cosmetic Act and Other Related Acts). Additional information on reconditioning and the form FDA 766 can be found on FDA's web site at: https://www.fda.gov/industry/actions-enforcement/reconditioning. FDA may decide that they want to perform the re-inspection themselves. This is their option to do so. They also have the right to witness the destruction of failing lots. An example of an SCI declaration of witnessing destruction of a failing entry is shown as Appendix V.

When SCI does re-inspect the re-conditioned or segregated lot and issues a new certificate, MOAD has requested that SCI reference the original failing certificate number on the re-inspection certificate. Under REMARKS on the re-inspection certificate, please add this statement: "Previously Certified on Certificate Number (add certificate number)."

When a lot fails, the importer has three options:

- Export the lot;
- Destroy the lot under FDA control; or
- Rework and resubmit the lot under FDA approval and control.

If the applicant chooses to recondition the failing product, they must submit a letter requesting the reconditioning. The letter should state the location of reconditioning, reconditioning process, lot information, and the request should also include a copy of the original inspection results and FDA 766 forms (if applicable). Additional information on reconditioning and the form FDA 766 can be found on FDA's web site at: https://www.fda.gov/industry/actions-enforcement/reconditioning. All requests for reconditioning are directed to the Inspection Operations Western Regional Branch office for approval.

Certification

Each lot of raisins inspected will be certified in accordance with the AIM Inspection Series Certification Manual.

Distribution of Certificates

- Original and one copies to the importer;
- One copy to the local FDA office;
- One or more copies to be retained with the field office inspection records.

Local U.S. Customs and Border Protection and FDA offices may not want a copy of the certificate, but only want information by phone.

Fees

The inspection fee for imported raisins is on an hourly basis. Charges for grading and analyzing each composite are in accordance with the AIM Inspection Series, General Procedures Manual, Fees - Lot Inspection Grading Service, Table III, Fees for Dried Fruits and Processed Raisins (Excluding Figs and Dates). In addition, time is charged for driving, sampling, stamping, etc.

Notification

Notification of Section 8e compliance to the MOAD, HQ Inspection Operations or the SCI Standardization Branch is not required except for failing lots of processed raisins, olives, and dates. For these three commodities the failing lot certificate will be saved in the SCI shared drive at: \\usda.net\ams\SCSCI\SCI Shared\8e Failing Lots (Raisins-Olives-Dates)

CANNED RIPE OLIVES

Imports of canned ripe olives are regulated under the Regulations, 7 CFR 944.401(which can be found at the following internet address: http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR). This provides minimum quality and minimum size requirements for olives processed from bulk and those packed in retail or institutional size containers. This rule is issued under Section 8e of the AMAA, as amended (7 U.S.C. 601-674).

Products Covered

Canned ripe olives are those processed by heat sterilization under pressure, packed in hermetically sealed containers, of the distinct types “ripe” and “green ripe”, with a pH of 4.7 or higher, as defined by the U.S. Standards for Grades of Canned Ripe Olives.

Olives with a pH of 4.6 or below are considered acidified and are not classified as canned ripe olives.

Exemptions

The following imported olives are exempt from size, quality, and maturity requirements:

- Any lot of canned ripe olives or olives imported in bulk for use in the production of canned ripe olives which, in the aggregate, does not exceed 100 pounds drained weight;

- Canned ripe olives imported for processing into olive oil, and canned ripe olives imported for donation to a charitable institution.

  Importers and receivers of such olives must use Form SC-6, "Importer's Exempt Commodity Form" following safeguard provisions contained in 7 CFR 944.350, which may be found at the following internet address: http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR. The SC-6 will be completed and distributed according to instructions on the form. It is located on the AMS web site and may be found at the following link: https://www.ams.usda.gov/sites/default/files/media/SC6ImportersExemptCommodityForm.pdf.

  SCI inspectors are not responsible for completing or distributing form SC-6.

Responsibilities

U.S. Customs and Border Protection (CBP)

It is the obligation of CBP to withhold release of a shipment of canned ripe olives until they receive word that the olives meet USDA and FDA requirements. Work closely with your CBP offices to reach a mutually agreeable form of communication.

FDA

FDA will either clear or detain lots on the basis of reports, unless they wish to run other tests. It may be advisable to confer with FDA on borderline or questionable lots.

SCI

SCI inspectors follow the guidelines described in the "8e Marketing Order Inspection – Procedural Review" section of these instructions. Inspection is performed by SCI inspectors in accordance with the Regulations Governing the Inspection and Certification of Processed Fruits and Vegetables and Related Products, 7 CFR 52. SCI mails a copy of the certificate with an original signature in blue ink, as well as fax the inspection results to the FDA.

Application for Inspection (SC-356)

SCI should handle the requests as expeditiously as possible. Sampling and inspection procedures can be time consuming. Any delay, particularly at the port of entry, can be costly to the importer

because of demurrage charges. However, do not be pressured into giving partial grading results because the importer may have to pay demurrage.

All imported commodities subject to Section 8e must be presented for inspection as separate lots that correspond to each individual Customs Entry Number (CEN).

The inspection request will include the following information:

- Applicant;
- Name of Vessel;
- Country of Origin;
- Container Number;
- Port of Entry;
- CEN;
- Location of Product;
- Number of Cases of Each Style;
- Size of Cases (Weight);
- B/L Number;
- Broker's Reference Number (if applicable); and
- FDA Consumption Entry Number (FCE).

Procedure for Inspection

The procedures for inspection of imported canned ripe olives are:

- After receiving documentation of the FCE number and the CEN, proceed with sampling and inspection. Contact FDA for clearance before proceeding if you do not receive the FCE number. Draw samples according to the regulations governing the inspection and certification of processed fruit and vegetable and related products.
- Run pH analyses on the brine to determine if the olives are acidified. This will be done at the rate of one pH determination per code, or the deviant rate plus one, whichever is greater. If the product is acidified (pH 4.6 or lower), do not inspect the lot.
- If the pH is 4.7 or higher, inspect the lot(s) according to the Marketing Order.

The Grading manual for Canned Ripe Olives is a detailed interpretation of grading procedures for domestic and imported canned ripe olives.

At an applicant's request, SCI is authorized to grade domestic or imported olives to the U.S. Grade Standard. However, such a request does not eliminate the prerequisite to meet minimum requirements as outlined in the Marketing Order. For such a request, the producer must be evaluated against the requirements of the Marketing Order in addition to the U.S. Standards for Grades of Canned Ripe Olives. See the Olive Marketing Order Requirements 7 CFR 932, § 932.149, Modified minimum quality requirements for specified styles of canned olives of the ripe type, contained in Tables 1, 2, 3 and 4 found at the following CFR web page: https://www.govinfo.gov/content/pkg/CFR-2018-title7-vol8/xml/CFR-2018-title7-vol8-part932.xml.

Notification

Notification of Section 8e compliance to the MOAD, HQ Inspection Operations or the SCI Standardization Branch is not required except for failing lots of processed raisins, olives, and dates. For these three commodities the failing lot certificate will be saved in the SCI shared drive at: \\usda.net\ams\SCSCI\SCI Shared\8e Failing Lots (Raisins-Olives-Dates)

GENERAL PROCEDURES FOR FRESH COMMODITIES

Review the SC-237

- Has the inspection location been provided?
- Has the primary container type, size and quantity been provided?
- Has the broker filed entry?
- Has the broker/applicant advised SCI that the entry is "Ready for Inspection"?
- All commodities subject to Section 8e inspections will need to be requested on the SC-237 as one Custom Entry Number (CEN) per lot. Each lot can contain only one CEN. Failure to identify and separate each lot by a single CEN prior to inspection will substantially delay MOAD's reconciliation and U.S. Customs and Border Protection release of the cargo into channels of commerce. An SC-237 may contain multiple lots (i.e., size, pack type, variety, etc.), but each lot is to contain only one CEN.

Review the Submitted Entry Form

- Has the broker included a CEN?
- Follow "Stamp and Fax" procedures if necessary, as described in these instructions.

Arrange for Inspection

- Applicant must ensure product is removed from the entry container and be accessible for sampling.

Sample the Lot

All inspections on fresh commodities subject to Section 8e requirements must be unrestricted and based on shipping point tolerances. All lots will have a minimum of three samples examined. Lots with less than three containers will have all containers examined to be considered unrestricted. Sample commodities according to individual commodity guidelines. If the commodity has no such guidelines follow the sampling guidance below:

- When shipped in individual containers (i.e. shipping line container, over-the-road conveyance), sample at a minimum rate of 1%. Lots in excess of 2,000 packages sample at a minimum rate of 2/3 of 1%.

- When not shipped in individual containers (i.e. brake bulk at dockside), and the applicant provides a detailed breakdown of lot identifiers marked on packages or pallets (i.e. grower codes, pack dates, pallet IDs, etc.), the inspection service may use this information to develop a detailed sampling plan that ensures a thorough sampling of the lot. If a detailed sampling plan is utilized, sample at a minimum rate of 1/2 of 1%.

Any time the applicant supplies sample pullers to sample, it is the responsibility of SCI to ensure the lot is properly sampled. This will require the inspector to mark the containers that are to be sampled or to implement an OIC or Federal Program Manager (FPM) approved sampling plan from the applicant. In either case, the inspection service must supervise the sampling of Section 8e commodities in person; samples may not be pulled when inspection personnel are not on site.

Inspect Product

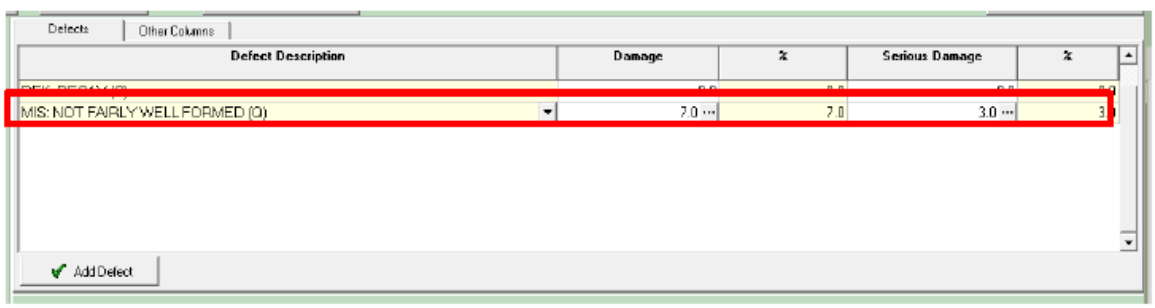
Because product entering the country has not been inspected by a Federal or Federal-State inspector, inspect all imported commodities using shipping point tolerances. There is no difference in the defects scored, sizes required, or grade statements used. Review the specific commodity inspection instructions to verify shipping point tolerances and the specific application of tolerances for those commodities.

Import regulations apply only during those periods when domestic marketing order regulations are in effect. A list of commodities subject to Section 8e import regulations can be found at Commodities Covered by Section 8e. When inspecting any of those products subject to import requirements, review the Summary of Marketing Orders and Import Regulations for specific requirements for the commodity to be inspected.

Properly Reporting Badly Misshapen Fruit for Section 8e on Kiwifruit in FEIRS

The Fresh Electronic Inspection Reporting/Resource System (FEIRS) is incorrectly calculating and reporting the shape requirements for Section 8e (imported) kiwifruit. Imported kiwifruit must meet the grade requirements of U.S. No. 1, except for shape. Minimum shape requirements for imported fruit is "not badly misshapen." The tolerances for the lot allow 8 percent total defects, therefore you can have 8 percent badly misshapen for imported kiwifruit (provided there are no other defects). An additional tolerance of 16 percent is provided for kiwifruit that is "badly misshapen." Since the import regulation allows for an additional tolerance of 16 percent for badly misshapen fruit in addition to the 8 percent already allowed in the U.S. Grade Standard, a lot could have up to 24 percent badly misshapen fruit and still meet Section 8e import requirements. The lot would still fail to grade U.S. No. 1 Account Quality, but Section 8e import requirements would be met. This scenario would only occur if the only defect scored was "Not Fairly Well Formed" fruit and not more than 24 percent were considered badly misshapen (i.e. scored as seriously damaged Not Fairly Well Formed).

When entering sample information, the inspector will need to select the defect "NOT FAIRLY WELL FORMED" from the drop down whenever reporting fruit defective by shape and report fruit that is badly misshapen in this defect's Serious Damage column. As this badly misshapen tolerance is currently incorrectly set at a SPI Limit of 7 percent in FEIRS and is incorrectly based on the percentage of damage by "NOT FAIRLY WELL FORMED" (7 percent in the example below) it should be set at 24 percent for a SPI Limit and be based on the percentage of serious damage by "NOT FAIRLY WELL FORMED" (aka Badly Misshapen).

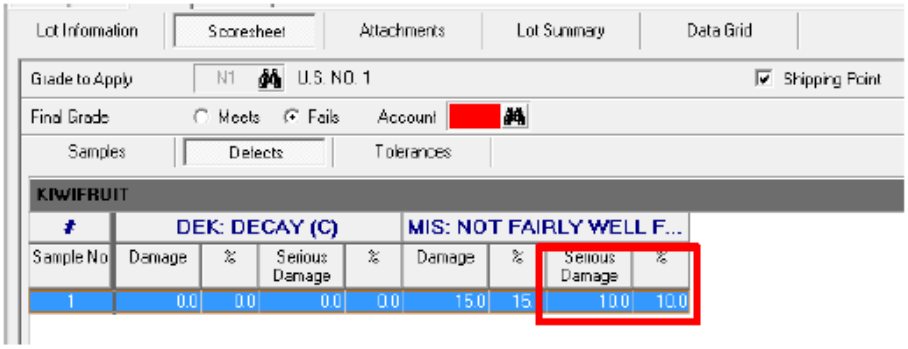


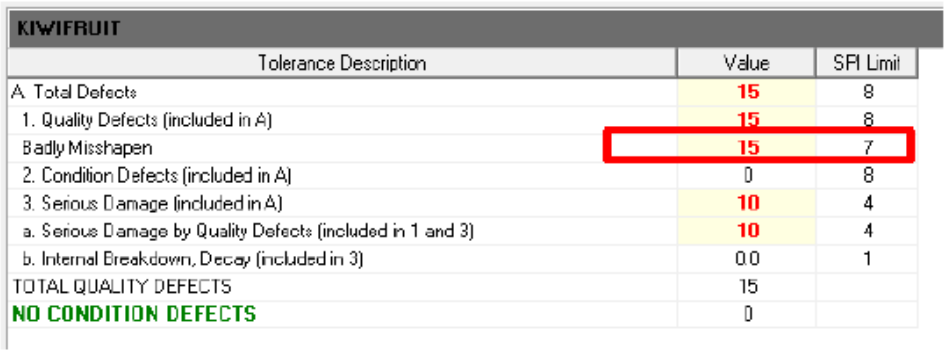
KIWIFRUIT		
Tolerance Description	Value	SPI Limit
A. Total Defects	7	8
1. Quality Defects (included in A)	7	8
Badly Misshapen	7	7
2. Condition Defects (included in A)	0	8
3. Serious Damage (included in A)	3	4
a. Serious Damage by Quality Defects (included in 1 and 3)	3	4
b. Internal Breakdown, Decay (included in 3)	0.0	1
TOTAL QUALITY DEFECTS	7	
NO CONDITION DEFECTS	0	

Until this tolerance and calculation is corrected in FEIRS, inspectors performing inspections on FEIRS under Section 8e import requirements are instructed to look directly at the Lot total for

Serious Damage "NOT FAIRLY WELL FORMED" (10 percent in the example below) and compare this directly with the 24 percent tolerance for badly misshapen from the Section 8e import regulations. In the example below this lot would still fail to grade U.S. No 1 Account Quality (due to 15 percent total damage defects exceeding the 8 percent SPI Limit) but will meet Section 8e import requirements as the only defect is "NOT FAIRLY WELL FORMED" and only 10 percent is serious damage (aka Badly Misshapen) which is within the 24 percent tolerance for Badly Misshapen allowed under the Section 8e import regulations.

Also in this scenario inspectors should keep in mind that FEIRS will automatically generate the Section 8e statement as "FAILS IMPORT REQUIREMENTS…" and will need to manually adjust this statement to "MEETS IMPORT REQUIREMENTS…" under the Lot Summary tab. Due to these requirements these additional steps will need to be taken while using FEIRS to ensure calculations and reporting are correct.





KIWIFRUIT

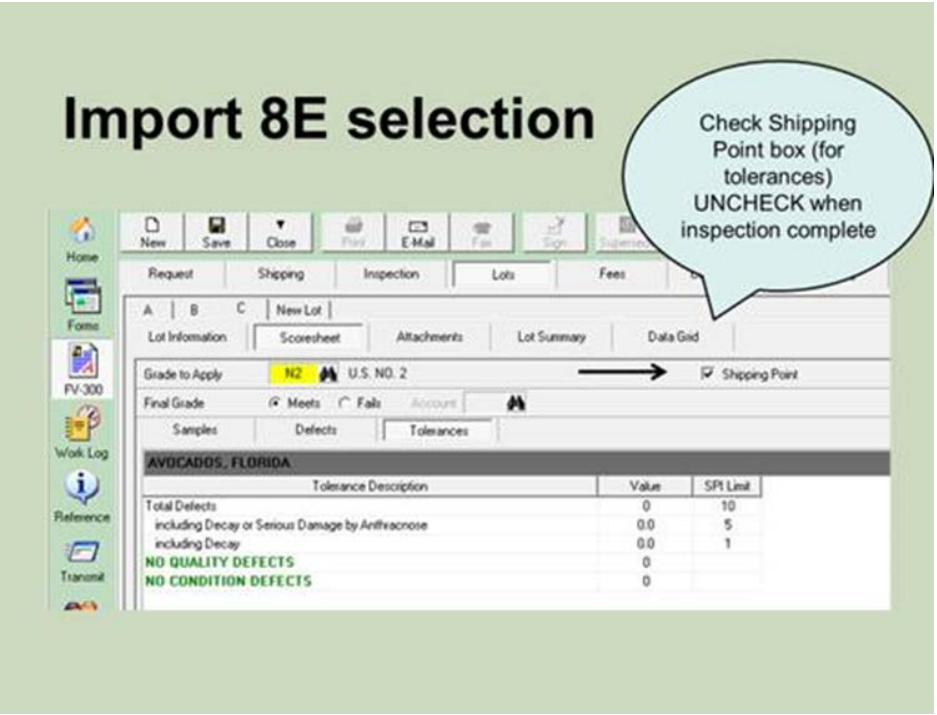
Tolerance Description	Value	SPI Limit
A. Total Defects	15	8
1. Quality Defects (included in A)	15	8
Badly Misshapen	15	7
2. Condition Defects (included in A)	0	8
3. Serious Damage (included in A)	10	4
a. Serious Damage by Quality Defects (included in 1 and 3)	10	4
b. Internal Breakdown, Decay (included in 3)	0.0	1
TOTAL QUALITY DEFECTS	15	
NO CONDITION DEFECTS	0	

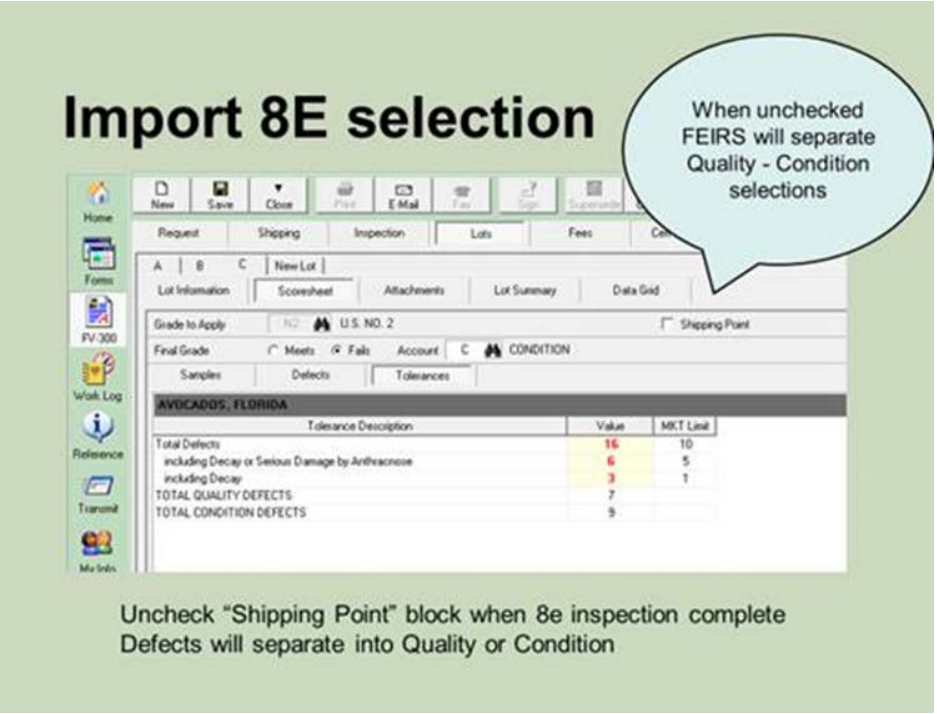
Properly Unchecking the Shipping Point Block in FEIRS for Section 8e Inspections.

When selecting the Section 8e purpose code in the FEIRS FV-E300 for Section 8e inspections, the "Shipping Point" block is automatically checked, and the commodity's shipping point tolerances become the basis of the inspection. This block must continue to be checked for the duration of the inspection to ensure sample and lot tolerances are accurately gauged for compliance. Once the inspection is complete and the appropriate grade statement is assigned, having this block checked is no longer necessary.

Therefore, inspectors are required to uncheck this box after the grade has been assigned and prior to signing the certificate. Unchecking this block will also sort condition defects out of the quality grouping to be listed individually on the certificate.

See examples below.





Certification

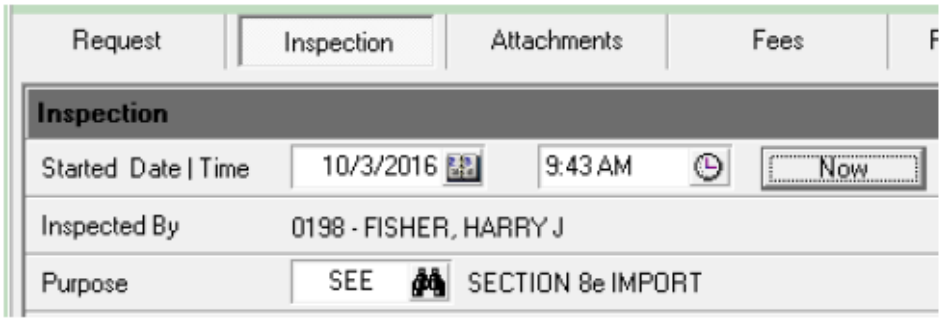
Completion of FEIRS FV-E301 and FV-E300 Certificates

Issued FEIRS FV-E301 and FV-E300 certificates for Section 8e must be completed as outlined below. SCI or Federal-State offices utilizing FEIRS for Section 8e inspections will not issue paper FV-301s or paper FV-300s for Section 8e inspections.

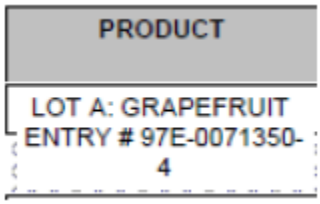
Lots cannot contain co-mingled Custom Entry Numbers (CENs). A FEIRS FV-E300 certificate may contain multiple CENs, but only one CEN per lot. For example: a lot of 25,000 cases of kiwifruit are presented as three separate lots (i.e., 10,000-10,000-5,000 cases) and the applicant provided a separate entry number for each lot, then this inspection will be completed on a FEIRS FV-E300 with each entry number listed individually for each of the three lots.

FV-E301

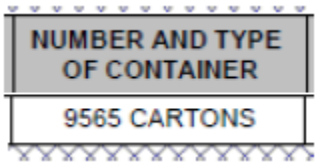
- In the Purpose field select: "Section 8e Import (SEE)"



- In the PRODUCT field enter:
  - The LOT letter for each lot. Even if only one lot is present on the certificate it will still be listed as LOT A.
  - The name of the Section 8e commodity. Name must include one of these key words: Potatoes or Potato; Tomatoes or Tomato; Onions or Onion; Hazelnuts or Hazelnut; Filberts or Filbert; Walnuts or Walnut; Pistachios or Pistachio; Avocados or Avocado; Grapefruits or Grapefruit; Oranges or Orange; Table Grapes or Table Grape; Kiwifruit.
  - Type "ENTRY #" followed by the entry number exactly as it appears on the SC-357 Notification of Entry.



- In the NUMBER AND TYPE OF CONTAINER field enter the number and type of containers inspected.



- In the DESCRIPTION OF PRODUCT/SERVICE field enter the brand, variety, size, net weight, and origin as marked on the container.
    - Enter percentages scored followed by defect descriptions in descending order with Quality listed first, decay last, followed by the checksum percentage. Quality defects can be listed together as "QUALITY" with each defect listed in parentheses when percentage is greater than zero.
        - "3 PERCENT QUALITY (SCARS, WATERBERRY)"
    - When a defect has only one level of severity scored (i.e., just Damage), only that percentage will be reported:
        - "8 PERCENT SUNKEN AT CAPSTEMS"
    - When a defect has multiple levels of severity scored (i.e., Damage and Serious Damage or Damage, Serious and Very Serious Damage) all percentages will be reported.
        - "8 PERCENT INCL 3 percent SER DAM SUNKEN AT CAPSTEMS"
    - For decay or soft rot only the first level needs to be reported, but if no decay is scored "0" still needs to be reported. If decay exceeds tolerance the range and stage must be reported.
        - "3 PERCENT DECAY (0 TO 6 PERCENT MOSTLY MODERATE, SOME EARLY STAGES)"
        - "1 PERCENT SOFT ROT"
        - "<1/2 PERCENT DECAY"
        - "0 PERCENT DECAY"

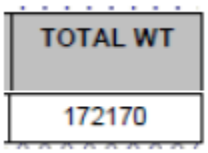
- For checksum all levels of severity (i.e. Damage and Serious Damage or Damage, Serious Damage and Very Serious Damage) will be reported, even if zero percent is scored.
    - "15 PERCENT INCL 8 PERCENT SER DAM CHECKSUM"
    - "3 PERCENT INCL 0 PERCENT SER DAM CHECKSUM"
    - "8 PERCENT INCL 3 PERCENT SER DAM INCL 1 PERCENT VER SER DAM CHECKSUM"
- Must show ranges when any lot or container tolerance, including restricted tolerances, is exceeded, or if any average exceeds 5 percent. Report ranges in parenthesis immediately to the right of the defect name.
    - "8 PERCENT SUNKEN AT CAPSTEMS (5 TO 12 PERCENT)"

DESCRIPTION OF PRODUCT / SERVICE (BRAND, VARIETY, SIZE, ORIGIN, etc.)
MOD BLK ORG: "ZESPRI" PRODUCE OF NEW ZEALAND, VARIETY: ORGANIC HAYWARD, SIZES: 22, 25, 27, 30, 33, 36, 42, 46. DEFECTS: 1% QUALITY(HAYWARD MARK, SCARS), -1% DECAY, 2% INCL 1% SER DAM CHECKSUM. MOSTLY FIRM, SOME FIRM RIPE, FEW RIPE.

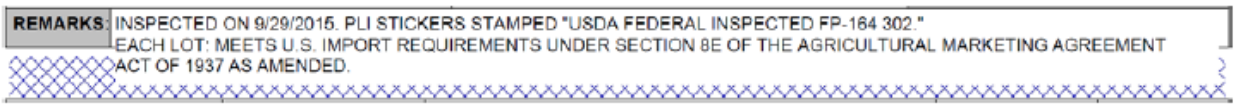
- In the GRADE field:
    - Enter passing grades as U.S. NO X (as appropriate to the standard being applied such as TABLE, BGG, JUMBO, etc.).
    - Enter failing grades as: FAILS U.S. NO X ACCT. QUALITY, or FAILS U. S. NO X and as appropriate to the standard applied, i.e. TABLE, BGG, JUMBO, etc., ACCT CON.
    - Enter the abbreviated compliance statement with Section 8e requirements as:
        - "MEETS 8E" or "FAILS 8E"

GRADE
U.S. NO 1 TABLE MEETS 8E

- In the TOTAL WEIGHT field enter the total weight in pounds as calculated by multiplying the marked package weight by the number of containers in the lot. This is a critical entry and essential for MOAD's reconciliation process.
    - Total weight reported must be precise. If 9,565 containers are marked 18lbs net wt., inspectors must multiply 9,565 by 18lbs to accurately report total weight.
        - 9,565 x 18=172170 TOTAL WT.
    - If containers are marked to only a kilogram net weight (e.g. Kiwifruit 8.2 KG) inspectors must multiply the number of containers by the marked KG weight and then by 2.2 to accurately report total weight. Round this result to the nearest whole number.
        - 9,565 x 8.2 x 2.2=172553 TOTAL WT.
    - If containers are not marked to a net weight "Appendix IV-Table of Carlot Equivalents" in the General Market Manual will be referenced for the corresponding package weight based on the container's pack type. Use this value to calculate Total Weight as described above.



- In the REMARKS field enter the relevant remarks from the notesheet. In addition to the abbreviated 8e compliance statement already entered in the Grade field, include the full Section 8e compliance statement in Remarks as "MEETS" or "FAILS U.S. IMPORT REQUIREMENTS UNDER SECTION 8E OF THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937 AS AMENDED." It is permissible to use the abbreviation "AMAA" for AGRICULTURAL MARKETING AGREEMENT ACT.



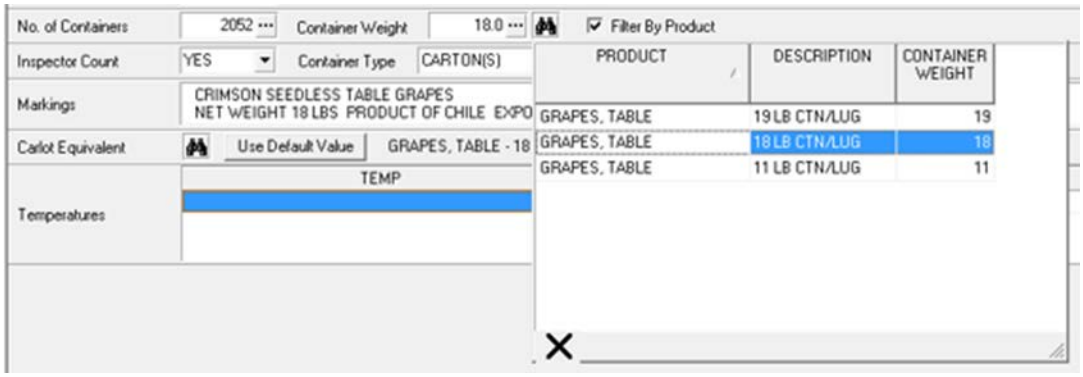
- Multiple lots under the same CEN may be shown on the same FV-E301 provided they are listed as separate line entries (i.e. lots).

PRODUCT	NUMBER AND TYPE OF CONTAINER	DESCRIPTION OF PRODUCT / SERVICE (BRAND, VARIETY, SIZE, ORIGIN, etc.)	GRADE	TOTAL WT
LOT A: TABLE GRAPES ENTRY# 97E-0090264-4	9565 CARTONS	"NO BRAND" THOMPSON SEEDLESS, NET WT. 18 LBS, VARIOUS GROWERS, PRODUCE OF CHILE, 0% QUALIY; 4% SHATTERED; 1% SUNKEN AT CAPSTEMS; <1/2% DECAY; 5% CHECKSUM	U.S. NO 1 TABLE MEETS 8E	172170
LOT B: TABLE GRAPES ENTRY# 97E-0090264-4	5016 CARTONS	"TIERRA BLANCA" THOMPSON SEEDLESS, NET WT. 18 LBS, GROWER 88035, PRODUCE OF CHILE, 0% QUALIY; 4% SHATTERED; 2% SUNKEN AT CAPSTEMS; <1/2% DECAY; 6% CHECKSUM	U.S. NO 1 TABLE MEETS 8E	90288
ABOVE PRODUCTS MEET SPECIFICATIONS OF:		EACH LOT: MEETS U.S. IMPORT REQUIREMENTS UNDER SECTION 8E OF THE AGRICULTURAL MARKETING ACT OF 1937 AS AMENDED.		

FV-E300

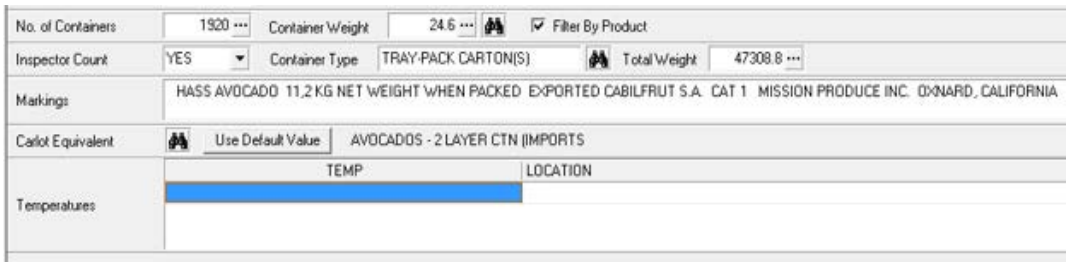
- In the Purpose of Inspection field select: "Section 8e Import (SEE)"

- In the Markings field:
  - If the net weight is marked on the container (18 lbs. in example below) with that exact weight listed in the FEIRS Container Weight drop-down, it can be selected. This will result in the Total Weight being reported correctly.

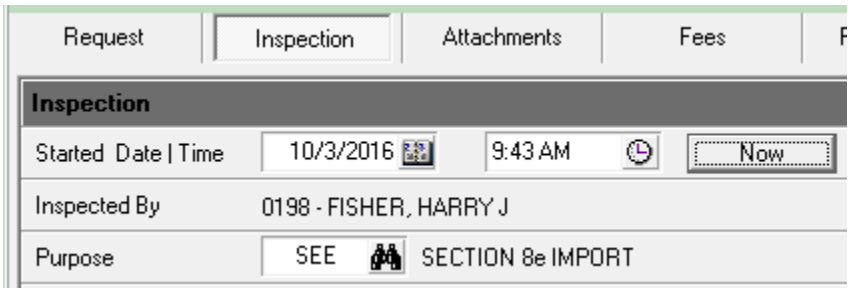


  - If the net weight is marked on the container (11.2 KG in example below) and that exact weight is <u>not</u> listed in the FEIRS Container Weight drop-down, it <u>cannot</u> be selected, and the following procedure must be followed:
    - Multiply the marked net weight (11.2 KG) by 2.2 and enter the result (24.6) manually into the Container Weight field. This will result in the Total Weight being reported correctly.

- If containers are not marked to a net weight "Appendix IV-Table of Carlot Equivalents" in the General Market Manual will be referenced for the corresponding package weight based on the container's pack type. Use this value to calculate Total Weight as described above.



- Dump Lots
  - Any failed Section 8e product that the applicant intends to dump must be reported as a witnessed dump lot on a FV-E301.
  - All dump lots will be reported on a FV-E301.
  - Dump lots can be added to passing lots on a single FV-E301 as long as each lot is properly formatted according to the FV-E301 instructions in this document.
  - No dump lots will be reported on a FV-E300, either as a standalone lot or as a remarks statement added to a passing lot.
  - In the Purpose field of the FV-E301 select Section 8e Import (SEE)



  - In the REMARKS field of the FV-E301 a full statement of the witnessed dump and corresponding inspection information is to be listed. This includes cross-reference statements indicating previous inspection certificates that certified passing or failing portions of the Section 8e load.
  - In the body of the FV-E301 complete the PRODUCT, NUMBER AND TYPE OF CONTAINER, and DESCRIPTION OF PRODUCT/SERVICE, GRADE and TOTAL WT fields as listed under the FV-E301 section of this document:

- The DESCRIPTION OF PRODUCT/SERVICE field will only contain defect names and percentages if samples were run at the time of the witnessed dump with samples being recorded on a paper notesheet.

- If samples were not run and the product was only witnessed being dumped, then this field will just contain the relevant brands and markings.

It is imperative that the word "DUMPED" be listed in the GRADE field regardless if samples were run or not at the time of the witnessed dump.

REMARKS: LOT PORTION OF LOAD PREVIOUSLY INSPECTED ON 4/12/2016 AND REPORTED ON FEDERAL CERTIFICATE T-012-0000-10192 DATED 4/15/16. 100 CARTONS OF CULLS AND OTHERWISE DEFECTIVE FRUIT DUMPED IN PRESENCE OF INSPECTOR.

PRODUCT	NUMBER AND TYPE OF CONTAINER	DESCRIPTION OF PRODUCT / SERVICE (BRAND, VARIETY, SIZE, ORIGIN, etc.)	GRADE	TOTAL WT
LOT A: GRAPEFRUIT (TX) ENTRY # 97E-123456	100 CARTONS	"OLIVIA" RUBY RED, SIZE 27, PRODUCE OF CHILE	DUMPED	4000

- Transmitting

  Due to the urgency in sending timely FEIRS data to CEMS, all Section 8e FEIRS certificates must be transmitted within 48 hours of completion.

  CEMS receives inspection data from Federal-State offices not integrated to FEIRS via a specialized Section 8e spreadsheet and web application. Federal-State offices should contact their FPM for further information.

Fees

Fees for all Section 8e fresh commodity inspections performed will be based on the current Schedule of Fees and Charges at Destination Markets as referenced in 7 CFR Part 51-Fresh Fruits, Vegetables and Other Products (Inspection, Certification, and Standards) Subpart A-Regulations.

Notification

Notification of Section 8e compliance to the MOAD, or to HQ Inspection Operations is not required as notification of import data is made via MOAD's CEMS from Section 8e FEIRS certificates or Federal-State specialized Section 8e spreadsheets.

Disposition of Failed Section 8e Fresh Product

Lots that have failed Section 8e requirements will be Positive Lot Identified to preserve lot identity. Refer to the Positive Lot Identification (PLI) Manual for stamping procedures. Proper application of PLI is especially critical when failed lots are moved to another location for re-conditioning. The PLI applied will be recorded under Remarks on the issuing certificate(s).

In some cases, you must provide surveillance for failed Section 8e commodities. If this is requested, individual offices must contact MOAD.

For failing product to comply with the Section 8e import requirement, the MOAD requires one of the following actions:

- Recondition the shipment that currently fails and have it re-inspected, with the destruction of any culls witnessed by a USDA inspector.
- Export the shipment to another country
- Send the shipment for exempt use, for example, donate the shipment to a food bank or other charitable organization.
- Destroy, dump, dispose of the shipment, witnessed by a USDA inspector

When product is reconditioned and reinspected the certificate must cross reference back to the previously issued failing certificate.

MOAD's "Notice" letter to the importer has been updated with removal of the fax number and the new ComplianceInfo@ams.usda.gov e-mail address. Distribute this letter to applicants with failing Section 8E commodities. This letter notifies the applicant of the proper disposition options listed above and appropriate notifications for submittal to MOAD for compliance with Section 8E regulations. (See Appendix IV).

Avocado Variety Enforcement Program (AVEP) Procedures

Several groups within USDA, including the MOAD, the Perishable Agricultural Commodities Act (PACA) Division, the SCI Division, and the USDA National Science Laboratory in Gastonia, North Carolina, worked together to develop a program to better assure that imported green-skinned avocados meet import requirements through use of Deoxyribonucleic Acid (DNA) testing. The following measures are in effect throughout the import season.

Utilize the Stamp and Fax procedure with CBP Forms 3461 or 7501, which provides proof to CBP that the importer has arranged for inspection of the avocados for Section 8e requirements. You may also use the Initial Request for Inspection form (SC-357), via MOAD's CEMS program.

The inspection of avocados for Section 8e import requirements is based on the U.S. Standards for Grades of Florida Avocados with a minimum grade requirement of U.S. No. 2 (base the inspection on that grade unless the applicant requests a higher grade).

A. §51.3057 Similar Varietal Characteristics

The U.S. Standards for Grades of Florida Avocados requires that the fruit have similar varietal characteristics, which means, "the avocados within any container are similar in shape, texture, and color of skin and flesh." For Section 8e inspections the variety of the green-skinned avocados must be declared in writing, either on a bill of lading, manifest, or application for inspection (SC-237). Once the importer has declared the variety of the lot, the varietal designation cannot be changed. Through your experience, training, and use of the "Florida Avocado Varieties" handbook, found in FEIRS references and on the AMS website at https://www.ams.usda.gov/sites/default/files/media/FloridaAvocadoShippingSchedule.pdf, any fruit within a container that is not similar in shape, texture, and/or color of skin and flesh to the prominent fruit in that container will be scored as "dissimilar varietal characteristics."

B. §51.3058 Mature

The U.S. Standards for Grades of Florida Avocados requires that the fruit be mature, which means, "the avocado has reached a stage of growth which will insure a proper completion of the ripening process." For Section 8e inspections of green-skinned avocados, maturity is also judged by weight, diameter, and color of skin. Fruit that does not meet the standard definition of mature will be scored as "immature" (a quality defect) scored against the 10 percent total defect tolerance in all grades. Fruit meeting the standard definition of mature but not meeting these Section 8e requirements for weight, diameter, or skin color would not be scored as "immature" but as "fruit under the import maturity regulation." Per MOAD regulation §944.31 Avocado Import Maturity Regulation, there is a separate 10 percent tolerance for "fruit under the import maturity regulation" diameter and weight in ounces. Application of tolerances is double provided that no fruit is more than 2 ounces less than the minimum weight requirement, regardless of number of fruit per container.

There are two sets of tolerances for maturity for these types of Section 8e inspections, one will include "immature" and one will include "fruit under the import maturity regulation." "Immature" will be scored under the general Quality heading and "fruit under the import maturity regulation" will be scored under a separate defect heading on the notesheet. Please note that it may be possible to exceed the 10 percent tolerance established by MOAD for "fruit under the import maturity regulation," which would fail the Section 8e import requirement, and still meet the grade being applied if all remaining defects are within tolerances.

Section 8e Compliance

Each year the Florida Avocado Administrative Committee establishes a shipping schedule with dates, minimum weights and diameters by variety, which is the basis of determining the import maturity requirements. This schedule can be found in FEIRS references and on the AMS website at: https://www.ams.usda.gov/grades-standards/florida-avocado-grades-and-standards

If a lot meets quality and all maturity requirements, and the Elected Entry Date on the CBP Form-3461, the Entry Date on the CBP Form-7501, or the Arrival (Entry) Date on the SC-357 is

on or after a date consistent with the shipping schedule, for that variety, the lot passes Section 8e and is allowed entry into commercial channels.

If the lot meets quality and all maturity requirements, but is presented for inspection on a date inconsistent with maturity dates on the shipping schedule for the declared variety, the lot fails the maturity requirements, fails Section 8e, and is denied entry into commercial channels. Any reinspection for maturity requirements must be performed on the same requirements as the original inspection. The importer cannot wait for the next date on the shipping schedule to see if the load would then meet maturity requirements. The handler or importer has the option to export or dump the lot.

If the lot fails to meet quality or any maturity requirements for the declared variety, the lot fails Section 8e and is denied entry into commercial channels. The handler or importer has the option to recondition the lot and present it for another inspection, export, or dump the lot.

Suspect Variety Subject to DNA Testing

If a lot or portion thereof, meets quality and all maturity date requirements for a declared variety but exhibits characteristics, such as color and texture of skin, stem attachment and/or shape, that substantially differ from that variety as shown in the "Florida Avocado Varieties" handbook, the lot would be certified as meeting Section 8e requirements and allowed entry into commercial channels, with one stipulation. The inspection certificate will be noted as follows: "Suspect and will be subject to DNA testing as to variety." Inform the importer of the process and that the DNA test results should be available in 3-4 business days. Whether or not the handler or importer declares that they will enter the lot(s) into commercial channels, the following procedures are to be followed:

- For each suspect lot, or portions of lots, select one fruit from three separate containers.

- Take a silver-dollar size slice of the skin from each fruit, making sure that the slice goes through to the flesh. Scrape off any flesh that may have adhered to the slice of skin. Place the three slices in a Ziplock plastic bag and using a marker clearly mark the bag with the declared variety of the fruit and the certificate number of the Notice of Sampling (FV-187-1, FV-E187, or SC-187), that will accompany the slices to be analyzed.

- When completing the Notice of Sampling (FV-187-1, FV-E187, or SC-187), in addition to recording the Importer/Receiver's phone number in the "Results of Analysis To Be" field, also include their email address, physical address, and contact phone number in the Remarks field (see examples included).

- Clip the Notice of Sampling to the bag; it is permissible to send samples of suspect fruit from more than one lot/load in the same United Parcel Service (UPS) envelope if the lab will have no problem determining which samples go with which Notice of Sampling. The certificate number of Notice of Sampling will also be included on the 8e inspection certificate and vice versa (examples included). If more than one portion of a load is

considered to be suspect, it will be necessary to secure and submit three slices from different containers of each suspect lot and place them in separate bags.

- The samples are to be submitted by UPS overnight to:

  Dr. Deepak Srivastava
  USDA National Science Laboratory
  801 Summit Crossing Place, Suite B
  Gastonia, North Carolina 28054
  PH: (704) 867-3873 or (704) 833-1511

- If possible, the sample(s) should be sent by UPS the same day it is drawn.

- Slices from the suspect lot(s) will be compared to DNA baselines developed at the lab. Pre-addressed UPS labels with a MOAD account number will be supplied to each office that normally receives these avocados.

- Take digital images of the fruit in several containers of the suspect lot(s) or portion of the lot, as well as the non-suspect portion, if applicable, which clearly show the difference between the fruit in different containers. Send the photos along with the FV/SC-300 certificate and Notice of Sampling (FV-187, FV-187-1, FV-E187, or SC-187) to christian.nissen@usda.gov, abigail.campos@usda.gov, and dolores.lowenstine@usda.gov (MOAD), and to cathy.hance@usda.gov (PACA), with a cc to Inspection Operations via SCIinspectionoperations@usda.gov. Be sure and explain which images belong to the suspect lot(s) or portion and which ones belong to the non-suspect lot or portion, if applicable.

- Ms. Campos or Mr. Nissen, and Ms. Hance will contact a principal official with the importing company and explain possible ramifications if the marked/stated variety proves to be incorrect.

Billing for Lots Subject to DNA Testing

The fee charged to MOAD for securing and submitting these samples and transmitting the digital images will be based on an hourly basis, with a 1/2 hour minimum, and reported on the Notice of Sampling (FV-187-1, FV-E187, or SC-187). Do not include travel charges as those will be charged to the handler/importer on the original Section 8e certificate.

A. Federal Offices

MOAD may or may not be an active FEIRS applicant in your local market. If it is listed in your local market it can be selected. If not, you will need to create a new applicant, USDA AMS SCP MOAD, as a COD applicant, and leave the form checked “COD-Yes,” but don’t collect the fee for the sampling. You will then enter a “0” for the Check Number and Check Amount (see attached FV-E187 example). Each office will need to complete and submit a New Vendor Form for the first inspection only done for USDA

AMS SCP MOAD (if there is not an active account). The transfer of funds from MOAD to SCI will be handled internally in headquarters. Billing to MOAD with credit to the appropriate Federal inspection office will be overseen by the Associate Director, Inspection Operations.

B. Federal-State Offices

Federal-State inspection offices will follow the procedures for reimbursement as stated within the SCI Reimbursement for Inspection or Audit Services document. The Reimbursement for Inspection or Audit Services document may be found on the on the AMS web site at: https://www.ams.usda.gov/sites/default/files/media/ReimbursementforServices.pdf.

Copies of SC-214s, SF-270s, and the Notices of Sampling (FV-187-1, FV-E187, or SC-187), as well as the inspection certificates, will be mailed or emailed on a monthly basis to:

Dr. Patty Bennett, Director
USDA, AMS, SCP, MOAD
1400 Independence Avenue, SW
Room 1406-S, Stop 0237
Washington, DC 20250-0237
Patty.Bennett@usda.gov

Random Sampling Period

The following random sampling procedures are in addition to the existing Avocado Variety Enforcement Program procedures as outlined above and will be in effect in limited offices for a nine-week period. HQ Inspection Operations will inform selected offices of the dates of their participation.

- During the nine-week period each selected office will pull a DNA sample of their choosing at random from one lot per week. These random samples can be selected anytime Monday through Friday, and if possible, the samples should be sent by UPS the same day they are drawn.

- The lot that will be randomly selected for DNA testing should be selected prior to beginning the inspection; if the selected lot turns out to be a “suspect” lot as to variety, an additional lot should be selected at random during that week.

- Follow the same procedures used for suspect lots as outlined above. Include detailed contact information for the importer so the MOAD and PACA can contact them.

- Inform the importer of the process and that the DNA test results should be available in 3-4 business days.

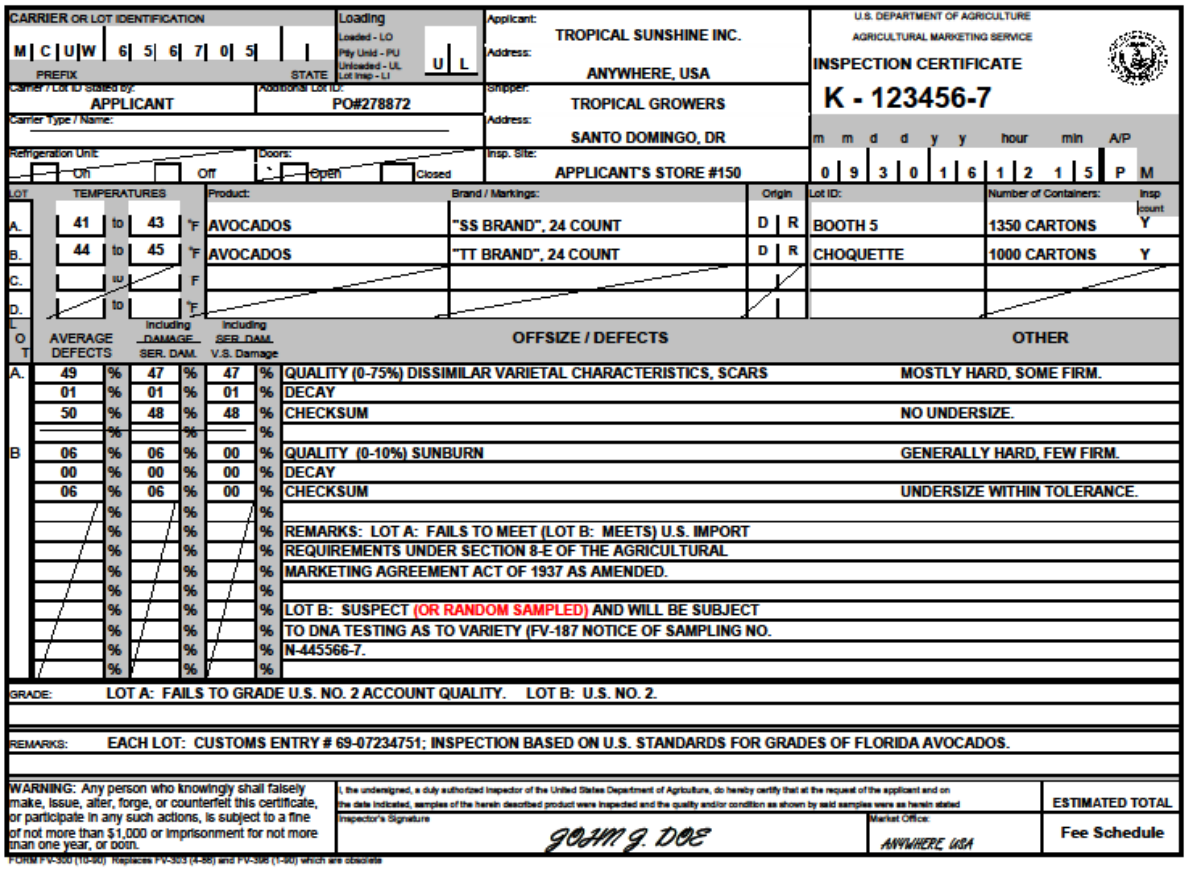
- UPS envelopes and labels with a MOAD account number will be supplied to each office involved in this random sampling period.

- Try to avoid sampling from the same applicant two weeks in a row, unless they are the only one applying for inspection, or if instructed by MOAD.

- Periodically, MOAD may contact a participating office with instructions to pull an additional sample for DNA testing.

<u>Examples of completed forms under the AVEP:</u>

A. SC/FV-300



CARRIER OR LOT IDENTIFICATION: MCUW 6 5 6 7 0 5 (PREFIX / STATE)
Carrier / Lot ID Stated by: APPLICANT
Additional Lot ID: PO#278872
Carrier Type / Name:
Refrigeration Unit: On / Off
Doors: Open / Closed
Loading: Loaded - LO; Ply Unld - PU; Unloaded - UL; Lot Insp - LI — U L
Applicant: TROPICAL SUNSHINE INC.
Address: ANYWHERE, USA
Shipper: TROPICAL GROWERS
Address: SANTO DOMINGO, DR
Insp. Site: APPLICANT'S STORE #150

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
INSPECTION CERTIFICATE
K - 123456-7
m m d d y y hour min A/P: 0 9 3 0 1 6 1 2 1 5 P M

LOT	TEMPERATURES	Product:	Brand / Markings:	Origin	Lot ID:	Number of Containers:	Insp count
A.	41 to 43 °F	AVOCADOS	"SS BRAND", 24 COUNT	D R	BOOTH 5	1350 CARTONS	Y
B.	44 to 45 °F	AVOCADOS	"TT BRAND", 24 COUNT	D R	CHOQUETTE	1000 CARTONS	Y
C.	to °F						
D.	to °F						

LOT	AVERAGE DEFECTS	Including DAMAGE SER. DAM.	Including SER. DAM. V.S. Damage	OFFSIZE / DEFECTS	OTHER
A.	49 %	47 %	47 %	QUALITY (0-75%) DISSIMILAR VARIETAL CHARACTERISTICS, SCARS	MOSTLY HARD, SOME FIRM.
	01 %	01 %	01 %	DECAY	
	50 %	48 %	48 %	CHECKSUM	NO UNDERSIZE.
	%	%	%		
B	06 %	06 %	00 %	QUALITY (0-10%) SUNBURN	GENERALLY HARD, FEW FIRM.
	00 %	00 %	00 %	DECAY	
	06 %	06 %	00 %	CHECKSUM	UNDERSIZE WITHIN TOLERANCE.
	%	%	%		
	%	%	%	REMARKS: LOT A: FAILS TO MEET (LOT B: MEETS) U.S. IMPORT	
	%	%	%	REQUIREMENTS UNDER SECTION 8-E OF THE AGRICULTURAL	
	%	%	%	MARKETING AGREEMENT ACT OF 1937 AS AMENDED.	
	%	%	%		
	%	%	%	LOT B: SUSPECT (OR RANDOM SAMPLED) AND WILL BE SUBJECT	
	%	%	%	TO DNA TESTING AS TO VARIETY (FV-187 NOTICE OF SAMPLING NO.	
	%	%	%	N-445566-7.	
	%	%	%		

GRADE: LOT A: FAILS TO GRADE U.S. NO. 2 ACCOUNT QUALITY. LOT B: U.S. NO. 2.

REMARKS: EACH LOT: CUSTOMS ENTRY # 69-07234751; INSPECTION BASED ON U.S. STANDARDS FOR GRADES OF FLORIDA AVOCADOS.

WARNING: Any person who knowingly shall falsely make, issue, alter, forge, or counterfeit this certificate, or participate in any such actions, is subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both.

I, the undersigned, a duly authorized inspector of the United States Department of Agriculture, do hereby certify that at the request of the applicant and on the date indicated, samples of the herein described product were inspected and the quality and/or condition as shown by said samples were as herein stated

Inspector's Signature: JOHN J. DOE
Market Office: ANYWHERE USA
ESTIMATED TOTAL
Fee Schedule

FORM FV-300 (10-90) Replaces FV-303 (4-88) and FV-306 (1-90) which are obsolete

B. FV-187-1

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
FRUIT AND VEGETABLE DIVISION

NOTICE OF SAMPLING
(FOR GRADE OR CHEMICAL ANALYSIS)

NC

9/30/XX
DATE SAMPLING BEGAN

THIS IS TO CERTIFY That, in compliance with the regulations of the Secretary of Agriculture governing the inspection of fruits, vegetables, and nuts pursuant to the Agricultural Marketing Act of 1946, as amended, (7 U.S.C. 1621 et seq.), the undersigned, a duly authorized inspector of the United States Department of Agriculture, do hereby certify that, on the date indicated, samples drawn believed by me to be representative of the lot were as described below:

SAMPLE DRAWN AT: (City, State) Anywhere, USA	WH. OR WAREHOUSE NAME Warehouse #150	SAMPLING FOR: See Remarks ☐ Grade ☐ Chemical Analysis
☐ CAR NO.:	[X] TRUCK NO.: MCUW 656705	☐ NAME OF SHIP:
APPLICANT (Name, Address, Zip Code): USDA AMS SCP MOAD 1400 Independence Ave, SW Rm 1406-S Washington, DC 20250	SHIPPER (Name, Address): Tropical Sunshine Inc Anywhere, USA	CONSIGNEE (Name, Address): Tropical Growers Santo Domingo, DR

PRODUCT - PEANUTS
☐ CLEANED IN THE SHELL PEANUTS
☐ SHELLED PEANUTS

DESIGNATED AS TYPE: ☐ "RUNNER" ☐ "VIRGINIA" ☐ "SPANISH" ☐ "VALENCIA"

CONTRACT NO.

WT. MANIFESTED AS:	NUMBER OF ☐ SACKS ☐ BINS	COLOR TAGS	CROP YEAR	STATE	MILL NO.	LOT NO.

QUALITY DESIGNATED BY SHIPPER (Verbal or Marked): GRADE INSPECTION CERTIFICATE NO. DESIGNATED QUALITY: ☐ MEETS ☐ FAILS

CHECK HIGHEST QUALITY DETERMINED:
☐ RUNNER NO. 1 OR BETTER
☐ SPANISH NO. 1 OR BETTER
☐ VIRGINIA NO. 1 OR BETTER
☐ PAC "TWIN SPUTS"
☐ U.S. SPUTS
☐ "OTHER EDIBLE QUALITY"
☐ FAILS "OTHER EDIBLE QUALITY"
☐ DOMESTIC CRUSHING
☐ EXPORT CRUSHING (Exporter)
☐ OTHER (Specify):

THIS SAMPLE IS DESIGNATED AS: ☐ 1-AB ☐ 2-AB ☐ 3-AB ☐ "CD" ☐ APPEAL ☐ OTHER
RESULTS FROM PREVIOUS SAMPLES: 1-AB _____ (date) 2-AB _____ (date) "CD" _____ (date) (Job values are valid by the opt. con. or be lot)

PRODUCT (Other than peanuts):	WEIGHT OF LOT:	NUMBER OF ~~SACKS~~ Cartons
☐ IN-SHELL BRAZIL NUTS ☐ IN-SHELL PISTACHIO NUTS ☐ SHELLED PISTACHIO NUTS [X] OTHER Avocados	_____	1,000

SHIPPER'S MARKS:
"TT Brand", 24 Count (manifested as CHOQUETTE variety)

TYPE OF ANALYSIS	APPROX. WT. OF SAMPLE	SAMPLE SHIPPED VIA:	RESULTS OF ANALYSIS TO BE
☐ KERNEL AND SHELL ☐ KERNEL ONLY	_____	UPS	[X] PHONED OR WIRED COLLECT 863-324-3375 (phone no.) ☐ MAILED TO APPLICANT

REMARKS
DNA test as to variety. See inspection certificate _____.
Results to: Tropical Sunshine Inc: 7436 Bolden Ave, Sunny, FL 22406; tropsun@AOL.com; 863-324-3375

DATA BLOCK - FOR USDA USE ONLY	SAMPLE SENT TO (Name of Laboratory):	DATE SENT:
FV-187 CERTIFICATE NUMBER CORRECTS:	USDA National Science Laboratory	9/30/XX
APPLICANT NO. 21	ADDRESS: 801 Summit Crossing Place, Suite B Gastonia, NC 28054	DATE RECEIVED (Entered from data set sheet):
ON-SITE HOURS / O.T. (Inc):	TRAVEL MILES / O.T. (Inc):	INSPECTOR'S SIGNATURE: John J. Inspector
INSPECTED by:	DTMZ: $	MARKET OFFICE: Anywhere, USA
		FEE: $ Hourly Rate; POSTAGE: ; OTHER CHARGES: ; TOTAL: $ Hourly Rate

FV-187-1 (03/98) (Previous editions may be used)

C. SC-187

USDA United States Department of Agriculture

AGRICULTURAL MARKETING SERVICE
NOTICE OF SAMPLING
(FOR GRADE OR CHEMICAL ANALYSIS)

N-EXAMPLE

03/08/XXXX
DATE SAMPLING BEGAN

This is to certify that, in compliance with the regulations of the Secretary of Agriculture governing the inspection of fruits, vegetables, and nuts pursuant to the Agricultural Marketing Act of 1946, as amended, (7 U.S.C. 1621 etseq.). I, the undersigned, a duly authorized inspector of the United States Department of Agriculture, do hereby certify that, on the date indicated, samples drawn believed by me to be representative of the lot were as described below.

SAMPLE DRAWN AT (CITY, STATE): Anywhere, USA	MILL OR WAREHOUSE NAME: Warehouse # 150	SAMPLING FOR: SEE REMARKS ☐ GRADE ☐ CHEMICAL ANALYSIS
☐ CAR NO.:	☒ TRUCK NO.: MCUW 656705	☐ NAME OF SHIP:
APPLICANT (NAME, ADDRESS, ZIP CODE): USDA AMS SCP MOAD 1400 INDEPENDENCE, AVE SQ RM 1406-S WASHINGTON, DC 20250	RECEIVER (NAME, ADDRESS): TROPICAL SUNSHINE INC ANYWHERE, USA	SHIPPER (NAME, ADDRESS): TROPICAL GROWERS SANTO DOMINGO, DR
PRODUCT – PEANUTS: ☐ CLEANED IN THE SHELL ☐ SHELLED	DESIGNATED AS TYPE: ☐ RUNNER ☐ VIRGINIA ☐ SPANISH ☐ VALENCIA	CONTRACT NO:

WT MANIFESTED AS:	NUMBER OF CONTAINERS:	COLOR TAGS:	CROP YEAR:	STATE:	MILL NO.:	LOT NO.:

QUALITY DESIGNATED BY SHIPPER (VERBAL OR MARKED):	GRADE INSPECTION CERTIFICATE NO.:	DESIGNATED QUALITY: ☐ MEETS ☐ FAILS

HIGHEST QUALITY DETERMINED:
☐ RUNNER NO. 1 OR BETTER ☐ 7 CFR 996.31 MINIMUM EDIBLE QUALITY ☐ FAILS 7 CFR 996.31 MINIMUM EDIBLE QUALITY
☐ SPANISH NO. 1 OR BETTER ☐ U.S. SPLITS
☐ VIRGINIA NO. 1 OR BETTER ☐ OTHER: _____

THIS SAMPLE IS DESIGNATED AS:
☐ 1-AB ☐ 2-AB ☐ 3-AB
☐ 1-CD ☐ APPEAL ☐ OTHER: _____

RESULTS FROM PREVIOUS SAMPLES (ALL PPB VALUES ARE STATED BY THE APPLICANT OR LAB):
1-AB: _____ (PPB) 2-AB: _____ (PPB) 1-CD: _____ (PPB)

PRODUCT – OTHER THAN PEANUTS: ☐ IN-SHELL PISTACHIO NUTS ☐ IN-SHELL BRAZIL NUTS ☐ SHELLED PISTACHIO NUTS ☐ TOMATOES ☒ OTHER: AVOCADOS ☐ TEST 1 ☐ TEST 2	WEIGHT OF LOT:	NUMBER OF CONTAINERS: CARTONS 1,000

SHIPPER MARKS:
"IT BRAND", 24 COUNT (MANIFESTED AS CHOQUETTE VARIETY)

TYPE OF ANALYSIS: ☐ KERNEL AND SHELL ☐ KERNEL ONLY ☒ DNA	APPROX. AMOUNT OF SAMPLE:	SAMPLE SHIPPED VIA: UPS	RESULTS OF ANALYSIS TO BE: ☐ MAILED TO APPLICANT ☐ SENT TO MOAD (FOR IMPORTS) ☐ E-MAILED: _____ ☒ PHONED: 863-324-3375

REMARKS:
DNA TEST AS TO VARIETY. SEE INSPECTION CERTIFICATE _____.
Results to:Tropical Sunshine Inc: 7436 Bolden Ave, Sunny, FL 22406; tropsun@AOL.com; 863-324-3375

DATA BLOCK – FOR USDA USE ONLY		SAMPLE SENT TO (NAME AND ADDRESS OF LABORATORY): USDA NATIONAL SCIENCE LABORATORY 801 SUMMIT CROSSING PLACE, SUITE B GASTONIA, NC 28054	DATE SENT: 9/30/XX
CORRECTS SC-187 CERTIFICATE NUMBER			
APPLICANT NUMBER			DATE ISSUED (IF DIFFERENT THAN DATE SENT):
21-			
ON-SITE	TRAVEL	INSPECTOR'S SIGNATURE: JOHN J. INSPECTOR	
HOURS:	MILES:		FEE: $ HOURLY RATE
O.T.(HRS):	O.T. (HRS):		POSTAGE:
OTHER EXPENSES:			TRANS. CHARGES:
INSPECTED BY:		MARKET OFFICE: ANYHWERE, USA	TOTAL: $ HOURLY RATE

SC-187 (08-16) Destroy previous editions. ORIGINAL USDA is an equal opportunity provider, employer, and lender.

D. FV-E187

USDA U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE http://FPBInspections.ams.usda.gov	NOTICE OF SAMPLING N-056-0XXX-00857 PAGE 1 of 1	
DRAWN AT: ANYWHERE, USA	APPLICANT: USDA AMS SCP MOAD WASHINGTON, DC	SAMPLING (FOR GRADE OR CHEMICAL ANALYSIS)
MILL/WAREHOUSE: WAREHOUSE #150		
SAMPLING FOR:	RECEIVER: TROPICAL SUNSHINE INC. ANYWHERE, USA	BEGAN: 9/30/20XX 9:15 AM
TRANSPORT: TRUCK NO. MCUW 656705		COMPLETED: 9/30/20XX 10:12 AM
SENT TO: USDA NATIONAL SCIENCE 801 SUMMIT CROSSING PLACE, GASTONIA, NC	SHIPPER: TROPICAL GROWERS SANTO DOMINGO, DR	PASSWORD FOR ONLINE ACCESS H3AGN8X7ZR8HBSDL
DATE SENT: 9/30/20XX	MARKET OFFICE: MIAMI, FLORIDA	ESTIMATED FEE: $ Hourly Rate

REMARKS: CHECK NO: 0 CHECK AMT: $0.00 DNA TEST AS TO VARIETY, SEE INSPECTION CERTIFICATE NO. _____.
RESULTS TO: Tropical Sunshine Inc: 7436 Bolden Ave, Sunny, FL 22406; tropsun@AOL.com; 863-324-3375

PRODUCT - PEANUTS	
CATEGORY:	DESIGNATED AS TYPE:
CONTRACT NO.:	WT MANIFESTED AS:
NUMBER OF:	COLOR TAGS:
CROP YEAR:	STATE:
MILL NO.:	LOT NO.:
QUALITY DESIGNATED BY SHIPPER:	GRADE CERTIFICATE:
HIGHEST QUALITY DETERMINED:	
THIS SAMPLE DESIGNATED AS:	RESULTS FROM PREVIOUS SAMPLES:

PRODUCT (Other Than Peanuts)	
CATEGORY: AVOCADOS	
WEIGHT OF LOT: 1,000 CARTONS	NUMBER OF SACKS:
SHIPPER'S MARKS: "TT BRAND", 24 COUNT (MANIFESTED AS CHOQUETTE VARIETY)	
TYPE OF ANALYSIS:	APPROX WT. OF SAMPLE:
SAMPLE SHIPPED VIA: UPS	RESULTS TO BE: PHONED: (863) 324-3375

THIS IS TO CERTIFY That, in compliance with the regulations of the Secretary of Agriculture governing the inspection of fruits, vegetables, and nuts pursuant to the Agricultural Marketing Act of 1946, as amended, (7 U.S.C. 1621 et.seq.). I, the undersigned, a duly authorized inspector of the United States Department of Agriculture, do hereby certify that, on the date indicated, samples drawn believed by me to be representative of the lot were as described above:

Warning: Any person who knowingly shall falsely make, issue, alter, forge, or counterfeit this certificate or participate in any such actions, is subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both. FORM FV-E187 (1.0.13.1)	Signature: 0XXX - INSPECTOR, JOHN J *John J. Inspector*	Date: 9/30/XX

REFERENCE LINKS **Version Date (Printed for distribution)**

☐ **AIM system of instructional manuals is available electronically in Adobe Acrobat Portable Document Format (PDF) at the following intranet address:** https://usdagcc.sharepoint.com/sites/ams/AMS-SCI/AIM/SitePages/Home.aspx _____

☐ **CBP-3461 Entry/Immediate Delivery:** https://www.cbp.gov/sites/default/files/assets/documents/2016-Jun/CBP Form 3461 - ACE Fillable.pdf _____

☐ **CBP-3461 Alt:** https://www.cbp.gov/sites/default/files/assets/documents/2018-Feb/CBP Form 3461 Alt Sample.pdf _____

☐ **CBP 7501- Entry Summary:** https://www.cbp.gov/sites/default/files/assets/documents/2018-Feb/CBP Form 7501.pdf _____

☐ **Certification Manual:** https://www.ams.usda.gov/publications/content/aim-certification-manual _____

☐ **Charitable Organizations Registered with USDA'S AMS to receive SC-6 exempt food donations:** https://www.ams.usda.gov/sites/default/files/media/8e_Charitable_Organizations percent5B1 percent5D.pdf _____

☐ **Compliance Policy Guide, Section 550.300 page at the following internet address:** http://www.fda.gov/ICECI/ComplianceManuals/CompliancePolicyGuidanceManual/ucm074529.htm _____

☐ **Date Inspection Instructions:** https://www.ams.usda.gov/grades-standards/dates-grades-and-standards _____

☐ **FDA Technical Bulletin Number 5, Microanalytical Procedures Manual, pages V-53 through V-58:** https://www.fda.gov/Food/FoodScienceResearch/LaboratoryMethods/ucm2006953.htm _____

☐ **FDA Defect Action Level Handbook:** https://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/ucm056174.htm _____

☐ **FDA Compliance Policy Guide 7110.09., section 550.300:** _____
https://www.fda.gov/media/71813/download

☐ **FDA Sequential Analysis Plan, Table I:** _____
https://www.fda.gov/media/71813/download

☐ **Foreign Material Manual:** _____
https://origin-edit.ams.usda.gov/sites/default/files/media/Foreign_Material_Manual percent5B1 percent5D.pdf

☐ **General Procedures Manual:** _____
https://www.ams.usda.gov/publications/content/aim-general-procedures-manual

☐ **Inspection Aid 115:** _____
https://www.ams.usda.gov/sites/default/files/media/IA115DefectsinRaisins.pdf

☐ **MOU between the AMS, USDA and the FDA, Department of Health and Human Services Regarding Imported Dates and Date Material (FDA 225-72-2001):** _____
http://www.fda.gov/AboutFDA/PartnershipsCollaborations/MemorandaofUnderstandingMOUs/DomesticMOUs

☐ **Memorandum Report of Inspection for Imported Dates SC-494:** _____
https://usdagcc.sharepoint.com/sites/ams/AMSFormsCatalog/SC-494.pdf

☐ **MOU between the AMS, USDA and the FDA, Department of Health and Human Services Regarding Imported Raisins (FDA 225-73-2007):** _____
http://www.fda.gov/AboutFDA/PartnershipsCollaborations/MemorandaofUnderstandingMOUs/DomesticMOUs

☐ **MOAD Compliance Team additional information can be found at:** _____
https://www.ams.usda.gov/rules-regulations/moa/fv.

☐ **SC-6 Importer's Exempt Commodity Form:** _____
https://www.ams.usda.gov/sites/default/files/media/SC6ImportersExemptCommodityForm.pdf

☐ **SC 364-167, Tally Sheet for Processed Raisins:** _____
https://usdagcc.sharepoint.com/sites/ams/AMSFormsCatalog/SC percent20364-167.pdf

☐ **SC-356 Application for Inspection:** _____
https://www.ams.usda.gov/resources/sc356

☐ **SC 494 can be found on the AMS Forms Catalog at the following internet address:** https://usdagcc.sharepoint.com/sites/ams/AMSFormsCatalog/Forms/AllItems.aspx. _____

☐ **U.S. Customs and Border Protection Directive No. 3250-007B:** https://www.cbp.gov/trade/rulings/directives-handbooks _____

☐ **7 CFR 999:** http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR _____

☐ **7 CFR 944:** http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR _____

☐ **7 CFR 932 § 932.149:** https://www.govinfo.gov/content/pkg/CFR-2018-title7-vol8/xml/CFR-2018-title7-vol8-part932.xml _____

☐ **19 CFR 141.113:** http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR _____

Checked Materials have been printed from the links in this manual and included for reference.

APPENDIX I - CBP FORM 3461

Electronic version of CBP Form 3461

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

ENTRY/IMMEDIATE DELIVERY
19 CFR 142.3, 142.16, 142.22, 142.24, 149.3

HEADER INFORMATION

1. PORT OF ENTRY:	2. BOND TYPE: ☐ Single Transaction Bond ☐ Continuous Bond ☐ No Bond Required	3. IMPORTER NUMBER: ☐ IRS ☐ SSN ☐ CBP Assigned	4. IMPORTER NAME AND ADDRESS:
5. ENTRY NUMBER:	6. BOND VALUE:	7. ENTRY VALUE:	8. CES:
9. ENTRY TYPE:	10. ORIGINATING WHSE ENTRY NUMBER (For Entry Type 22 Only):		11. SURETY CODE:
12. PORT OF UNLADING:	13. MODE OF TRANSPORTATION: ☐ Air ☐ Ocean ☐ Rail ☐ Truck ☐ Hand Carry ☐ Pipeline ☐ Other	14. LOCATION OF GOODS (FIRMS):	
15. G.O. NUMBER:	16. CONVEYANCE NAME/FTZ ZONE ID:		

HEADER REFERENCE INFORMATION

17. REFERENCE ID CODE:	18. REFERENCE ID NUMBER (UP TO 50 CHARACTERS):

HEADER PARTIES (MUST APPLY TO ENTIRE ENTRY; IF NOT, SKIP TO LINE INFORMATION

19. HEADER PARTY TYPE:	20. HEADER PARTY TYPE NAME/ADDRESS	21. HEADER ID #, IF APPLICABLE
☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party		☐ IRS ☐ SSN ☐ CBP Assigned
☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party		☐ IRS ☐ SSN ☐ CBP Assigned
☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party		☐ IRS ☐ SSN ☐ CBP Assigned
☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party		☐ IRS ☐ SSN ☐ CBP Assigned

22. CERTIFICATION	23. CBP USE ONLY
I hereby make application for entry/immediate delivery. I certify that the above information is accurate, the bond is sufficient, valid, and current, and that all requirements of 19 CFR Part 142 have been met.	☐ OTHER AGENCY ACTION REQUIRED, NAMELY:
SIGNATURE OF APPLICANT:	
PHONE NUMBER: / DATE:	☐ CBP EXAMINATION REQUIRED.
BROKER OR OTHER GOVT. AGENCY USE	☐ ENTRY REJECTED, BECAUSE:
	DELIVERY AUTHORIZED: SIGNATURE: DATE:

Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0024. The estimated average time to complete this application is 15 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 90 K Street, NE, Washington DC 20229.

CBP Form 3461

EXAMPLE

24. LINE INFORMATION

LINE 1 HTS CODE: 1. _____ 2. _____	HTS / COMMERCIAL / DESCRIPTION: ☐ HTS ☐ Commercial/Invoice Description: _____	LINE ITEM QUANTITY: FTZ FILING DATE:	VALUE: 1. _____ 2. _____
COUNTRY OF ORIGIN:	ZONE STATUS: ☐ P ☐ N		
LINE PARTY TYPE: ☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party	LINE NAME/ADDRESS:	LINE ID NUMBER, IF APPLICABLE: ☐ IRS ☐ SSN ☐ CBP Assigned _____	
LINE 2 HTS CODE: 1. _____ 2. _____	HTS / COMMERCIAL / DESCRIPTION: ☐ HTS ☐ Commercial/Invoice Description: _____	LINE ITEM QUANTITY: FTZ FILING DATE:	VALUE: 1. _____ 2. _____
COUNTRY OF ORIGIN:	ZONE STATUS: ☐ P ☐ N		
LINE PARTY TYPE: ☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party	LINE NAME/ADDRESS:	LINE ID NUMBER, IF APPLICABLE: ☐ IRS ☐ SSN ☐ CBP Assigned _____	
LINE 3 HTS CODE: 1. _____ 2. _____	HTS / COMMERCIAL / DESCRIPTION: ☐ HTS ☐ Commercial/Invoice Description: _____	LINE ITEM QUANTITY: FTZ FILING DATE:	VALUE: 1. _____ 2. _____
COUNTRY OF ORIGIN:	ZONE STATUS: ☐ P ☐ N		
LINE PARTY TYPE: ☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party	LINE NAME/ADDRESS:	LINE ID NUMBER, IF APPLICABLE: ☐ IRS ☐ SSN ☐ CBP Assigned _____	
LINE 4 HTS CODE: 1. _____ 2. _____	HTS / COMMERCIAL / DESCRIPTION: ☐ HTS ☐ Commercial/Invoice Description: _____	LINE ITEM QUANTITY: FTZ FILING DATE:	VALUE: 1. _____ 2. _____
COUNTRY OF ORIGIN:	ZONE STATUS: ☐ P ☐ N		
LINE PARTY TYPE: ☐ Manufacturer ☐ Buying Party ☐ Consignee ☐ Selling Party	LINE NAME/ADDRESS:	LINE ID NUMBER, IF APPLICABLE: ☐ IRS ☐ SSN ☐ CBP Assigned _____	

BILL OF LADING INFORMATION (Use additional block below for a second Bill of Lading)

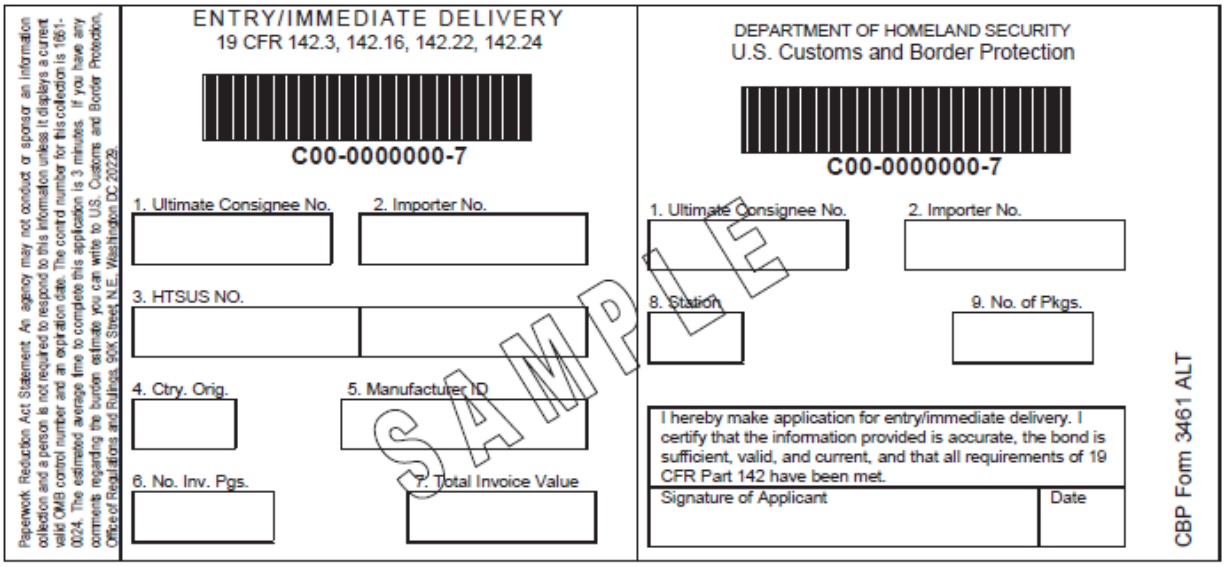
25. ☐ Non-AMS	26. ☐ Split Bill	27. BOL TYPE: ☐ In-Bond ☐ Master ☐ House ☐ Regular/Simple	28. SCAC/CARRIER ID:
29. IN-BOND NUMBER:	30. BOL NUMBER:	31. QUANTITY:	32. UNIT OF MEASURE:
SECOND BILL OF LADING	BOL TYPE: ☐ In-Bond ☐ Master ☐ House ☐ Regular/Simple		SCAC/CARRIER ID:
IN-BOND NUMBER:	BOL NUMBER:	QUANTITY:	UNIT OF MEASURE:
33. VOYAGE/FLT/TRIP:	34. CONVEYANCE:	35. ARRIVAL DATE:	

EXAMPLE

CBP Form 3461

APPENDIX II – CBP FORM 3461 ALT

Electronic version of CBP Form 3461 ALT



Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0024. The estimated average time to complete this application is 3 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 90K Street N.E., Washington DC 20229.

ENTRY/IMMEDIATE DELIVERY
19 CFR 142.3, 142.16, 142.22, 142.24

C00-0000000-7

1. Ultimate Consignee No.
2. Importer No.
3. HTSUS NO.
4. Ctry. Orig.
5. Manufacturer ID
6. No. Inv. Pgs.
7. Total Invoice Value

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

C00-0000000-7

1. Ultimate Consignee No.
2. Importer No.
8. Station
9. No. of Pkgs.

I hereby make application for entry/immediate delivery. I certify that the information provided is accurate, the bond is sufficient, valid, and current, and that all requirements of 19 CFR Part 142 have been met.

Signature of Applicant
Date

CBP Form 3461 ALT

SAMPLE

APPENDIX III – CBP FORM 7501 WITH CONTINUATION SHEETS

Electronic version of CBP Form 7501 with Continuation Sheets

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

OMB APPROVAL NO. 1651-0022
EXPIRATION DATE 01/31/2021

ENTRY SUMMARY

1. Filer Code	2. Entry Type	3. Summary Date	4. Surety Number	5. Bond Type	6. Port Code	7. Entry Date

8. Importing Carrier	9. Mode of Transport	10. Country of Origin	11. Import Date
		United States of America	
12. B/L or AWB Number	**13. Manufacturer ID**	**14. Exporting Country**	**15. Export Date**
		United States of America	

16. I.T. Number	17. I.T. Date	18. Missing Docs	19. Foreign Port of Lading	20. U.S. Port of Unlading

21. Location of Goods/G.O. Number	22. Consignee Number	23. Importer Number	24. Reference Number

25. Ultimate Consignee Name *(Last, First, M.I.)* and Address	26. Importer of Record Name *(Last, First, M.I.)* and Address
Street	Street
City State Zip	City State Zip

27. Line Number	28. Description of Merchandise	29. A. HTSUS Number B. ADA/CVD Number	30. A. Grossweight B. Manifest Qty.	31. Net Quantity in HTSUS Units	32. A. Entered Value B. CHGS C. Relationship	33. A. HTSUS Rate B. ADA/CVD Rate C. I.R. Rate D. Visa Number	34. Duty and I.R. Tax Dollars Cents

Other Fee Summary for Block 39	35. Total Entered Value $	CBP USE ONLY		TOTALS
		A. LIQ CODE	B. Ascertained Duty	37. Duty
	Total Other Fees $	REASON CODE	C. Ascertained Tax	38. Tax
36. DECLARATION OF IMPORTER OF RECORD (OWNER OR PURCHASER) OR AUTHORIZED AGENT			D. Ascertained Other	39. Other
			E. Ascertained Total	40. Total

I declare that I am the ☐ Importer of record and that the actual owner, purchaser, or consignee for CBP purposes is as shown above, **OR** ☐ owner or purchaser or agent thereof. I further declare that the merchandise ☐ was obtained pursuant to a purchase or agreement to purchase and that the prices set forth in the invoices are true, **OR** ☐ was not obtained pursuant to a purchase or agreement to purchase and the statements in the invoices as to value or price are true to the best of my knowledge and belief. I also declare that the statements in the documents herein filed fully disclose to the best of my knowledge and belief the true prices, values, quantities, rebates, drawbacks, fees, commissions, and royalties and are true and correct, and that all goods or services provided to the seller of the merchandise either free or at reduced cost are fully disclosed.
I will immediately furnish to the appropriate CBP officer any information showing a different statement of facts.

41. DECLARANT NAME *(LAST,FIRST, M.I.)*	TITLE	SIGNATURE	DATE

42. Broker/Filer Information Name *(Last,First, M.I.)* and Phone Number	43. Broker/Importer File Number

Paperwork Reduction Act Notice

CBP Form 7501 (8/19) Page 1 of 35

EXAMPLE

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

ENTRY SUMMARY CONTINUATION SHEET

27.	28. Description of Merchandise			32.	33.	34.
Line No.	29. A. HTSUS No. B. ADA/CVD No.	30. A. Grossweight B. Manifest Qty.	31. Net Quantity in HTSUS Units	A. Entered Value B. CHGS C. Relationship	A. HTSUS Rate B. ADA/CVD Rate C. IRC Rate D. Visa No.	Duty and I.R. Tax Dollars Cents

EXAMPLE

APPENDIX IV – MOAD NOTICE LETTER TO IMPORTER

Notice and Instructions for Lots Failing to Meet 8e Import Requirements

USDA

Notice

This shipment does not meet the requirements of Section 8e of the Agricultural Marketing Agreement Act (AMAA) of 1937

In order to comply with the import requirement, **one** of the following actions is necessary:

REQUIRED ACTION	PROPER DOCUMENTATION
1) **Recondition** the shipment that currently fails 8e import requirements and have it re-inspected, with the destruction of any culls witnessed by a **USDA** inspector.	1) USDA, AMS inspection certificate(s) for all units meeting 8e Import Requirements and a certificate for all destroyed units. These items must equal the original quantity of imported shipment
Or 2) **Export** the shipment to another country	2) Customs Form 7512 signed by CBP personnel or with Customs date hole punch stamp, or a Customs Form 7512 stamped "QP In Bond Authorized" with a paid freight bill showing destination and proper quantity of product.
Or 3) Send the shipment for **exempt use,** for example, donate the shipment to a food bank or other charitable organization.	3) Electronically completed form SC-6, submitted on-line to USDA, MOAD, Compliance and Enforcement Branch; visit our website for a listing of acceptable exempt uses for each commodity; for additional information, please visit, **www.ams.usda.gov/rules-regulations/section8e/understanding-sc6**
Or 4) **Destroy, dump, dispose of the shipment,** witnessed by a **USDA** inspector	4) USDA, AMS certificate documenting all units being disposed, this item must equal the original quantity of imported shipment

Documentation of failed inspection(s) will be forwarded to the **USDA, AMS, Marketing Order & Agreement Division (MOAD), Compliance and Enforcement Branch,** which will follow-up, to determine the failed product's disposition. If the violation is not handled as listed above, you may be subject to one or more of the following:

A. U.S. Customs demand for redeliver or liquidated damages for three times the value of imports
B. U.S. Customs denial of entry for this shipment as well as future shipments.
C. $2,750 penalty per violation, each day the violation occurs.
D. Civil forfeiture of the present market value.

Please forward a copy of the failed inspection certificate along with documentation of the shipments ultimate disposition: ComplianceInfo@ams.usda.gov

Please contact us with any question concerning how to document, and comply with the AMAA appropriately:

https://www.ams.usda.gov/rules-regulations/section8e

https://www.ams.usda.gov/rules-regulations/section8e/complying

ComplianceInfo@ams.usda.gov

Customer Service Line, at 888-551-3523

APPENDIX V – EXAMPLE –REPORT OF DISPOSAL OF PRODUCT

USDA

United States Department of Agriculture

Agricultural Marketing Service

Specialty Crops Program

Specialty Crops Inspection Division

11235 Nowhere St.
Somewhere, VA
12345
Phone: 555.555.1212
Fax: 555.555.1213

January 30, 2019

Report of Disposal of Product

Reference: Container Number AABC 1234567
Entry Number 123-4567891-0

On January 30, 2019 at the request of ABC Products, inspector Ima Great-Inspector of USDA, AMS, SC, Specialty Crops Inspection Division observed the destruction of 3,000 cases of failed Dates (account Foreign Material – insects and frags) at Hold 'Em Containers, Inc. located at 53211 Way Out Avenue, Norfolk, VA. The contents of the 3,000 cases included 2,584 cases of 12/500 gram packages and 416 cases of 24/250 gram packages.

Ima Great-Inspector

Ima Great-Inspector
USDA Inspector
Specialty Crops Inspection Division

"SCI moving forward in the 21st Century using technology, innovation, and old fashioned hard work"

USDA is an equal opportunity provider, employer, and lender.

APPENDIX VI –EXAMPLE - WORKSHEET FOR CLASSIFICATION OF REJECT MATERIAL

Electronic version of the Worksheet for Classification of Reject Material

United States Department of Agriculture

SPECIALTY CROPS INSPECTION DIVISION
WORKSHEET FOR CLASSIFICATION OF REJECT MATERIAL
PER CPG 7110 09 TABLE II
DATES

LOT NUMBER/CODE MARKS	ENTRY NUMBER	PLANT NAME/SHIP/TRUCK
SAMPLE SIZE	NUMBER OF SUBSAMPLES	NUMBER AND WEIGHT OF CASES
Approximately 3 lbs.		

REJECT MATERIAL								
	NUMBER OF DATES EXAMINED							
	100	200	300	400	500	600	700	800
1. Insect Infestation								
A. Field								
B. Storage								
2. Mites								
3. Moldy or Decomposed								
4. Dirty								
5. Otherwise Unfit								
6. Total Number of Rejects								
Accept (A)	A–1	A–5	A–10	A–14	A–18	A–23	A–27	A–34
Reject (R)	R–8	R–13	R–18	R–22	R–26	R–31	R–35	R–35

REMARKS:

☐ **Meets** Food and Drug Wholesomeness

☐ **Fails** Food and Drug Wholesomeness

Inspector's Printed Name and Signature:	Date:

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APPENDIX VII – SC-494 EXAMPLE – FAILS USDA AND MEETS FDA

Electronic version of SC-494

U.S. DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service

FAILS USDA
MEETS FDA

MEMORANDUM REPORT OF INSPECTION FOR IMPORTED DATES

Date: January 29, 2019

Applicant:	Address of Applicant:
ABC Products	Somewhere, VA 12345

In compliance with the regulations of the Secretary of Agriculture, I inspected samples drawn by me, or by a person authorized by the Administrator, from the lot or lots of the product designated herein and, based on such samples, find the quality and condition of said lot or lots on the above date, to be as stated below:

Code Marks	Variety	Style	Cases		Total Net Weight
			Size	Count	
PACK 14/09/18 BB 14/03/20	MEDJOUL	WHOLE	11 lbs	400	4,400 lbs

GRADE: ☐ Meets ☒ Fails import requirements for dates for packaging under Section 8e of the Agricultural Marketing Agreement Act of 1937 (as amended), **account stems.**

Remarks:

This memorandum report covers 4,400 pounds (entry declaration), Packed in corrugated fiber cartons in good condition. Lot located at applicants warehouse, Somewhere, VA and identified by code shown above. Arrived from Egypt; on Vessel: MATTHEW JARED; Container No: CTTU23456788; Customs Entry No: U11-0987654-3; B/L No: FRLN12336B; Port of entry: Norfolk, VA on January 24, 2019.

Address of Inspector:
11235 Nowhere St.
Somewhere, VA 12345

Ima Great-Inspector
Signature of Inspector

SC-494 (EXAMPLE)

APPENDIX VIII – SC-494 EXAMPLE – MEETS USDA AND FDA

Electronic version of SC-494

U.S. DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service

MEETS USDA
MEETS FDA

MEMORANDUM REPORT OF INSPECTION FOR IMPORTED DATES

Date: January 29, 2019

Applicant:	Address of Applicant:
ABC Products	Somewhere, VA 12345

In compliance with the regulations of the Secretary of Agriculture, I inspected samples drawn by me, or by a person authorized by the Administrator, from the lot or lots of the product designated herein and, based on such samples, find the quality and condition of said lot or lots on the above date, to be as stated below:

Code Marks	Variety	Style	Cases		Total Net Weight
			Size	Count	
5233	ALLIGH	PITTED	26.5 lbs	1247	33,046 lbs

GRADE: [X] Meets [ ] Fails import requirements for dates for packaging under Section 8e of the Agricultural Marketing Agreement Act of 1937 (as amended), account

Remarks:

This memorandum report covers 33,046 pounds (entry declaration), Packed in corrugated fiber cartons in good condition. Lot located at applicants warehouse, Somewhere, VA and identified by code and warehouse lot No: 5233. Arrived from Egypt; on Vessel: MATTHEW JARED; Container No: CTTU23456789; Customs Entry No: U11-0987654-2; B/L No: FRLN12336A; Port of entry: Norfolk, VA on January 24, 2019.

Address of Inspector:
11235 Nowhere St.
Somewhere, VA 12345

Ima Great-Inspector
Signature of Inspector

SC-494 (EXAMPLE)

APPENDIX IX – SC-494 EXAMPLE – FAILS USDA AND FDA

Electronic version of SC-494

U.S. DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service

FAILS USDA
FAILS FDA

MEMORANDUM REPORT OF INSPECTION FOR IMPORTED DATES

Date: January 29, 2019

Applicant:	Address of Applicant:
ABC Products	Somewhere, VA 12345

In compliance with the regulations of the Secretary of Agriculture, I inspected samples drawn by me, or by a person authorized by the Administrator, from the lot or lots of the product designated herein and, based on such samples, find the quality and condition of said lot or lots on the above date, to be as stated below:

Code Marks	Variety	Style	Cases		Total Net Weight
			Size	Count	
8034	ALLIGH	PITTED	55.11 lbs	750	41,336 lbs

GRADE: ☐ Meets ☒ Fails import requirements for dates for packaging under Section 8e of the Agricultural Marketing Agreement Act of 1937 (as amended), **account pits, sand, and wholesomeness.**

Remarks:

This memorandum report covers 41,336 pounds (entry declaration), Packed in corrugated fiber cartons in good condition. Lot located at applicants warehouse, Somewhere, VA and identified by code and warehouse lot No: 8034. Arrived from Egypt; on Vessel: MATTHEW JARED; Container No: CTTU23457789; Customs Entry No: U11-0987611-2; B/L No: FRLN14436A; Port of entry: Norfolk, VA on January 24, 2019.

Address of Inspector:
11235 Nowhere St.
Somewhere, VA 12345

Ima Great-Inspector
Signature of Inspector

SC-494 (EXAMPLE)

APPENDIX X –IMPORT DATE REPORT

USDA

United State Department of Agriculture
Argicultural Marketing Service
Fruit and Vegetable Programs
Specialty Crops Inspection Division

From: To:

Import Report

Consignee/Applicant:

Certificate No.	Entry No.	Vessel Name	Harmonized Code	Entry Date	Container No.	Case Count	Total Wt.

Consignee/Applicant:

Certificate No.	Entry No.	Vessel Name	Harmonized Code	Entry Date	Container No.	Case Count	Total Wt.

Consignee/Applicant:

Certificate No.	Entry No.	Vessel Name	Harmonized Code	Entry Date	Container No.	Case Count	Total Wt.

EXAMPLE

APPENDIX XI – IMPORT RAISIN MICROANALYSIS WORKSHEET

Electronic version of the Import Raisin Microanalysis Worksheet

United States Department of Agriculture

SPECIALTY CROPS INSPECTION DIVISION
IMPORT RAISIN MICROANALYSIS WORKSHEET

IMPORTER	MICRO NUMBER		☐ MEETS ☐ FAILS
COUNTRY OF ORIGIN	VARIETY		DATE
PORT OF ENTRY	ENTRY NUMBER		SAMPLE NUMBER

	LARVAE	PUPAE	ADULT	INSECT HEADS	TOTAL	DROS EGGS	FRAGMENTS	
Drosophila								
Dried Fruit Beetle								
Saw Tooth Grain Beetle								
Yellow-Brown Sap Beetle								
Raisin Moth								
Indian Meal Moth						OTHER EGGS	FEATHER BARB	STRIATED HAIR
Vine Hopper								
Thrip								
Other						TOTAL EGGS	FEATHER BARBULES	OTHER HAIR
Date Completed								
REMARKS						Analyst's Printed Name and Signature		

8e Marketing Order Manual – Appendix XI

USDA is an equal opportunity provider, employer, and lender.

APPENDIX XII – SCI DIVISION IMPORT DATABASE PROGRAM INSTRUCTIONS

The Import Database program runs in tandem with the Billing and Inspection Information System (BIIS). All 8e imported lot information for processed product is entered using the lot screens in BIIS. The same is true with the certificate number and certificate date being entered using the document screen in the BIIS. Once this information has been entered into BIIS, the user will need to go into the Import Database program and enter the specific 8e information for each imported lot entered in the BIIS. Several warning messages have been incorporated into BIIS to remind the user to finish the 8e entry using the Import Database program. Because the Import Database program now relies so heavily on the BIIS there are several rules that must be adhered to maintain the accuracy of the import data.

- All 8e lot information entered into the BIIS will also require an entry into the Import Database program.
- All 8e import lots will be entered individually and matched to a specific certificate using the document screen.
- All 8e import lot certificates will be entered using the main BIIS program document screen and not entered using the document screen accessed through the utility menu.
- Changes to 8e lot pounds will be accomplished through the lot screen in BIIS and then a follow up entry in the Import Database program.
- 8e voided or superseded import certificates will be voided or superseded using the document screen in the BIIS. The pounds on these certificates will be zeroed out on the lot screen in BIIS and an updated entry will be saved in the Import Database.

It is imperative that any changes made to the pounds or the certificate information of an 8e import entry be reflected in the Import Database program.

<u>Application for Inspection Screen</u>

To make an 8e import entry the lot needs to be identified as an 8e imported product in BIIS and in the Import Database program. In BIIS under lot billing:

- Select Import-8e for the Service Type on the Application for Inspection screen.

<u>Lot Information Screen</u>

From the Lot Information screen:

- Click on the Add Lot link at the bottom left of the grid.

Once on the Lot Add screen:

- Make the entry for each 8e imported lot as you would for any other lot entry.

It is important to make a separate entry for each 8e lot being entered. Each 8e lot will have a

SC-146 related to it. It is also important to select the correct grade for the product, since this will allow you to enter failing criteria in the Import Database program.

Documents Screen

Once the lot information has been entered:

- Click on the Document Entry link found on the Lot Information screen.
- Enter the certificate information for each SC-146 certificate and relate the lot to the certificate by selecting the lot number from the Lot Number list box.

Import Database Program

Once the lot information, grade and certificate information for the 8e imported product has been entered in BIIS:

- Click on the Import Database link found the portal to enter the Import Database program.
- Enter your user name and password and click on the 'Login' link.
- Select the office from the list box.
- From the Home screen click on the Import Information link to start the entry process.

Please note the Add and Edit function on this program work the same.

8e Import Information Screen

- Enter the service ID for the billing entry that contains the 8e import information and click on the GO link.
- Select a lot number form the Select Lot list box and click on the Retrieve Lot link.

The entered service ID and selected lot will bring up the previously entered information for this 8e import lot:

- For a new entry, enter the import information in the fields provided and click the Finish link.
- For an edit, correct or change the information in the appropriate field and click the Finish link.

You will notice the Finish link does not close the screen. This is so you can use the same import information for multiple lots by selecting a different lot from the Lot Selection list box and clicking on the Retrieve Lot link.

You will also notice that any editing of the actual grade or product information must be done in BIIS and not from this program. If a change to the grade or lot information must be performed:

- Change the information in BIIS
- Login into the Import Database program

- Retrieve the lot information using the service ID and the lot number
- Once the information has been retrieved click on Finish at the bottom of the screen.

To close the 8e Import Information screen and return to the main menu use Cancel next to the Finish at the bottom of the screen.

Failing Defects

If the grade given to the 8e import entry is failing, clicking on Finish will open the Failing Reason screen. On this screen you will select the failing reason for the 8e imported lot. Once all failing reason have been entered click Finish to return to the previous screen.

For Voided Certificates

- Start BIIS and select Lot
- Select Lot Entry
- Enter Service ID; Click GO
- Select Document Entry Link
- Delete the original certificate entry
- Enter the original certificate as a VOID; Click Add
- Enter the new certificate; be sure you select the Lot number; Click Add
- Start the 8e Import database
- Click Import Information.
- Enter the Service ID; Click Go
- Select the lot number and Retrieve Lot.
- Click Finish to save the changed import information.

APPENDIX XIII – IMPORT RAISIN REPORT

Electronic version of the Import Raisin Report

United States Department of Agriculture

SPECIALTY CROPS INSPECTION DIVISION
IMPORT RAISIN REPORT

FIELD OFFICE

ADDRESS

Date	Importer	Country of Origin	Name of Vessel	B/L No.	Total Weight Inspected	Cases [1]	Certificate Number	Meeting Import Requirement	Failing Import Requirement	
								Weight	Weight	Account

[1] Record number and size of shipping case, such as 1400/30 pound or 100 cases 48/15 ounce.