

2

Animal Product
Manual

Procedures

Clearing Regulated Cargo

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Introduction

The *Clearing Regulated Cargo* information presented in this section is a supplement to the guidelines, directions, and policy in the *Manual for Agricultural Clearance* (MAC).

Materials Needed

You will need the following items to clear regulated animal importations in cargo operations:

- ◆ Port guidelines for controlling cargo and for holding miscellaneous cargo
- ◆ *Animal Product Manual (APM)*
- ◆ Strip (Tyden), scrap, or button seals
- ◆ Ink pad
- ◆ Various CBP rubber stamps, such as “Shipment Authorized,” “Hold,” “Released for Export”
- ◆ Various forms (VS Forms 1-86A, 10-4, 16-4, 16-78; PPQ Forms 212, 254, 523, and 518)

Step 1: Classify the Importation

After reviewing manifests, air waybills or bills of lading, Customs entries, invoices, shipper and broker forms, endangered species documents, certificates, or permits, decide whether the material or product is of animal origin or may have been associated with an animal, or is intended for use in animals, or otherwise presents a potential for the introduction of a foreign animal disease (FAD). Use other sections of this manual to help clarify the information you are reviewing—*List of Animal Names and Their Classes*, ([Appendix B](#)), *Dictionary of Spanish Words Relating to Animal Product/By-Product Importations* ([Appendix F](#)), the *Glossary*, and the *Index*.

If the documentation reveals any of the following, regulate the material as being of animal origin or having been associated with an animal:



- ◆ Shows the name of an animal
- ◆ Refers to a live animal
- ◆ Shows the name of a product or material that is derived from an animal
- ◆ Suggests something that is likely to have come in contact with animals or parts of animals (for example, semen containers, hay, or straw)

After you determine an importation is of animal origin or related to an animal, then further classify the importation as a live animal, animal product, animal by-product, or related animal product using [Table 2-2-1](#).



VS is responsible for importations of live ruminants, swine, horses, or poultry (including birds). When these importations arrive, consult with local VS for procedures. For animal products, by-products, organisms and vectors, contact [VS-TTSPS](#) on page H-1-4 or [PPQ-AQI-VMO](#) on page H-1-2 or [PPQ-VRS-Headquarters Personnel](#) on page H-1-2.

TABLE 2-2-1 Classify an Importation as Live Animal, Animal Product, Animal By-Product, or Related Animal Product

| If the importation is: | And the purpose is for: | Then classify as: |
|---|--|-------------------------|
| <ul style="list-style-type: none"> ◆ Live hedgehogs, tenrecs, brushtail opossums, ruminants, swine, horses, birds (including poultry) ◆ Eggs for hatching ◆ Semen, embryos ◆ Organisms or vectors |  | Live animals |
| <ul style="list-style-type: none"> ◆ Carriers ◆ Consolidated cargo ◆ Meat covers ◆ Semen and embryo containers ◆ Straw and hay |  | Related animal products |
| From an animal | Human consumption, such as: <ul style="list-style-type: none"> ◆ Bird nests ◆ Casings ◆ Eggs ◆ Meat ◆ Milk ◆ Processed products containing meat | Animal products |
| | Pet food or feed, manufacturing or processing, research, biological or pharmaceutical products, testing, exhibition, recreation, such as: <ul style="list-style-type: none"> ◆ Animal waste ◆ Blood ◆ Bones ◆ Casings ◆ Extracts and derivatives of organs and glands ◆ Egg shells ◆ Hides ◆ Organs and glands ◆ Trophies | Animal by-products |

Step 2: Place a Hold on the Importation

There are two reasons for placing a hold on the importation:

- ◆ Importation is of agricultural interest
- ◆ Need to get additional information to decide what to do

By placing a hold on cargo, you are requiring that the cargo either meet specific conditions of entry listed in this manual or you want to inspect the cargo for contamination or pests or to verify the contents. The hold is **not** removed until final action is taken. Depending on local practice, hold the cargo in one or more of the following ways:

- ◆ Stamp “HOLD” on Customs’ papers or shipping forms
- ◆ Complete PPQ Form 212, Cargo Hold and Record
- ◆ Use the Automated Commercial System (ACS) computer to electronically hold cargo

Animal Product/Animal By-Product On Hold Shipment Release Request

If an animal product/by-product shipment is put on hold that requires a release from USDA/APHIS Veterinary Services National Center for Import and Export (VS/NCIE), Technical Trade Services Product Staff (TTSPS), **and** an Emergency Action Notice (PPQ Form 523) **has not** been issued, then inform the broker/importer to provide the information listed below (as applicable) to USDA/APHIS/Vs/NCIE/TTSPS (see http://www.aphis.usda.gov/animal_health/permits/ah_permits_onhold.shtml).

- ◆ On hold shipment notification form
- ◆ A copy of the shipping invoice or manifest
- ◆ The bill of lading, airway bill or tracking receipt
- ◆ Foreign government certification
- ◆ Valid Veterinary Services import permit
- ◆ A phone and fax number of the port where the shipment is being held
- ◆ CBP document outlining the reason for the quarantine

Instruct the broker/importer to use the **On Hold Shipment Notification Form:**

(http://www.aphis.usda.gov/animal_health/permits/downloads/onhold_shipnotification.pdf) to request a release of the on hold shipment from USDA/APHIS/Vs/NCIE/TTSPS.

For VS/NCIE/TTSPS contact information, go to **Table 2-4-16**



Important

If the animal product/animal by-product shipment placed on hold has been issued an Emergency Action Notification (PPQ Form 523), the shipment must be destroyed or reexported. Do **not** inform the broker/importer to call USDA/APHIS/VS/NCIE/TTSPS for assistance to release the shipment if a PPQ Form 523 has been issued, because the shipment **will not** be released by USDA/APHIS/VS/NCIE/TTSPS once a PPQ Form 523 has been issued.



Important

Refer to the Manual for Agriculture Clearance (MAC), Table A-1-34, for instructions on initiating an Emergency Action Notification (PPQ Form 523).

In some cases, the importer will request a special movement of cargo which is intended for off loading at your port. The request may be for movement to another port for clearance by CBP, export, transportation for export, or transfer to another container. To determine your next action, use [Table 2-2-2](#).

TABLE 2-2-2 Action to Take When Importer Requests Special Movement

| If the importer requests that PPQ allow: | And when using the <i>Reference</i> chapter, the importation is: | Then: |
|--|---|--|
| Movement of held cargo to another port for entry into the U.S. | Ineligible for entry | 1. DO NOT allow off loading ¹ 2. Follow procedures in the <i>Manual for Agricultural Clearance (MAC)</i> |
| | Eligible for entry (authorized to move to an approved establishment or eligible for entry under certification or permit) | AUTHORIZE movement under CBP control, but no further than the port at which the products will first be removed from the carrier <ul style="list-style-type: none"> ◆ Either FOLLOW the directions on the permit ◆ Or FOLLOW the special procedures for <i>Transiting of Products That Would Be Eligible for Entry</i> under <i>Biological Material, Animal Products or By-Products Transiting for Export</i> |
| | Unrestricted animal products | 1. AUTHORIZE movement 2. FOLLOW procedures in MAC |
| Exportation of held cargo | —————▶ | 1. SAFEGUARD the cargo 2. FOLLOW <i>Biological Material, Animal Products or By-Products Transiting for Export</i> 3. If containers are leaking or packaging is flimsy or damaged, GO to Table 2-2-4 |
| Transportation of held cargo for export | —————▶ | |
| Transfer of held cargo from one container to another | —————▶ | |
| Movement in transit overland through the U.S.A. | Eligible for entry | 1. DO NOT ALLOW transiting ¹ 2. FOLLOW procedures in MAC |
| | Ineligible for entry | |

1 Fresh (chilled or frozen) meat of ruminant or swine from countries known to be affected with FMD are **not** admissible and are **not** allowed to transit the United States. (This footnote **does not** apply to stores for use aboard the vessel.)

Step 3: Determine the Entry Requirements



Before continuing, find out if a VS permit covers the importation authorizing its entry. A VS permit takes precedence over the entry requirements listed in this manual. VS has the authority to write a permit for any animal product except for fresh (chilled or frozen) meat of ruminant or swine from countries or regions known to be affected with FMD. This meat is prohibited by the Tariff Act of June 17, 1930, Section 306(a).

TABLE 2-2-3 Determine Entry Requirements

| If the animal product importation is: | Then: |
|---------------------------------------|---|
| Covered by a VS permit | GO to the <i>Processing Importations Authorized Entry by a VS Permit</i> on page 2-4-32 |
| Not covered by a VS permit | CONTINUE to determine the entry requirements using the <i>Reference</i> chapter |

Also, for commercial shipments **only**, FDA and FSIS require that the food product's label shows the container's ingredients and the net weight of the product in English. For meat products FSIS (**not** FDA) approves the label. If a commercial shipment **lacks** this information, you may wish to contact the appropriate agency. Officers are **not** required to translate and validate labels. The importer is responsible for satisfying entry requirements which include providing the proper documents in the proper format and language. If an officer or other capable source **cannot** confidently translate a label, then take the most restrictive action which may be to refuse entry.

Investigate the importation by looking at the accompanying documents and interviewing the importer. Collect the following information that will help you determine if there is any entry requirement that **must** be met regarding the importation of live animals, animal products, animal by-products, or related animal products. Using all the information you collect, look up any requirement that **must** be met in the *Reference* chapter.

- ◆ Name and description of the importation
- ◆ Animal class
- ◆ Country of origin
- ◆ Disease status of the country of origin
- ◆ Itinerary
- ◆ Degree of processing
- ◆ Intended use
- ◆ Certificate statements

◆ Additional information

Name and Description of the Importation

The name and description of the importation are usually listed on accompanying documents as the kind of product, name of product, or description of goods. As part of the description, note the quantity and weight of the importation. Quantity and weight are factors used when deciding to release meat or meat products **without** the importer considering FSIS requirements. Use these sections of this manual to help clarify the name and description: *List of Animal Names and Their Classes* (Appendix B), *Dictionary of Spanish Words Relating to Animal Product/By-Product Importations* (Appendix F), the *Glossary*, and the *Index*.

Animal Class

Animal class is the kind of animal from which the product was derived. If you **cannot** determine the animal class from the collected information, use *List of Animal Names and Their Classes* (Appendix B). This appendix will help you find the class of an animal when all you have is its name. Appendix B lists common, foreign, and scientific names of animals. Figure 2-2-1 shows the designation given for each animal name listed.

| |
|--|
| (H) = Horse (equine) |
| (P) = Poultry (avian) |
| (R) = Ruminant (cattle, deer, goat, sheep) |
| (nr) = Regulate as a ruminant; although not a ruminant, can transmit diseases of ruminants (e.g., FMD and bovine tuberculosis) |
| (S) = Swine (pigs and their relatives) |
| (O) = Other, which represents a class of animal other than horse, poultry, ruminant or swine. Animal products and by-products of other classes are not restricted by the agricultural requirements of APHIS. |

FIGURE 2-2-1 Animal Class Designations

Country of Origin

The country of origin can be the country where the product was processed, the country from where the importation was shipped, or the country where the animal was slaughtered. If the importation is frozen, cooked beef from foreign countries affected with FMD, the documents will list a specific, approved establishment within the country of origin. If the importation is meat that was slaughtered in one country and processed in another, and if required by regulation, the documents will list both countries.

Disease Status of the Country of Origin

The status of exotic foreign animal diseases in the country or region of origin is defined in USDA regulations. Use the *Foreign Countries and Disease Status* (Appendix C) to identify the diseases related to animal

product importations that occur or **do not** occur in a foreign country. **Figure 2-2-2** lists the abbreviations used to identify the disease statuses.

| |
|--|
| ASF—African swine fever |
| BSE—Bovine spongiform encephalopathy |
| CSF—Classical swine fever (also known as hog cholera) |
| CSF/SR—Classical swine fever with special requirements to apply |
| END—Exotic Newcastle disease |
| END/SR—Exotic Newcastle disease with special requirements to apply |
| FMD—Foot-and-mouth disease |
| FMD/SR—Foot-and-mouth disease free with special requirements to apply |
| HPAI (H5N1)—Highly pathogenic avian influenza subtype H5N1 |
| SVD—Swine vesicular disease |
| SVD/SR—Swine vesicular disease free with special requirements to apply |

FIGURE 2-2-2 Abbreviations for Exotic Animal Diseases

For importations of meat, special requirements (/SR) may apply as listed in **Figure 2-2-2**; e.g., CSF/SR, END/SR, FMD/SR, or SVD/SR. Even though a country is free from CSF, END, FMD, or SVD, the country supplements its national meat supply by importing meat from affected countries, imports live ruminants, swine or poultry from affected countries under conditions less restrictive than would be acceptable for importation into the United States, or has a common land border with an affected country. The "/SR" disease status category **only applies to meat, meat products, and edible meat by-products.**

If the country of origin is **not** known, use the most restrictive disease status for the importation.

Itinerary

The importation's itinerary is an account of which country the importation was produced and shipped from, what countries the importation may have transited, and the final destination of the importation.

If the importation transited a country which is known to be affected with diseases of concern, then sealing requirements would have to be met. If sealing requirements are **not** met, then the country of origin becomes that where the product transited, was off-loaded, was reprocessed, or was repackaged.

Some restricted importations are consigned to a final destination for further processing or treatment. In such cases, the final destination **must** be an approved establishment, plant, or warehouse that is listed in the ***Establishments Approved to Receive and/or Process Restricted Imported Animal By-Products (Appendix E)***. This appendix will help you identify and verify establishments in the United States that are approved to store and process restricted importations of

animal by-products. The approval given to each establishment is for a specific animal by-product or for a specific purpose. The establishments are listed alphabetically by State, and the animal by-product or purpose the establishment was approved to handle are also listed.

Use the URL that follows to get the most up-to-date information on approved establishments:

<http://vsps.aphis.usda.gov/vsps/public/AESearch.do?method=unspecified>

Degree of Processing

The degree to which meat and meat products have been processed may be classified into the following:

- ◆ Cured and dried
- ◆ Cooked
 - ❖ Shelf stable
 - ❖ Canned, perishable (pasteurized canned)
 - ❖ Chilled or frozen
- ◆ Fresh
 - ❖ Chilled or frozen

Intended Use

Determining the intended use of the importation will help you identify the correct entry requirements. For example, the entry requirements for intestines will differ if the intended use is to contain food (casings), or to feed animals, or to make fertilizer (rendered product).

Certificate Statements

Statements that are entered on an accompanying certificate may attest to entry requirements. You need to know what the statements are to match and verify against established entry requirements.

Additional Information

Additional information may be needed for record keeping. This information includes the name of the carrier, date of arrival, nationality of carrier, bill of lading or air waybill number, port of lading, and name of the importer or broker for the shipment. This information is needed to complete other forms.

Step 4: Inspect the Importation

Match the information collected from accompanying documents and from importers with the actual importation. Many importations of animal products or by-products entering through air or maritime cargo are commercial.

Identify and validate that:

- ◆ The importation is what the documents state it is, including its degree of processing, quantity, weight, and packaging
- ◆ An appropriate permit, certificate, or letter from the shipper accompanies the importation
 - ❖ When reviewing permits, verify the identifying number, expiration date, and destination address
 - ❖ When reviewing foreign certificates, verify origin, destination, product description, and statements.

Examples and further information about foreign certificates and permits are detailed under the appropriate animal product or by-product in the *Reference* chapter and under [Appendix G, Certificates and Permits](#)

- ◆ All conditions are being met to allow entry of the importation

If there are major discrepancies between the importation and the accompanying documents or if the documents are missing, then refuse entry.

If there are minor discrepancies, then contact [PPQ-AQI-VMO](#) or [PPQ-VRS-Headquarters Personnel](#) for approval to continue clearing the importation.

Examine the containers to make sure that they are intact and **not** leaking or damaged in any way. All importations of restricted animal products or by-products **must** be in sturdy, leakproof containers. If the containers are flimsy, broken, or leaking, require that they be repackaged in sturdy, clean, leakproof containers. Clean and disinfect any leakage or spills. Seals **must** be intact and unbroken.



CBP-Agriculture Specialists (CBP-AS) at the first port of arrival **must** check all seals of break-bulk vessels carrying meat or milk.

TABLE 2-2-4 Determine Action to Take on Leaking or Damaged Container or Broken or Missing Seals

| If the restricted importation is: | Then: |
|---|---|
| Leaking or packaged in flimsy or damaged containers | 1. REQUIRE that the containers be replaced at the port of arrival before permitting the shipment to go forward 2. REQUIRE the importer to destroy any replaced containers by incineration 3. If leakage was detected, TAKE care of the leak; HAVE the importer clean and disinfect any contaminated surfaces (see Step 5: Take Action on Contaminants and Ticks on page 2-2-12) |
| In a container with a broken or missing seal | 1. CONTACT PPQ-AQI-VMO or PPQ-VRS-Headquarters Personnel and provide all the collected information on the importation and the circumstances connected with the broken or missing seal 2. HOLD the importation until a satisfactory explanation is given and guidance from PPQ-AQI-VMO or PPQ-VRS-Headquarters Personnel is received 3. TAKE action according to PPQ, VRS directions |

Cleaning and disinfecting **must** occur when contamination is found during your inspection. Also, be aware of possible tick infestation on importations of hides, bones, and trophies.

TABLE 2-2-5 Determine Action to Take Based on Results of Inspection

| If as a result of your inspection you find: | Then: |
|---|--|
| <ul style="list-style-type: none"> ◆ Plant debris, hay and straw, or soil ◆ Manure, blood, or other known animal contaminants because leaking or spilling has occurred ◆ Ticks | GO to Step 5: Take Action on Contaminants and Ticks on page 2-2-12 |
| Importation to be clean and free of contaminants and ticks | GO to Step 6: Take Final Regulatory Action on page 2-2-16 |
| Animal contamination related to a live animal importation | CONSULT local VS who is responsible for cleaning and disinfecting |

Step 5: Take Action on Contaminants and Ticks

When an importation of prohibited or restricted animal products or by-products is contaminated because leaking or spilling has occurred, all the articles and surfaces that come in contact with the importation **must** be cleaned and disinfected before they are reused.




Also, when an importation of animal products or by-products is contaminated with plant debris, hay and straw, or soil all the articles and surfaces that come in contact with the importation **must** be cleaned and disinfected before they are reused.

Empty semen and embryo containers (sometimes manifested as nitrogen containers) and related animal products are included in this step because they automatically are considered contaminated and require cleaning and disinfection.

All ticks found on cargo are of interest to VS because ticks are vectors of animal diseases. It is necessary to identify and confirm the intercepted ticks to determine if quarantine action is needed.

Use **Table 2-2-6** that follows to determine your action on animal contaminants and ticks.

TABLE 2-2-6 Determine Action to Take on Contaminants and Ticks

| If you find: | On: | Then: |
|-----------------------------------|--|---|
| Animal contamination | Containers, crates, boxes, drums, or related articles and surfaces such as docks or warehouses | CONTACT local VS personnel for cleaning and disinfecting |
| | Aircraft | CONTACT local VS personnel for cleaning and disinfecting |
| | Trucks transporting livestock from Mexico | GO to Trucks Transporting Livestock from Mexico on page 2-2-13 |
| Plant debris, hay and straw, soil |  | CLEAN and DISINFECT the affected containers, articles, or surfaces according to Instructions for Cleaning and Disinfection on page 2-4-14 |
| Empty semen or embryo containers |  | GO to Empty Semen and Embryo Containers on page 2-2-14 |
| Ticks |  | GO to Ticks on page 2-2-15 |

Trucks Transporting Livestock from Mexico

If trucks transporting livestock from Mexico are found contaminated with animal material, **do not** allow entry until the trucks are returned to Mexico for cleaning.

Empty Semen and Embryo Containers

First, you **must** ensure that the semen or embryo containers are empty. Then you can take the appropriate action based on the country of origin of the semen or embryo.



Semen and embryo containers contain liquid nitrogen which may freeze or damage your skin. Avoid contact unless the container is free of liquid nitrogen.

1. Inspect the containers to determine whether there are any vials or straws left inside.

TABLE 2-2-7 Inspection of Semen and Embryo Containers

| If: | And the containers: | Then: |
|----------------------------|--------------------------------------|--|
| Semen or embryo containers | Have vials or straws left inside | 1. CONTACT PPQ-AQI-VMO or PPQ-VRS-Headquarters Personnel (see Appendix H) 2. TAKE action as directed by PPQ, VRS |
| | Are empty (free of vials and straws) | PROCEED to Step 2 |

2. Recall the country of origin and determine if you will clean and disinfect the empty containers.

TABLE 2-2-8 Determine Whether to Clean and Disinfect Empty Semen and Embryo Containers

| If the country of origin or the country from where the containers were shipped is: | Then: |
|--|--|
| Canada | RELEASE; no cleaning and disinfecting are required |
| Foreign country other than Canada | 1. CONTACT local VS personnel for cleaning and disinfecting 2. COMPLETE VS Form 1-86A (see the procedures for completing and distributing forms, Appendix K) |

Ticks

All ticks found on cargo are of interest to VS because ticks are vectors of animal diseases. Cargo from the Western Hemisphere infested with the following ticks requires quarantine action because these ticks are the principle agents in the spread of bovine piroplasmiasis (cattle fever):

- ◆ *Amblyomma variegatum*
- ◆ *Boophilus annulatus*
- ◆ *B. microplus*

Use [Table 2-2-9](#) to determine your action when ticks are found.

TABLE 2-2-9 Procedures to Follow When Ticks Are Found

| If you are located at a PPQ/CBP office: | Then: |
|--|--|
| Along the Mexican border | 1. SEND the ticks to the local PPQ identifier for identification 2. HOLD the infested importation until the ticks are identified and you receive a recommended action |
| Other than along the Mexican border | 1. SEND the ticks to the National VS Laboratory in Ames, IA. Refer to the Steps for Sending Samples to NVSL on page 2-4-35 2. HOLD the infested importation until the ticks are identified and you receive a recommended action |

Step 6: Take Final Regulatory Action

Based on the entry requirements and your inspection, take final regulatory action on the importation. Your action will resolve the hold placed on the cargo. To resolve the hold, take **one** of the three following regulatory actions:

- ◆ Release
- ◆ Authorize shipment to an approved establishment or warehouse (including approved defrost facilities)
- ◆ Refuse entry

Depending on the method of holding cargo at your port, document your final regulatory action using one of the following:

- ◆ Stamp the action taken on all copies of the Customs' and shipping forms
- ◆ Write the action taken on all copies of PPQ Form 212
- ◆ Attach a copy of the import documents to PPQ Form 212
- ◆ Use the ACS computer to post the action on the air waybill or the bill of lading

Your recorded action serves as notification to CBP and other interested parties that the cargo has met APHIS requirements or that the cargo is authorized to move. When you refuse entry to the importation and complete the appropriate forms (PPQ 254 or PPQ 523), CBP will get a copy documenting the disposition ordered against products still under their control. Also, if the importation is held pending final regulatory action, apply warning labels (PPQ Forms 214 and 244) according to port policy.

In specific situations identified in the *Reference* chapter of this manual, the final regulatory action will be to hold the importation and contact PPQ, VRS who will make the final decision.



Release

When you release a hold, you are allowing entry of the importation because it complies with APHIS agricultural requirements. Commercial importations of meat **must** also be cleared by FSIS.

Authorize Shipment to an Approved Establishment or Warehouse

When you authorize shipment to an approved establishment or warehouse, you are allowing entry of the importation, but restricting its movement to a final destination within the United States for further processing or treatment. This movement may be to an approved defrost facility. Refer to [Table 2-2-10](#) when authorizing shipment to an approved establishment.

TABLE 2-2-10 Action to Take on Cargo When Authorizing a Shipment to an Approved Establishment

| If the importation is: | And the importation is: | Then: |
|--|--|---|
| Consigned to an approved establishment or warehouse |  | Go to Action to Take on Importations Consigned to an Approved Establishment or Warehouse on page 2-2-17 |
| Consigned to an establishment or warehouse not approved | Meat or meat products | CONTACT PPQ-AQI-VMO or PPQ-VRS-Headquarters Personnel who will help the importer |
| | Animal products or by-products other than meat | GO to Action to Take on Importations of Animal Products or By-Products Other Than Meat Consigned to an Establishment or Warehouse Not Approved on page 2-2-18 |
| Not consigned to an establishment, but which needs to be consigned to an approved one |  | GO to Action to Take on Importations Not Consigned to an Establishment or Warehouse, but Which Need to Be Consigned to such an Establishment on page 2-2-18 |

Action to Take on Importations Consigned to an Approved Establishment or Warehouse

Follow the steps below for action to take on importations consigned to an approved establishment or warehouse:

1. Safeguard the importation.
2. Stamp Customs' entry documents and shipping forms or update PPQ Form 212 or ACS to show the importation is authorized to a specific destination.
3. Examine the containers to make sure that they are intact and **not** leaking or damaged in any way. If the containers are flimsy, broken, or leaking, require that they be repackaged in sturdy, clean leakproof containers. Clean and disinfect any leakage or spills.
4. Ensure that all package labels and accompanying documents show the address of the approved establishment or warehouse. Require labels and documents to be rewritten if **not** accurate.
5. Complete VS Form 16-78. Refer to the procedures for completing and distributing forms in [Appendix K](#).
6. Ensure that the importation is moving under a bonded carrier or under Customs' bond.

Action to Take on Importations of Animal Products or By-Products Other Than Meat Consigned to an Establishment or Warehouse Not Approved

7. Seal the importation.

Provide the following options to the importer or the importer's agent on importations of animal products or by products **other than** meat consigned to an establishment or warehouse **not** approved:

1. Change the consignment to an approved establishment. After the importation is consigned to an approved establishment, follow the directions listed under [Action to Take on Importations Consigned to an Approved Establishment or Warehouse on page 2-2-17](#).
2. Apply to VS for approval of the designated establishment. A PPQ-VRS-Headquarters VMO notifies the port of entry that the establishment is approved. Follow the directions listed under [Action to Take on Importations Consigned to an Approved Establishment or Warehouse on page 2-2-17](#).
3. Export immediately. Follow the directions under the regulatory action, refuse entry.
4. Destroy the importation under APHIS supervision. Follow the directions under the regulatory action, refuse entry.

Action to Take on Importations Not Consigned to an Establishment or Warehouse, but Which Need to Be Consigned to such an Establishment

Take the following action on importations that are **not** consigned to an establishment or warehouse, but need to be consigned to such an establishment:

1. Explain to the importer why the importation **must** go to an approved establishment.
2. Use [Appendix E, List of Establishments Approved to Receive and/or Process Restricted Imported Animal By-Products](#) to help the importer choose an approved establishment, follow the directions under [Step 1: Classify the Importation on page 2-2-2](#).



APHIS **does not** recommend one establishment over another.

3. If the importer chooses to immediately export the importation under APHIS supervision, then refuse entry. Follow the directions under the regulatory action, [Refuse Entry](#).

Refuse Entry

Refuse entry when the importation is **not** eligible for entry¹ according to APHIS' agricultural requirements. Importations **not** eligible for entry also includes those shipments that are not accompanied by the required VS import permit.

The following options of disposition are available to the importer:

- ◆ Immediate export
- ◆ Destruction by the importer under APHIS supervision



If a shipment is abandoned to CBP, then incinerate the importation and complete PPQ Form 254 to document the incineration.

Continue to [Table 2-2-11](#).

TABLE 2-2-11 Action to Take When a Shipment Is Not Eligible for Entry

| If the shipment: | And the importer chooses to: | Then: |
|----------------------------------|--|--|
| Is not eligible for entry | Immediately export | <ol style="list-style-type: none"> 1. SAFEGUARD the importation 2. REQUEST a new air waybill or bill of lading 3. STAMP the shipping document with a warning "For Export Only" 4. WATCH any change of container and loading onto exporting vessel 5. DISINFECT or destroy used containers 6. COMPLETE PPQ Form 523 to document disposition |
| | Destroy the importation under APHIS or CBP supervision | <ol style="list-style-type: none"> 1. SPECIFY that the importation must be incinerated or sterilized¹. If the importer wants to destroy the importation in a different manner, then contact PPQ-AQI-VMO or PPQ-VRS-Headquarters Personnel to approve the final disposition 2. SUPERVISE the destruction 3. COMPLETE PPQ Form 523 to document disposition |
| | Authorize shipment to an approved establishment ² | <ol style="list-style-type: none"> 1. CONFIRM there is an approved establishment for the specific article before forwarding the shipment (see List of Establishments Approved to Receive and/or Process Restricted Imported Animal By-Products on page E-1-1) 2. If an approved establishment is not listed for the specific article, then contact the local PPQ-AQI-VMO (see PPQ-AQI-VMO on page H-1-2) 3. If there is an approved establishment, then HAVE the importer make arrangements with the approved establishment 4. AUTHORIZE SHIPMENT under seal with VS Form 16-78 (see Appendix K to complete form) |

¹ If sterilized, then the importation **must** be cooked to an internal temperature of 212° F for 30 minutes.

² If the importation is meat or related products and by-products, a violation report and investigation may be required. Contact PPQ, VRS.

- There are **no** approved establishments for products (such as bones or trophies) that are prohibited from BSE-affected countries or from countries categorized as being at minimal risk for BSE; these shipments **must** be re-exported or destroyed. Milk and milk products are **not** prohibited from BSE-affected countries. FSIS facilities are **not** considered ASPHIS-approved establishments.

Documenting Violations

When cargo is moved **without** the proper treatment or inspection and CBP release, then regulations have been violated by the individual or party responsible for the movement—the violator moved the cargo which **did not** yet meet the requirements of a regulation. Specifically, when meat or fresh animal products are under a CBP hold and are moved **without** your being presented with the required certification or permit, then regulations have been violated.

Document all violations by completing PPQ Form 518, Report of Violation, and by conducting an investigation of the incident. Refer to the *Manual for Agricultural Clearance (MAC)* for instructions on how to complete PPQ Form 518 and how to conduct an investigation and assemble a case file.

Use [Table 2-2-12 on page 2-2-20](#) to identify your authority when documenting violations.

TABLE 2-2-12 Determine the Authority to Identify When Documenting Violations

| If the importation is: | Then your authority is: |
|--|-------------------------|
| <ul style="list-style-type: none"> ◆ Pet birds ◆ Hatching eggs | 9CFR Part 93 |
| <ul style="list-style-type: none"> ◆ Semen ◆ Embryos | 9CFR Part 98 |
| Edible animal products such as: <ul style="list-style-type: none"> ◆ Meat and meat products ◆ Milk and milk products ◆ Eggs | 9CFR Part 94 |
| Inedible animal by-products such as: <ul style="list-style-type: none"> ◆ Bones ◆ Hides ◆ Skins ◆ Hay, straw | 9CFR Part 95 |
| Casings | 9CFR Part 96 |
| Biological products such as viruses, serum, toxins that are intended for use in treating animals | 9CFR Part 104 |
| <ul style="list-style-type: none"> ◆ Organisms ◆ Vectors | 9CFR Part 122 |

Step 7: File the Documents and Associated Paperwork

Documents and associated paperwork are kept to provide information in case of litigation. An accessible filing system will enable you to justify the regulatory actions you took in case of audits or requests from the Office of the Inspector General.

1. Decide on the filing system that is most practical for your location. Devise one that keeps the records complete and accessible. File by subject matter (for example, bones, casings, eggs, meat, trophies, etc.). Two methods currently being used are as follows:
 - ❖ Behind subject matter, file alphabetically by permittee, company, or importer's name
 - ❖ Behind subject matter, file chronologically by month and year
2. Select the documents that need to be filed. At a **minimum**, file the following:
 - ❖ Copy of the VS permit (if issued)
 - ❖ Customs entry
 - ❖ Invoice
 - ❖ Lading or airway bill
 - ❖ Meat certificate or other certification accompanying the shipment (certification that details processing, identifies country of origin, or provides country of processing)
3. Maintain each file for a minimum of three years.



Veterinary Regulatory Support will audit these files when conducting Port Reviews.

